



**Policy Review Committee Agenda
for the March 27th, 2018 held at 7:00 p.m. in
the Council Chambers**

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- 1) **DECLARATION OF PECUNIARY/CONFLICT OF INTEREST**
 - 2) **REGISTRATION OF PUBLIC WISHING TO SPEAK**
 - 3) **PLEASE TURN OFF ALL CELL PHONES AND PAGERS**
 - 4) **COMMUNICATION 129140 IS A CLOSED MEETING**
 - 5) **APPROVAL OF ADDENDUM(S)**
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The following items are for information only and will not be discussed unless the Committee chooses to do so. The Chair will entertain a motion to proceed as recommended for those items not pulled out for discussion.

COMMUNICATION 129131

Received from Joanna Bowes, Manager of Development Services
Addressed to Planning and Protection Committee
Date March 27, 2018
Topic Bill 139 - Building Better Communities and Conserving Watersheds Act, 2017

SUMMARY

On December 12, 2017, Bill 139, the Building Better Communities and Conserving Watersheds Act, 2017, received third reading and Royal Assent. Bill 139 amends the *Local Planning Appeal Tribunal Act, 2016*, the *Ontario Water Resources Act*, the *Ontario Municipal Board Act*, the *Planning Act*, the *Ontario Planning and Development Act, 1994* and the *Municipal Act, 2001*. In addition, Bill 139 also enacts the *Local Planning Appeal Support Centre Act, 2017*. This new Act will come into force and effect on April 3, 2018.

These legislative changes will allow for the following key provisions to occur:

1. The replacement of the Ontario Municipal Board (OMB) with the Local Planning Appeal Tribunal (LPAT). Much like the OMB, the LPAT will operate out of Toronto as a provincial-wide body.

129131 Continued

2. The creation of the Local Planning Appeal Support Centre (LPASC). LPASC is a separate and independent entity from both government and LPAT.
3. LPAT considerations and decisions will give more weight to the decisions of municipal Councils.
4. A two-year “time out” for new Secondary Plans.
5. Longer decision timelines for Official Plan Amendments (OPA) and Development Permit Amendments (DPA).
6. No appeal of Provincial decisions in relation to either the Provincial Policy Statement (PPS) or OPAs.
7. Mandatory Case Conferences (mediation).

COMMENT

Through the creation of the Local Planning Appeal Tribunal and the changes to the process, such as mandatory mediation, fewer applications should be brought forward to a hearing. Further, the creation of the Local Planning Appeal Support Centre will provide help to members of the public who in the past have not had access to, or limited access to, planning and legal advice.

Under this Act, the applicant will be required to discuss how their proposal conforms with both local planning documents as well as the Provincial Policy Statement. There will also be restricted appeal grounds such that no appeals for OPAs/DPAs to LPAT will be permitted unless the appellant can show that the proposed development is not consistent with or in conformity with both the PPS and the municipality’s Official Plan.

STAFF RECOMMENDATION

THAT the staff report regarding the legislative changes created by Bill 139, *Building Better Communities and Conserving Watersheds Act, 2017* be received as information.

COMMITTEE DECISION

TO BE DISCUSSED

COMMUNICATION 129112

Received From: Paul Knowles, Chief Administrative Officer
Addressed To: Physical Environment Committee
Date: March 6, 2018
Topic: Funding – Central Bridge

SUMMARY

The province has advised that the Town's application under the Ontario Community Infrastructure Fund (OCIF) for the Central Bridge project will not receive any funding.

COMMENT

Staff has asked the province to provide an explanation about how a bridge that must have a load limit so restrictive that school buses, fire trucks and snowplows cannot travel over the bridge, does not qualify for funding.

UPDATE

In December 2017, the consultant retained by the Town to complete its bridge inspections reported the results of their condition assessment of the Central Bridge and advised that load restrictions for the bridge were required. Regardless of the load restrictions, the bridge must be replaced.

Current Details of Central Bridge

Central Bridge is located on Bridge Street in downtown Carleton Place and is the central link for the community across the Mississippi River. The existing bridge was constructed in 1928 and rehabilitated in 1983. The substructure is two (2) masonry abutment walls and two (2) masonry piers. The bridge is a 60.7 m three-span steel plate girder structure. Each of the spans is 20.2 m long. The overall structure width is 12.8 m including steel railings on both sides with a roadway width of 7.3 m. The bridge deck is 190 mm thick concrete slab with a 90 mm asphalt wear course and waterproofing. The deck is supported by two main steel plate girders spaced at 8.1 m with 10 longitudinal stringers in between.

The bridge currently supports two lanes of traffic, a sidewalk on each side, a steel railing on each side that does not comply with current standards and lighting / banner / landscaping poles. The bridge also supports a trunk watermain on the east side and an Enbridge gas main and a major Bell communications cable on the west side.

Consulting Firm Requirements

Six (6) multi-disciplinary consulting firms were invited to submit proposals to manage the project to replace Central Bridge along with other related work. This project will require expertise to:

- Complete the Municipal Class Environmental Assessment (MCEA) process that will determine the preferred alternative solution;

129112 Continued

- Analyze traffic impacts caused by construction;
- Complete detailed designs and administer a contract to replace Central Bridge, add a walkway and rehabilitate Gillies Bridge and provide interim and final watermain river crossings;
- Define work, obtain prices and engage sub-consultants for:
 - Heritage Assessment
 - Natural Environment Assessment
 - Geotechnical Investigation
 - Topographical Survey
 - Hydrotechnical Study to determine sufficient clearance

Consulting Firm Work Phases:

The phases of the consultant's work will include;

- 1) Following the MCEA Schedule C process, the Consultant shall evaluate various alternatives for replacement of Central Bridge.
 - a. The design alternatives to be considered will include:
 - i. Abutment walls and piers - can the existing walls and piers be preserved or should they be replaced?
 - ii. Will the new bridge continue with 3-spans or be a 2-span bridge?
Note – clearance for peak water flows need to be considered.
 - iii. Will the structure be steel or pre-stressed concrete?
 - iv. The cross section will include two (2) travel lanes with a sidewalk on both sides. Should cycling lanes also be included?
 - v. Selecting an attractive steel railing that meets current codes
 - vi. Streetscape features such as lighting and banner/flora basket poles

While assessing these alternatives, capital cost, lifecycle costs, schedule, historical significance, natural environment, aesthetics and community input will be considered.

- b. The construction process alternatives will include;
 - i. Completely removing the bridge during construction or maintaining one-lane of traffic throughout the replacement project.
Note – since the Central Bridge is supported by two (2) main girders, it is not likely realistic to maintain one (1) lane of traffic during construction. This needs to be explained to the community.
 - ii. Maintaining pedestrian access across the river with a temporary bridge during construction or diverting pedestrians to the Ottawa Valley Rail Trail(OVRT) located 340 m east of Central Bridge

129112 Continued

- iii. Maintaining the trunk watermain connection throughout construction, installing a temporary watermain connection across the river or constructing a third watermain link across the river at McArthur Island prior to beginning the Central Bridge construction.
- iv. Assessing the impacts of the Enbridge gas main and the Bell communications cable currently supported by the Central Bridge

While assessing these alternatives, capital cost, schedule, traffic impacts, and community input will be considered. Particular emphasis will be placed on cost and minimized disruption to traffic flow.

In addition to the required consultation and evaluation, the MCEA Schedule C process for this project is to include;

- the mandatory notice of commencement along with an extra public open house to explain the problem and describe the alternatives to be considered and evaluated;
- the mandatory public contact will be a public open house to describe the impacts (cost, schedule, etc.) of each alternative and gather feedback from the community;
- an additional public presentation of the preferred alternative along with the notice of completion

Upon completion of the MCEA process, the Schedule C Environmental Study Report will document the consultation and EA process and include a complete description of the design details and the construction process for the selected alternative solution.

The MCEA process should begin in early April and target to be completed by December 2018.

- 2) The Consultant will complete detailed designs for the projects as defined by the MCEA process. Detailed designs should begin in December 2018 and target to begin construction work in 2019.
- 3) The Consultant will coordinate tendering the project, review bids, recommend award of tender and then administer the contract on behalf of the Town.

The Town recognizes that the cost of completing tasks 2 and 3 (detailed designs and construction administration) cannot be accurately determined until task 1 (the MCEA process) has been completed and the projects have been defined. The proposals submitted identify the staff and the hourly rates that will be assigned to tasks 2 and 3 of this project. A price for completing tasks 2 and 3 will be provided by the Consultant and approved by the Town prior to proceeding.

129112 Continued

The Consultant’s submissions can be summarized as follows;

FIRM	COST OF PHASE 1*
J.L. Richards	\$330,619
RV Anderson	\$205,755
Ainely	\$248,877

* HST and sub-consultants’ work not included

Neither Jewell Engineering or WSP submitted a bid

Staff is recommending that RV Anderson be retained for the following reasons:

- Their firm has a wealth of relevant experience;
- Their proposal demonstrated a clear understanding of the project and offered some unique suggestions for innovative solutions

It should be noted that the hourly rates for each of the consulting firms are competitive.

RECOMMENDATION

THAT Council pass a by-law to authorize the Mayor and Clerk to enter into a contract with RV Anderson for Phase 1 – Environmental Class Environmental Assessment for the replacement of Central Bridge at a cost of \$205,755 plus HST and sub-consultant fees with the cost for subsequent work to be determined after the project is fully defined; and

THAT the Town continue to pursue grants for this project; and

THAT staff develop a plan for financing this project for Council’s consideration.

COMMITTEE DECISION

COMMUNICATION 129132

Received from Diane Smithson, CAO
Addressed to Policy Review Committee
Date March 27, 2018
Topic Civil Wedding Ceremonies and Related Fees

SUMMARY

Staff would like Council to consider enhancing the services offered to those people who wish to marry outside of regular office hours on weekdays and weekends and at a venue outside of the Town Hall.

129132 Continued

BACKGROUND

Given the large workload of Justices of the Peace in dealing with other court room duties, the Province developed another option for marriage services. In order to meet the growing demand, it was recognized that municipalities could provide this service though it was an optional service that municipalities could choose to offer.

In 2004, the Ministry of Consumer and Business Services enhanced access to timely and fiscally responsible civil marriage services and filed regulatory changes under the *Marriage Act* to provide municipal clerks authority to perform civil (non-denominational) marriages as follows:

For the purposes of subsection 24 (1) of the Marriage Act, the clerk(s) of a local municipality is authorized to solemnize marriages under the authority of a license. O. Reg. 285/04, s.1.in the Province of Ontario.

In response to the changes to the *Marriage Act*, Council passed the following resolution on January 25, 2005:

Moved by Paul Dulmage, Mayor

Seconded by Wendy LeBlanc, Councillor

THAT the Council hereby authorizes the Clerk to perform civil marriages.

CARRIED

COMMENT

While it is not incumbent upon the Town to provide this service, it does provide an additional service to the public while at the same time generating municipal revenue. Municipalities have the option to offer civil marriages and to set fees to cover the cost of providing civil marriage services within the parameters outlined in the Municipal Act, 2001.

Although the above permission does not restrict the times/locations of civil marriages, currently the Town of Carleton Place only offers the public an officiant (Clerk) at the Town Hall during regular business hours from Monday to Friday and only has a fee structure established for same. During office hours, the fee for a civil marriage ceremony is retained 100% by the Town.

If Council agrees to set a fee for civil marriage ceremonies conducted outside of regular office hours, it is suggested that \$50.00 of the civil marriage ceremony fee be retained by the Town and the balance is paid to the staff member conducting the service. The fee that staff would be paid would be an all-encompassing fee that includes time for meeting with the couple outside of office hours, travel time, compensation for use of their vehicle to get to the wedding venue and time spent conducting the service.

129132 Continued

Conversely, it makes sense that fees paid to the Town for services within the office and during office hours are retained by the Town as the Corporation is providing the facility and staff are being paid their regular wage.

FINANCIAL IMPLICATIONS

The present fee for a civil wedding ceremony of \$200.00 (which is payable to the Town of Carleton Place) has not been raised since 2005. In addition to establishing a fee for wedding services outside of regular office hours, Council should give consideration to raising the existing fee for ceremonies conducted within office hours at the Town Hall.

The following have been the number of civil marriage ceremonies conducted since 2015:

YEAR	NUMBER OF CIVIL CEREMONIES	REVENUE GENERATED
2015	19	\$3,800
2016	26	\$5,200
2017	14	\$2,800
2018 (TO DATE)	5	\$1,000

Staff has conducted a comparison of fees with other local municipalities who offer this service and the recommended fees below are comparable to these other municipalities:

Civil ceremonies conducted during office hours at the Town Hall	\$300
Civil ceremonies conducted outside regular office hours	\$400

STAFF RECOMMENDATION

THAT the fee for civil marriage ceremony be established as follows:

\$300.00 for ceremonies conducted at the Town Hall during office hours; and
 \$400.00 for ceremonies conducted after hours; and

THAT the rate of compensation for staff conducting marriage ceremonies outside of office hours be set at \$350.00.

COMMITTEE DECISION

COMMUNICATION 129133

Received From: Stacey Blair, Deputy Clerk
Addressed To: Policy Review Committee
Date: March 27, 2018
Topic: Agenda and Report Structure Changes

SUMMARY

Staff is proposing a number of changes to the existing agenda and report structure. The current Procedural By-law and the Striking Committee Report have been reviewed with respect to the proposed changes to ensure that all changes are consistent with applicable policies. Only one of the suggested changes will require a minor policy amendment to the Striking Committee report. Examples of the proposed changes are attached.

COMMENT

There are several reasons why the suggested changes are being proposed. The rationale for each change will be listed with each suggestion for Council's consideration.

Suggested Change #1

Index style agenda covers (at the Committee and Council level).

Rationale:

By providing an index style agenda cover sheet with reports attached (and not forming part of the actual agenda), staff will be able to provide Council, at the committee level with more detailed reports. Attached reports will be referenced on the agenda cover and can also include page number references for reader convenience. This will provide the reader with the ability to see a summary of the agenda contents without having to filter through the entire document to get to each agenda item and will also direct readers to desired content more quickly.

Suggested Change #2

Discontinuation of Council Reports.

Rationale:

Presently the Striking Committee Report states that it is the Action Report which is to be included on the Council Agenda. Presently, there exists a certain level of redundancy between the Action Reports (posted on the website immediately following the meeting and circulated to members of Council in their envelopes though is never approved) and the Council Reports (a minimized version of the Action Report which attached to the Council agenda). Adopting a more concise Action Report format (See Change #3) and attaching it to the Council Agendas in place of the existing Council Report would increase efficiency without compromising the level of information reported.

129133 Continued

Suggested Change #3

Simplification of Action Reports and increased detail in motions (at Committee level and at Council level via Action Reports). This item will require an amendment to the Striking Committee Report.

Rationale:

Presently, the Action Report includes most items from the original report (Summary, Comment, Staff Recommendation, Committee Decision). Staff is proposing that only the Committee Decision be included in the Action Report. However, motions would now include enough detail to understand what the motion is referring to.

Example:

Suggested new style of Committee motion:

THAT the monthly Fire Department Report for February 10, 2017 be received as information.

Existing style of Committee motion:

Receive and record.

Informational motions, such as the above example, would be presented to Council as consent list for adoption by Council as follows:

THAT Council hereby accepts the consent list for the Community Issues Committee's meeting dated January 23, 2018.

By having more concise Action Reports, staff can also provide more detailed reports, as they will be attached to the index style agenda and can be easily referenced.

Suggested Change #4

Discontinuation of text boxes in agendas and reports. Replace this practice with stating that the item is to be received as information in recommended motion.

Rationale:

Text boxes can provide visual confusion for readers that are unfamiliar with Carleton Place's agendas. Together with the above noted suggestions, text boxes would be unnecessary as the suggested motion, to be included on the index style agenda cover would state if an item was to be received as information or if it required a decision. Further, in terms of Action Reports, use of CARRIED – CONSENT LIST, CARRIED – MOTION PREPARED and CARRIED – BY-LAW PREPARED, will provide a clear indication of how matters were dispensed with at the committee level, and how they need to be treated at the Council level (i.e. Consent item, Motion required, or By-law required)

129133 Continued

Suggested Change #5

Inclusion of draft minutes with council agendas as part of the agenda package and together with the agenda at which they are being approved.

Rationale:

This measure will allow for greater transparency and availability of information to the public in one document. Additionally, by including a copy of the minutes with the agenda at which they are being discussed, Council and the public will be able to refer to exactly what is being approved.

Suggested Change #6

Listing Committee recommendations under the headings of the various Committees and not exclusively by Communication Number. (Council Agendas)

Rationale:

This will help to increase the readability and meaning of the agendas and again, will serve as a quick reference for the reader as enhanced motions will describe what is being actioned.

Other Comments

Staff is proposing that the recommended changes be adopted for a 6-month trial period. If, at the end of 6-months, it is determined that the recommended changes are not effective, further adjustments can be made.

The use of communication numbers and the existing tracking system will continue for the time being to continue as a reference system for staff reports.

This report and samples of the suggested changes were circulated and reviewed with the committee secretaries. Staff are supportive of the suggested changes and are confident that these measures will improve transparency, efficiency and trackability in terms of future reference.

STAFF RECOMMENDATION

THAT staff proceed with making administrative changes to the Council Agenda and Standing Committee Action Reports; and

THAT the Clerk amend the Striking Committee Report to amend section 3.5.8 to require only the decisions of Committees be included in the Action Report.

COMMITTEE DECISION

COMMUNICATION 129134

Received from Kory Earle, People First of Lanark County
Addressed to Policy Review Committee
Date March 27, 2018
Topic Bunny Run 2018

SUMMARY

Mr. Earle would like to address the committee regarding the annual Bunny Run and to invite members of Council to the event. The organization has requested that the Town close a portion of Mill Street, from 10 a.m.- 11:30 a.m. at the side of the Town Hall, as this is where the kick-off of the event will take place.

COMMENT

For information only.

STAFF RECOMMENDATION

THAT a by-law be passed to authorize the closure of Mill Street between Bridge Street and Beckwith Street, on March 31st between 10:00 a.m. and 11:30 a.m.

COMMITTEE DECISION

COMMUNICATION 129135

Received from Diane Smithson, CAO
Addressed to Policy Review Committee
Date March 27, 2018
Topic Bed Pan Classic Charity Golf Tournament

SUMMARY

Registration is now open for the 2018 Annual Bed Pan Classic Golf Tournament & Auction which will be held on Monday, June 18th, 2018. This is an annual fundraising event for the Carleton Place & District Hospital.

COMMENT

In the past, the Town has registered two teams (one staff and one council) and sponsored one hole. The funding for this sponsorship has come from the Council Advertising and Promotion Budget which for 2018 has been established at \$27,000.

This year, there are various levels of participation and sponsorship.

The two prices below reflect the price per foursome:

- Classic 18 Regular Golf Registration – \$600 (includes lunch and supper)
- 9 and Dine - \$396 (includes supper)

129135 Continued

Sponsorship levels:

Platinum - \$10,000

Diamond - \$7,500

Dinner - \$5,000

Lunch - \$3,000

Wood - \$1,500 (Company name on a flag at hole)

Iron - \$750 (Company name displayed on a sign at hole)

Putter - \$500 (Company name displayed on a sign at hole)

Tee - \$250 (Company name & logo displayed on a sign at a hole with other Sponsors)

STAFF RECOMMENDATION

THAT Committee determine the level of participation and sponsorship.

COMMITTEE DECISION

COMMUNICATION 129136

Received from Diane Smithson, CAO

Addressed to Policy Review Committee

Date March 27, 2018

Topic Paving of Ottawa Valley Rail Trail (OVRT)

SUMMARY

The County of Lanark requires a formal request from both Council of the Town of Carleton Place and the Municipality of Mississippi Mills to consider providing their permission to allow the local municipalities to pave portions of the Ottawa Valley Rail Trail. This was clearly articulated at a meeting with County CAO Kurt Greaves last year when discussing the Ontario Municipal Commuter Cycling Grant Program. Staff is looking for Council's authorization to proceed with our share of the paving project and to make a formal request to County Council to authorize the paving project to proceed.

BACKGROUND

On June 5, 2017, the Provincial Government announced a new grant program entitled the "Ontario Municipal Commuter Cycling (OMCC) Program". The purpose of the program is to provide direct, dedicated, annual funding to Ontario municipalities to support the implementation of commuter cycling infrastructure to encourage people to get out of their cars and onto bikes for their daily commute or other frequent trips. OMCC is a multi-year program, supported by proceeds from Ontario's cap and trade program with \$42.5M available in the first year. All Ontario municipalities are eligible for annual OMCC funding to support up to 80% of costs associated with their implementation of eligible commuter cycling projects. The Ministry may, at its discretion, provide accelerated funding to a municipality based upon the eligible project list and project timelines; however, this will not increase the total funding eligible to that municipality over the 4-year period of the program.

129136 Continued

The annual funding allocation for each participating municipality will be based upon the number of participating municipalities and the available funds in each funding year. For smaller municipalities less than 15,000 population, there is annual funding up to \$25,000 available per municipality on a first come, first served basis. The Ministry will not approve funding for individual projects but will approve a list of eligible projects for each participating municipality. Municipalities will select which projects they wish to implement and apply OMCC funding from the list; OMCC funds can only be used for projects on the approved OMCC project list.

On June 27, 2017, the following Resolution was passed by Council regarding this program:

Motion No. 11-128-22

Moved by Councillor Fritz

Seconded by Councillor Doucett

Communication: 128291

THAT Council hereby supports the submission of an application to include the paving of the Ottawa Valley Rail Trail between Almonte and Carleton Place for approval on the Municipality's potential eligible projects list under the Ontario Municipal Commuter Cycling Program;

AND THAT the Mayor and Clerk be authorized to execute a Declaration requesting funding for cycling project.

AND THAT a request be made to the Ontario Ministry of Transportation to provide accelerated funding to this project in the amount of \$100,000 (4 year contribution @ \$25,000 per year).

AND THAT the project to pave a trail to Almonte be considered as part the 2018 budget.

AND THAT the draft Active Transportation Plan be adopted as an interim document.

CARRIED

COMMENT

In June, Staff advised that the Municipality of Mississippi Mills and the County of Lanark were interested in partnering on the paving of the OVRT between Almonte and Carleton Place with the County's contribution being the gravelling of the trail. At the time, Kurt Greaves, Lanark County CAO, advised that County permission would need to be sought in order to proceed with the paving project.

129136 Continued

Staff completed the application by the program's deadline and received word in late 2017 that it was successful in receiving \$25,000 in 2017 towards this project. In discussions with Shawna Stone, Acting CAO for the Municipality of Mississippi Mills, their Council will also be having further discussions regarding continuing with the paving project and making a request to County Council to authorize the paving project. Similar to Carleton Place, they have included funding in their 2018 budget for the project.

FINANCIAL IMPLICATIONS

\$919,000 has been included in the Town's 2018 budget for the OVRT project which includes the cost of Town's share of the paving between Carleton Place and Almonte estimated at \$346,227 (45.5%). Of this amount, the Town has already received \$25,000 through the Ontario Municipal Commuter Cycling Program and hopes to receive a similar amount in each of 2018, 2019 and 2020 for a total of \$100,000.

The Town's budget and Mississippi Mills' budget for the paving work was based on a 2.5m width trail. At a recent County presentation on the trail, it noted that if municipalities wished to upgrade the surface of the trail, it would be at their own cost and would have to be based on the 3.8m width of the trail. To pave 3.8m versus 2.5m would add significant cost to the project for both Carleton Place and Mississippi Mills. Staff is recommending that the request to the County to pave the trail be based on the budgeted width of 2.5m and that further discussions take place with the County regarding either altering their width requirement or assisting in the cost to pave this width of a trail.

STAFF RECOMMENDATION

THAT Council support making a formal request to Lanark County Council to authorize the Town of Carleton Place to pave a portion of the Ottawa Valley Rail Trail between Carleton Place and Almonte with its partner, the Municipality of Mississippi Mills based on a 2.5m trail width.

COMMITTEE DECISION

COMMUNICATION 129137

Received from	Diane Smithson, CAO
Addressed to	Policy Review Committee
Date	March 27, 2018
Topic	Information on Business Park Covenants

SUMMARY

At the Policy Review Committee meeting held on March 13, 2018, the CAO was asked to bring forward information pertaining to covenants related to the development of Business Park Lands.

129137 Continued

COMMENTS

Until approximately 2013, the Municipality of Mississippi Mills had covenants on title to its business park lands. After that time, the Council decided to rescind the covenants and no longer require them to be registered on title to property at the closing of land transfers as the Council felt at the time that they were prohibitive to development in the business park.

The purpose of the covenants is to require developers to construct on their properties within certain timeframes and provides the opportunity for the Municipality to re-purchase the lands if the developer does not do so.

Attached is a sample by-law and former covenants from the Municipality of Mississippi Mills.

In order to enact the covenants, they would have to be referenced as a condition on Schedule A of an Agreement of Purchase and Sale and noted that they would be registered on title to the property in conjunction with the property transfer. The prospective purchaser would be provided with a copy of the covenants when making inquiries about purchasing property so they would know about them well in advance of deciding whether to purchase property.

FINANCIAL IMPLICATIONS

There are no financial implications associated with this recommendation.

STAFF RECOMMENDATION

THAT Council consider whether to impose covenants on title to its Business Park lands.

**SAMPLE
BY-LAW NO. XXXX-XX**

BEING a By-law to Establish Covenants on Title in the _____ Business Park.

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 Municipal Name wishes to establish new covenants on title in the _____ Business Park;

NOW THEREFORE the Council of Corporation of the Name of Municipality enacts as follows:

1. Schedule “A”, attached to and forming part of this By-law, shall be the covenants on title in the _____ Business Park, on the lands described in Schedule “B”, attached to and forming part of this By-law.
2. The Clerk is hereby authorized to cause the covenants contained in Schedule "A this By-law to be registered on title to the lands described on Schedule “B”.

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

SAMPLE

SCHEDULE “A”

BY-LAW NO. XXXX-XX

_____ BUSINESS PARK

1. Obligations of the Grantee to Develop the Lands

- 1.1 The Grantee shall not resell the unimproved lands of any part thereof to any person, firm or corporation without offering first right of refusal to the Grantor at the original purchase price paid to the Grantor.
- 1.2 The Grantee covenants and agrees to diligently pursue required approvals and to commence the construction of one or more buildings to accommodate the intended use within one year of the date of the closing purchase, such building or buildings to have a minimum building square footage equivalent to a total lot coverage of ten percent (10%). Further, the Grantee covenants and agrees to substantially complete the construction within one year of the date of issuance of a building permit. If such building is not commenced and substantially completed within such time limits, the Grantor may at its option repurchase the lands at the original purchase price.
- 1.3 Upon the expiry of five years from the date of the transfer of title to the Grantee, the Grantor may require the Grantee to resell to the Grantor at the original purchase price all or any portion of the lands in excess of two times the gross area occupied by permanent buildings, structures and those amenities and accessory features essential to the functional and zoning requirements of the Grantee's use.
- 1.4 In the event that the Grantor repurchase the lands, the Grantee covenants and agrees that it shall convey to the Grantor all right, title and interest in the lands, free and clear of all liens, charges and other encumbrances.

2. Business Park Design Standards

- 2.1 The Grantee acknowledges and agrees to develop and maintain its lands and buildings in accordance with the design standards contained in the most current version of the document entitled _____ *Business Park Design Guidelines* (if applicable) which is available at the _____ Town Hall.

3. Site Plan Control

- 3.1 The Grantee acknowledges that the lands are subject to a requirement to obtain site plan approval from the Grantor and, further, that the Grantee shall be required to enter into a site plan control agreement with the Grantor prior to the issuance of any building

permit or use of the lands. The Grantee is encouraged to contact the Name of Municipality to determine site plan approval application requirements.

4. Signage

- 4.1 The Grantee covenants and agrees that signage erected on its lands and buildings shall be in accordance with the requirements of the Name of Municipality Sign By-law, as may be amended from time to time, as well as the Name of Municipality *Business Park Design Guidelines (if applicable)*.
- 4.2 The Grantee acknowledges and agrees to develop, use and maintain its lands and buildings in accordance with the relevant provisions of the Development Permit By-law. The Development Permit By-law is available at the Name of Municipality Town Hall.

SAMPLE

SCHEDULE “B”

BY-LAW NO. XXXX-XX

_____ **BUSINESS PARK**

DESCRIPTION OF LANDS TO WHICH THESE COVENANTS APPLY

COMMUNICATION 129138

Received from Joanne Henderson, Recreation Manager
Addressed to Policy Review Committee
Date March 27, 2018
Topic Request to Hire Landscape Architect for Carleton Junction Project

SUMMARY

At the March 20th meeting of the Carleton Junction Ad Hoc Committee, a motion was passed to request that a consultant, such as a Landscape Architect be retained to finalize and enhance the plans for Carleton Junction.

BACKGROUND

\$919,000 has been included in the 2018 budget for the project. Aspects of the project to be completed in 2018 include:

- paving of the Ottawa Valley Rail Trail (OVRT) between Carleton Place and Almonte.
- Viewing platform at bridge on OVRT
- Parking
- Drainage
- Pavilion
- Play structure
- Lighting
- Signage

The Skateboard / BMX park will be completed in a future phase of the project when additional funding becomes available.

COMMENTS

The Committee is suggesting that the consultant be responsible for designing gateways to the area, linkages to the Trans Canada trail from Stittsville, and designing a concept for the pavilion/outdoor stage area and landscape design. The final design will be used to support multiple grant applications to provide additional funding for the overall project.

Staff is presenting the following options for Council's consideration:

1. Seek proposals from landscape architects to complete the design recommended by the Ad Hoc Committee. It should be noted that the 2018 budget for the project will only just cover the existing items in this year's budget. If Council supports this work in 2018, they will need to take funding from reserves or any year-end surplus if available.
2. Support the recommendation to complete the design suggested by the Ad Hoc Committee but agree that it would be something included as part of the 2019 budget. This option should be considered by Council as the landscape architect can use the "as built" drawings from this year's project to help inform the concept they would be preparing. Under this option, staff may be able to seek out grants where this work could form part of the grant application, thereby saving money for the Town.

129138 Continued

3. Do not support the Committee's recommendation and instead utilize Town staff / volunteers (i.e. Urban Forest Committee/Horticulture Society), etc. to assist with a design to help minimize costs. Public Works staff has already been involved in the preparation of a concept plan which was used for the presentations locally and at the County to highlight the project. Staff could continue to update and add to this concept to incorporate other aspects desired by the Ad Hoc Committee.

FINANCIAL IMPLICATIONS

\$919,000 has been included in the Town's 2018 budget for the OVRT project. Without seeking pricing at this time, staff estimates the cost of hiring a landscape architect at no more than \$10,000.

STAFF RECOMMENDATION

THAT Council supports Option 2, the hiring of a landscape architect to complete various design elements for the Carleton Junction project for consideration in the 2019 budget at cost of no more than \$10,000; and

THAT staff seek out any grant opportunities to help pay for the cost of the concept design along with aspects of the project for the 200th anniversary celebrations for Carleton Place.

COMMITTEE DECISION

COMMUNICATION 129139

Received from	Stacey Blair, Deputy Clerk
Addressed to	Policy Review Committee
Date	March 27, 2018
Topic	Delegated Authority for Restricted Acts During Lame Duck Period

BACKGROUND

Section 275 of the *Municipal Act, 2001* sets out the restricted acts that a Council shall not take after Nomination Day in a municipal election year if the Council is in a lame duck position.

The lame duck periods are determined on two dates: Nomination Day (July 27) and Election Day (October 22). If, on either of these dates, it can be determined that the new council will include less than 75 percent of the outgoing council, lame duck applies and Council is restricted from taking certain actions until the inaugural meeting.

Once it is determined with certainty for either or both timeframes that the Council is lame duck, then the following restrictions apply:

- (a) the appointment or removal from office of any officer of the municipality;

129140 Continued

- (b) the hiring or dismissal of any employee of the municipality;
- (c) the disposition of any real or personal property of the municipality which has a value exceeding \$50,000 at the time of disposal; and
- (d) making any expenditures or incurring any other liability which exceeds \$50,000.

These are the only four (4) restrictions noted in the Act.

COMMENT

In accordance with Section 275 of the Act, if the new Council will include less than three-quarters of the members of the outgoing council (6), then the Council will be deemed to be in a lame duck position.

As a result of legislative changes (Bill 181), the lame duck period is 128 days for 2018.

Clauses (3)(b)(c) and (d) require the delegation of authority in order to ensure business continuity and efficiency during a lame duck period.

Clause (3)(a) - Appointment or Removal of Officers

Clause (3)(a) cannot be delegated pursuant to subsection 23.3(1) of the Municipal Act. Statutory Officers include: CAO (Chief Administrative Officer), Clerk, Treasurer, Chief Building Official, and Fire Chief.

As a best practice, deputies should be appointed for all statutory positions whether it is an election year or not. All appointments have to take place prior to Nomination Day. Although Phil Hogan is presently appointed as Deputy Treasurer, he will be retiring at the end of May 2018. It is recommended that Diane Smithson, CAO be appointed as Deputy Treasurer to address any situations where the Treasurer is unable to attend work. This recommendation is being put forth as the CAO is already a signing officer for banking purposes for the Town.

Clause (3)(b) - Hiring or Dismissal of Employees

Council has delegated various human resources decisions to the CAO, including hiring and dismissal of employees, with the exception of senior management positions.

Clauses (3)(c) and (d) - Disposition of Real or Personal Property with a Value Exceeding \$50,000 at the time of Disposal; Making Expenditures or Incurring Liability which Exceeds \$50,000

Clauses (3)(c) and (d) do not apply if the disposition or liability was included in the most recent budget adopted by Council before Nomination Day in the election year (subsection 275(4)). However, a lame duck Council would not be able to award a contract if the amount exceeded the amount included in the budget.

129140 Continued

Accordingly, it would be prudent to delegate authority to the CAO with respect to clauses (3)(c) and (d) to ensure there is an ability to address these issues should they arise; otherwise, a decision would have to wait until after December 1, 2018.

Emergencies

Pursuant to subsection 275(4.1), Council is not restricted with respect to those actions set out in subsection 275(3) in the event of an emergency. Under section 1 of the *Emergency Management and Civil Protection Act*, an “emergency” means “a situation or an impending situation that constitutes a danger of major proportions that could result in serious harm to persons or substantial damage to property and that is caused by the forces of nature, a disease or other health risk, an accident or an act whether intentional or otherwise”.

FINANCIAL IMPLICATIONS

There are no financial implications associated with this report.

SUMMARY

The *Municipal Act, 2001* provides Council with the ability to delegate authority for restricted acts so as to ensure continued business continuity and effective management of the corporation relating to clauses 275(3)(b)(c) and (d) of the Act. The delegation of authority would only come into effect during a lame duck period and would end when the Council-Elect takes office.

STAFF RECOMMENDATION

THAT Council delegate authority to the CAO when a lame duck Council is in effect, pursuant to section 275 of the *Municipal Act, 2001*, to address matters as follows:

- The disposition of any real or personal property of the municipality which has a value exceeding \$50,000 at the time of disposal;
- The hiring or dismissal of any employee of the municipality; and
- Making any expenditure or incurring any other liability which exceeds \$50,000

AND THAT the CAO consult with the Municipal Solicitor and/or Treasurer, where appropriate, prior to exercising that delegated authority;

AND THAT the CAO advise Council in writing prior to exercising that delegated authority;

AND THAT a Delegation of Authority By-law be prepared to include these provisions;

AND THAT the By-law appointing the CAO be amended to appoint the CAO as the Deputy Treasurer.

COMMUNICATION 129140

Received from Clerk's Department
Addressed to Policy Review Committee
Date March 27, 2018
Topic Closed Meetings

SUMMARY

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

STAFF RECOMMENDATION

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

AGENDA

2018-03-27-1 Personal matters about an identifiable individual, including municipal or local board employees – General Nature – Striking Committee (Appointment Application for the Municipal Drug Strategy Committee) (Section 239 (2) (b))

COMMITTEE DECISION



**Policy Review Committee Agenda
November 14th, 2017
Council Chambers following Council**

Please set all electronic devices to silent.

- 1) CALL TO ORDER
- 2) DISCLOSURE OF PECUNIARY INTEREST
- 3) REGISTRATION OF PUBLIC WISHING TO SPEAK
- 4) APPROVAL OF AGENDA
- 5) COMMUNICATIONS

- i. Advance Vote (128427)

Page 3

Suggested Motion:

THAT staff prepare a by-law to amend By-law No. 17-2017 to clarify that the provision of an advance vote will be by paper ballot for the 2018 Municipal and School Board Elections.

- ii. Employee Involvement in Municipal Elections Policy (128428)

Page 4

Suggested Motion:

THAT the Employee Involvement in Municipal Elections Policy be received as information.

- iii. Construction of Roe Street (128429)

Page 5

Suggested Motion:

THAT Council hereby authorizes engaging Ainley Graham & Associates to prepare contracts and oversee construction of a section of Roe Street in conjunction with the installation of forcemains between Cavanagh Rd and Stonewater Bay for the maximum upset limit price of \$40,000+HST;

AND THAT given the urgency to begin this work, staff is authorized to engage the consultant upon the approval of the Policy Review Committee.

- iv. CLOSED SESSION

Page 6

Suggested Motion:

THAT Council move into Closed Session to discuss a matter subject to:

2017-11-17-1

Personal matters about an identifiable individual, including municipal or local board employees – General Nature – Striking Committee (EAC) (Municipal Act, Section 239 2(b))

14-11-17-2

Personal matters about an identifiable individual, including municipal or local board employees – General Nature – Treasurer Position (Municipal Act, Section 239 2(b))

SAMPLE

COMMUNICATION 128427

Received from Clerk's Office
Addressed to Policy Review
Date November 6, 2017
Topic Advance Vote

SUMMARY

In order to ensure absolute clarity with respect to the methods of voting available for the 2018 Municipal and School Board Elections, this by-law explains what methods of voting will be provided, and where and when they will be available.

COMMENT

In accordance with Section 42 (5) of the *Municipal Elections Act*, as amended, in having passed a by-law (17-2017) to authorize the use of an alternative method of voting (internet), sections 43 (advance votes) and 44 (voting proxies) apply only if the by-law so specifies. Although By-law 17-2017 authorizes the use of an alternative voting method (internet) it does not address Section 42 (5) of the Act. Regardless, the intention of the Town to provide an advance vote was made clear in By-law 42-2017 which then established the dates of Saturday, October 13th and Wednesday, October 17th 2018 for the provision of an advance vote.

As the advance vote was not originally identified in By-law 17-2017, staff is proposing that by-law 17-2017 be amended to clarify the Town's intent of providing an advance vote (by paper ballot) and to ensure the integrity of the advance vote. In addition, the by-law will make clear that proxy votes will not take place in this election as they have been replaced by other alternative means (internet).

RECOMMENDATION

THAT staff prepare a by-law to amend by-law 17-2017 to clarify that the provision of an advance vote will be by paper ballot for the 2018 Municipal and School Board Elections.

COMMITTEE DECISION

COMMUNICATION 128428

Received from Clerk's Office
Addressed to Policy Review
Date November 6, 2017
Topic Employee Involvement in Municipal Elections Policy

SUMMARY

The purpose of the Employee Involvement in Municipal Elections Policy is to serve as foundation policy that strengthens the separation between the administrative and political components of the Town of Carleton Place. This policy requires that Town staff is, and shall remain, impartial and bias free with respect to municipal elections.

COMMENT

Section 12 of the *Municipal Elections Act 1996*, authorizes the Clerk to provide for any matter that is not otherwise provided for in an Act or regulation. This policy (attached) is for information only.

STAFF RECOMMENDATION

Receive and record.

COMMITTEE DECISION

SAMPLE

COMMUNICATION 128429

Received from Paul Knowles, CAO
Addressed to Policy Review
Date November 8, 2017
Topic Roe Street Construction

SUMMARY

With the recent sale of two lots on Hooper Street, the Town needs to proceed with extending the first section of Roe Street. The Town has already engaged Ainley, Graham & Associates to design and manage the project to extend sanitary forcemains from Cavanagh Rd to Stonewater Bay. The extension of Roe Street will be adjacent to the forcemain work and should be undertaken by the same contractor. Also, several years ago, Ainley completed the design of Roe St so is familiar with the project.

STAFF RECOMMENDATION

THAT Council hereby authorizes engaging Ainley Graham & Associates to prepare contracts and oversee construction of a section of Roe Street in conjunction with the installation of forcemains between Cavanagh Rd and Stonewater Bay for the maximum upset limit price of \$40,000+HST;

AND THAT given the urgency to begin this work, staff is authorized to engage the consultant upon the approval of the Policy Review Committee.

COMMITTEE DECISION

COMMUNICATION 128432

Received from Clerk's Department
Addressed to Policy Review Committee
Date November 8, 2017
Topic Closed Meetings

SUMMARY

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

STAFF RECOMMENDATION

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

AGENDA

- 14-11-17-1 personal matters about an identifiable individual, including municipal or local board employees – General Nature – Striking Committee (EAC)
- 14-11-17-2 personal matters about an identifiable individual, including municipal or local board employees – General Nature – Treasurer Position

COMMITTEE DECISION



**Policy Review Committee
Action Report
November 14th, 2017
Council Chambers following Council**

PRESENT

Members of Council:

Mayor Antonakos, Deputy-Mayor Flynn, Councillor Black, Councillor Redmond, Councillor Trimble, Councillor Fritz, Councillor Doucett

Staff:

Duncan Rogers, Clerk, Stacey Blair, Deputy-Clerk

1) CALL TO ORDER

The meeting was called to order at 7:35 p.m.

2) DISCLOSURE OF PECUNIARY INTEREST

None declared.

3) REGISTRATION OF PUBLIC WISHING TO SPEAK

None.

4) APPROVAL OF AGENDA

The agenda was approved as presented with the addition of the following addendum:

- Use of Council Chambers by Filming Company

CARRIED

5) COMMUNICATIONS

i. Advance Vote (128427)

Committee Decision:

THAT staff prepare a by-law to amend By-law No. 17-2017 to clarify that the provision of an advance vote will be by paper ballot for the 2018 Municipal and School Board Elections.

CARRIED – BY-LAW PREPARED

ii. Employee Involvement in Municipal Elections Policy (128428)

Committee Decision:

THAT the Employee Involvement in Municipal Elections Policy be received as information.

CARRIED

iii. Construction of Rowe Street (128429)

Committee Decision:

THAT Council hereby authorizes engaging Ainley Graham & Associates to prepare contracts and oversee construction of a section of Rowe Street in conjunction with the installation of forcemains between Cavanagh Rd and Stonewater Bay for the maximum upset limit price of \$40,000+HST;

AND THAT given the urgency to begin this work, staff is authorized to engage the consultant upon the approval of the Policy Review Committee.

CARRIED – MOTION PREPARED

iv. Filming in Town's Council Chambers (128433)

Committee Decision:

THAT Black Widow Film Inc. be permitted to use the Council Chambers for filming between November 19, 2017 and December 3, 2017.

CARRIED

v. CLOSED SESSION

Committee Decision:

THAT Council move into Closed Session to discuss a matter subject to:

2017-11-17-1

Personal matters about an identifiable individual, including municipal or local board employees – General Nature – Striking Committee (EAC) (Municipal Act, Section 239 2(b))

14-11-17-2

Personal matters about an identifiable individual, including municipal or local board employees – General Nature – Treasurer Position (Municipal Act, Section 239 2(b))

Report to Council:

2017-11-17-1

THAT Council hereby instructs the Clerk to amend the Striking Committee Report to add Leslee Brown as a member of the Environmental Advisory Committee.

CARRIED – MOTION PREPARED

14-11-17-2

THAT staff proceed with advertising the Treasurer position.



AGENDA

FIFTH REGULAR MEETING OF THE ONE HUNDRED AND TWENTY
EIGHTH COUNCIL OF THE TOWN OF CARLETON PLACE
Tuesday, November 28, 2017, Council Chambers at 7:00 p.m.

I OPENING PRAYER (MOMENT OF REFLECTION)

II DISCLOSURE OF PECUNIARY INTEREST OR CONFLICT OF INTEREST

III MINUTES OF PREVIOUS MEETING

Council Minutes dated November 14, 2017 (*shortened wording*)

IV DELEGATIONS

None

V CORRESPONDENCE (*changed to match by-law*)

None

VI REPORTS OF STANDING COMMITTEES (*changed per by-law, added reports*)

Policy Review Committee – October 24, 2017

Recommended Motion

THAT Council hereby accepts the Policy Review Committee's decisions related to the consent list items of November 14, 2017 (Communications 128427 128428, 128433, 14-11-17-2) and approves the Council Actions.

Recommended Motion (128428)

THAT Council hereby authorizes engaging Ainley Graham & Associates to prepare contracts and oversee construction of a section of Roe Street in conjunction with the installation of forcemains between Cavanagh Rd and Stonewater Bay for the maximum upset limit price of \$40,000+HST;

AND THAT given the urgency to begin this work, staff is authorized to engage the consultant upon the approval of the Policy Review Committee.

Recommended Motion (128432)

THAT Council hereby instructs the Clerk to amend the Striking Committee Report to add L. Brown as a member of the Environmental Advisory Committee.

VII READING OF BY-LAWS (*changed sequence order to match Section V 1. of Procedural By-law*)

- By-law XX-2017 – To Establish Dates of Advance Vote

VIII OTHER BUSINESS

IX MAYOR'S ANNOUNCEMENTS/DATES TO REMEMBER

X BY-LAW NO. 12-2018 CONFIRMING COUNCIL PROCEEDING

XI SINGING OF O'CANADA

XII ADJOURNMENT