



Committee of the Whole Agenda

Tuesday, October 27, 2020

Immediately Following Council
Virtual meeting via Zoom

Pages

1. CALL TO ORDER

2. APPROVAL OF AGENDA

Suggested Motion:

THAT the agenda be accepted as presented.

3. DECLARATION OF PECUNIARY/CONFLICT OF INTEREST AND GENERAL NATURE THEREOF

4. MINUTES TO BE APPROVED AND RECEIVED

a. Committee of the Whole Minutes

6

Suggested Motion:

THAT the Committee of the Whole Minutes dated October 13th and 20th be accepted as presented.

5. REPORTS

Physical Environment

a. Quarterly DWQMS Report - 3rd Quarter 2020 (Communication 131113)

13

Guy Bourgon, Director of Public Works

Suggested Motion:

THAT the 3rd quarter DWQMS report be received as information.

b. Lake Avenue West Restrictions (Communication 131114)

15

Guy Bourgon, Director of Public Works

Suggested Motion:

THAT Council approves amending Traffic and Parking By-law 46-2003 as outlined in the report prepared by the Director of Public Works dated October 27, 2020.

c. Transportation Master Plan Award (Communication 131115)

18

Guy Bourgon, Director of Public Works

Suggested Motion:

THAT Council award the Transportation Master Plan to Parsons as outlined in the report prepared by the Director of Public Works dated October 27, 2020; and

THAT the project be funded from Development Charges and from funds to be budgeted in the 2021 budget.

Corporate Services

d. Financial Report to September 30, 2020 (Communication 131116)

20

Trisa McConkey, Treasurer

Suggested Motion:

THAT Council receive as information the Financial Report from the Treasurer to September 30, 2020 and the Town's forecasted year end.

e. 2021 Water and Sewer Budget (Communication 131117)

26

Trisa McConkey, Treasurer

Suggested Motion:

THAT staff be authorized to present the draft 2021 Water and Sewer budget to the public for comment at the Committee of the Whole meeting on November 10, 2020.

f. Safe Restart Fund - Request for Phase 2 Funding (Communication 131118)

30

Trisa McConkey, Treasurer

Suggested Motion:

THAT Council requests additional Provincial funding under the Safe Restart – Municipal Operating Funding Phase 2 stream to assist with mitigating increased costs and financial pressures due to COVID-19 in 2020.

- g. **Public Meeting Summary Report - Holding Zones (Communication 131119)** 32
- Niki Dwyer, Director of Development Services
- Suggested Motion:**
THAT Council receives the Public Meeting Summary Report for information and have regard for public comments received at the public meeting.
- h. **Request for Relief - DP3 Permit Fee - Lanark County Food Bank (Communication 131120)** 34
- Niki Dwyer, Director of Development Services
- Suggested Motion:**
THAT Committee provide direction to staff to execute an Undertaking with 2485851 Ontario Inc. to recognize the conveyance of land for the purpose of the installation of a sidewalk on Mill Street in exchange for waiving the Class 3 Development Permit fees associated with the application to recognize the Food Bank as a permitted use at 82-84 Mill Street.
- i. **Public Meeting - 2021 Permit Fees (Communication 131121)** 36
- Lennox Smith, Chief Building Official
- Suggested Motion:**
THAT staff be directed to advertise the public meeting on the Building Department's proposed 2021 Building Permit Fee Schedule as outlined in the Chief Building Official's report dated October 27, 2020.
- j. **Ocean Wave Fire Company (OWFC) and By-law Enforcement Activity Report for September 2020 (Communication 131122)** 42
- Pascal Meunier, Director of Protective Services
- Suggested Motion:**
THAT the Director of Protective Services' Report on the activities of the Ocean Wave Fire Company (OWFC) and By-law Enforcement for the month of September 2020 be received as information.
- k. **Animal Control By-law Amendment (Communication 131123)** 46
- Pascal Meunier, Director of Protective Services

Suggested Motion:

THAT Council approves amending Animal Control By-law 122-2018 in accordance with the Director of Protective Services' Report dated October 27, 2020; and

THAT Council direct staff to develop a right of entry by-law addressing inspection and enforcement powers for applicable Town by-laws.

**I. Proposed Changes to Property Standards By-law 65-2008
(Communication 131124)**

50

Pascal Meunier, Director of Protective Services

Suggested Motion:

THAT Council approve the revised Property Standards By-law which will repeal By-law 65-2008; and

THAT Council repeal By-law 25-2008 Yard Maintenance By-law.

6. NEW/OTHER BUSINESS

7. INFORMATION LISTING

95

- County of Lanark - Registry Office Closure and Storage of Surplus Hard Copy Documents (LRO #27 Almonte)

Suggested Motion:

THAT the Information Listing dated October 27, 2020, be received as information

8. NOTICE OF MOTIONS

None.

9. CLOSED SESSION

Suggested Motion:

THAT the Committee move into closed session at _____ p.m. to discuss matters subject to:

the Municipal Act, 2001, S.O. Section 239 (2)

- (B) personal matters about an identifiable individual, including municipal or local board employees;
- (C) a proposed or pending acquisition or disposition of land by the municipality or local board;
- (E) Litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board;
- (F) advice that is subject to solicitor-client privilege, including communications necessary for that purpose; and
- (K) a position, plan, procedure, criteria or instruction to be applied to any negotiations carried on or to be carried on by or on behalf of the municipality or local board.

AND THAT Diane Smithson, CAO and Stacey Blair, Clerk, Niki Dwyer, Director of Development Services (Item 3) and Vincent Panetta, Solicitor (Item 3) participate in the Closed Session Zoom meeting.

1. Future Capital Development - Schools (C & K)
2. Legal Matter (E)
3. Staffing Matter (B & F)

10. RISE AND REPORT

11. ADJOURNMENT

Suggested Motion:

THAT the meeting be adjourned at _____p.m.

Committee of the Whole Minutes

Tuesday, October 13, 2020
Immediately Following the Council Meeting

COUNCIL PRESENT: Mayor Black, Deputy Mayor Redmond, Councillor Fritz,
Councillor Seccaspina, Councillor Randell, Councillor Tennant,
Councillor Atkinson

STAFF PRESENT: Diane Smithson, CAO, Stacey Blair, Clerk, Pascal Meunier,
Director of Protective Services , Niki Dwyer, Director of
Development Services, Guy Bourgon, Director of Public Works,
Dave Young, Project Manager

1. CALL TO ORDER

The meeting was called to order at 7:12 p.m.

2. APPROVAL OF AGENDA

Moved by: Councillor Tennant

Seconded by: Councillor Seccaspina

THAT the agenda be accepted as amended as follows:

- Removal of Item 4C Proposed Changes to Property Standards By-law 65-2008
(Communication 131110) which is deferred to the next Committee of the Whole
meeting.

CARRIED

3. DECLARATION OF PECUNIARY/CONFLICT OF INTEREST AND GENERAL NATURE THEREOF

1. Closed Session Item 3. Statement of Claim

The nature of the Deputy Mayor's conflict with this item is that he owns
property across the street from the property associated with Closed
Session Item 3. Statement of Claim.

4. REPORTS

Planning and Protection

1. Development Permit By-law Housekeeping Amendment - Update (Communication 131108)

Moved by: Councillor Tennant

Seconded by: Councillor Atkinson

THAT Council directs staff to prepare a draft "Development Permit By-law Amendment" and commence consultation processes in accordance with the Planning Act.

CARRIED, CONSENT

2. Taber Street Subdivision Extension - 3rd Request (Communication 131109)

Moved by: Councillor Fritz

Seconded by: Councillor Randell

THAT Council supports a one (1) year extension of the Draft Approval for the Taber Street Subdivision; and

THAT Staff be instructed to inform the County of Lanark.

CARRIED, MOTION PREPARED

3. Purchase of SpeedSpy Camera (Communication 131111)

Moved by: Councillor Fritz

Seconded by: Councillor Randell

THAT Council authorizes the purchase of a floor model Decatur Electronic SpeedSpy from DAVTECH Analytical Services (Canada) Inc. at a cost of \$2,000 plus HST and freight with the budget deviation to be paid from savings in the 2020 bike patrol contract.

CARRIED, MOTION PREPARED

5. COMMITTEE, BOARD AND EXTERNAL ORGANIZATION UPDATES

1. Committee Resignations

Moved by: Councillor Randell

Seconded by: Councillor Seccaspina

THAT the resignation of Ron Wood from the Urban Forest/River Corridor Committee be accepted with regrets; and

THAT a letter of thanks be sent to Mr. Wood on behalf of the Town and Council.

CARRIED, CONSENT

6. INFORMATION LISTING

Moved by: Councillor Randell

Seconded by: Councillor Seccaspina

THAT the Information Listing dated October 13, 2020, be received as information

CARRIED

7. CLOSED SESSION

Prior to going into closed session, the Deputy Mayor declared a conflict of interest on item 3. Statement of Claim, as he owns property across the street from the property associated with this matter.

Moved by: Councillor Atkinson

Seconded by: Councillor Fritz

THAT the Committee move into closed session at 7:45 p.m. to discuss matters subject to:

(e) litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board;

(f) advice that is subject to solicitor-client privilege, including communications necessary for that purpose;

1. Contract Negotiations
2. Cost Sharing Agreement
3. Statement of Claim

AND THAT Diane Smithson, CAO, Stacey Blair, Clerk, Guy Bourgon, Director of Public Works (Item 1 only) Dave Young, Project Manager (item 1 only) and Emma Blanchard, Solicitor, participate in the teleconference.

CARRIED

8. RISE AND REPORT

Deputy Mayor Redmond declared a conflict on this item. (The nature of the Deputy Mayor's conflict with this item is that he owns property across the street from the property associated with Closed Session Item 3.Statement of Claim.)

Deputy Mayor Redmond left the Teleconference at 8:14 p.m. and did not participate or vote on item #3 during the closed session.

Item #1 Contract Negotiations will be voted on in open session.

Items #2 Cost Sharing Agreement and #3 Statement of Claim. Direction was provided for staff to work with legal counsel on these matters. Further reporting will come forward at a future meeting.

Moved by: Councillor Randell

Seconded by: Councillor Seccaspina

THAT the Committee return to regular session and report progress at 8:30 p.m.

CARRIED

Moved by: Councillor Seccaspina

Seconded by: Mayor Black

THAT Council authorizes the Mayor and Clerk to enter into a 5-year agreement with GFL Environmental for the provision of Solid Waste Collection and Disposal Services.

CARRIED, BY LAW PREPARED

9. ADJOURNMENT

Moved by: Councillor Tennant

Seconded by: Councillor Randell

THAT the meeting be adjourned at 8:36 p.m.

CARRIED

Deputy Mayor Sean Redmond

Stacey Blair, Clerk

Special Committee of the Whole Minutes

Tuesday, October 20, 2020

6:00 p.m.

Virtual Zoom Meeting

COUNCIL PRESENT: Mayor Black, Deputy Mayor Redmond, Councillor Fritz, Councillor Seccaspina, Councillor Randell, Councillor Tennant, Councillor Atkinson

STAFF PRESENT: Diane Smithson, CAO, Stacey Blair, Clerk, Niki Dwyer, Director of Development Services

1. CALL TO ORDER

Deputy Mayor Sean Redmond called the Special Committee of the Whole meeting to order at 6:00 p.m.

2. APPROVAL OF AGENDA

Moved by: Councillor Fritz

Seconded by: Councillor Tennant

THAT the agenda be accepted as presented.

CARRIED

3. DECLARATION OF PECUNIARY/CONFLICT OF INTEREST AND GENERAL NATURE THEREOF

None.

4. CLOSED SESSION

Moved by: Councillor Randell

Seconded by: Councillor Seccaspina

THAT the Committee move into closed session at 6:03 p.m. to discuss matters subject to:

Section 239 (3.1) Educational or Training Session for members of Council; and

THAT Diane Smithson, CAO, Stacey Blair, Clerk, and Niki Dwyer, Director of Development Services, be permitted to participate in the Zoom meeting.

- Interim Control By-law - Educational Session

CARRIED

Moved by: Councillor Tennant

Seconded by: Councillor Fritz

THAT the Committee return to open session at 7:50 p.m.

CARRIED

5. RISE AND REPORT

Diane Smithson, CAO, reported that during the Closed Session, the Director of Development Services provided the Committee with an educational session on the Town's Interim Control By-law. A staff report will be presented at an upcoming regular Committee of the Whole meeting on this matter.

6. ADJOURNMENT

Moved by: Councillor Atkinson

Seconded by: Councillor Fritz

THAT the meeting be adjourned at 7:55 p.m.

CARRIED

Deputy Mayor Sean Redmond

Stacey Blair, Clerk



2020 3rd Quarter DWQMS Report to Council

The purpose of this report is to summarize for Council the activities of the Public Works – **Water Distribution System** for the period July 2020 through September 2020.

Operational Plan Revisions

There was one revision to the Operational Plan during the 3rd quarter to update our flushing routes.

Drinking Water Quality

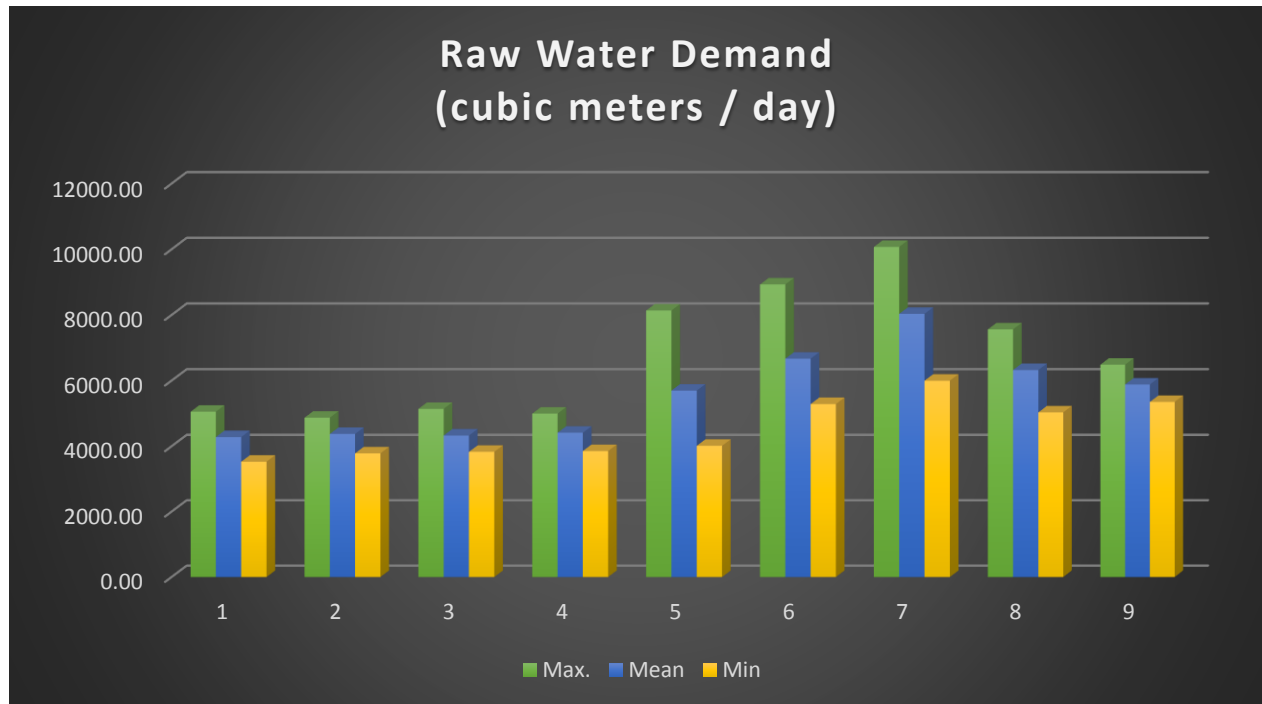
To date in 2020 there have been 19 calls by residents concerning water quality. They are summarized as follows:

2	Taste / Odour
4	Visual
13	Noise / Service Issues
0	Other

Operational Activities

From July through September the following activities were completed by Waterworks Staff:

- Provided oversight for the watermain commissioning and connections on Flegg Way and Stanzel Drive for the Cardel subdivision development
- Numerous new occupancy activations
- Provided assistance to construction crews on Patterson Crescent and High Street with the installation of a new hydrant and valves.
- Conducted the annual valve turning exercises
- Valve repair was completed on Victoria Street
- Provided oversight for the new service for the Arena addition
- Performed a live tap and final connections as part of the commissioning process for the remaining streets within the Carleton Landing North subdivision development
- Conducted water meter readings for billing purposes
- Repaired the service at 165 Franktown Road
- Annual replacement of bleed valve fittings
- Installed new services to 106 Franklin Street
- Provided oversight and commissioning activities for the new service connection to the new NAPA Auto Parts building on Roe Street

Consumption Statistics – Raw Water Demand

CARLETON PLACE DRINKING WATER SYSTEM / Raw Water / Flow - m³/d									
Max.	5053.16	4868.79	5137.24	4993.54	8133.39	8927.63	10070.99	7559.20	6483.60
Mean	4279.39	4375.2	4327.01	4411.78	5693.94	6667.17	8031.80	6321.5	5880.1
Min	3526.31	3783.49	3829.24	3852.26	4012.28	5285.28	5994.77	5031.03	5348.93
Total	132661.1	126880.7	134137.4	132353.4	176512.20	200015.0	240954	195967.7	176403.1

Year to Date: 1515884.6 m³

Same Period Last Year: 1386847.5 m³

The increase in demand represents a 9.03% increase over the same period last year.

COMMUNICATION 131114

Received From: Guy Bourgon, Director of Public Works
Addressed To: Committee of the Whole
Date: October 27, 2020
Topic: Lake Avenue West Restrictions

BACKGROUND

The Town of Carleton Place has received a request from Carleton Place High School and St. Mary's Catholic School for the installation of no stopping signs on both sides of Lake Avenue West between Hawthorne Avenue and Mississippi Road during bus loading and unloading times. This request was made by the schools to address what they consider to be serious safety concerns during peak times.

DISCUSSION:

Under Traffic and Parking By-law 46-2003, there presently exists a Bus Loading Zone on the north side of Lake Avenue West between Hawthorne Avenue and Mississippi Road. The By-law however fails to identify any parking or stopping restrictions on either side of Lake Avenue West through this Section of roadway, even though a combination of "no stopping" signage from Hawthorne Avenue to the ball diamond and "no parking" signage from the ball diamond to Mississippi Road exists on the south side of the roadway. Therefore, the existing signage is rendered unenforceable.

The request from the two schools relate to their current busing schedules for drop-off and pick-up, which are staggered from one another. Currently, vehicles continue to drop off passengers at all hours in this area without regard to the Bus Loading Zone. In order to accommodate both schools, staff proposes to institute a "no stopping" zone on both sides of Lake Avenue between Hawthorne Avenue and Mississippi Road between the times of 7:45 a.m. – 9:45 a.m. and 1:45 p.m. – 4:15 p.m. It is also recommended that a "no parking" zone be created under the by-law for the south side of Lake Avenue West between Hawthorne Avenue and Mississippi Road to formalize the restriction that is currently signed.

The proposed amendments to the Traffic and Parking By-law will, in addition to the restrictions discussed above, include a "no parking" restriction for the south side of Lake Avenue West between Bridge Street and MacArthur Street as this signage is also in place without enforceability.

STAFF RECOMMENDATION

THAT Council approves amending Traffic and Parking By-law 46-2003 as outlined in the report prepared by the Director of Public Works dated October 27, 2020.

BY-LAW NO. XX-2020

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

WHEREAS Section 11 (3) 1. of the Municipal Act, 2001, S.O. 2001, c25 authorizes municipalities to pass by-laws relating to Highways, including parking and traffic on highways;

AND WHEREAS Section 11 (3) 8. of the Municipal Act, 2001, S.O. 2001, c25 authorizes municipalities to pass by-laws relating to parking, except on highways;

AND WHEREAS Section 27 of the Municipal Act, 2001 S.O. 2001, c25 permits a municipality to regulate the Traffic and Parking on municipal streets that they have jurisdiction over;

AND WHEREAS Section 63(1) of the Municipal Act, S.O. 2001. c25 permits a municipality to remove, impound, restrain or immobilize an object or vehicle placed, stopped, standing or parked on a highway in contravention of a by-law that a municipality has passed regarding placing, stopping, standing or parking an object or vehicle on a highway;

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

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

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

1. THAT Schedule "I" to Traffic and Parking By-law No. 46-2003 "No Parking" be amended to add the following rows to the Table:

Column 1 Street	Column 2 Side	Column 3 Between	Column 4 Prohibited Times or Days
Lake Ave W	South	Hawthorne Ave & Mississippi Rd	Anytime
Lake Ave W	South	Bridge St & MacArthur Street	Anytime

2. THAT Schedule "II" to the Traffic and Parking By-law No. 46-2003 "No Stopping" be amended to add the following row to the Table:

Column 1 Street	Column 2 Side	Column 3 Between	Column 4 Prohibited Times or Days
Lake Ave W	North & South	Hawthorne Ave & Mississippi Rd	7:45 a.m.-9:45 a.m. & 1:45 p.m.-4:15 p.m. Monday-Friday

READ A FIRST TIME, SECOND TIME AND A THIRD TIME AND FINALLY PASSED THIS
10th DAY OF NOVEMBER, 2020.

Doug Black, Mayor

Stacey Blair, Clerk

COMMUNICATION 131115

Received From: Guy Bourgon, Director of Public Works
Addressed To: Committee of the Whole
Date: October 27, 2020
Topic: Transportation Master Plan Award

BACKGROUND

The Terms of Reference for the Transportation Master Plan were circulated to members of Council on July 30th, 2020, and comments received were incorporated into the Request for Proposals (RFP) which was issued August 18th, 2020.

DISCUSSION

By the RFP closing date on September 24th, 2020, the Town received five (5) for the preparation of the Transportation Master Plan (TMP).

Parsons
J.L. Richards/Castleglenn/Alta
Stantec
BT Engineering Inc.
McIntosh Perry

A proposal evaluation team was assembled and each submission was evaluated in accordance with the terms specified in the RFP based on the following criteria:

1. Experience and Qualifications of Team Members 20%
2. Understanding of Objectives 10%
3. Quality of Approach and Methodology 25%
4. Proposed Work Plan, Schedule and Level of Effort 25%

Only proposals that met or exceeded a score of 75% (60 points out of 80) on evaluation criteria numbered 1 to 4 inclusive moved onto the final evaluation which considered the sealed financial proposals valued at 20%. The financial proposals of those submissions not meeting the above-noted threshold remained sealed and were not considered.

At the conclusion of the evaluation, the proposal submitted by Parsons scored highest in overall quality and value. Parsons is a well-respected firm with considerable experience in the preparation of Transportation Master Plans. Staff are confident that the team fielded by this firm will be successful in completing the TMP in accordance with the terms of reference and to the satisfaction of the Town.

FINANICAL IMPLICATIONS

An amount of \$50,000 had been included in the 2020 budget under line item 20-31-915442-7511 for the preparation of a TMP. This amount was shown as being funded from Development Charges only and was not based on the broader scope of work associated with the final Terms of Reference.

The recommended firm, Parsons, has submitted a total upset limit price of \$138,250.00 plus HST to complete the TMP. This study has been identified in the draft of the Town's new Development Charges Background Study as being funded 75% from Development Charges (DCs). As a result, \$105,512.40 (amount including Town's share of net HST) will be funded through DCs once the new study is adopted with the balance of \$35,170.80 being funded through taxation.

As the 2020 budget did not include a tax funded portion towards this project and as the majority of this project will be completed in 2021, staff recommends that the \$35,170.80 shown above be left as unfunded at year end and the amount be budgeted in the 2021 budget.

STAFF RECOMMENDATION

THAT Council award the Transportation Master Plan to Parsons as outlined in the report prepared by the Director of Public Works dated October 27, 2020; and

THAT the project be funded from Development Charges and from funds to be budgeted in the 2021 budget.

COMMUNICATION 131116

Received from Trisa McConkey, CPA, CGA, Treasurer
 Addressed to Committee of the Whole
 Date October 27, 2020
 Topic Financial Report to September 30, 2020

SUMMARY:

The attached Financial Report provides a review of the Town's financial performance after the first nine (9) months (75%) of 2020.

COMMENTS:

The table below shows the 2020 approved operating budget compared to year-to-date actual expenditures by functional category.

	Budget	To Sept 30 (actuals)	% of Budget
REVENUE			
Administration	12,532,274	12,507,929	100%
Fire	13,000	34,621	266%
Police	20,000	17,882	89%
POA	80,000	5,451	7%
Other Protection Services	991,005	1,323,416	134%
Transit	303,000	61,730	20%
Public Works	172,928	62,160	36%
Wastewater	3,864,868	7,459,397	193%
Water	2,370,000	2,610,528	110%
Solid Waste	200,000	92,973	46%
Storm	0	50,713	100%
Child Care	3,788,148	1,617,464	43%
Recreation and Culture	2,283,603	1,094,388	48%
Planning and Development	219,000	227,467	104%
TOTAL REVENUE	26,837,826	27,166,119	101%
EXPENSES			
Administration	2,182,677	1,391,539	64%
Fire	1,030,800	753,567	68%
Police	2,460,307	1,850,059	75%
Other Protection Services	1,352,746	819,585	61%
Transit	303,000	17,780	6%
Public Works	4,073,120	1,944,773	48%
Wastewater	4,676,470	1,580,189	34%
Water	1,558,398	1,079,407	69%
Solid Waste	920,204	780,396	85%
Storm	19,595	97,061	495%
Child Care	3,788,148	1,938,935	51%
Recreation and Culture	3,554,436	2,096,796	59%

Planning and Development	814,775	403,456	50%
TOTAL EXPENSES	26,734,676	14,753,543	55%
SURPLUS / (DEFICIT)	103,150	12,412,576	

The table below shows the 2020 approved operating budget compared to a combination of the actuals for January through September and forecasts for the remainder of the year, October to December, to estimate the year-end position.

	Budget	Year-end Forecast	% of Budget
REVENUE			
Administration	12,532,274	12,911,814	103%
Fire	13,000	34,621	266%
Police	20,000	17,882	89%
POA	80,000	21,451	27%
Other Protection Services	991,005	1,663,348	168%
Transit	303,000	61,730	20%
Public Works	172,928	183,844	106%
Wastewater	3,864,868	8,107,397	210%
Water	2,370,000	2,730,528	115%
Solid Waste	200,000	143,009	72%
Storm	0	50,713	100%
Child Care	3,788,148	1,942,464	51%
Recreation and Culture	2,283,603	1,348,911	59%
Planning and Development	219,000	252,467	115%
TOTAL REVENUE	26,837,826	29,470,178	110%
EXPENSES			
Administration	2,182,677	2,147,487	98%
Fire	1,030,800	1,042,803	101%
Police	2,460,307	2,470,963	100%
Other Protection Services	1,352,746	2,041,468	151%
Transit	303,000	61,730	20%
Public Works	4,073,120	4,148,701	102%
Wastewater	4,676,470	8,107,397	173%
Water	1,558,398	2,730,528	175%
Solid Waste	920,204	1,013,539	110%
Storm	19,595	99,596	508%
Child Care	3,788,148	2,854,599	75%
Recreation and Culture	3,554,436	3,335,373	94%
Planning and Development	814,775	741,471	91%
TOTAL EXPENSES	26,734,676	30,795,655	115%
SURPLUS / (DEFICIT)	103,150	(1,325,477)	

The following table shows the net (Revenue minus Expenses) forecasted position at year-end:

	Budget	Year-end Forecast	Surplus (Deficit)
Administration	10,349,598	10,764,327	414,729
Fire	(1,017,800)	(1,008,182)	9,618
Police	(2,440,307)	(2,453,081)	(12,774)
POA	80,000	21,451	(58,549)
Other Protection Services	(361,741)	(378,121)	(16,379)
Transit	0	0	0
Public Works	(3,900,192)	(3,964,857)	(64,666)
Wastewater	0	0	0
Water	0	0	0
Solid Waste	(720,204)	(870,530)	(150,326)
Storm	(19,595)	(48,883)	(29,287)
Child Care	0	(912,135)	(912,135)
Recreation and Culture	(1,270,833)	(1,986,462)	(715,629)
Planning and Development	(595,775)	(489,004)	106,771
	103,150	(1,325,477)	(\$1,428,627)

Analysis of Net, Year-end Surplus (Deficit)

1. ADMINISTRATION – Of the \$414,729 surplus, \$284,900 is the Phase 1 Safe Restart Funding. The remaining surplus relates to efforts to mitigate the effect of COVID on the Town's budget through reducing expenditures in training, travel, Council's discretionary funds even though penalty and interest revenues were reduced. The delay of the new Property and Project Manager position was also a contributing factor.
2. POA – Provincial Offences Act revenue received from the court in Perth is down significantly in 2020. There was a \$10,000 adjustment to the Town's 2019 share and in 2020 the interim payment received was less than ½ of what was expected.
3. PUBLIC WORKS – no comments
4. WATER AND WASTEWATER – Although the year-end position shows as zero (0), revenues and expenses were much higher in 2020 than budgeted. This was the result of significant recovery of costs received from developers, particularly those developing south of Highway #7. The Town held mortgages to cover the cost of past infrastructure work that developers are required to repay as they open phases of their subdivisions. These revenues will be returned to the Growth Water/Wastewater Reserve and therefore do not affect the Town's surplus or deficit.
5. SOLID WASTE – The deficit for this service is related to the increased cost for service under the new contract. In addition, the Town paid the contractor for the contracted CPI adjustment and for the increase in the number of stops for 2019 this

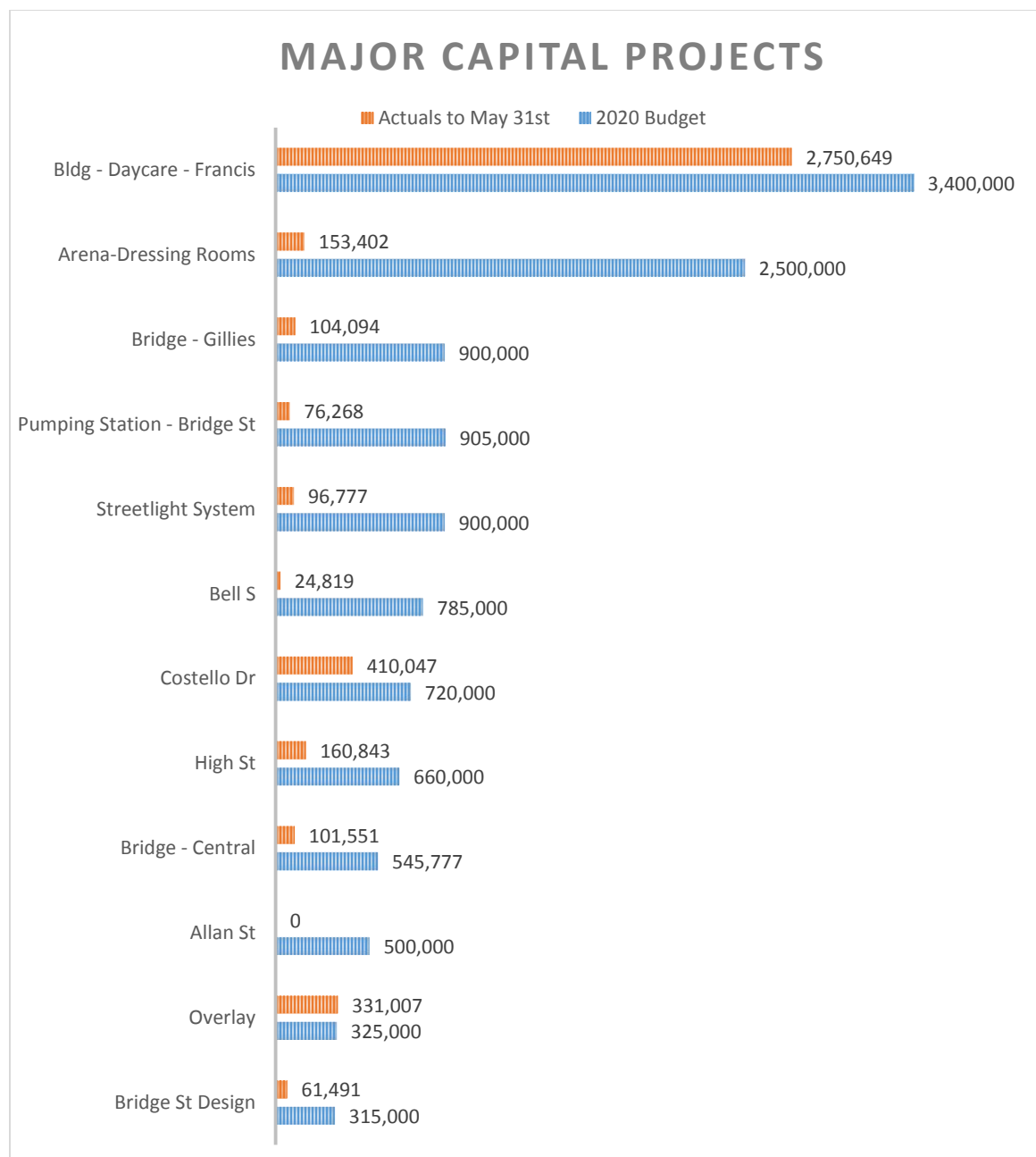
year. COVID also resulted in additional costs for compost pick-up as the compost yard was not opened for the first part of the season and the Town had to contract a service provider to process it.

6. STORM – this deficit relates to the settlement of a legal matter.
7. SOCIAL/FAMILY SERVICES (childcare) – This deficit is due to COVID. Staff were paid to March 31st when the centers were closed and therefore there was no revenue to offset the costs. In addition, when the centers re-opened, they were required to adjust the number of staff per child ratio in all rooms and to hire additional staff to screen children and enhance cleaning. Therefore, fees charged no longer cover the cost of the service.

The Provincial Government has provided some funding that is accounted for above. Carleton Place has now exceeded its funding allocation and there is no guarantee that additional funding will be provided in 2020.

8. RECREATION/CULTURE –Facilities were closed, and many refunds processed. Although facilities have now reopened, revenues continue to be significantly lower than budgeted by almost \$1 million. Staff lay-offs did help mitigate the shortfall but only by approximately \$164,000. Other cost saving measures include reduced travel, training, electricity costs. Overall, however, a \$715,629 deficit is anticipated at year end.
9. PLANNING & DEVELOPMENT – Surplus of \$106,771 is due to the delay in hiring a new Director of Development Services as well as reduced training and travel expenditures. In addition, several events were cancelled (i.e. Canada Day, Wine Around Downtown)

Capital projects are underway however it is still early in the year and several projects are currently just getting underway, so costs remain low at this point. The following chart shows the costs to September 30, 2020 spent on the top twelve (12) capital projects:



Provincial or Federal Relief to Municipalities

On July 27, 2020, as part of the federal-provincial Safe Restart Agreement, the Ontario government announced that it had secured up to \$4 billion in emergency assistance to provide Ontario's 444 municipalities with the support they need to respond to COVID-19.

Under the municipal operating stream, \$1.39 billion will be available to Ontario's municipalities to address operating pressures and local needs. This funding will be

allocated in two phases: 50% allocated in Phase 1 for all municipalities, and 50% allocated in Phase 2 for municipalities that require additional funding.

Phase 1 of this funding will be allocated on a per household basis and the Town of Carleton Place will receive a payment of \$284,900 to support COVID-19 operating costs and pressures. Staff will need to provide a detailed accounting by March 31, 2021 for the use of this funding.

Staff are working on completing an application under Phase 2 of this program. The application process is to report on current and forecasted overall amounts (i.e. as shown in this report) and is not an application based on a list of items for which funding is requested. Funding may be provided to municipalities who can demonstrate 2020 COVID-19 related financial operating pressures in excess of their Phase 1 funding.

STAFF RECOMMENDATION

THAT Council receive as information the Financial Report from the Treasurer to September 30, 2020 and the Town's forecasted year end.

COMMUNICATION 131117

Received from: Trisa McConkey, CPA, CGA, Treasurer
Addressed to: Committee of the Whole
Date: October 27, 2020
Topic: 2021 Water and Sewer Budget

SUMMARY:

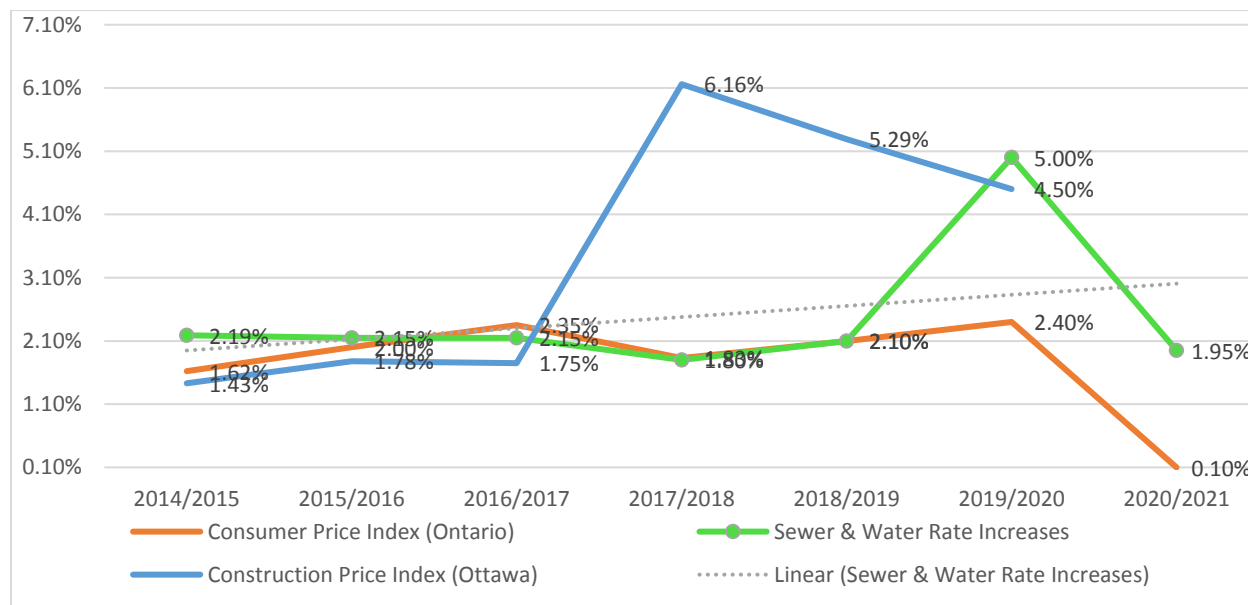
Staff has prepared a draft Water and Sewer Budget for 2021 which requires a 1.95% increase to water and sewer rates. Staff is seeking Council's permission to present the draft budget to the public for comment during the November 10, 2020 Committee of the Whole Meeting.

COMMENT:

As indicated during the 2020 Water and Sewer budgeting process, analysis of the Construction Price Index for the Ottawa area indicates that construction costs in the last three (3) years are rising at a much higher rate than the Consumer Price Index (CPI) which is the index staff has relied on when recommending previous water and sewer rate increases. This led to Council approving a 5% increase in rates for 2020.

Although the CPI for the 12-month period from August 2020 to August 2021 is only 0.1%, the annual average remains at 1.9%. In addition, the Construction Price Index increased by 4.5% over the 2019/2020 period.

The chart below compares CPI, water and sewer rate increases and the Construction Price Index for the Ottawa area.



Increased construction costs have had a significant impact on the long-term capital plan for water and sewer. Planned projects were reviewed and several timelines have been moved by one or two years where Public Works staff felt the project could be delayed.

Staff is now forecasting that the current level of reserve contributions remains insufficient to fund the necessary projects over the next 10 years. As a result, an increase of 1.95% to water and sewer rates is recommended for 2021. Increases greater than CPI may be needed in future years as well, depending on the level of pricing we see regarding capital construction projects over the few next years.

The following table shows a high-level summary of the proposed water and sewer budget:

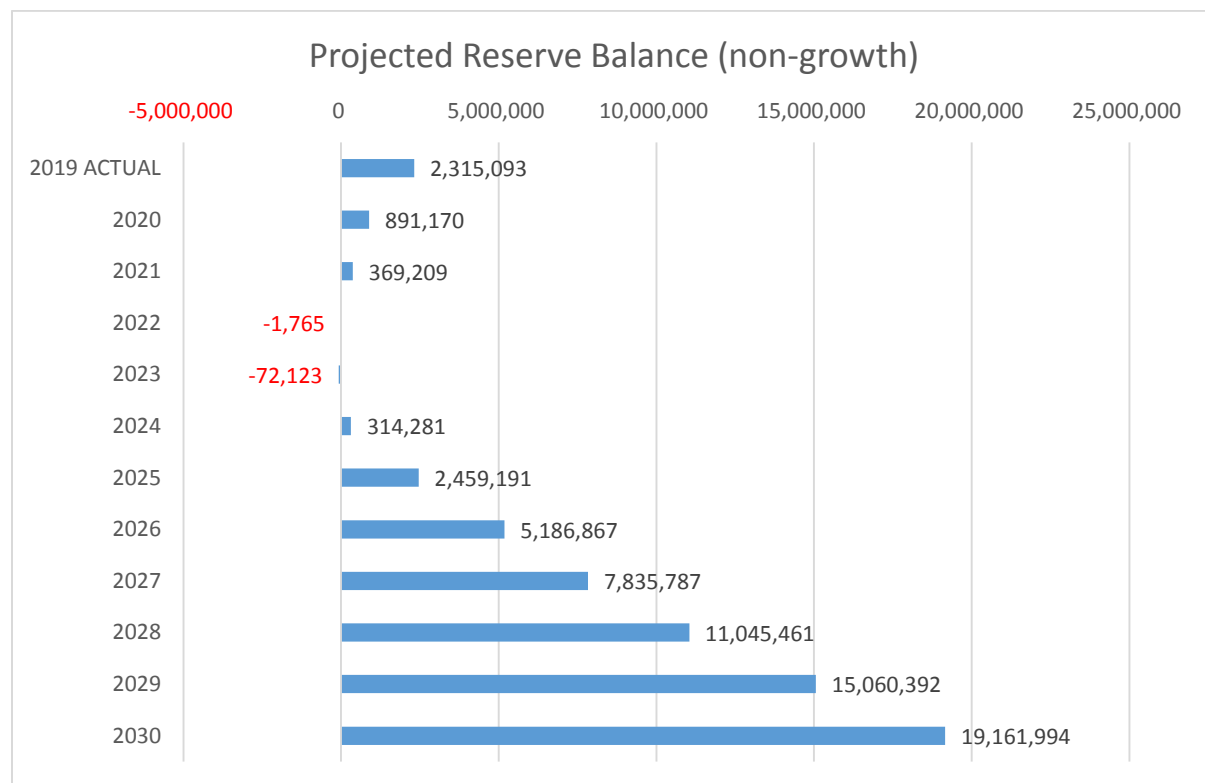
REVENUES	2020 BUDGET	% CHANGE	2021 DRAFT BUDGET
Water & Sewer Billings	\$4,741,626	8%	\$5,133,600
Hydrant Rental	25,000	0%	25,000
Total Revenues	\$4,766,626	8%	\$5,158,600
EXPENDITURES			
WASTEWATER			
Wastewater Treatment Plant Operations	\$1,043,674	1%	\$1,054,654
Management Fee – OCWA	176,900	(38%)	109,532
Contract Capital	20,000	0%	20,000
Administration Allocation	127,000	2%	129,540
Property Taxes	32,700	2%	33,354
Wastewater Distribution Operations	367,000	20%	439,556
Custom Work-Sewage	2,500	0%	2,500
Total Wastewater Operations	\$1,769,774	1%	\$1,789,136
WATER			
Water Treatment Plant Operations	\$631,654	(5%)	\$598,890
Management Fee – OCWA	107,100	69%	180,979
Contract Capital	10,000	0%	10,000
Administration Allocation	127,000	2%	129,540
Property Taxes	32,700	2%	33,354
Water Distribution Operations	500,000	36%	543,401
Custom Work-Water	2,500	0%	2,500
Total Water Operations	\$1,410,954	6%	\$1,498,664
Debt Repayment	452,584		451,261
Surplus/(Deficit) from Operations	\$1,133,314	7%	\$1,419,539

The only significant operational pressure for 2020 is attributable to the full year costs related to the addition of a Water/Sewer Operator in 2020. No further staffing changes are recommended at this time. OCWA estimates for operations at both treatment plants have decreased and the management fees increased. These changes to the budget were made to better align to historical actuals. Overall, the estimated cost for services provided by OCWA have decreased by 1%.

Non-growth-related capital items are paid for by the current users of the system and not by developers. The following table shows the non-growth-related capital items included in the draft 2021 budget:

PROJECT DESCRIPTION	2021 DRAFT BUDGET
Major Maintenance - Sewage & Water Plants	\$350,000
Lake Avenue Monitoring	\$30,000
Lateral Camera - Sewer	\$14,000
Bell Street	\$460,000
Pumping Station - Joseph Street	\$975,000
Miguel Street Watermain Replacement	\$70,000
Gillies Bridge Watermain (benefit to existing)	\$408,103
GIS/GPS (50% Roads)	\$17,500
Bridge Street Pumping Station Landscaping	\$10,000
Water Tower Fencing	\$15,000
Total Capital Projects (Non-Growth)	\$2,349,603

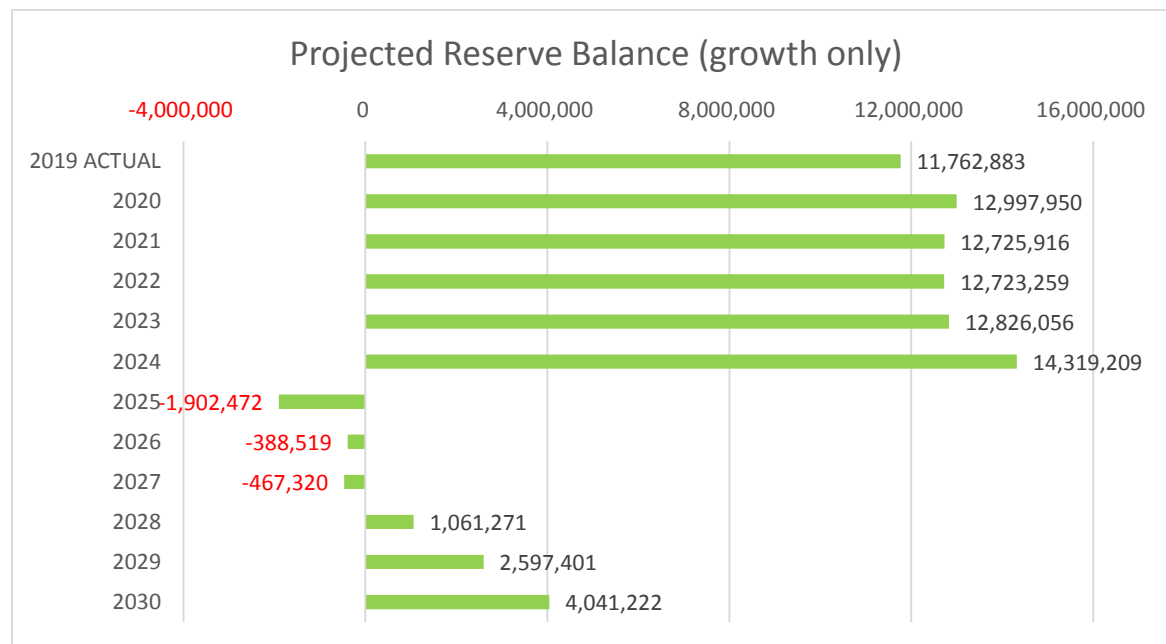
Over the next 10 years there is \$11.4 million in planned non-growth capital projects. The following chart depicts forecasted water/sewer reserve balances at the end of each year during the 10-year planning period.



The following table shows the growth-related capital items included in the draft 2021 budget:

GROWTH PROJECT DESCRIPTION	2021 DRAFT BUDGET
Third River Watermain Crossing (growth only)	\$658,137
Water and Sewer Servicing Study	\$100,000
Water Storage Expansion Environmental Assessment	\$520,000
Treatment Plant Expansions Environmental Assessments	\$300,000
Total Capital Projects (Growth)	\$1,578,137

Over the next 10 years there is \$28.6 million in planned growth-related capital projects. These projects are paid for directly by the developers that are creating growth and not by current users of the system. The following chart depicts forecasted water/sewer reserve balances at the end of each year during the 10-year planning period:



FINANCIAL IMPLICATIONS

The proposed 1.95% increase to water and sewer rates will result in a total charge of \$953.44 per year for a residential property with one or two people which is an increase of \$18.24 per year (\$1.52 per month) over 2020 rates.

Carleton Place's rates still compare favorably with other municipalities. This increase will bring us to approximately the same level as Perth, and our rates will remain lower than Smiths Falls and Mississippi Mills.

STAFF RECOMMENDATION

THAT staff be authorized to present the draft 2021 Water and Sewer budget to the public for comment at the Committee of the Whole meeting on November 10, 2020.

COMMUNICATION 131118

Received from: Trisa McConkey, CPA, CGA, Treasurer
Addressed to: Council
Date: October 27, 2020
Topic: Safe Restart Fund - Request for Phase 2 Funding

SUMMARY:

Under the federal-provincial Safe Restart Agreement, the Ontario government is providing up to \$4 billion in emergency assistance so that municipalities are supported as they respond to COVID-19.

BACKGROUND:

Funding for municipalities under the Safe Restart Agreement is being provided through four streams:

1. Social Services Relief Fund (SSRF) –Municipal Affairs and Housing
2. Public Health–Ministry of Health
3. Transit Supports–Ministry of Transportation
4. Municipal Operating Funding–Municipal Affairs and Housing

COMMENTS

Under Municipal Operating Funding, up to \$1.39 billion is available to Ontario's 444 municipalities to provide the supports needed to respond to COVID-19 impacts and address operating pressures. Funding is being allocated in two (2) phases:

- \$695 million was allocated under Phase 1 on a per household basis. Municipalities have the flexibility to use Phase 1 funding to address their unique COVID-19 related operating pressures. Carleton Place was allocated \$284,900 under this phase.
- Up to \$695 million in Phase 2 funding is available to municipalities that can demonstrate COVID-19 related financial impacts exceed the allocation provided in Phase 1.

Requests for Phase 2 funding must be submitted to the Ministry of Municipal Affairs and Housing by October 30, 2020. The request must include the following:

1. Resolution of Council seeking additional funding under Phase 2
2. Financial report including Treasurer's statement as to accuracy and information about the Municipality's 2020 operating budget, Q3 actuals and year-end forecast.
3. Supporting documentation.

When submitting a request for Phase 2 funding, an amount of funding is not to be specified. The Province will allocate funding based on the financial reporting completed by the Treasurer as noted above in Item 2.

FINANCIAL IMPLICATIONS

Receipt of additional funding would assist in mitigating the increased costs and financial pressures in Carleton Place due to COVID-19 in 2020.

STAFF RECOMMENDATION

THAT Council requests additional Provincial funding under the Safe Restart – Municipal Operating Funding Phase 2 stream to assist with mitigating increased costs and financial pressures due to COVID-19 in 2020.

COMMUNICATION 131119

Received From: Niki Dwyer, RPP MCIP, Director of Development Services
Addressed To: Committee of the Whole
Date: October 27, 2020
Topic: Public Meeting Summary Report – Holding Zones

BACKGROUND

During a recent review of Development Permit By-law 15-2015, staff noted that the by-law does not include enabling provisions to make use of Holding symbols in accordance with Section 36 of the Planning Act.

Holding provision by-law

36 (1) The council of a local municipality may, in a by-law passed under section 34, by the use of the holding symbol “H” (or “h”) in conjunction with any use designation, specify the use to which lands, buildings or structures may be put at such time in the future as the holding symbol is removed by amendment to the by-law. R.S.O. 1990, c. P.13, s. 36 (1).

While the Town of Carleton Place Official Plan references and sets terms for the use of Holding symbols, this policy has not been included in the General Provisions of the Town’s Development Permit By-law.

The purpose of this municipally lead amendment is twofold:

1. Amend Section 2 of Development Permit By-law 15-2015 to introduce the use of Holding symbols in accordance with the Official Plan and Planning Act;
2. To apply a Holding symbol and establish terms for the lifting of the symbol for the lands known municipally as 150 Mill Street (McArthur Island).

COMMENT

Holding symbols are a land use planning tool designed to help phase developments. They are used to establish an “approval in principal” for an intended development but recognise that insufficient information is available to provide final approval of a proposal.

When applying a Holding symbol, the municipality can establish a specific list of obligations that must be satisfied by the property owner/developer prior to the development occurring. Typically Holding provisions are used to:

1. Coordinate development with the provision of water/wastewater and other services;
2. Control phases of development which may necessitate special considerations;
3. Forestall development until specified criteria can be satisfied;

In this case, the purpose of applying the Holding symbol to the McArthur Island property is to establish a specific list of deliverables which must be provided before development of Phases 4 and 5 of the development can occur.

Council will note that the proposed development of McArthur Island (application DP3-04-2019) included the construction of two (2) new buildings on the north half of the island intended to

contain a mixed residential and long-term care development. While Council has approved the proposed re-development of the buildings on the southern portion of the property, staff have insufficient information at this time to conclude the development approval process of Phases 4 and 5.

Figure 1 – Approximate limits of proposed Holding symbol



Once enacted, the Holding symbol will exist into perpetuity until expressly removed by by-law.

STAFF RECOMMENDATION:

THAT Council receives the Public Meeting Summary Report for information and have regard for public comments received at the public meeting.

COMMUNICATION 131120

Received From: Niki Dwyer, RPP MCIP, Director of Development Services
Addressed To: Committee of the Whole
Date: October 27, 2020
Topic: Request for Relief – DP3 Permit Fee – Lanark County Food Bank

BACKGROUND

The Planning Department has received a request by the Lanark County Food Bank — The Hunger Stop (tenant) and Mr. Duncan McNaughton (landowner - 2485851 Ontario Inc.) for relief from the prescribed fee for a Class 3 Development Permit application to recognize the community service as a permitted land use at the property known as 82-84 Mill Street.

Figure 1 – Context Map



The property is presently designated Mississippi Residential Sector in the Development Permit By-law and is similarly designated in the Official Plan.

The subject lands were formerly used as a gymnastics facility which has since ceased operations. The Food Bank relocated from their Allan Street location to the subject property in March 2020 as the facility offered significantly more square footage for their needs, particularly during the COVID-19 pandemic.

In March 2020, the Manager of Planning contacted the property owner to identify the non-conformity of the new use with the Town's Development Permit By-law. Through pre-consultation sessions with the Director of Development Services and the contract Planner, it was determined that in order to bring the use into compliance with the land use policies, a Class 3 Development Permit application would be required.

The fee for a Class 3 permit is \$4,000.00. It was noted during the pre-consultation discussions that this fee would be an obstacle for the registered charity. As a result, staff recommended that the applicant seek the concession of Council for relief.

COMMENT

Prior to initiating the public process for the DP3 application, staff seeks direction from Council respecting the reduction or relief of the prescribed fee.

In review with the Public Works Department it is also understood that discussions have been underway to negotiate the purchase/transfer of a portion of the landowner's property to permit the extension of a sidewalk to connect to the OVRT as the present Mill Street road allowance narrows significantly in front of the subject properties at 82-84 Mill Street.

The owner is agreeable to the transfer and sees the coordination of the reciprocal actions (the land transfer and the development application) as mutually beneficial to the negotiating parties.

Staff would suggest that in an effort to formalize the arrangement with an undertaking by the landowner to provide the necessary lands to the Town for the sidewalk along Mill Street across the front of 82-84 Mill Street.

It is understood that the Town does not presently have a policy respecting the terms for relief or reduction of fees and charges prescribed in the Municipal Fees By-law. Notwithstanding this point, Council may choose to waive or reduce application fees at its sole discretion.

STAFF RECOMMENDATION:

THAT Committee provide direction to staff to execute an Undertaking with 2485851 Ontario Inc. to recognize the conveyance of land for the purpose of the installation of a sidewalk on Mill Street in exchange for waiving the Class 3 Development Permit fees associated with the application to recognize the Food Bank as a permitted use at 82-84 Mill Street.

COMMUNICATION 131121

Received From: Lennox Smith, Chief Building Official
Addressed To: Committee of the Whole
Date: October 27, 2020
Topic: Public Meeting 2021 Permit Fees

SUMMARY

This report summarizes the proposed changes to the Building Permit Fees for the 2021 building season. It discusses the new values, the way fees are to be calculated, impacts on staff time by these changes, and identifies which fees have been removed or amalgamated to create a more efficient process for the review and issuance of permits. With these changes, staff will better utilize their time when processing permits, allow easier determination of permit fees for the public and increase overall efficiency.

BACKGROUND

Current Fee Structure

The current fee structure involves a calculation-based system that is both tedious and time consuming. It requires staff to determine area of the design by way of plans or scaling of plans to assign value for permits. It also requires staff to verify that the value of construction calculated by the applicant is accurate and not under-reported thereby reducing permit fees. These methods lead to potential conflict, difference in calculations and added time when issuing permits.

The previous fee schedule contained several convoluted and difficult to understand fee schedule provisions. In addition, items on the schedule were not located/grouped logically resulting in confusion when staff had to advise applicants of additional applicable fees.

New Fee Structure

Staff is proposing a flat-fee based structure which is more user friendly. This system relies on reasonable flat fee prices that are relatively equivalent to the current fees charged for the different permit types and is comparable to neighbouring communities that have similar growth patterns. In "Appendix A" you can see the new fee schedule with its easy to follow chart format.

A minimum permit fee has been added to the top of the schedule which will apply to several categories of standard projects such as sea containers for storage purposes, basic landings, exterior insulation install, foundation repair, etc. making it easy to determine the fees for most small projects. This fee represents an increase of less than 2% on the Town's existing minimum fee charge. Staff believes this fee is reasonable and is currently less than the fee charged by two of our neighbours.

Staff is not proposing any changes to the method of calculating Commercial, Industrial and Institutional, renovations, interior fit-ups and other addition type permit fees as staff believe the current methodology is sound however, staff is recommending a 2% increase for CPI.

Staff is recommending the largest change to housing permits. The new system utilizes a fixed fee for projects of certain finished areas that would result in approximately the same cost for a project as the system currently used. The new system adds in the average costs for the finished area, unfinished basement, plumbing fixtures, garage bays, HVAC, and rear decks. This system makes fee calculation very easy and efficient for staff and allows builders to easily see what the permit fees will cost.

The result is a more efficient model for calculating the costs of new housing while maintaining fees close to previous home building permit fees. When the average cost system fees were tested with a range of current permit information, the average price for a house in the ranges listed was +/- \$100.00.

Staff is also proposing changes to administrative fees including late fees for smaller projects, alternative solution review fees, and building compliance reports.

Additionally, fees for decks, garages, landings, and waterline replacements have been amended to better reflect the time and cost for the Department to review, inspect and process these classes of permits.

Pool Fees were also added to this schedule to maintain consistency with the proposed new minimum permit fee. A report to Committee will be brought forward in 2021 to remove the fee structure from the existing Pool and Pool Enclosures By-law.

Overall, the new fee structure is more streamlined and efficient, will help applicants budget for their projects, will assist staff in processing permits faster, and reduce confusion and conflict.

If Council is supportive of the new fee building permit fee structure, the next step is a required public meeting under the *Building Code* which requires 21 days' notice. Given this requirement, the proposed date for the public meeting is December 8, 2020.

FINANCIAL IMPLICATIONS


Staff believes the changes to the fee structure will produce a similar revenue stream to previous years. The intention of this fee proposal is not to drastically increase fees but to increase staff's efficiency and provide clarity for applicants. Some smaller projects may see nominal fee increases however those permits are relatively infrequent and do contribute significantly to the Building Department's revenues.

The proposed new fee structure will continue to cover Building Department costs, thereby meeting the requirements of Bill 124 for the Department to be self-sufficient and not funded by tax dollars. As a result, staff believes the new fee schedule conforms to the requirements of Section 7(2) of the Ontario Building Code Act.

STAFF RECOMMENDATION

THAT staff be directed to advertise the public meeting on the Building Department's proposed 2021 Building Permit Fee Schedule as outlined in the Chief Building Official's report dated October 27, 2020.

“APPENDIX A”

 TOWN OF CARLETON PLACE 2021 Building Permit Fees	
MINIMUM PERMIT FEE	\$115.00
Commercial, Industrial, Institutional & Residential (Apartments, Condos and Hotels, Etc.)	
New Building Construction	2.31% of the value of construction for the first \$500,000.00 plus 1.15% for all valuation thereafter.
Projects Covered <ul style="list-style-type: none"> • Additions • Renovations & Interior Fit Ups • Repairs • Alterations • New Accessory Apartments and Dwelling Units 	2.31% of the value of construction for the first \$500,000.00 plus 1.15% for all valuation thereafter plus \$11.25/Fixture Unit
Sea Container (<i>Commercial, Industrial, Institutional storage use only</i>)	Minimum permit fee for each individual container, or Minimum permit fee per grouping of max four (4) sea containers – whichever applies.
Large Projects Deposit (<i>Commercial, Industrial, Institutional projects</i>) at discretion of CBO	\$5,000.00 Flat Fee (<i>Deducted from the final permit cost</i>)
New Residential Housing Construction	
Projects Covered <ul style="list-style-type: none"> • Single Detached Dwelling Unit • Semi-Detached Dwelling Unit Prices indicated include the following: <ul style="list-style-type: none"> • Attached Garage (max 3 bays) • Builder's rear deck/landing (at time of application) • HVAC system • Plumbing Fixtures • Up to 3 Storeys Building Height • All Finished Area. (<i>Note: Any finished basement area added after the original permit issued is charged out at \$13.63/m2</i>)	< 100m2 Total Finished Area = \$2,300.00 100 m2 – 119 m2 Total Finished Area = \$2,400.00 120 m2 – 139 m2 Total Finished Area = \$2,500.00 140 m2 – 159 m2 Total Finished Area = \$2,650.00 160 m2 – 179 m2 Total Finished Area = \$3,100.00 180 m2 – 199 m2 Total Finished Area = \$3,200.00 200 m2 – 219 m2 Total Finished Area = \$3,400.00 220 m2 – 239 m2 Total Finished Area = \$3,700.00 240 m2 – 259 m2 Total Finished Area = \$3,950.00 260 m2 – 279 m2 Total Finished Area = \$4,100.00 280 m2 – 299 m2 Total Finished Area = \$4,550.00 300 m2 – 319 m2 Total Finished Area = \$4,650.00 320 m2 – 339 m2 Total Finished Area = \$4,750.00 340 m2 – 359 m2 Total Finished Area = \$4,850.00 360m2 + = \$5,000.00 <i>All decimals rounded accordingly to fall into specific category.</i> <i>Units with only one Garage Bay (15m² or less) Deduct \$115.00 from fee above.</i>

<p>Projects Covered</p> <ul style="list-style-type: none"> Townhouse Dwelling Unit <p>Prices indicated include the following:</p> <ul style="list-style-type: none"> Attached Garage (max 2 bays) Builder's rear deck/landing (at time of application) HVAC system Plumbing Fixtures Up to 3 Storeys Building Height All Finished Area. <p>(Note: Any finished basement area added after the original permit issued is charged out at \$13.63/m2)</p>	<p>< 100m2 Total Finished Area = \$2,100.00 100 m2 – 119 m2 Total Finished Area = \$2,200.00 120 m2 – 139 m2 Total Finished Area = \$2,500.00 140 m2 – 159 m2 Total Finished Area = \$2,700.00 160 m2 – 179 m2 Total Finished Area = \$2,800.00 180 m2 – 199 m2 Total Finished Area = \$2,900.00 200 m2 – 219 m2 Total Finished Area = \$3,200.00 220 m2 – 239 m2 Total Finished Area = \$3,650.00 240 m2 – 259 m2 Total Finished Area = \$3,800.00 260 m2 – 279 m2 Total Finished Area = \$4,000.00 280 m2 – 299 m2 Total Finished Area = \$4,200.00 300 m2 + = \$4,400.00</p> <p>All decimals rounded accordingly to fall into specific category.</p>
Minor Residential Permit Fees	
Landing Permit (max 2.32m ² in floor area) <i>Serving a Dwelling</i>)	Minimum Permit Fee
Landing Permit w/ Roof (max 2.32m ² in floor area) <i>Serving a Dwelling</i>)	\$125.00 Flat Fee
Deck Permit – Floating	\$150.00 Flat Fee
Deck Permit – With Foundations	\$175.00 Flat Fee
Deck Permit – With Roof or Second Level	\$200.00 Flat Fee
Accessory Shed (Wooden floor and/or no door over 6ft wide)	\$150.00 Flat Fee
Accessory Garage (With slab and unheated)	\$175.00 Flat Fee
Accessory Garage (With slab and heated)	\$200.00 Flat Fee
Foundation Repair (Membrane Application Only)	Minimum Permit Fee
Foundation Repair (Structural and Membrane)	\$150.00 Flat Fee
Solid Wood Burning Appliance Install/Replacement (wood stove, furnace etc.)	Minimum Permit Fee
Water Line or Sewer Line Replacement or Installation	Minimum Permit Fee
Installing new plumbing DWV piping or alteration plumbing only.	Minimum Permit Fee
Exterior Insulation and Cladding Installation (on existing building)	Minimum Permit Fee
Plumbing Fixture Cost (were applicable)	\$11.25 per Fixture
Sea Container (Storage Use Only)	Minimum Permit Fee / building or group up to four (4)
Addition to a Dwelling Unit	
Addition to Dwelling Unit	2.31% of the value of construction + \$11.25/Fixture
Demolition Permits	
Demolition Permit (<i>shed, accessory building, porches etc.</i>)	Minimum Permit Fee
Demolition Permit (<i>houses, commercial, industrial, institutional</i>)	2.31% of the value of demolition

Pool & Hot Tub Permits	
Private Pool Installation	Minimum Permit Fee
Public Pool Installation (<i>physical pool and all pool related code requirements</i>)	2.31% of the value of construction for the first \$500,000.00 and 1.15% for all valuation thereafter.
Private Hot Tub Installation	Minimum Permit Fee
Administrative Permits	
Conditional Permit (<i>Housing</i>)	\$300.00 per building (<i>house, townhouse block, semi block</i>) + Development Charges for project are due at conditional permit issuance.
Conditional Permits (<i>Commercial, Institutional Industrial and Large Residential</i>)	\$1,000.00 + all Development Charges of project are due at conditional permit issuance.
Partial Permit (<i>Foundation only, etc.</i>)	Minimum Permit Fee (<i>per each dwelling unit</i>)
Change of Use Permit (<i>No construction proposed/required</i>)	Minimum Permit Fee
Revision to Permit	Minimum Permit Fee – Due prior to any review taking place
Building Without a Permit – New Construction of a Building (<i>At discretion of the Chief Building Official</i>)	No Order required – Required Permit Fee x up to 50% After Order Posted – Required Permit Fee x up to 100%
Building Without a Permit – Renovation of Existing Building (<i>At discretion of the Chief Building Official</i>)	No Order required – Required Permit Fee x up to 50% After Order Posted – Required Permit Fee x up to 100%
Additional Inspection Fee (<i>For 3rd or more inspections of a prescribed inspection</i>)	Minimum Permit Fee – Payment is required prior to inspection taking place.
Alternative Solution Proposal Review	\$300.00 Flat Fee (<i>per proposal</i>) + any third party review costs that may be necessary. (<i>Receipts to be provided to applicant to show breakdown of any third-party costs</i>)
Orders Registered on Title Orders Removed from Title	Owner responsible to pay all registration costs (<i>receipts provided + 10% administrative fee</i>) Owner responsible to pay all registration costs (<i>receipts provided + 10% administrative fee</i>)
Agency Letter of Approval	Minimum Permit Fee
Building Compliance Report	Minimum Permit Fee
Transfer of Permit	Minimum Permit Fee
Limiting Distance Agreement	\$300.00 Flat Fee
Deposits (<i>Residential Housing</i>)	\$1,000.00 Flat Fee (<i>deducted from final permit fee</i>)

GENERAL NOTES:

1. Finished area is measured to the outside of the exterior wall or to the center line of a fire separation/firewall.
2. Finished area for mezzanines is measured to the outside edge of the mezzanine floor.
3. Openings to storeys below are not deducted from finished floor area.
4. Decks, Porches, Landings and Verandahs are all measured for floor area to the outside plane of walls of the platform.
5. No permit fee shall be less than the minimum fee of \$115.00 noted above.

6. All refund requests must be in writing to the Chief Building Official and will be evaluated and returned in compliance with the refund table below.
7. There are no refunds for amounts less than \$115.00.
8. All fees contained herein shall be increased by CPI index yearly where required.

Refund Amount	Work Completed on Application
80% Refund of Permit Fees	Permit is filed, and no processing or review functions have been performed
70% Refund of Permit Fees	Permit is filed, and administrative and zoning/engineering functions have been performed
45% Refund of Permit Fees	Permit is filed, and zoning, engineering and administrative functions have been performed and plans examination completed
35% Refund of Permit Fees	Permit has been issued and no field inspections have been performed
5% Reduction of Permit Fees	To be taken for each inspection completed prior to refund of permit fees being requested.

Bylaw Activity Report September 2020

	Jan.	Feb.	Mar.	Apr.	May	June	July	Aug.	Sept.	Oct.	Nov.	Dec.	YTD
PHONE CALLS/WALK IN'S													
# OF CALLS & INQUIRIES	174	60	141	155	140	206	148	99	168				1291
CALLS RESULTING IN COMPLAINTS	63	4	30	9	21	78	44	27	34				310
TRAFFIC AND PARKING													
WARNINGS ISSUED	167	79	117	55	66	124	80	47	69				804
CHARGES LAID	120	48	91	0	9	24	32	13	18				355
PROPERTY STANDARDS													
INFORMAL NOTICES	11	5	12	0	24	21	18	7	12				110
FORMAL ORDERS TO COMPLY	0	0	0	0	0	0	3	1	0				4
ANIMAL CONTROL													
WARNINGS ISSUED	32	30	26	19	24	35	33	12	33				244
CHARGES LAID	0	0	0	0	0	0	0	0	0				0
WATER USAGE													
WARNINGS ISSUED	0	0	0	0	5	28	53	1	9				96
CHARGES LAID	0	0	0	0	0	0	0	0	0				0
WASTE COLLECTION													
WARNINGS ISSUED	35	15	19	16	25	27	14	19	27				197
CHARGES LAID	0	0	0	0	0	0	0	0	1				1
PICK UPS ORDERED	0	0	1	0	0	0	1	0	0				
YARD MAINTENANCE													
WARNINGS ISSUED	0	0	0	0	2	13	8	2	5				30
ORDERS ISSUED	0	0	0	0	0	2	0	5	0				7

Bylaw Activity Report September 2020

SIGN BYLAW										
WARNINGS ISSUED	21	1	11	20	29	15	14	9	28	148
CHARGES LAID	0	0	0	0	0	0	0	0	0	0
LICENSING										
WARNINGS ISSUED	0	0	0	0	2	0	0	0	0	2
CHARGES LAID	0	0	0	0	0	0	0	0	0	0
PARKS										
WARNING ISSUED	6	0	3	3	5	7	2	3	2	31
CHARGES LAID	0	0	0	0	0	0	0	0	0	0
POOL										
WARNINGS ISSUED	0	0	0	0	1	1	1	0	0	3
CHARGES LAID	0	0	0	0	0	0	0	0	0	0
SNOW REMOVAL										
WARNINGS ISSUED	29	33	16	0	0	0	0	0	0	78
CHARGES LAID	0	0	0	0	0	0	0	0	0	0
NOISE										
WARNINGS ISSUED	4	0	0	1	2	5	1	1	1	15
CHARGES LAID	0	0	0	0	0	0	0	0	0	0
OTHER BYLAWS & DUTIES										
WARNINGS ISSUED	0	0	1	16	14	10	4	0	8	53
CHARGES LAID	0	0	0	0	0	0	0	0	0	0

SEPTEMBER 2020

EMERGENCY CALLS	Jan.	Feb.	Mar.	Apr.	May	June	July	Aug.	Sept.	Oct.	Nov.	Dec.	YTD	YOY
Fire related	4	5	1	13	3	2	10	7	2				47	-1
CO Alarms	1	1	3	1	1	1	1	1	1				11	2
False Alarms	2	6	9	3	4	9	4	8	6				51	-2
MVC	0	1	0	0	0	1	0	1	2				5	2
Medical Assist	1	0	1	0	0	1	1	0	1				5	3
Mutual Aid	0	1	2	1	0	1	1	0	1				7	0
Other	3	2	3	3	2	7	8	6	1				35	3
Total	11	16	19	21	10	22	25	23	14	0	0	0	161	7
Automatic Aid to Miss. Mills (incl. in above calls)	1	1	0	1	0	0	0	0	0				3	1
NON-EMERGENCY CALLS														
Meetings	1	1	1	0	1	1	2	1	1				9	NC
Training	2	2	1	2	2	1	2	1	2				15	-1
Other	0	0	1	0	0	0	1	1	1				4	2
Total	3	3	3	2	3	2	5	3	4	0	0	0	28	1
TOTAL CALLS	14	19	22	23	13	24	30	26	18	0	0	0	189	8
Avg. Response (%) All Calls	50%	46%	43%	67%	55%	53%	57%	66%	42%				53%	3%
Avg. Response (%) Mon-Fri 6am-6pm	49%	41%	41%	59%	58%	61%	52%	61%	44%				52%	11%
Avg. Response Time (min/sec)	11:10	10:52	7:16	8:35	7:43	10:17	8:42	12:14	7:17				9:20	0:02
Fire Loss (\$)	0	10,000	0	102,000	0	0	400,000	1,000	0				513000	-2100
Rescues	0	0	0	0	0	0	0	0	0				0	NC
Injuries	0	0	0	0	0	0	0	0	0				0	NC
Fatalities	0	0	0	0	0	0	0	0	0				0	NC
FIRE PREVENTION														
Fire Safety Inspections	14	8	8	3	4	1	2	4	10				54	-48
Orders Issued	0	0	0	0	0	0	0	0	8				8	NC
Charges Laid	0	0	0	0	0	0	0	0	0				0	NC
Public Education (Hrs.)	18	16	13	10	10	12	14	15	18				126	-2

COMMUNICATION 131122

Received From: Pascal Meunier, Director of Protective Services
Addressed To: Committee of The Whole
Date: October 27, 2020
Topic: Ocean Wave Fire Company (OWFC) and By-law Enforcement
Activity Report for September 2020

SUMMARY

The September 2020 activity reports for the Ocean Wave Fire Company and By-law Enforcement are attached.

COMMENT

Items of note for the month of September include:

Ocean Wave Fire Company (OWFC)

- September was an average month with a total of 14 calls for service;
- Ocean Wave Fire Company hired 4 new recruits, Megan Cullen, Cory Monette, Dustin Lacelle and Lyndsay Young;
- Chief Meunier and Chief Joy received their National Fire Protection Association (NFPA) 521: Incident Safety Officer professional certification

By-law

- September was a busy month for By-law
- During routine patrols, Officers found two (2) stolen vehicles and contacted police

STAFF RECOMMENDATION

THAT the Director of Protective Services' Report on the activities of the Ocean Wave Fire Company (OWFC) and By-law Enforcement for the month of September 2020 be received as information.

BY-LAW NO. XX-2020

A BY-LAW OF THE CORPORATION OF THE TOWN OF CARLETON PLACE TO AMEND THE TOWN'S ANIMAL CONTROL BY-LAW 122-2018.

WHEREAS Section 11 of the *Municipal Act*, S.O. 2001 authorizes a lower tier municipality to adopt by-laws respecting matters within spheres of jurisdiction, which includes the prohibition or regulation of animals and;

WHEREAS Sections 103 and 105 of the said *Act* regulates animals being at large or trespassing;

AND WHEREAS the Council of the Town of Carleton Place adopted its Animal Control By-law 122-2018 on December 18, 2018;

AND WHEREAS Council now deems it expedient to amend By-law 122-2018 to address matters relating to animal control and wildlife;

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

1. THAT the following definitions be added in alphabetical order to Section 1 of By-law 122-2018 with the definitions being renumbered accordingly:

“Attractant” means any substance which could be reasonably expected to attract a wild animal or animals or does attract wild animals, strays, feral or abandoned animals;

“Feed or Feeding” means the deliberate act of furnishing, or making food or other substances available which is likely to be consumed by wild animals, strays, feral or abandoned animals;

“Pigeon” means a member of a widely distributed family of birds derived from self-sustaining captive populations of Columbidae.

2. THAT Section 4 The Keeping of Other Animals of By-law 122-2018 be amended to include the following:

4.4 No person shall intentionally feed a wild animal or leave food or attractants of any type or in any form out of doors in such a manner as to attract, or be accessible by, a wild animal, feral or stray domestic animal on private or public property.

- 4.5 Section 4.4 does not apply to the feeding of songbirds on a property, provided the following feeding requirements are met by the owner or occupier:
- 4.5.1 seed is placed in a bird feeding device that is sufficiently above grade as to not attract or be accessible to wild animals;
 - 4.5.2 bird feeding practices do not attract large flocks of homing birds such as wild, feral or domestic pigeons; and
 - 4.5.2 spillage of seed upon the ground is removed by the property owner or occupier forthwith and disposed of in such a manner that it does not attract wild animals, feral or stray domestic animals.
- 4.6 Section 4.4 does not apply in the following situations:
- 4.6.1 the leaving of food as bait in a trap by a property owner to capture a nuisance animal inhabiting or habituating their property pursuant to the *Fish and Wildlife Conservation Act*, 1997, S.O.1997, c.41;
 - 4.6.2 the leaving of food as bait by a licensed trapper, and employee of a licensed wildlife or pest control agency, a Municipal Law Enforcement Officer, an Ontario Society for the Prevention of Cruelty to Animals Inspector or an OPP Officer in the performance of their work.
 - 4.6.3 the leaving of food for a colony of stray or feral cats for the purposes of trap, neuter or spay and release programs approved by the Town of Carleton Place.
3. THAT a new section titled “Entry onto Private Property” be added as Section 13 as follows to replace the current Section 13 in the By-law:

“13 ENTRY ONTO PRIVATE PROPERTY

- 13.1 A Municipal Law Enforcement Officer, employee of the Public Works Department or any person acting under the Officer’s instructions may, without a warrant, enter onto any property to conduct an inspection to confirm compliance with this by-law, compliance with an order or direction of the Municipality, compliance with conditions of a licence or compliance with an order made under Section 431 of the Municipal Act at any reasonable time.

- 13.2 A Municipal Law Enforcement Officer, employee of the Public Works Department or any person acting under the Officer's instructions may without a warrant enter onto any property for the purpose of undertaking remedial work that has not been completed in accordance with a remedial order issued under this By-law during the hours of one-half hour before sunrise to one-half hour after sunset on any day. Any costs incurred by the Municipality to undertake said remedial work shall be done at the person's expense.
- 13.3 The Officer, Public Works employee or any other person acting under his or her instructions shall not enter any room or place used as a dwelling without the consent of the occupant.
- 13.4 An Officer shall, upon request, show proper identification to the owner or occupier of the property being entered.
4. THAT current Section 13 Short Title and Section 14 Repeals in By-law 122-2018 be renumbered as Sections 14 and 15 respectively due to the addition of Item 3 above into the by-law.
5. THAT this by-law shall come into force and effect on its passing.

READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED THIS XX DAY OF XXXX, 2020.

Doug Black, Mayor

Stacey Blair, Clerk

COMMUNICATION 131123

Received From: Pascal Meunier, Director of Protective Services
Addressed To: Committee of the Whole
Date: October 27, 2020
Topic: Animal Control By-Law Amendment

SUMMARY

To provide Council with a proposed amendment to the Animal Control By-law 122-2018 which would address the issue of feeding of wild animals and the Right of Entry to be in compliance with Section 436 of the Municipal Act, 2001, if Council chooses to give the Municipal Law Enforcement Officers the right of entry.

BACKGROUND

Through the process of review, a loophole in the existing By-law was identified which allows homeowners to use an attractant to draw to and/or keep wild animals on their property.

DISCUSSION

To close the loophole, staff recommends an amendment to Animal Control By-law 122-2018 which would add definitions and clarifications on the use of wild animal attractants. The inclusion of a right of entry section, as per Section 436 of the Municipal Act, 2001, would allow Municipal Law Enforcement Officers to determine if a homeowner or resident is purposely attracting wild animals.

The Right of Entry provision can be accommodated in one of two ways:

1. Council may choose to include the provision in each by-law as they are presented to Council; or
2. They may direct Staff to draft a single right of entry by-law which would create inspection and enforcement powers for all by-laws of the Town.

If Council chooses the second option, Staff would remove the Section 13 of the proposed amendment to Animal Control By-law 122-2018.

FINANCIAL IMPLICATIONS

There are no financial implications associated with this By-law.

STAFF RECOMMENDATION

THAT Council approves amending Animal Control By-law 122-2018 in accordance with the Director of Protective Services' Report dated October 27, 2020; and

THAT Council direct staff to develop a right of entry by-law addressing inspection and enforcement powers for applicable Town by-laws.

BY-LAW NO. XX-2020

A BY-LAW OF THE COUNCIL OF THE CORPORATION OF THE TOWN OF CARLETON PLACE TO PROVIDE STANDARDS FOR THE MAINTENANCE AND OCCUPANCY OF PROPERTY WITHIN THE TOWN OF CARLETON PLACE

WHEREAS the Council of the Corporation of the Town of Carleton Place is empowered to enact a by-law pursuant to the provisions of Section 15.1 of *The Building Code Act* and amendments thereto; and

WHEREAS there is in effect in the Town of Carleton Place an Official Plan which includes provisions relating to property conditions; and

WHEREAS Section 5(3) of the *Municipal Act, 2001* (S.O. 2001, c.25) authorizes that municipal powers, including a 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 11(1) provides that a lower-tier municipality may provide any service or thing that the municipality considers necessary or desirable for the public, subject to the rules set out in Subsection (4); and

WHEREAS Section 11(2) of the *Municipal Act, 2001* (S.O. 2001, c.25) provides that a lower-tier municipality may pass by-laws respecting the health, safety and well-being of persons; and

WHEREAS Section 128 of the *Municipal Act, 2001* (S.O. 2001, c.25) provides that a local municipality may prohibit and regulate with respect to public nuisances, including matters that in the opinion of council is or could become or cause public nuisances; and

WHEREAS Section 436 of the *Municipal Act, 2001* (S.O. 2001, c.25) states that a municipality has the power to pass by-laws providing that the municipality may enter on land at any reasonable time for the purpose of carrying out an inspection to determine whether or not a by-law of the municipality is being contravened; and

WHEREAS Section 444 of the *Municipal Act, 2001* (S.O. 2001, c.25) provides that where a municipality is satisfied that a contravention of a by-law of the municipality passed under this Act has occurred, the municipality may make an order requiring the person who contravened the by-law or who caused or permitted the contravention or the Owner or occupier of the land on which the contravention occurred to discontinue the contravening activity; and

WHEREAS Section 445 of the *Municipal Act, 2001* (S.O. 2001, c.25) provides that where a municipality is satisfied that a contravention of a by-law of the municipality passed under this Act has occurred, the municipality may make an order requiring the person who contravened the by-law or who caused or permitted the contravention or the

Owner or occupier of the land on which the contravention occurred to do work to correct the contravention; and

WHEREAS Section 446 of the *Municipal Act, 2001* (S.O. 2001, c.25) permits a municipality to enact a by-law to require that a matter or thing be done by a person and in default, the matter or thing may be done by the municipality at the person's expense and further that the costs of doing so may be added to the tax roll and collected in the same manner as taxes;

NOW THEREFORE the Council of the Corporation of the Town of Carleton Place enacts that all property owners within the Town are required to comply with the following minimum standards of occupancy:

[TABLE OF CONTENTS TO BE INCLUDED (OR NOT) PENDING FINAL COUNCIL DECISION]

[ALSO PLEASE DISREGARD NUMBERING, WHICH IS TO BE FINALIZED WHEN CHANGES ARE COMPLETE]

1 DEFINITIONS

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

- 1.1 **Abandoned Building** means any building or structure that is not occupied and that, by reason of its unfinished or dilapidated condition, is open to elements or is in a state where unauthorized entry to the building cannot be controlled.
- 1.2 **Acceptable level** when referring to floors shall be defined as not more than 7.5 cm (3 in.) slope in 3 m (10 ft.) and not more than 2.5 cm (1 in.) in any 61 cm (2 ft.).
- 1.3 **Accessory Building** means a detached, subordinate building that:
 - a. is devoted exclusively to a use normally incidental to the main use of the property;
 - b. is not used for human habitation;
 - c. is on the same lot as the main building.
- 1.4 **Alteration** means (as applying to a building) a change from one major occupancy class or division to another, or to a structural change such as an addition to the area and height, or the removal of part of a building, or any change to the structure such as the construction, cutting into or removal of any wall, partition, column, beams, joist, floor or other support, or a change of the fixtures and equipment.
- 1.5 **Apartment building** means a building containing more than four dwelling units, each unit having access from an internal corridor system.

- 1.6 **Appliances** include a fridge, freezer, stove, dishwasher, clothing washer or dryer.
- 1.7 **Balcony** means an external balustrade platform and includes both upper and lower surfaces of the platform.
- 1.8 **Basement** means one or more storeys of a building located below the first storey.
- 1.9 **Barrier** means a structure intended to block, obstruct or prevent access to an area or sound, whether constructed of wood, metal, concrete or other type of material.
- 1.10 **Bathroom** means a room containing a bathtub or shower with or without a water closet and a washbasin.
- 1.11 **Building** means a structure as defined in *The Building Code Act*, c.23, Section 1(1)(a) or part of a structure occupied or capable of being occupied in whole or in part for its intended use and includes a vacant building or structure that could be intended for such use except for its state of disrepair.
- 1.12 **Building Code** means the regulations made under Section 34 of the *Building Code Act* 1992, S. O. 1992, C 23, as amended.
- 1.13 **Building Code Act** means the *Building Code Act*, c.23, as amended.
- 1.14 **Cellar** means any area below the first storey with a height of less than 1.8m (5.9 ft.)
- 1.13 **Chief Building Official** means the Chief Building Official as appointed under by-law by the Town of Carleton Place.
- 1.14 **Chief Municipal Law Enforcement Officer** means the person holding the position of Director of Protective Services for the Town of Carleton Place.
- 1.17 **Clerk** means the Clerk of the Town of Carleton Place.
- 1.18 **Commercial Container** means a dumpster, commercial roll-off or other similar receptacles,
- a) Used for the storage and collection of garbage, refuse, trade waste, construction waste, demolition waste or other similar materials; and
 - b) designed to permit it being emptied by a forklift packer or similar vehicle.

- 1.19 **Committee** means the Property Standards Committee of the Town of Carleton Place established under this by-law in accordance with section 15.6 of the *Building Code Act*, 1992, as amended, or as substituted from time to time.
- 1.20 **Corporation** means the Corporation of the Town of Carleton Place.
- 1.21 **Council** means the Council of the Town of Carleton Place.
- 1.22 **Crawl Space** means an enclosed space between the underside of a floor assembly and the ground cover directly below, with a clearance less than 1.8 m (5ft 11 in.) in height.
- 1.23 **Dwelling Unit** means a suite operated as a housekeeping unit, used or intended to be used by one or more persons and usually containing cooking, eating, living, sleeping, and sanitary facilities.
- 1.24 **Driveway** means the minimum defined area required to provide access for a motor vehicle from a public or private street or a lane to facilities such as a parking area, parking lot, loading space, private garage, building or structure, except that in the case of a residential property, driveway means only the minimum defined area required to provide direct access from the street to a garage or permitted parking area.
- 1.25 **Excavation** means the space created by the removal of soil, rock or fill for the purpose of construction, or an addition.
- 1.26 **Exit** means that part of a *means of egress*, including doorways, that leads from the *floor area* it serves to a separate *building*, an open public thoroughfare or an exterior open space protected from fire exposure from the *building* and having access to an open public thoroughfare.
- 1.27 **Fence** means a freestanding structure, screen, wall or barrier except a structural part of a building erected at grade used wholly or partially to screen from view to enclose or divide a yard or other land, to mark or substantially mark the boundary between adjoining land restricting ingress to or egress from a property, providing security or protection to property and includes swimming pool enclosures, privacy screens, retaining walls, noise attenuation walls, or other combination of fencing components which form a continuous barrier for the same purpose and includes any structure constructed of open wire mesh, boards on boards, pickets, rail or lattice type construction, whether of wood, metal, masonry or a combination thereof or other material.
- 1.28 **First Storey** means the storey that has its floor closest to grade and its ceiling more than 1.8m (5.9 ft.) above grade.

- 1.29 **Floor Area** means the space on any storey of a building between exterior walls and required firewalls including the space occupied by interior walls and partitions, but not including exits, vertical service spaces and their enclosed assemblies.
- 1.30 **Floor Covering** means any surface used to cover the basic floor or subflooring construction, including carpet, vinyl, tile, laminate and hardwood.
- 1.31 **Grade** means the average level of proposed or finished ground adjoining a building at grade level.
- 1.32 **Graffiti** means one or more letters, symbols or marks, howsoever made that disfigures or defaces a property or object but does not include a sign pursuant to the municipality's sign by-law or a mural which has been authorized by the municipality.
- 1.33 **Ground Cover** means organic or non-organic material that covers the ground, and includes concrete, flagstone, gravel, asphalt, grass or other form of landscaping.
- 1.34 **Guard** means a protective barrier around openings in floors or at the open sides of stairs, landings, balconies, mezzanines, galleries, raised walkways, ramps, or other locations to prevent accidental falls from one level to another; such barrier may or may not have openings through it.
- 1.35 **Habitable Room** means any room in a dwelling unit used or lawfully used or intended to be lawfully use for living, sleeping, cooking, or eating purposes.
- 1.36 **Inoperable Vehicle** means a motor vehicle as defined by the *Highway Traffic Act* R.S.O. 1990 Chapter H.8 as amended, that is not in good repair and is incapable of being operated on a highway. It includes a vehicle that does not display a valid vehicle permit license plate issued under the Highway Traffic Act, as amended.
- 1.37 **Land(s)** means grounds and vacant lot(s) exclusive of buildings.
- 1.38 **Landscaping** means vegetation in the form of lawns, grasses, shrubs, flowers, ornamental plantings, or any combination thereof.
- 1.39 **Last known address** means the address which appears on the assessment roll of the municipality, or the address as provided in writing to the Town by the owner.
- 1.40 **Lot** means a parcel of land, described in a deed or other document legally capable of conveying land, or shown as a block on a registered plan of subdivision.

- 1.41 **Maintenance** means the preservation and keeping in repair of a property.
- 1.42 **Means of egress** means a continuous path of travel provided by a doorway, hallway, corridor, exterior passageway, balcony, lobby, stair, ramp or other egress facility or combination thereof, for the escape of persons from any point in a building, floor area, room or contained open space to an open public thoroughfare or to an exterior open space protected from fire exposure from the building and having access to an open public thoroughfare and includes exits and access to exits.
- 1.43 **Minimum illumination requirement** means the minimum level of illumination measured at floor level.
- 1.44 **Mixed-use building or multiple use building** means a building used in part for residential purposes and in part for non-residential purposes.
- 1.45 **Multiple dwelling** means a building or portion thereof containing two or more dwelling units and shall include group dwellings either held or maintained under single ownership or established and maintained under the provisions of *The Condominium Act*, 1998 or as a co-operative.
- 1.46 **Municipality** means the Corporation of the Town of Carleton Place.
- 1.47 **Occupancy** means the use or intended use of a building or part thereof, for the shelter or support of persons, animals or property.
- 1.48 **Occupant** means any person or persons over the age of eighteen (18) years in possession of the property.
- 1.49 **Officer** means a Municipal Law Enforcement Officer appointed by the Town and assigned the responsibility of administering and enforcing this by-law.
- 1.50 **Order** means an order made under this by-law.
- 1.51 **Owner** includes:
- 1.51.1 the person for the time being, managing or receiving the rent of/or as shown on the assessment roll, on the land or premises in connection with which the word is used, whether on his own account or as agent or trustee of any person, or who would so receive the rent if such land and premises were let; and
 - 1.51.2 lessee or occupant of the property who, under terms of a lease, is required to repair and maintain the property in accordance with the standards for the maintenance and occupancy of property.

- 1.52 **Person** includes an individual, association, organization, partnership, public bodies, corporations, societies, inhabitants of counties, municipalities or other districts, and includes an agent or employee of any of them in relation to the acts and things that they are capable of doing and owning respectively.
- 1.53 **Plumbing fixture** means a receptacle or equipment that receives water, liquid or sanitary sewage and discharges water liquids or sanitary sewage directly into drainage piping.
- 1.54 **Plumbing system** means a system of connected piping, fittings, valves, equipment, fixtures and appurtenances contained in plumbing.
- 1.55 **Powder room** means a room, which includes a minimum of one (1) toilet and one (1) wash basin, which are connected to the plumbing system.
- 1.56 **Property** means a building or structure or part of a building or structure, and includes the lands and premises appurtenant thereto and all mobile homes, mobile buildings, mobile structures, outbuildings, fences and erections and includes vacant property thereon whether heretofore or hereafter erected, and is divided into:
- 1.56.1 **Non-residential property** means property which is not occupied, nor capable of being occupied in whole or in part for the purpose of human habitation.
- 1.56.2 **Residential property** means any property that is used or designed for use as a domestic establishment in which one or more persons usually sleep and prepare and serve meals, and includes any land or buildings that are appurtenant to such establishment and all steps, walks, driveways, parking spaces and fences or any fixtures or structures associated with the building or its yard.
- 1.57 **Public Nuisance** means an injurious, offensive or objectionable condition and, without limiting the generality of the foregoing, shall include a condition which is offensive, dangerous, obstructive or unhealthful and invades or interferes with another's rights or interests including the use or enjoyment of property.
- 1.58 **Receptacle** means a solid metal, plastic or other non-porous container for receiving garbage or refuse.
- 1.59 **Refuse or debris** includes garbage of any kind and, without limiting the generality of the foregoing, includes rubbish, inoperative vehicles and mechanical equipment, automotive and mechanical parts, appliances, furnaces, heater or fuel tanks, furniture, table waste, paper, cartons, crockery, glassware, cans, garden refuse, earth or rock fill, material from construction or demolition projects and old clothing.

- 1.60 **Repair** means the provisions of such facilities and the making of additions, or alterations or the taking of such action as may be required so that the property shall conform to the standards established in this by-law.
- 1.61 **Restroom** means a room in a non-residential property, which includes a minimum of one (1) toilet and one (1) washbasin, which are connected to the plumbing system.
- 1.62 **Retaining wall** means a structure which supports and confines a mass of earth or water where there is a change in ground elevation.
- 1.63 **Rooming house** means a building that is divided into multiple rooms rented out individually in which the tenants share bathroom or kitchen facilities.
- 1.64 **Salvage** means saving and utilization of wastepaper, scrap metal, vehicles, appliances or other materials.
- 1.65 **Sanitary sewage** means liquid or water borne waste of industrial or commercial origin; or of domestic origin, including human body waste, toilet or other bathroom waste, and shower, tub, culinary, sink and laundry waste.
- 1.66 **Service room** means a room provided in a building to contain equipment associated with building services.
- 1.67 **Sewage system** means the sanitary sewage system or storm sewage system of Carleton Place, or a private sewage disposal system approved by the Chief Building Official of the municipality or the Chief Building Official of a Board of Health or a Conservation Authority which has entered into an agreement with the municipality pursuant to the provisions of the *Building Code Act*.
- 1.68 **Sight triangle** means a triangular space free of buildings, structures and obstructions as formed by the property line abutting a corner lot and a third line drawn from a point on the property line to another point on a property line, each point being the required sight distance from the point of intersection of the property lines as the area at the intersection of two streets.



- 1.69 **Stagnant water** means motionless water, not flowing in a stream or current, also known as standing water. Water shall be deemed to be “stagnant” if the structure, excavation, ruts or depressions are capable of holding standing water for more than four (4) consecutive days.
- 1.70 **Standards** means the standards of the physical condition and of occupancy prescribed for property by this by-law.
- 1.71 **Storage garage** means a building or part thereof intended for the storage or parking of motor vehicles and which contains no provision for the repair or servicing of such vehicles.
- 1.72 **Structure** means anything constructed or erected, either permanent or temporary, the use of which requires location on the ground or attachment to something having location on the ground, and includes but is not limited to play structures, sheds and gazebos.
- 1.73 **Town** means the Corporation of the Town of Carleton Place.
- 1.74 **Unsafe condition** means the physical state of property, structure, barrier and/or building(s), whether vacant or occupied, that in the opinion of the Officer is structurally inadequate or faulty for the purposes for which it is used or intended to be used.
- 1.75 **Vacant building** means a building that is unoccupied, is or should be boarded up, and does not include a building already approved for demolition.
- 1.76 **Vacant lot** means a property that does not have a building or structure on it.
- 1.77 **Vehicle** means a motor vehicle, trailer, boat, motorized snow vehicle, mechanical equipment and any vehicle drawn, propelled or driven by any kind of power, including muscular power.
- 1.78 **Vermin** means a mammal, bird or insect injurious to humans, game or crops including but not limited to rats, mice, moles, ants, cockroaches, silverfish, fleas, bugs, bedbugs, lice or anything else that may be considered by the Officer.
- 1.79 **Waste** shall mean any garbage, refuse, debris, litter, household waste and yard waste and without limiting the generality of the foregoing, shall include garbage, junk, tin cans, old or decayed lumber, discarded or inoperable machinery including automobiles and parts, furniture, household fixtures and construction materials.
- 1.80 **Work Order** or **Order** shall mean an order issued under this by-law to the owner of a property requiring the owner who contravened the by-law or who caused or

permitted the contravention or the owner of the Land on which the contravention occurred to do work to correct the contravention.

- 1.81 **Yard** means the land, other than publicly owned land, around or appurtenant to the whole or any part of a building or structure and includes a vacant lot and used or intended to be used, or capable of being used in connection with the building.

2 INTERPRETATION

- 2.1 This by-law includes the schedules annexed hereto, and the schedules are hereby declared to form part of this by-law.
- 2.2 Dimensions specified in metric units shall be the official dimensions. Imperial dimensions contained in parentheses are provided as a convenience only.
- 2.3 In this by-law, the word “metre” shall be represented by the abbreviation “m”; the word “centimetre” shall be represented by the abbreviation “cm”; the word “feet” shall be represented by the abbreviation “ft.” and the word “inches” shall be represented by the abbreviation “in.”
- 2.4 In this by-law a word interpreted in the singular number has a corresponding meaning when used in the plural.
- 2.5 In this by-law “may” shall be construed as permissive.
- 2.6 In this by-law “shall” shall be construed an imperative.

3 OBLIGATIONS AND REPAIR STANDARDS

- 3.1 All repairs and maintenance of property required by the standards prescribed by this by-law shall be carried out in a manner accepted as good workmanship in the trades concerned and with materials suitable and sufficient for the purpose and that are free from defects.
- 3.2 The requirement that repairs be made in a manner that is accepted as “good workmanship” includes ensuring that the component repaired can perform its intended function and finishing the repair in a manner reasonably compatible in design and color with adjoining decorative finishing materials and are suitable and sufficient for the purpose that they were intended for.
- 3.3 The owner of property shall repair, maintain and keep the property in accordance with the standards of this by-law, and take immediate action to eliminate any unsafe conditions.

4 AUTHORIZATION

- 4.1 The municipality may appoint Officers and such other staff to carry out the administration and enforcement of this by-law.
- 4.2 Interpretation and application of the terms and definitions of this by-law shall be determined at the discretion of the enforcing Officer.
- 4.3 Any building, housing, plumbing, heating or Public Health Inspector or Fire Prevention Officer of the municipality is hereby authorized and directed to act as an assistant to the Officer from time to time.

5 INSPECTIONS

- 5.1 An Officer and any Person acting under the Officer's instructions may, upon producing proper identification, enter upon any property at any reasonable time without a warrant, for the purpose of inspecting the Property to determine:
 - 5.1.1 whether the Property conforms with the standards prescribed in this by-law;
 - 5.1.2 whether an order made under this by-law has been complied with.
- 5.2 An officer who finds that a property does not conform with any of the standards prescribed in this by-law may make an order:
 - 5.2.1. stating the municipal address or the legal description of the property;
 - 5.2.2. giving reasonable particulars of the repairs to be made or stating that the site is to be cleared of all buildings, structures, debris or refuse and left in a graded and levelled condition;
 - 5.2.3. indicating the time for complying with the terms and conditions of the order and giving notice that, if the repair or clearance is not carried out within that time, the municipality may carry out the repair or clearance at the owner's expense; and
 - 5.2.4 indicating the final date for giving notice of appeal from the order.
- 5.3 The order shall be served on the owner of the property and such other persons affected by it as the officer determines and a copy of the order may be posted on the property in a location visible to the public.
- 5.4 The order may be registered in the proper land registry office and, upon such

registration, any person acquiring any interest in the land subsequent to the registration of the order shall be deemed to have been served with the order on the day on which the order was served under Section 4.4 and, when the requirements of the order have been satisfied, the Clerk of the municipality shall forthwith register in the proper land registry office a certificate that such requirements have been satisfied, which shall operate as a discharge of the order.

- 5.5 Where the inspection is conducted by the Officer or any person acting under the Officer's instructions, the person conducting the inspection may:
 - 5.5.1 require the production for inspection of documents or things, including drawings or specifications, that may be relevant to the property or any part thereof;
 - 5.5.2 inspect and remove documents or things relevant to the property or part thereof for the purpose of making copies or extracts;
 - 5.5.3 require information from any person concerning a matter related to a property or part thereof;
 - 5.5.4 be accompanied by a person who has special or expert knowledge in relation to a property or part thereof;
 - 5.5.5 alone or in conjunction with a person possessing special or expert knowledge, make examinations or take tests, samples or photographs necessary for the purposes of the inspection; and
 - 5.5.6 order the owner of the land to take and supply at the owner's expense such tests and samples as are specified.
- 5.6 The Officer and any other person acting under their instructions shall not enter any room or place used as a dwelling without the consent of the occupier except under the authority of a search warrant issued under Section 21 of the *Building Code Act*.
- 5.7 No person shall hinder or obstruct, or attempt to hinder or obstruct, an Officer or anyone acting under their instructions while in the exercise of a power or the performance of a duty under this by-law.
- 5.8 No one shall give false information to an Officer.
- 5.9 At all times, an Officer shall wear Department approved and issued identification.

6 CONDITION AND MAINTENANCE OF LANDS AND YARDS

6.1 All lands and yards shall be kept clean and free from:

- 6.1.1 rubbish, garbage, brush, waste, litter, trade waste and other debris;
- 6.1.2 objects or conditions that may create a health, fire or accident hazard and left in a graded and level condition;
- 6.1.3 dilapidated buildings, structures or vegetation such as trees which may be hazardous to the health, safety and welfare of the inhabitants of the area or that encroach on an adjacent property;
- 6.1.4 unusable (includes, without limiting the generality of the foregoing, vehicles and trailers which are not licensed with a current validation sticker), wrecked, dismantled, discarded or partially dismantled or abandoned machinery, boats, vehicles, trailers, barges or mechanical equipment or parts thereof;
- 6.1.5 Accumulation of material, wood, debris or other objects that create an unsafe or unsightly condition out of character with the surrounding environment or are deleterious to the neighbouring environment;
- 6.1.6 trees, hedges, bushes, vines and shrubs which are dead, decayed, damaged, in an unsightly condition out of character with the surrounding environment or unreasonably overgrown and that encroach onto adjacent property including municipal roads, streets, sidewalks and pathways;
- 6.1.7 rock, stumps, fill, construction waste or other such materials that originate on another property or location unless the deposited material is continuously kept level or covered on a weekly basis in such a way that it does not disrupt or change the drainage of the original site.

6.2 Where there is disagreement with the Officer's directive between the Officer and the owner with respect to what must be removed in the case of decayed, diseased or damaged trees, shrubs, hedges or bushes, an arborist or forester shall be required and their opinion shall be final.

6.3 All yards shall be kept clean and free from:

- 6.3.1 damaged or dilapidated landscape or garden features such as awnings, marquees, canopies, garden furniture, pergolas, trellis, lattice, statues and benches;
- 6.3.2 rodents, vermin, insect pests and other pests and from any condition which may encourage the infestation or harbouring of such pests;

- 6.3.3 domestic animal excrement to an excessive level to create a public nuisance to your neighbours;
- 6.3.4 construction bins, unless they are actively being used in connection with the construction or demolition of a building or structure.
- 6.4 No person shall leave lands or yards after an excavation in an excavated condition for longer than 30 days. All land shall be graded and left in a level condition unless the person can demonstrate to an Officer the necessity of not leveling the land.
- 6.5 No owner shall permit stagnant water to accumulate on a property in any depression or equipment or items. Where there is any accumulation of stagnant water in any depression, excavation or equipment, the owner or occupant of the land shall remove such standing water by draining it or other means to eliminate it.
- 6.6 Section 6.5 does not include any storm water retention ponds that the municipality has approved through site plans and development permits.
- 6.7 All outdoor salvage yards and outdoor storage yards shall be enclosed by a solid board barrier not less than 2.43 m (8 ft.) in height and are subject to the Development Permit By-law.
- 6.8 Every owner shall ensure that their land is treated to prevent the raising of dust or loose particles and the accumulation of mud. This provision does not apply to lands subject to an active site plan or subdivision agreement.
- 6.9 Nothing contained in this by-law shall be deemed to prevent the accumulation, storage and keeping in, or on any non-residential property of such things required for the normal purpose of such business, where a lawful business is conducted in accordance with the Town's Development Permit By-law as long as the accumulation, storage and keeping is undertaken in a manner satisfactory to the Officer.
- 6.10 Where vehicles, trailers, or mechanical equipment are required for business purposes, they shall be screened from the street and public by fence/barrier or suitable planting. All such businesses must be licensed to do so and be permitted by the applicable Development Permit By-law requirements for that location.
- 6.11 Recreational travel trailers shall be complete with closing doors, windows, etc., and kept in a condition that would not require repairs to make them fit for travel on any highway as defined in the *Ontario Highway Traffic Act*, R.S.O as amended.

- 6.12 No vehicle or trailer shall be used for the storage of garbage, rubbish, waste, debris, inoperable equipment, materials, appliances, or similar items and appliances such as refrigerators, stoves and freezers shall not be used as places of storage.
- 6.13 No non-commercially built covered trailers, fish huts or similar handmade structures shall be stored in driveways or exterior or front yards on residential properties. They may be stored on residential properties if:
- 6.13.1 they are weather resistant and constructed and maintained with suitable and uniform materials; protected by paint, preservatives or other weather-resistant materials to prevent water leakage into the structure;
- 6.13.2 they are stored 1 m (39 in.) from rear and interior lot lines;
- 6.14 No accessory building or structure shall be erected closer than 1m. (39 in.) to any interior side lot line, rear lot line, or structure, and shall be subject to the requirements of the *Ontario Building Code*.
- 6.15 No boat or vessel shall be stored in any yard long-term, unless it is placed on a licensed trailer in an operable condition that would allow for its immediate removal.
- 6.15.1 Kayaks, canoes or small boats or vessels that could be transported on the tops of vehicles or in the beds of trucks are permitted to be stored in yards.
- 6.16 The occupant of a residential property may repair one (1) vehicle in the driveway which is the occupant's own vehicle, provided the vehicle is being actively repaired.
- 6.17 The keeping of antique, classic, sports vehicles or operational vehicles for winter storage whether licensed or not is permitted if said vehicle is stored in a neat and tidy condition.
- 6.18 No vehicle with a height in excess of 2 m (6 ft. 5 in.) shall be parked or stored on any property except on a permitted driveway unless said vehicle can be fully located a minimum of 2 m (6 ft. 5 in.) from the curb or sidewalk, whichever is more restrictive.
- 6.19 Where a recreational vehicle trailer is parked in a driveway, 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 and sleeping accommodation be leased or rented.
- 6.20 No brush or unprocessed wood or logs shall be permitted to be stored in a yard

for longer than three (3) weeks.

- 6.21 No person shall have, plant, grow, maintain, or permit on their property any hedge, shrub, plant or tree which:

6.21.1 overhangs, encroaches upon any sidewalk or pavement or traveled portion of any street or highway posing a safety risk to the public, pedestrians and motorists; or

6.21.2 is located in a sight triangle with a height higher than .8 m (2 ft. 7.5 in.).

- 6.22 Firewood, building materials, garden equipment and materials shall be stored in a rear or side yard only, provided that such storage:

6.22.1 does not exceed 10% of the yard area in which it is stored;

6.22.2 shall be neatly piled and shall not constitute a hazard; and

6.22.3 shall not be stored between the front wall of the building and the street line; and

6.22.4 adheres to all required yard setbacks prescribed in the Town's Development Permit By-law.

- 6.23 The temporary storage of materials or refuse resulting solely from the construction, demolition or alteration of a building or part thereof shall be permitted, provided that it:

6.23.1 is removed frequently and is removed entirely from the property at the completion of the project;

6.23.2 will not cause risk to the health or safety of any persons; and

6.23.3 is not stored in an unsightly condition out of character with the surrounding environment.

- 6.24 A yard shall be cultivated or protected by ground cover which prevents the erosion of the soil.

- 6.25 The owner of a residential property shall maintain the lands, yards or part thereof in a clean, sanitary and safe condition and shall dispose of garbage and debris as per the Town of Carleton Place's Waste Collection By-law as amended.

- 6.26 Compost heaps shall:

6.26.1 be retained on all sides by lumber, concrete blocks, plastic gallons, or other materials suitable for such a use;

6.26.2 not be located in any front yard;

6.26.3 be 6 m (19 ft. 8 in.) from the lot line within an exterior side yard.

6.27 Any required hedges, planting, trees and other landscaping on a property shall be maintained in a living condition and if removed, shall be replaced with equivalent landscaping to the satisfaction of the Municipal Law Enforcement Officer.

6.28 Grass and weeds, in any yards, must not exceed a height of 20 cm (7 7/8 in.).

6.29 Each yard shall be kept in a condition such that brush, heavy undergrowth and noxious weeds, such as ragweed, poison ivy, poison sumach and other noxious plants shall be eliminated from all yards, as detailed in the *Weed Control Act*, R.S.O. 1990 c W.5 and amendments thereto.

7 VACANT BUILDINGS

7.1 Where any property is unoccupied and the exterior doors, windows, trim or other openings of the property are broken, improperly fitted or otherwise in disrepair, the municipality may order the property owner to board the building or structure to the satisfaction of the Officer so as to prevent the entrance of elements, unauthorized persons or the infestation of pests and to protect the property against the risk of fire, accident or other danger.

7.2 The boarding up of unoccupied buildings shall:

7.2.1 be covered and maintained in good repair with an exterior grade preservative which is colour coordinated with the exterior finish of the building

7.2.2 be completed with 1.27 cm (0.5 in.) S.P.F. (Spruce-Pine-Fir) plywood.

7.2.3 be installed from the exterior and properly fitted to the size of the frame openings of the building or structure in a watertight manner which minimizes damage to the structure;

7.2.4 not be completed until all services have been disconnected and appropriate permits issued by the municipality are obtained

7.3 Where a building remains vacant for a period of more than ninety (90) days, the owner or their agent, shall ensure that all utilities serving the building are properly

disconnected or otherwise secured if necessary for the safety or security of the building, to prevent accidental or malicious damage to the building or adjacent property.

- 7.4 No partially or completely vacant building shall remain boarded up for a period longer than one (1) year. After one (1) year or an alternate time period set by the Officer, the owner or agent or other person responsible, shall make the necessary repairs to make it fit for dwelling or other authorized uses in accordance with the Town's Development Permit By-law.
- 7.5 Where a vacant building is not maintained or fixed in accordance with the minimum standards, it shall be remedied or removed from the property by the Owner and the land left in a graded level condition.

8 DEMOLITION

- 8.1 Where a building, accessory building, fence or other structure on a property is demolished, all required permits must be obtained and when the work is completed, the site shall be cleared of all rubbish, debris, refuse, masonry, lumber and other materials and left in a graded and levelled condition.
- 8.2 Where part of a building or structure has been demolished, the exterior walls of the remaining part of the building or structure shall comply with the requirements of this by-law and the walls shall be parged or otherwise treated to prevent the entry of water into the building and to present a neat and uniform appearance, free from the outlines of partitions, stairs, doors, and from areas of multi-coloured paint.
- 8.3 Where a building, accessory building or other structure is being demolished, every precaution shall be taken to protect adjoining property and members of the public. Such precaution shall include the erection of fences, barricades, covered ways for pedestrians and all other means of protection necessary for the purpose.

9 ADDITIONAL STANDARDS FOR BUILDINGS OR STRUCTURES DAMAGED BY FIRE OR OTHER NATURAL CAUSES

- 9.1 In the event of fire or explosion, measures shall be taken as soon as possible to prevent injury and access to the damaged property, as permitted by the proper authorities.
- 9.2 Where a building or structure is damaged by fire, explosion, storm or by natural causes:

- 9.2.1 immediate steps shall be taken to prevent or remove a condition which might endanger persons on or near the property, and the building or structure shall be properly supported and barricaded until the necessary inspections by fire authorities, demolition or repair can be carried out;
- 9.2.2. it shall be repaired or demolished
- 9.2.3 A building permit shall be required from the Town's Building Department for the repair, replacement or demolition of the damaged structure.
- 9.3 Defacements by smoke or by other similar causes on the exterior walls and surfaces of the buildings or structures, or of the remaining parts of the building or structures, shall be removed and the defaced areas refinished in a workmanlike manner.
- 9.7 No person shall remove from any premises any sign, notice or placard placed thereon pursuant to the *Ontario Building Code Act*, or this by-law.

10 DRAINAGE

- 10.1 Sanitary sewage or organic waste shall be discharged only through the building drain and building sewer into an approved sewage system.
- 10.2 No sewage shall be discharged onto the surface of the ground, whether into a natural or artificial surface drainage system or otherwise.
- 10.3 Roof drainage or storm water, swimming pool or sump pump water discharge shall:
 - 10.3.1 be drained from the lands so as to prevent recurrent ponding or entrance of water into a basement or cellar
 - 10.3.2 not be discharged on walkways, stairs, onto any roadway or sanitary sewer or neighbouring property.
- 10.4 Subsurface drainage shall be installed where there is recurring excessive ponding caused by surface water.
- 10.5 Where eavestroughs and downspouts are installed, the roof drainage shall be discharged onto the ground at least 1.2 m (3 ft. 11 in.) from the building when possible.
- 10.6 Section 10.5 does not apply where the downspouts discharge the roof drainage onto a paved area provided that the water does not drain onto adjoining properties.

- 10.7 Where eavestroughs, roof gutters and downspouts are installed, they shall be kept in good repair, free from leaks, and securely fastened to the building and shall not direct water onto an adjoining roof unless it is part of and owned by the same person.

11 WALKWAYS, PARKING AREAS, DRIVEWAYS

- 11.1 All areas used for vehicular traffic and parking shall be kept free of rubbish, garbage and other litter and shall be kept in good repair.
- 11.2 All surfaced paths, walkways, patios, steps, ramps, building entrances, driveways and parking areas shall be:
- 11.2.1 maintained in good repair in a hole-free condition and free of any settlements that might cause tripping;
 - 11.2.2 maintained in a condition so as to afford safe passage by pedestrians and motor vehicles in inclement weather, including the removal of snow and ice;
 - 11.2.3 adequately illuminated at night so as to afford safe use;
 - 11.2.4 adequately graded and drained to prevent excessive ponding of water.
- 11.3 Catch basins and storm drains shall be maintained free from defects, including broken members and blocked covers.
- 11.4 All commercial driveways and parking lots, including driveways and parking lots for apartment buildings and condominiums, shall be:
- 11.4.1 surfaced and maintained with asphalt, concrete or interlocking stone;
 - 11.4.2 provided with suitable marking such as painted lines to indicate parking spaces and shall be maintained so as to be clearly visible;
 - 11.4.3 provided with secured curb stops or other restraining devices to prevent vehicles from damaging fences, lamp standards, poles and other structures on the parking lot or adjoining property and from encroaching onto adjoining property.
- 11.5 All curb stops or restraining devices shall be kept in good repair.

- 11.6 For the purposes of Section 11.2.2., the requirement to keep patios free from snow does not apply unless the patio provides the only access to a residential property or serves as a fire exit to an accessory apartment.

12 LIGHTING STANDARDS

- 12.1 All artificial lighting for yards and parking areas is to be maintained in good working order. Any lights used to illuminate yards or parking areas shall be so directed to deflect light down and away to prevent the light source from shining directly onto abutting properties and shall not obstruct the vision of pedestrians and motorists.
- 12.2 Illumination shall not consist of a colour or be so designed or located that it may be confused with traffic signals.
- 12.3 Lighting supports or standards supporting artificial lights and all exterior lighting fixture and connections shall be kept in a safe condition, in good repair and working order.
- 12.4 All light standards and fixtures situated on non-residential property shall be working at all times that the business is in operation between sunset to sunrise.

13 FENCES, BARRIERS AND RETAINING WALLS

- 13.1 No fences, barriers or retaining walls may be built on the property line of an adjoining property which is in close proximity to the neighboring dwelling unit that might limit emergency access to any buildings on the adjoining property.
- 13.2 No fence, barrier or retaining wall over 0.8 m (2 ft. 7.5 in.) may be erected, constructed or placed in the sight triangle.
- 13.3 No fence shall be built within 2 m (6 ft. 6.5 in.) of a highway as defined in the *Ontario Highway Traffic Act*.
- 13.4 No person shall erect, construct, or place a fence or barrier with a height in excess of 2.5 m (8 ft. 2.5 in.) within the Town of Carleton Place.
- 13.5 The calculation for height of a fence at any given point shall be measured from the grade at the base of the fence, as follows:
- 13.5.1 to the top of the fence where erected at grade and where there is no grade difference between the two (2) sides of the fence; or
- 13.5.2 from the higher grade to the top of the fence where erected at grade and

there is a grade difference between the two (2) sides of the fence.

13.6 In side and rear yards,

13.6.1 gates may exceed the fence height restriction by a maximum of 30 cm (1 ft.);

13.6.2 archways forming part of an entrance may exceed the height restrictions to a maximum of 2.5 m (8 ft. 2.5 in.), and

13.6.3 decorative caps on structural posts may exceed the height restrictions to a maximum of 15 cm (6 in.).

13.7 Notwithstanding Section 13.4, a construction of a barrier or a fence exceeding 2.5m (8 ft. 2.5 in.) in height is permitted in a residential designation if required by a development permit agreement or any other legislation which would deem a barrier or fence a necessity.

13.8 Fences, retaining walls or other enclosures shall be:

13.8.1 maintained in a structurally sound condition;

13.8.2 in good repair, free from cracks, and missing, broken, or warped components;

13.8.3 free from hazards, including protruding nails, screws and staples;

13.8.4 in a plumb condition, unless specifically designed to be other than vertical; so that it is of uniform appearance;

13.8.5 maintained so that they do not create an unsightly condition out of character with the surrounding environment; and

13.8.6 protected by paint, preservatives or other weather-resistant material, except for wooden fences made of cedar, redwood or treated wood

13.9 No barbed wire, electric current, and sharp projections or any other dangerous characteristics either on the inside or outside shall form part of a fence in any residential designation.

13.10 The provisions of Sections 13.4 and 13.8.7 do not apply to a barrier erected upon abutting land which is used for industrial purposes, for trails, or for hydro, telephone or utility installations, or for public works installations which are hazardous to the public or for noise and sound barriers.

- 13.11 Fences shall not be used as a support for any structure, object or thing that could exert a lateral force against or upon the fence.

14 ACCESSORY BUILDINGS

- 14.1 Accessory buildings shall be kept in good repair and in accordance with the Town's Development Permit By-law.
- 14.2 Where an accessory building harbour insects, vermin or rodents, all necessary steps shall be taken to eliminate such insects, vermin or rodents and to prevent reoccurrence.
- 14.3 Temporary structures shall be maintained in a condition that allows them to function for what they were designed to do and shall be kept in good repair and in accordance with the Town's current Development Permit By-law.
- 14.4 Temporary structures are not permitted year-round in rear yards for storage purposes and only seasonally in driveways for vehicle shelter from November 1 until May 1 the following year.
- 14.5 The exterior of any accessory building shall be weather resistant and constructed and maintained with suitable and uniform materials; protected by paint, preservatives or other weather-resistant materials to prevent water leakage into the structure.
- 14.6 All sea containers, shipping containers or similar structures shall conform to the Development Permit by-law and to all established setbacks.
- 14.7 All sea containers, shipping containers or similar structures shall be maintained in an operable condition and shall be painted to blend in with their surroundings.

15 STRUCTURAL STANDARDS

- 15.1 For the purposes of this section, "structure" includes a fence, shed, permanent sign or other small building in addition to structures defined in the *Ontario Building Code*.
- 15.2 Every part of a building or structure shall be maintained in a structurally sound condition so as to:
- 15.2.1 be capable of sustaining its own weight and any additional load for which it was designed, having a factor of safety required by the *Ontario Building Code*;

- 15.2.2 be capable of safely accommodating all normal structural movements without damage, decay or deterioration;
- 15.2.3 prevent the entry of moisture that would contribute to damage, decay or deterioration;
- 15.2.4 to be capable of safely and adequately performing subject to all reasonable serviceability requirements.
- 15.3 Materials which show excessive damage, dry rot or other deterioration shall be repaired or replaced.
- 15.4 Walls, roofs and other exterior parts of the building shall be free from loose or improperly secured objects or materials. Such part or material shall be removed, properly secured or replaced.
- 15.5 If, in the opinion of the Officer, there is doubt as to the structural condition and adequacy of a building or structure or parts thereof, the Officer may order that such building or structure or parts thereof be examined by a professional engineer licensed to practice in Ontario and employed by the owner of the building or authorized agent. The written report shall be signed and where applicable, stamped by the engineer and provide details of the findings and proposed repair methods, including all temporary shoring and other worked deemed necessary and shall be submitted to the Officer.
- 15.6 All work specified by the testing conducted by the professional engineer shall be completed in the manner and within the time specified in the report.
- 15.7 On completion of all work, a report, signed and stamped by the professional engineer indicating that all work has been completed to their satisfaction and specifications, shall be submitted to the Officer.

16 GENERAL CLEANLINESS

- 16.1 Every dwelling, including hallways and stairways shall be kept free from accumulation, storage of garbage, rubbish, refuse, debris or any condition which constitutes an accident or health hazard.
- 16.2 Commercial containers supplied with a lid that can keep out rodents and pests and prevent the illegal dumping of materials into them shall be made available in a prominent location on non-residential property for the disposal of refuse which may be discarded by customers and others.
- 16.3 Outdoor storage of garbage, compost and refuse, including receptacles, shall:

- 16.3.1 be maintained in a litter-free and odour-free condition,
- 16.3.2 in a manner that will not attract pests or create a health or safety hazard;
- 16.3.3 not be stored in the front yard or on any balcony.
- 16.3.4 be screened from a public highway, street, walkway, park or residential property so as not to be visible from such locations
- 16.3.5 have a tight fitted lid to deter pests, rodents and birds from gaining access.
- 16.4 On property which, because of its condition, use or occupancy or for other reason, creates a public nuisance to occupants of adjacent property or to persons in the neighbourhood or to the users of streets or parks, every reasonable precaution shall be taken to prevent such public nuisance.
- 16.5 Owners shall provide and maintain an effective barrier to prevent waste, wrappings, and debris, etc. from encroaching onto an adjacent property.
- 16.6 Excessive accumulations of materials must be removed from a yard unless such materials are required for a business being lawfully conducted on the property.
- 16.7 All properties shall be provided with sufficient containers or receptacles to safely contain all garbage, rubbish, waste and other refuse.
- 16.8 Recreational amenities, facilities, rooms, play areas and surfaces and equipment supplied by the owner shall be maintained in clean and good repair.
- 16.9 Every owner, and every occupant in that part of non-residential property that they occupy or control, shall maintain the property:
 - 16.9.1 in a clean, sanitary and safe condition, free from litter, refuse and debris including such litter and refuse as may be left by customers or other members of the general public and shall provide containers for the disposal of such litter or refuse;
 - 16.9.2 free from objects or conditions which are health or accident hazards;
 - 16.9.3 free from rodents, vermin and injurious insects.

17 PEST PREVENTION

- 17.1 Buildings shall be kept free of rodents, vermin and insects at all times that may be hazardous to safety, health, and comfort and from conditions which may

encourage infestation by such pests, and methods used for exterminating such pests shall be in accordance with provisions of the *Pesticides Act*, R.S.O. 1990 Chapter P.11 and all regulations passed pursuant thereto.

- 17.2 Openings and holes in a building, including basement or cellar windows used or required for ventilation, exterior walls, chimneys, windows, doors, vents, holes for pipes and electrical fixtures, cracks and floor drains that might permit the entry of rodents, vermin, insects, birds or other pests, shall be screened with wire mesh, metal grill or other durable material or sealed to effectively exclude vermin.
- 17.3 Section 17.2 does not apply where it can be shown to the satisfaction of the Officer that the implementation of this article would adversely affect normal operations in a non-residential property.

18 BASEMENT FLOORS AND FOUNDATIONS

- 18.1 Every building, unless slab-on-grade type, shall be supported by foundation walls or piers which extend below the frost line or to solid rock, and all footings, foundation walls, piers, or slab-on-grade shall be made of masonry or other suitable material as prescribed by the *Ontario Building Code*.
- 18.2 The foundation walls, basement, crawl space or cellar floor of a building including columns, beams, of a building including storage garages shall be maintained:
 - 18.2.1 in good repair and structurally sound;
 - 18.2.2 so as to prevent the entrance of moisture and rodents and where necessary, shall be so maintained by methods including but not limited to shoring of the walls, installing sub-soil drains at the footings, grouting masonry cracks, parging and waterproofing the walls or floor.
 - 18.2.3 free from decayed, damaged or weakened sills, piers, posts or other supports
 - 18.2.4 in a manner so as to prevent settlement of the building by restoring or replacing the foundation, walls, columns, beams and floors and where necessary
- 18.3 Section 18.2 shall not apply to Accessory Buildings where the *Ontario Building Code* specifies that no foundation is required.

19 EXTERIOR SURFACES

- 19.1 All exterior exposed wooden surfaces showing excessive deterioration because they are not inherently resistant to deterioration, shall be periodically treated with an approved protective substance or coating, or otherwise repaired, coated, sealed or treated to protect them from further deterioration or weathering.
- 19.2 Every floor, exterior wall, roof and porch or appurtenance thereto shall be maintained to be structurally sound and prevent collapse of the same or injury to the occupants of the building or to the public.
- 19.3 The exterior walls of a building shall be maintained in good repair, free from cracked or broken masonry units, defective or deteriorated wood or metal siding or trim, cracked, broken or loose stucco, weather tight, free from loose or unsecured objects and in a manner to prevent deterioration due to weather or insects; without limiting the generality of the foregoing, the maintenance of an exterior wall includes the finish with a weather resistant material of all exterior wood and metal work and restoring, repairing or replacing of the wall, brick and mortar, the stucco lathing and plaster, the cladding, the coping and the flashing, and the waterproofing of the walls and joints.
- 19.4 Where the masonry units forming an exterior wall, or part of an exterior wall, of a building are faced with a glazed or other decorative surface, all of those units from which the surface has spalled or broken shall be removed and replaced with units having a facing similar to that of the original wall so that the wall presents a uniform and neat appearance or finished with other approved materials.
- 19.5 The cladding on the exterior walls of all buildings shall consist of masonry, stucco, wood, plywood, metal or other approved materials of equivalent strength, durability and fire endurance, which by themselves or when treated provide adequate protection from the weather.
- 19.6 Patching and repairs to exterior walls shall be made with the same or visually similar material and shall blend with the existing adjacent material or the whole shall be painted or clad to form a solid appearance with the surrounding surface.
- 19.7 Balconies, porches, decks, canopies, marquees, awnings, screens, grills, stairways, fire escapes, pipes, ducts, air conditioners and all other similar equipment, attachments, extensions and their supporting members shall be maintained:
- 19.7.1 in good repair and free from unsafe conditions;
 - 19.7.2 free from rubbish and debris;
 - 19.7.3 properly and safely anchored;

19.7.4 protected against deterioration and decay by the periodic application of a weather resistant material such as paint;

19.7.5 free from broken or missing glass.

- 19.8 Appropriate measures shall be taken to remove any unsightly markings, stains or other defacement, including graffiti, occurring on an exposed exterior surface and, where necessary, to restore the surface as closely as possible to its original condition.

20 ROOFS

- 20.1 The roof of a building including the fascia, soffit, cornice flashing, and coping shall be maintained or free from conditions causing or contributing to leaks or being detrimental to the appearance of the building.
- 20.2 Roofing materials or components which have been damaged or show evidence of rot or other deterioration shall be repaired or replaced.
- 20.3 Every roof shall be maintained free from dangerous accumulations of snow or ice or both and they shall be removed as soon as possible from the roofs of buildings.
- 20.4 Where eaves troughing, roof guttering and down piping is provided, it shall be maintained in good repair to be watertight and securely fastened to the building at all times.
- 20.5 All soffit and fascia components of a building shall be secured and maintained in good repair and properly painted or otherwise treated and protected by paint, preservatives or other weather-resistant materials.
- 20.6 Every roof shall be maintained so that roof decks and related guards are in a good state of repair.
- 20.7 Every chimney, smoke flue, gas vent stack, aerials, satellite dishes, lightning arrestors and other roof structures and their supporting members shall be maintained in a safe condition, maintained plumb and in good repair so as to be:
- 20.7.1 free from loose or missing bricks, mortar and loose or broken capping;
- 20.7.2 free from loose or rusted stanchions, braces and attachments;
- 20.7.3 free from fire or accident hazard.

20.7.4 clear of obstructions;

20.7.5 free from open joints.

- 20.8 No roof drainage shall be discharged on an entranceway, walkway, stair or neighbouring property, or onto any impervious road allowance or in such a manner that it will penetrate or damage the building or structure.

21 STAIRWAYS, HANDRAILS, GUARDS AND PORCHES

- 21.1 Inside or outside stairways, stairs, porches, decks, balconies, verandahs or landings appurtenant thereto, treads and risers, and all guards and handrails and supporting structural members shall be maintained:

21.1.1 so as to be free of holes, cracks and other defects which may constitute a possible accident hazard;

21.1.2 so as to be free from broken, warped, or loose coverings, treads or risers;

21.1.3 to support all loads to which they may be subjected; and

21.1.4 and any components that are rotted or deteriorated beyond repair shall be replaced.

- 21.2 A handrail shall be installed and maintained in good repair in a stairwell open stairway, stairs, stairs within dwelling units with more than three (3) risers and a guard shall be installed on the open sides of any balcony or landing more than 0.61 m (2 ft.) above any adjacent surface, in accordance with the requirements of the *Ontario Building Code*.

- 21.3 A guard shall be installed and maintained in good repair on every surface to which access is provided, including but not limited to exterior landings, porches, decks, balconies, mezzanines, galleries, raised walkways and roofs, on each side which is not protected by a wall and where there is a difference in elevation to adjacent surfaces of more than 60 cm (23 5/8)

- 21.4 A guard shall be installed and maintained in good repair on:

- a) Every exterior stair with more than 6 risers and every ramp on all open sides where the difference in elevation between the adjacent ground level and the stair or ramp exceeds 60 cm (23 5/8 in.);
- b) Openings through any guard shall be a size which will prevent the passage of a spherical object having a diameter of more than 10cm (4 in.);and

- c) A pedestrian or physically disabled ramp having a gradient steeper than 1 in 10 or with a rise of over 45 cm (1ft. 6 in.).

22 FLOORS

- 22.1 Every floor in a building shall be reasonably level and maintained in good repair so as to be free of all loose, warped, protruding, broken, torn or decayed flooring, or other hazardous conditions that may cause an accident, allow dirt or mould to accumulate, or surfaces that might admit rodents into a room and all defective floor boards shall be repaired or replaced.
- 22.2 Any partial repair or replacement required to floor covering shall be such that the material used shall have a finish similar to that of the original covering.
- 22.3 Every bathroom, toilet room, shower area and kitchen floor shall be of suitable material to be impervious to water and easily cleaned and sanitized.

23 DOORS, WINDOWS AND SECURITY

- 23.1 Windows, doors and basement cellar hatchways shall be maintained in good repair and weather-tight condition to prevent drafts or leakage and protected by suitable material to prevent the entry of vermin into the building.
- 23.2 Doors, door frames, window frames, sashes, casings and weather stripping that have been damaged or show evidence of decay or other deterioration shall be painted, repaired or replaced.
- 23.3 All exterior openings for doors or windows shall be fitted with doors or windows that are capable of being opened and closed easily, and being locked unless, in the case of windows, the windows were manufactured to be fixed or that they have been permanently sealed and the room has adequate ventilation.
- 23.4 The following items shall be repaired or replaced in all buildings:
 - 23.4.1 missing or broken glass;
 - 23.4.2 missing or defective door hardware;
 - 23.4.3 missing or defective window hardware;
- 23.5 All windows in a dwelling unit designed to be opened shall be fitted with screens to effectively prevent the entrance of vermin and shall be maintained in good repair.

- 23.6 Every opening in an exterior wall which is not protected by a door or window shall be screened with wire mesh, metal grill or otherwise suitably protected to prevent the entry of vermin, rodents or other pests.
- 23.7 Garage doors shall be;
- 23.7.1 kept in good repair and structurally sound;
 - 23.7.2 kept free from holes and cracks;
 - 23.7.3 able to open and close without impediment;
 - 23.7.4 able to open manually if there is an interruption in power or if there is a mechanical failure;
 - 23.7.5 kept free from cracked or peeling paint or any other damaged exterior finishing;
- 23.8 Garage doors equipped with an automatic closing mechanism shall be equipped with an operational sensory device to detect any person, vehicle, animal or object when crossing its path so that it may prevent harm.

24 WALLS AND CEILING

- 24.1 Every wall and ceiling in a building shall be maintained so as to be free of holes, cracks, loose or torn coverings, damaged or deteriorated plaster, loose or broken masonry or other material, or other defects that may be a safety hazard, and all repairs shall be finished to match the existing wall or ceiling.
- 24.2 Walls surrounding showers and bathtubs shall be of suitable material and maintained to be water-resistant and readily cleaned.

25 WATER SUPPLY

- 25.1 Every dwelling unit shall be provided with adequate supply of potable running water supplied by the Town's water system or an approved system which is acceptable to the District Health Unit and the *Ontario Building Code*.
- 25.2 Hot and cold running water shall be supplied and be of an adequate flow and pressure for the following items:
- 25.2.1 a bathtub or shower;
 - 25.2.2 a washbasin, and/or a sink;

- 25.3 Cold water shall be supplied for toilets, and shall be supplied with sufficient water and pressure to effectively flush the toilet.
- 25.4 Hot water shall be supplied at a temperature of not less than 45° C (113° F) and not more than 49° C (120° F) in a quantity of at least 165 litres (43 gallons) for 15 minutes with a minimum recovery rate for the temperature of 45 litres (11.8 gallons) per hour.
- 25.5 All plumbing, drainpipes, water pipes, plumbing fixtures and every connecting line to the sewage system shall:
- 25.5.1 comply with the requirements of all applicable government regulations;
 - 25.5.2 be maintained in good working order free from leaks or defects;
 - 25.5.3 be protected from freezing and
 - 25.5.4 in the event remedies are required, they shall conform to the *Ontario Building Code*.

26 PLUMBING SYSTEM

- 26.1 Where possible, all buildings shall have the sanitary facilities connected to the Town of Carleton Place's sewage system. Where a building does not have its sanitary facilities connected to the Town's sewage system, it shall be connected to a septic system and maintained at a standard acceptable to the District Health Unit.
- 26.2 All plumbing fixtures and appliances installed within a dwelling shall be maintained in good working condition and in a clean and sanitary condition.

27 TOILET AND BATHROOM FACILITIES

- 27.1 Every dwelling unit except as otherwise provided shall contain bathroom plumbing fixtures consisting of at least one (1) water closet, one (1) wash basin and one (1) bathtub or shower.
- 27.2 Every sink, wash basin and laundry facility in a dwelling unit shall be provided with an adequate supply of hot and cold running water.
- 27.3 All bathrooms and toilet rooms shall be located within and be accessible from within the dwelling unit.

- 27.4 All bathrooms and toilet rooms shall be fully enclosed and fitted with a door capable of being closed to provide privacy for the occupant.
- 27.5 The wash basin may be located in the same room as the water closet or in an adjoining room.
- 27.6 The occupants of two (2) dwelling units each containing no more than two (2) habitable rooms may share toilet and bathroom facilities provided that access to the facility can be gained without going through rooms of another dwelling unit, along an unheated corridor, or outside the building containing the dwelling units.
- 27.7 Each toilet room shall be provided with at least one (1) opening for natural ventilation or mechanical ventilation with ventilation conforming to the *Ontario Building Code*.
- 27.8 Bathtubs or showers shall be caulked so as to form a continuous seal impervious to water penetration.

28 KITCHENS

- 28.1 Every self-contained dwelling unit shall have a kitchen area equipped with cupboards for storing food, a countertop work area, space for a stove and refrigerator, and a sink supplied with hot and cold running water.
- 28.2 Kitchen area countertop, cupboards and sink shall be maintained in good working order.
- 28.3 Countertop work areas shall be impervious to moisture and grease, be kept in good repair and free from defects that may cause an accident or health problems.
- 28.4 In a dwelling unit equipped with refrigerator, cooking stove, kitchen fixtures and fittings, such appliances, fixtures and fittings shall be maintained in good repair and good working order.
- 28.5 Every kitchen shall have provided an adequate and approved gas, electrical or other fuel supply for cooking and refrigeration purposes.
- 28.6 Every supplied facility, piece of equipment or appliance shall be constructed and installed to allow it to function safely and effectively and shall be maintained in a safe and satisfactory working condition.
- 28.7 The following items in a kitchen shall be maintained in good repair or replaced:
 - 28.7.1 cupboards, cupboard doors and hardware;

28.7.2 drawers and drawer hardware; and

28.7.3 countertops.

29 HEATING SYSTEMS

- 29.1 Every dwelling unit shall be provided with a heating system capable of maintaining a room temperature of 20° C (68° F) at 1.5 m (4 ft. 11 in.) above the floor level in all habitable rooms, bathrooms and toilet rooms and shall be maintained in good working order.
- 29.2 Heating shall be available in all dwelling units from September 1 until May 31 of the next year.
- 29.3 Every heating system shall be constructed, installed and maintained to comply with the requirements of all applicable government regulations and shall be maintained in good working condition so as to be capable of heating a room safely to the temperature referred to in Section 29.1.
- 29.4 No room heater shall be placed that may cause a fire hazard to walls or any other equipment or to impede the free movement of persons within the room where the heater is located.
- 29.5 A heating system supplied for non-residential buildings where people are employed shall be capable of safely maintaining a 20° C (68° F) temperature, unless the approved non-residential use requires an alternate temperature.

30 ELECTRICAL SERVICES

- 30.1 Every dwelling unit shall be wired for electricity, and lighting equipment shall be installed throughout to provide sufficient illumination to avoid health or accident hazards in normal use, provided that the lighting shall not be positioned so as to cause any impairment of the use or enjoyment of neighbouring properties.
- 30.2 No owner or occupant, shall disconnect or cause to be disconnected or permit to be disconnected any service or utility providing light, heat, refrigeration, water or cooking facilities for a dwelling unit occupied by a tenant except for such a reasonable period of time as may be required for the purpose of repairing, replacing or altering such service or utility.
- 30.3 All electrical fixtures, switches, receptacles and connections thereto shall be maintained in a safe and complete condition, and in good working order, with appropriate covers installed.

- 30.4 An adequate supply of electric power shall be available at all times in all parts of every occupied dwelling unit except where the lease makes the tenant responsible for the supply of electricity and where the supplier has discontinued the service because of arrears in payment.

31 LIGHTING

- 31.1 Every habitable room of a dwelling, except a kitchen, bathroom, toilet room and basement, shall have a window(s), skylights or translucent panels that face directly to the outside at least 15 cm (6 inches) above the adjoining finished grade, with an unobstructed light transmitting area not less than 10% of the floor area of the rooms. The glass area of a sash door may be considered as a portion of the required window area requirements as prescribed by the *Building Code*.
- 31.2 Standby lighting shall be provided at floor level in exits and corridors used by the public for safe passage.
- 31.3 Adequate artificial light shall be available at all times, in all rooms, and in every stairway, hall and basement in a dwelling
- 31.4 In multiple dwellings and non-residential buildings, every exit door to the outside shall have an illuminated exit light and illumination must be provided for all exterior stairways from top floor levels to grade.

32 VENTILATION

- 32.1 Every bathroom, restroom or toilet room shall be provided with either a natural or mechanical ventilation system in accordance with the *Building Code* which shall be maintained in good working order.
- 32.2 Every basement, cellar, attic roof space or unheated crawl space shall be adequately vented to the outside air by means of screened windows which can be opened or by louvres with screened openings, the area of which shall not be less than 1% of the floor area for basements and 0.09 m² (1 sq. ft.) for every 46.5 m² (500 sq. ft.) of crawl space area.
- 32.3 Section 32.2 does not apply if mechanical ventilation is provided which changes the air once each hour.

33 AIR CONDITIONERS AND WATER-COOLED EQUIPMENT

- 33.1 Air conditioners shall be equipped with adequate devices for the prevention of condensation drainage onto entrance areas, sidewalks, pathways or neighbouring properties.
- 33.2 Cooling water from water-cooled equipment shall be discharged to a proper drainage system in compliance with government regulations and shall not be discharged on driveways, walkways or other areas used for pedestrian or vehicular traffic, or in such a manner that it may cause damage to the walls, foundations or other parts of a building

34 OCCUPANCY STANDARDS

- 34.1 A bedroom shall be a habitable room and no kitchen, bathroom or hallway shall be used as a bedroom.
- 34.2 The maximum number of occupants in any dwelling unit shall not exceed one (1) person per 9.29 m² (100 sq. ft.) of habitable room floor area with a child under one (1) year of age being deemed one-half (1/2) person.
- 34.3 Access to each habitable room shall be gained without passage through a furnace, boiler or hazardous equipment room.

35 DISCONNECTIONS AT PROPERTIES

- 35.1 No owner or occupant thereof, nor anyone acting on their behalf of such owner or occupant, shall disconnect or cause to be disconnected or permit to be disconnected any service or utility providing light, heat, refrigeration, water or cooking facilities to residential property or the residential portion of a mixed-used building occupied by a tenant or lessee, except for such reasonable period of time as may be required for the purpose of repairing, replacing or altering such service or utility.
- 35.2 A person liable for rates for gas, water, steam, electric power, fuel oil or other service or utility, who fails to pay such rates with the result that the gas, water, steam, electric power, fuel oil or other service or utility being supplied to residential property occupied by a tenant or lessee is disconnected or shut off, removed or discontinued, shall be deemed to have caused or permitted such disconnection, shutting off, removal or discontinuance and is therefore guilty of an offence.
- 35.3 The Town may recover the expenses incurred by court action or in like

manner of taxes for any costs they incur to have properties reconnected, unless such disconnects have been done by the utility companies for unpaid services by the tenant or lessee.

36 CHIEF MUNICIPAL LAW ENFORCEMENT OFFICER

- 36.1 The Town may appoint a Chief Municipal Law Enforcement Officer and Officers and such other clerks and staff as may be necessary to carry out the administrative functions of this by-law including the enforcement thereof.

37 ENFORCEMENT

- 37.1 Except as provided herein, the administration and enforcement of this by-law shall be pursuant to the provisions of the *Building Code Act*.

38 NOTICE OF VIOLATION

- 38.1 An Officer who finds that a property does not conform with any of the standards prescribed in this by-law may, where the Officer considers it appropriate in the circumstances to seek informal compliance, at any time prior to the issuance of an order make a notice of violation, in a form and manner similar to an order:

38.1.1 stating the municipal address or the legal description of the property;

38.1.2 giving reasonable particulars of the repairs to be made or stating that the site is to be cleared of all buildings, structures, debris or refuse and left in a graded and leveled condition;

38.1.3 indicating the time for complying with the terms and conditions of the notice;

38.1.4 setting a date before which the Officer must be contacted to set a meeting to review the requirements and terms of the notice with the Officer, and indicating that failure to contact the Officer to set the meeting would be deemed a refusal to meet.

- 38.2 The notice shall be served on the owner of the property and such other persons affected by it as the Officer determines, and a copy of the notice may be posted on the property.

- 38.3 At any time, the Officer may:

38.3.1 rescind the notice of violation;

38.3.2 extend the time for compliance with the notice of violation;

38.3.3 modify the requirements of the notice of violation; or

38.3.4 abandon the notice of violation and seek resolution by way of an order.

38.4 A notice of violation is not enforceable.

38.5 A notice of violation may be introduced in evidence in like manner as an order.

39 ORDERS

39.1 Service of a notice or order required by the *Building Code Act* or this by-law shall be served in accordance with Section 27 of the *Building Code Act*.

40 EMERGENCY POWERS

40.1 Emergency powers shall be pursuant to the provisions of Section 15.7 of the *Building Code Act*.

41 PROPERTY STANDARDS COMMITTEE

41.1 A Property Standards Committee shall be established of people appointed by Council.

41.2 The members of the Committee shall appoint one of themselves as chair, and when the chair is absent, the Committee may appoint another member to act as chair "pro tempore" and any member of the Committee may administer oaths.

41.3 The secretary shall keep on file minutes and records of all applications and the decisions thereon and of all other official business of the Committee and Section 74 of *The Municipal Act* applies "mutatis mutandis" to such documents. The secretary shall be the Clerk.

41.4 A majority of the Committee constitutes a quorum, and the Committee may adopt its own rules of procedure, but before hearing an appeal under Subsection 42.1, notice shall be given of such hearing to all persons that the Committee considers necessary to receive such notice.

41.5 Where a person is properly notified of a hearing and does not attend at the time and place appointed, the Committee may proceed in that person's absence and without further notice to that person.

42 HEARING

42.1 The Secretary of the Committee, in receipt of the notice of appeal, shall

42.1.1 determine the date, place and time of the hearing of the appeal which shall take place not less than seven (7) days and not more than thirty (30) days from the date of receipt of the aforesaid notice;

42.1.2 give notice in writing, via registered mail, of the date, place and time of the hearing referred to in Section 42.1.1 to:

- .1 the appellant;
- .2 any other interested persons who the Committee consider should receive the notice.

42.2 The Committee shall hold the hearing referred to in Section 42.1 at the date, place and time set out in the notice.

42.3 The Committee may adopt its own rules and procedures.

42.4 The applicant may appear with or without counsel at the hearing to present the appeal.

42.5 The Town may be represented at the hearing by its counsel who is entitled to reply to the appeal presented on behalf of the applicant.

43 APPEALS

43.2 An owner or occupant who has been serviced with an order made under the *Building Code Act* and who is not satisfied with the terms and conditions of the order, may appeal to the Committee by sending a notice of appeal by registered mail to the secretary of the Committee within fourteen (14) days after being served with the order.

44 POWER OF CORPORATION TO REPAIR

44.1 If the owner or occupant of a property fails to demolish the property or to repair in accordance with an order as confirmed or modified, the Corporation in addition to all other remedies:

44.1.1 shall have the right to demolish or repair property accordingly and for this

purpose with its servants and agents from time to time enter in and upon the property; and

44.1.2 shall not be liable to compensate such owner, occupant or any other person having an interest in the property by reason of anything done by, or on behalf of the Corporation under the provisions of this Section; and

44.1.3 shall charge an administrative fee for services rendered on said property in accordance with an order as confirmed or modified.

45 MUNICIPAL LIEN

45.1 The municipality shall have a lien on the land for the amount spent on the repair or demolition under Section 44.1 and the amount shall be deemed to be municipal property taxes and may be added by the Treasurer of the Town to the collector's roll and collected in the same manner and with the same priorities as municipal real property taxes.

46 CERTIFICATE OF COMPLIANCE

46.1 Following the inspection of a property, the Officer may, and on the request of the owner, shall issue to the owner a certificate of compliance if, in their opinion, the property is in compliance with the standards. When such a certificate is issued at the request of the owner, the fee shall be in accordance with the Town's current Fees and Charges By-law.

46.2 The property owner who requests an inspection of a property may be charged for an inspection and a report in accordance with the Town's current Fees and Charges By-law.

46.3 A fee as outlined in the Town's current Fees and Charges By-law shall apply to the issuance of a certificate of compliance with regards to outstanding notice of violations under Section 38.1, and/or orders issued under Section 39.1.

47 PENALTY

47.1 A person or owner who fails to comply with an order, direction or requirement that is final and binding under this by-law is guilty of an offence under the *Building Code Act* and is liable to a penalty or penalties as set out therein.

47.2 A person who is convicted of an offence is liable to a fine pursuant to the *Building Code Act* of not more than \$25,000 for a first offence and to a fine of not more than \$50,000 for a subsequent offence.

- 47.3 If a corporation is convicted of an offence, the maximum penalty that may be imposed upon the corporation is \$50,000 for a first offence and \$100,000 for a subsequent offence.

48 VALIDITY

- 48.1 Where a provision of this by-law conflicts with the provisions of another by-law that is in force in the municipality or provincial or federal legislation, the provisions that establish the higher standards to protect the health, safety and welfare of the general public prevails.
- 48.2 It is declared that if any Section, Subsection or part or parts thereof be declared by any court of law to be bad, illegal or ultra vires, such Section, Subsection or part or parts shall be deemed to be severable, and all parts hereof are declared to be separate and independent and enacted as such and shall remain in effect until repealed.
- 48.3 This by-law shall come into force and take effect upon its passing.
- 48.4 That By-law 64-2008, being a by-law prescribing Property Standards for the Corporation of the Town of Carleton Place, is hereby repealed in its entirety.
- 48.5 That By-law 25-2008, being a by-law to regulate the condition of yards within the Corporation of the Town of Carleton Place, is hereby repealed in its entirety.

49 TRANSITIONAL RULES

- 49.1 After the date of the passing of this by-law, By-law No. 64-2008, as amended, shall apply only to those properties in which a notice or order to comply has been issued prior to the date of passing of this by-law, and then only to such properties, until such time as the work required by such order has been completed or any enforcement proceedings with respect to such order has been completed, including any demolition, clearance, or repair carried out by the municipality shall have been concluded.

50 SHORT TITLE

- 50.1 This by-law shall be called the "Property Standards By-law."

READ A FIRST TIME, A SECOND TIME, A THIRD TIME AND FINALLY PASSED THIS
____ DAY OF _____ 2020.

Doug Black, Mayor

Stacey Blair, Clerk

DRAFT

COMMUNICATION 131124

Received From: Pascal Meunier, Director of Protective Services
Addressed To: Committee of the Whole
Date: October 27, 2020
Topic: Proposed Changes to Property Standards By-law 65-2008

SUMMARY

The Town's Property Standards By-law 65-2008 has been reviewed by staff from various Departments, resulting in a number of suggested updates. Many of these updates are a result of previous inspections or complaints where By-law Officers could not effectively apply the Property Standards By-law and take appropriate enforcement action because the wording in the By-law was not clear, strong and/or precise.

BACKGROUND

The Town's current Property Standards By-law 65-2008, established pursuant to the provincial *Building Code Act, 1992*, S.O. 1992, c. 23, prescribes minimum standards for the maintenance and occupancy of buildings, structures, and surrounding lands. The Town's Property Standards By-law is an important tool to ensure an inclusive, healthy and safe community and it:

- Acts as a mechanism to maintain properties and buildings to a minimum standard;
- Provides tools to maintain and enhance the character/image of the Town;
- Sustains property values;
- Preserves the tax base, and,
- Protects the safety and the quality of life of residents and businesses.

The Property Standards By-law addresses the following five (5) principle areas of existing buildings and structures:

- Property maintenance, waste management, and accessory buildings or structures
- Building standards
- Standards for residential occupancy
- Standards for building services, systems and facilities
- Vacant buildings

It is important to note that the provincial *Building Code Act* Sections 15.1 to 15.8 also provide the right of entry for inspection of properties without warrant for the purpose of determining whether the property conforms with the standards prescribed in the By-law or whether an order made has been complied with. This means that for the purposes of the Property Standards By-law, the Town's By-law Officers can enter a property without warrant to enforce the standards set out in the Property Standards By-law.

Review and Process

The consultation process for updating and reviewing this new document included the following key elements:

- Internal review involving multiple Town Departments
- Analysis of existing property standards data
- Complaints and enforcement files in the by-law database
- Appeals to the Town's Property Standards Committee
- Literature review
- Municipal benchmarking and best practices research
- Stakeholder consultation process

DISCUSSION

The last update of the Property Standards By-law was approved in October 2008. An initial staff assessment has determined that the existing By-law requires updates to remain robust, relevant and well-suited to address the majority of current maintenance and occupancy concerns. Staff also identified opportunities to modernize the Property Standards By-law to account for legislative changes at the provincial level; address residents' interests and respond to case law. Some of the changes include but are not limited to:

- Adding several legislative references in the By-law's authorizing provisions;
- Adding various definitions of key words / terms;
- Adding new Interpretation, Authorization and Inspection sections for transparency;
- Adding numerous conditions regarding maintenance of lands and yards which means that the Town's current Yard Maintenance By-law #25-2008 can be repealed;
- Adding numerous conditions regarding vacant buildings;
- Adding a Demolition section;
- Changing the timeline on vacant buildings from two years to one year before demolition can occur;
- Removing areas of duplication;
- Strengthening wording throughout the document; and
- Adding a table of contents once the document is approved

The standards established in the Property Standards By-law represent minimum standards for maintenance and occupancy because we seek a balance between addressing concerns relating to health, safety and suitable habitation and concerns relating to burdensome repair costs for property owners.

As such, Staff developed specific criteria to assess whether or not proposed standards should be included in the Property Standards By-law as a minimum standard. The following criteria were used in this assessment:

- **Health and Safety** – generally refers to protecting the public, specifically residents and businesses, and addressing life-safety issues.
- **Good Repair** – generally refers to:
 - Addressing deficiencies on a property and within, or in the vicinity of, a building or structure.
 - Maintaining the character and image of the Town through standards as established by Town Council in municipal by-laws.
- **Suitable for Habitation** – generally refers to housing that guarantees physical safety, provides adequate space and facilities, and protection from the elements.

FINANCIAL IMPLICATIONS

There are no financial implications associated with this By-law.

STAFF RECOMMENDATION

THAT Council approve the revised Property Standards By-law which will repeal By-law 65-2008; and

THAT Council repeal By-law 25-2008 Yard Maintenance By-law.



October 21, 2020

Ministry of Municipal Affairs and Housing
Hon. Steve Clark
17th Floor, 777 Bay St.
Toronto, ON M5G 2E5
via email steve.clark@pc.ola.org

Dear Minister Clark,

Re: Registry Office Closure and Storage of Surplus Hard Copy Documents (LRO #27 Almonte)

Please accept this letter of support on behalf of the Council of the Corporation of the County of Lanark for the Board of Archives Lanark and their efforts to obtain the Land Abstract books, documents, wills, microfilm, maps and surveys currently being housed in the Land Registry Office #27 located in Almonte, Ontario.

It is our understanding that the holdings mentioned above are being transferred to an online forum, and hard copies are to become surplus and discarded. With that in mind, Archives Lanark has expressed their interest to County Council in saving these documents and housing the hard copies locally so that the public may access them when needed. On October 14, 2020, County Council passed motion #ED-58-2020 in support of the Archives Lanark's request and proposal to obtain these documents, as we are confident in their ability to safely store and make available these documents to the public.

If you would like to discuss this request in more detail, I would be happy to set up a time with you and your staff.

I am looking forward to a favorable response.

Yours truly,

Brian Campbell
Lanark County Warden

Cc: Hon. Randy Hillier, MPP – Lanark-Frontenac-Kingston
All Lanark County Municipalities
Frances Rathwell, Chair Person, Archives Lanark