



AGENDA
REGULAR MEETING OF THE TOWN OF CARLETON PLACE

Tuesday, November 24, 2020, 7:00 p.m.

Pages

1. CALL TO ORDER

2. APPROVAL OF AGENDA

Recommended Motion:

THAT the Agenda be approved as presented.

3. DISCLOSURE OF PECUNIARY INTEREST AND/OR CONFLICT OF INTEREST AND GENERAL NATURE THEREOF

4. APPROVAL OF MINUTES

1. Council Minutes

5

Recommended Motion:

THAT the Council Minutes dated November 10th, 2020 be accepted as presented.

5. PRESENTATIONS / DELEGATIONS

6. CONSENT REPORT

10

Recommended Motion:

THAT Council receive the Consent Report dated November 24th, 2020.

7. MOTIONS

1. Community Enrichment Grants (Communication 131127)

Recommended Motion:

THAT Council approve the allocation of Community Enrichment Grants to various organizations under Intake 2 in the amount of \$5,000.00; and

THAT any unused Community Enrichment funds remaining at year end be set aside in a reserve and be used to fund the 2021 Community Enrichment Program.

2. Building Department Staffing levels (Communication 131130)

Recommended Motion:

THAT Council authorize the hiring of a full-time permanent Senior Plans Examiner position in 2021; and

THAT the cost be included in the draft 2021 Building Department budget.

8. BY-LAWS

1. By-law No. 97-2020 - Regulating Water Rates 12

Recommended Motion:

THAT By-law 97-2020 (Regulating Water Rates for 2021) be read a first, second and third time, and finally passed.

2. By-law No. 98-2020 - Contribution Agreement 2020 - 2021 and 2021-2022 RIDE Grants 18

Recommended Motion:

THAT By-law 98-2020 (Contribution Agreement 2020-2021 and 2021-2022 RIDE Grants) be read a first, second and third time, and finally passed.

3. By-law No. 99-2020 - Taber Street Subdivision Agreement 19

Recommended Motion:

THAT By-law 99-2020 (Taber Street Subdivision Agreement) be read a first, second and third time, and finally passed.

4. By-law No. 100-2020 (Part Lot Control Block 188) 20
- Recommended Motion:**
 THAT By-law 100-2020 (Part Lot Control Block 188 Antonakos Drive) be read a first, second and third time, and finally passed.
5. By-law No. 101-2020 - Amend Development Permit By-law Holding Provisions 21
- Recommended Motion:**
 THAT By-law 101-2020 (Amendment to Development Permit By-law - Holding Provisions) be read a first, second and third time, and finally passed.
6. By-law No. 102-2020 - Amendment to Development Permit By-law (Schedule A and Section 4.5.4) 22
- Recommended Motion:**
 THAT By-law 102-2020 (Amendment of the Development Permit By-law - Schedule A and Section 4.5.4) be read a first, second and third time, and finally passed.
7. By-law No. 103-2020 - Appointment of B. Marsden Building Inspector 23
- Recommended Motion:**
 THAT By-law 103-2020 (Appointment of Brittany Marsden as a Building Official, Building Inspector/Plans Examiner and a By-law Enforcement Officer) be read a first, second and third time, and finally passed.
8. By-law No. 104-2020 - Power of Entry 24
- Recommended Motion:**
 THAT By-law 104-2020 (Power of Entry) be read a first, second and third time, and finally passed.
9. By-law No. 105-2020 (Part Lot Control Block 189) 28
- Recommended Motion:**
 THAT By-law 105-2020 (Part Lot Control Block 189 Antonakos Drive) be read a first, second and third time, and finally passed.

9. ANNOUNCEMENTS

10. CONFIRMATORY BY-LAW

1. By-law No. 106-2020 Confirmation of Council Proceedings

29

Recommended Motion:

THAT By-law 106-2020 (Confirmation of Council Proceedings for November 24th, 2020) be read a first, second and third time, and finally passed.

11. ADJOURNMENT

Recommended Motion:

THAT the 21st regular meeting of the 131st Council of the Town of Carleton Place be hereby adjourned at _____p.m.

MINUTES

REGULAR MEETING OF COUNCIL OF THE TOWN OF CARLETON PLACE

Tuesday, November 10, 2020, 7:00 p.m.

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
Guy Bourgon, Director of Public Works
Pascal Meunier, Director of Protective Services

1. CALL TO ORDER

The 20th regular meeting of the 131st Council of the Town of Carleton Place was called to order by Mayor Black at 7:00 p.m.

2. APPROVAL OF AGENDA

Motion No. 20-131-01

Moved by: Councillor Fritz

Seconded by: Deputy Mayor Redmond

THAT the Agenda be approved as presented.

CARRIED

3. DISCLOSURE OF PECUNIARY INTEREST AND/OR CONFLICT OF INTEREST AND GENERAL NATURE THEREOF

None.

4. APPROVAL OF MINUTES

1. Council Minutes

Motion No. 20-131-02

Moved by: Deputy Mayor Redmond

Seconded by: Councillor Randell

THAT the Council Minutes dated October 27th, 2020 be accepted as presented.

CARRIED

5. CONSENT REPORT

Motion No. 20-131-03

Moved by: Councillor Randell

Seconded by: Councillor Seccaspina

THAT Council receive the Consent Report dated November 10th, 2020:

Physical Environment

1. Quarterly DWQMS Report - 3rd Quarter 2020 (Communication 131113)
THAT the 3rd quarter DWQMS report be received as information.

Corporate Services

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

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

3. 2021 Water and Sewer Budget (Communication 131117)

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.

Planning and Protection

4. Public Meeting Summary Report - Holding Zones (Communication 131119)

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

5. Public Meeting - 2021 Permit Fees (Communication 131121)

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.

6. Ocean Wave Fire Company (OWFC) and By-law Enforcement Activity Report for September 2020 (Communication 131122)

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.

Information Listing

7. Registry Office Closure and Storage

THAT the Town of Carleton Place supports the letter from the County of Lanark to support retaining the storage of surplus records.

CARRIED

6. MOTIONS

1. Transportation Master Plan Award (Communication 131115)

Motion No. 20-131-04

Moved by: Councillor Fritz

Seconded by: Councillor Atkinson

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.

CARRIED

7. BY-LAWS

1. By-law 91-2020 Pedestrian Cross Overs - Ottawa Valley Rail Trail

Motion No. 20-131-05

Moved by: Deputy Mayor Redmond

Seconded by: Councillor Fritz

THAT By-law 91-2020 (Pedestrian Crossovers Ottawa Valley Rail Trail - Amending Traffic and Parking By-law 46-2003) be read a first, second and third time, and finally passed.

CARRIED

2. By-law 92-2020 - Lake Avenue West Parking Restrictions

Motion No. 20-131-06

Moved by: Councillor Fritz

Seconded by: Councillor Randell

THAT By-law 92-2020 (Lake Avenue West Restrictions - Amending Traffic and Parking By-law 46-2003) be read a first, second and third time, and finally passed.

CARRIED

3. By-law 93-2020 Property Standards By-law (Repeals By-law 64-2008)

Motion No. 20-131-07

Moved by: Councillor Fritz

Seconded by: Councillor Atkinson

THAT By-law 93-2020 (Property Standards - Repeals By-law 64-2008) be read a first, second and third time, and finally passed.

CARRIED

4. By-law 94-2020 - Delegation of Authority (Repeals By-law 59-2019)

Motion No. 20-131-08

Moved by: Councillor Randell

Seconded by: Deputy Mayor Redmond

THAT By-law 94-2020 (Delegation of Authority - Repeals By-law 59-2019) be read a first, second and third time, and finally passed.

CARRIED

5. By-law 95-2020 - Part Lot Control 14-16 Taber Street

Motion No. 20-131-09

Moved by: Councillor Tennant

Seconded by: Councillor Fritz

THAT By-law 95-2020 (Part Lot Control 14-16 Taber Street) be read a first, second and third time, and finally passed.

CARRIED

8. ANNOUNCEMENTS

On behalf of the Council of the Town of Carleton Place, the Mayor acknowledged Remembrance Day.

Councillor Fritz announced that the giant pumpkin displayed outside of the Chamber of Commerce was purchased and donated by the Sister City Committee. In regular years, the Committee donates a pumpkin to the Town of Franklin, Tennessee which was not possible this year due to COVID-19.

9. CONFIRMATORY BY-LAW

1. By-law No. 96-2020 Confirmation of Council Proceedings

Motion No. 20-131-10

Moved by: Councillor Atkinson

Seconded by: Deputy Mayor Redmond

THAT By-law 96-2020 (Confirmation of Council Proceedings for November 10th, 2020) be read a first, second and third time, and finally passed.

CARRIED

10. ADJOURNMENT

Motion No. 20-131-11

Moved by: Councillor Tennant

Seconded by: Councillor Seccaspina

THAT the 20th regular meeting of the 131st Council of the Town of Carleton Place be hereby adjourned at 7:14 p.m.

CARRIED

Doug Black, Mayor

Stacey Blair, Clerk

Consent Report

Items from the November 10th, 2020 Committee of the Whole Meeting:

Policy Review

1. Council and Committee Calendar 2021 (Communication 131128)

THAT the 2021 Council/Committee of the Whole Calendar be approved as presented.

2. ROMA Delegations (Communication 131129)

THAT staff be directed to submit a virtual meeting request for the ROMA Conference with the Ministry of Transportation regarding the Highway 7 / 15 improvements to emphasize the importance of this project with the Provincial government; and

THAT a request be made for a delegation with the Minister of Education to discuss the loss of revenue for the Town's Childcare Centre because of the size of the cohorts which are required due to COVID.

Recreation and Culture

3. Spectators at Junior A and Junior B Developmental Scrimmages

Councillor Randell declared a conflict on this item. (Councillor Randell has a professional affiliation with the Junior A Hockey Team.)

THAT the Carleton Place Canadians Junior "B" and Junior "A" teams be permitted to allow the following capacities for developmental scrimmages:

- 50 individuals within the ice surface playing area which includes all players, coaches, trainers, timekeepers, refs
- 50 individuals within the remainder of the facility which includes game day volunteers, injured players, video and sound personnel, goal judges, spectators; and

THAT the following restrictions be followed:

- anyone entering the building will be required to complete a COVID screening questionnaire before entering (to be monitored by Canadians)

- anyone entering the building will be required to sign in (to be monitored by Canadians)
- once individuals have entered the building; individuals are not permitted to exit and re-enter
- individuals in the stands will be seated in identified seats
- only spectators living in the same household will be able to sit together
- all individuals in the facility except for players and refs are required to wear a mask
- food and drink will not be permitted.
- the only individuals permitted in the lobby will be ticket takers/screeners (maximum 2)
- spectators are only permitted in the building 5 minutes before game time
- Teams (home and visiting teams) will be required to submit the names of all players, coaches, trainers, timekeepers, refs by 4 pm on Friday. List is not to exceed 50 persons
- Home team is to submit list of game day volunteers, injured players, video and sound personnel and goal judges by 4 pm on Friday
- If lists are not received by 4 pm on Friday, increased capacity limits will not be permitted.

BY-LAW NO. 97-2020

**A BY-LAW OF THE CORPORATION OF THE TOWN OF CARLETON PLACE
REGULATING WATER RATES.**

WHEREAS Section 391(1)(a) of the *Municipal Act*, 2001, S.O. 2001, c. 25, as amended, authorizes a municipality by by-law to impose fees or charges on persons for services or activities provided or done by or on behalf of the municipality; and

AND WHEREAS Section 398(1) of the *Municipal Act*, 2001, S.O. 2001, c.25, as amended stipulates that fees and charges imposed by a municipality or local board on a person constitute a debt of the person to the municipality or local board, respectively.

AND WHEREAS Section 398(2) of the *Municipal Act*, 2001, S.O. 2001, c.25, as amended provides authority to the treasurer of a local municipality who may, add fees and charges imposed by the municipality to the tax roll for the following property in the local municipality and collect them in the same manner as municipal taxes:

1. In the case of fees and charges for the supply of a service or thing to a property, the property to which the service or thing was supplied.
2. In all other cases, any property for which all owners are responsible for paying the fees and charges.

AND WHEREAS the Council of the Corporation of the Town of Carleton Place deems it necessary and desirable to increase the present rates for the consumption of water within the Town;

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

1. DOMESTIC WATER AND SEWAGE TREATMENT PLANT CHARGES

- 1.1. All domestic water and sewage treatment plant charges are the responsibility of the property owner. If a property owner wishes to have their quarterly water bills directed to a tenant, said owner shall apply to the Town in writing and agree that any unpaid charges on the account remain the responsibility of the property owner.
- 1.2. Property owners are responsible for ensuring that they are being invoiced for the correct number of people and/or the correct services. When new residential accounts are established, they will be set up with the 3-5-person full-service rate unless written communication is received from the property owner. Corrections will only be made as of the date the Town is notified, in writing, of any discrepancy. Changes will not be backdated under any circumstances.
- 1.3. Effective January 1, 2021 the following schedule of quarterly charges shall apply for domestic water and sanitary sewer service billings:

1.3.1. Quarterly Rate for Each Residential Dwelling Unit

NUMBER OF PEOPLE	* FULL SERVICE	SERVICE LESS OUTSIDE TAP	PRIVATE SWIMMING POOL
1 or 2 persons	\$119.18	\$106.76	\$135.88
3, 4, or 5 persons	\$125.17	\$112.79	\$141.89
6, 7, or 8 persons	\$131.26	\$118.90	\$147.96
9 or 10 persons	\$135.24	\$122.74	\$151.93
Additional Persons	\$2.82	\$2.82	\$2.82

1.3.2. The flat rate charge for a private swimming pool is \$66.80 per year. To maintain uniform billings 25% of this charge is included in each quarterly billing.

1.4. Billings shall be issued quarterly in advance. The rates stated are net. A 10% penalty shall apply to all accounts remaining unpaid on the day following the "Due Date" shown on the billing. If the water and sewage service rates plus penalty are not paid within 90 days thereafter, the amount due shall be added to the Collector's Roll and collected in the same manner as municipal taxes.

1.5. Every residential dwelling which is provided with water and sewer service will be subject to a water and sewer charge unless the water supply to the dwelling is turned off by a municipal employee. In the case of a duplex or multi-family dwelling, it is the responsibility of the property owner to provide a shut-off valve in the main water supply to the dwelling which can be turned off and locked or sealed by the municipal employee. There shall be a charge of \$94.33 to turn on any water supply including new services.

2. SUMMER SERVICE

2.1. The flat rate water usage charge for Summer Service for the season is \$447.00 payable in advance. If a private pool is present, an additional charge of \$113.45 shall apply, which is also payable in advance.

3. BILLING CRITERIA AND BILLING PROCEDURE FOR COMMERCIAL, INDUSTRIAL OR INSTITUTIONAL

3.1. Each separate Commercial, Industrial, or Institutional entity shall receive a separate bill for each location they occupy.

3.2. If a property owner wishes to have their quarterly water bills directed to a tenant, said owner shall apply to the Town in writing and agree that any unpaid charges on the account remain the responsibility of the property owner.

3.3. Property owners are responsible for ensuring that they are being invoiced for the correct number of employees and/or the correct services. Corrections will only be made as of the date the Town is notified, in writing, of any discrepancy. Changes

will not be backdated under any circumstances.

3.4. Commercial, Industrial, or Institutional connections must be metered, and bills will be based on volume unless there is no provision for water to be used for any purpose other than washrooms for the exclusive use of employees.

3.5. When a building contains one or more consumers that must be metered, the entire building shall be metered with a common meter and the entire bill shall be sent to the owner unless the water supply to the customers that must be metered can be isolated and metered. In this case, individual tenants can be billed separately; some based on flat rate and others based on volume.

4. BILLINGS AND RATES FOR COMMERCIAL, INDUSTRIAL AND/OR INSTITUTIONAL "FLAT RATE" WATER AND SEWER SERVICE

4.1. Effective January 1, 2021 the following schedule of charges shall apply for flat rate Commercial, Industrial and/or Institutional water and sewer billing.

FEE DESCRIPTION	FEES
<p>Base Billing (Base billing includes 5 employees working 60 hours per week)</p>	<ul style="list-style-type: none"> •\$97.10
<p>Additional Charges</p> <ul style="list-style-type: none"> ○ For each additional employee ○ For each additional hour of operation 	<ul style="list-style-type: none"> • \$6.84 per quarter • . \$0.12 x total number of employees

4.2. The number of employees shall mean the number of people normally at a business at one time.

4.3. Billings will be made quarterly in advance. The rates stated are net. A 10% penalty shall apply to all accounts remaining unpaid on the day following the "Due Date" shown on the billing.

4.4. Commercial establishments using water-cooled air conditioning or refrigeration equipment shall be on metered service.

4.5. In cases where a business is operating out of a residential dwelling and it is determined that the nature of the business justifies a separate billing for water and sewer, the rate shall be ½ of the normal commercial flat rate. The residential billing would remain consistent with charges outlined in Section 1.

5. BILLINGS AND RATES FOR RESIDENTIAL, COMMERCIAL AND INDUSTRIAL METERED WATER AND SEWER SERVICE

5.1. Effective October 1, 2020 the following schedule of charges shall apply for metered residential, commercial, and industrial service:

FEE DESCRIPTION	FEES
Minimum Quarterly Billing (plus meter rental) <ul style="list-style-type: none"> ○ For the first 45,000 gal. ○ For the next 45,000 gal. ○ For the next 360,000 gal. ○ For the next 360,000 gal. ○ Additional over 810,000 gal. 	<ul style="list-style-type: none"> • \$80.68 • \$5.832 per 1,000 gal. • \$5.261 per 1,000 gal. • \$4.649 per 1,000 gal. • \$4.649 per 1,000 gal. • \$3.507 per 1,000 gal.
Meter Rentals Quarterly Net: <ul style="list-style-type: none"> ○ 5/8" or less ○ 3/4" or less ○ 1" or less ○ 1.5" or less ○ 2" or less ○ 3" or less ○ 4" or less 	<ul style="list-style-type: none"> • \$16.41 • \$20.53 • \$25.48 • \$52.90 • \$68.81 • \$111.59 • \$190.76

5.2 In all cases, meters shall be supplied by, and remain the property of, the Corporation of the Town of Carleton Place. These meters shall be installed by a municipal employee or a plumber authorized by the Town of Carleton Place. The cost of meter installation shall be the responsibility of the customer but the cost of any required maintenance resulting from normal wear and tear will be borne by the Municipality. Costs incurred in repairing a meter where damage was caused from the meter having been hit or otherwise subjected to misuse or abuse, shall be the responsibility of the customer.

5.3 In cases where more than one (1) meter is used to supply one (1) customer, the total water consumption, as registered on all meters, shall be used in calculating the quarterly billing.

5.4 In cases where one (1) meter is used to service more than one (1) commercial enterprise, more than one (1) industrial enterprise or more than one (1) living accommodation or in cases where there is any combination of commercial, industrial and residential consumers using a common meter, the following fees shall be charged over and above the consumer to whom the billing is made.

FEE DESCRIPTION	FEES
Quarterly Fees for Additional Water Meters	
(Commercial, Industrial or Residential Consumers)	
• 2nd unit	• \$62.98
• 3rd unit	• \$41.66
• 4th + unit	• \$31.50

5.5 The rates are net. A 10% penalty shall apply to all accounts remaining unpaid on the day following the "Due Date" shown on the billing. If the water and sewage service rates plus penalty are not paid within 90 days thereafter, the amount due shall be added to the Collector's Roll and collected in the same manner as municipal taxes.

6. SURCHARGE

6.1 All rates established by this By-law, with the exceptions noted below, are subject to a surcharge as described below:

6.1.1 Surcharge:

That a Sewage Service Rate shall be charged on the sewer and water billing as one hundred percent (100%) of the total water charges as noted in Sections 1.2.1, 1.2.2, 4.1, 4.5, 5.1 and 5.4 of this By-law. The said surcharge shall apply equally to all user groups including Residential, Commercial, Industrial and Institutional.

6.1.2. Billings for water service to a dwelling, business or industry that is not connected to the municipal sanitary sewer system shall be exempt from the surcharge noted in Section 6.1.1.

7. INSTALLATION OF SERVICES

7.1 Fees to be charged for the installation of services from the Main to the Lot Line shall be charged at the following rates:

FEE DESCRIPTION	FEES
• Single Pipe	• \$6,970
• Water & Sewer	• \$7,319
• Water, Sewer & Storm	• \$7,525

8. MISCELLANEOUS

8.1 All new buildings shall have remote reading meters installed at the owner's expense during construction if required by the Town.

8.2 Hauled Sewage by truck to the Sewage Treatment Plant shall be charged \$151.52 per load (maximum of 3,000 gallons). Permission to discharge must be pre-approved by Council.

8.3 By-law No. 106-2019 and any other By-law or parts of By-laws which are inconsistent with the provisions of this By-law are hereby repealed.

READ A FIRST TIME, A SECOND TIME, A THIRD TIME AND FINALLY PASSED THIS 24th DAY OF NOVEMBER 2020.

Douglas Black, Mayor

Stacey Blair, Clerk

BY-LAW NO. 98-2020

A BY-LAW OF THE CORPORATION OF THE TOWN OF CARLETON PLACE TO AUTHORIZE THE SIGNING OF AN ONTARIO TRANSFER PAYMENT AGREEMENT BETWEEN HER MAJESTY THE QUEEN IN RIGHT OF ONTARIO AS REPRESENTED BY THE MINISTER OF THE SOLICITOR GENERAL AND THE CORPORATION OF THE TOWN OF CARLETON PLACE FOR RECEIPT OF FUNDING UNDER THE REDUCE IMPAIRED DRIVING EVERYWHERE (R.I.D.E.) PROGRAM FOR THE 2020-2021 AND 2021-2022 FISCAL YEARS.

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

AND WHEREAS the Council of the Town of Carleton Place deems it expedient to enter into an agreement with Her Majesty the Queen in Right of Ontario as represented by the Minister of the Solicitor General to provide \$8,853.00 for carrying out a program of traffic stop sobriety checks as part of a program to “Reduce Impaired Driving Everywhere (R.I.D.E.);

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

1. **SHORT TITLE**
This By-Law is short titled “2020-2021 and 2021-2022 Reduce Impaired Driving Everywhere (R.I.D.E.) Program”.
2. **AGREEMENT**
 - (a) THAT the Mayor and Clerk shall be and are hereby authorized on behalf of the Corporation of the Town of Carleton Place to enter into a contribution agreement between the Corporation of the Town of Carleton Place and Her Majesty the Queen in Right of Ontario as represented by the Minister of the Solicitor General to provide \$8,715.00 in funding under 2020-2021 and \$8,698.00 in funding under the 2021-2022 Reduce Impaired Driving Everywhere Program.
 - (b) THAT the Clerk shall be and is hereby authorized to affix the corporate seal of the Corporation of the Town of Carleton Place to the said agreement.

READ A FIRST TIME, SECOND TIME AND A THIRD TIME AND FINALLY PASSED THIS 24TH DAY OF NOVEMBER, 2020.

Doug Black, Mayor

Stacey Blair, Clerk

BY-LAW NO. 99-2020

A BY-LAW OF THE TOWN OF CARLETON PLACE TO AUTHORIZE THE EXECUTION OF THE TABER STREET SUBDIVISION AGREEMENT WITH 1384341 ONTARIO LTD

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

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

AND WHEREAS Section 51(26) of the Planning Act, R.S.O. 1990, Chapter P.13 authorizes a municipality or approval authority, or both, to enter into agreements imposed as a condition to the approval of a plan of subdivision and the agreements may be registered against the land to which it applies and the municipality or the approval authority, as the case may be, is entitled to enforce the provisions of it against the owner and, subject to the *Registry Act* and the *Land Titles Act*, any and all subsequent owners of the land.

AND WHEREAS as draft conditions of the subdivision have been met, it is deemed expedient to authorize the execution of the Taber Street Subdivision Agreement with 1384341 Ontario Ltd.

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

1. THAT the Mayor and Clerk are hereby authorized to execute on behalf of the Town of Carleton Place the Taber Street Subdivision Agreement with 1384341 Ontario Ltd.
2. THAT the Clerk shall be and is hereby authorized to affix the corporate seal of the Corporation of the Town of Carleton Place to the said agreement.
3. THAT the subdivision agreement be registered in the Registry Office No. 27.

READ A FIRST TIME, SECOND TIME AND A THIRD TIME AND FINALLY PASSED THIS 24TH DAY OF NOVEMBER, 2020.

Doug Black, Mayor

Stacey Blair, Clerk

BY-LAW NO. 100-2020

A BY-LAW OF THE CORPORATION OF THE TOWN OF CARLETON PLACE TO EXEMPT CERTAIN LANDS FROM PART LOT CONTROL, BLOCK 188, REGISTERED PLAN 27M-81 IN THE TOWN OF CARLETON PLACE, IN THE COUNTY OF LANARK.

WHEREAS Subsection 7 of Section 50 of *The Planning Act*, R.S.O. 1990 as amended, authorizes a Municipality to provide a by-law that part lot control does not apply to land that is within registered plans or plan of subdivision or parts thereof, subject to the approval of the County of Lanark;

AND WHEREAS it is deemed expedient to exempt certain lands located in an area designated Residential in Development Permit By-law 15-2015, and described as Block 188, Registered Plan 27M-81, in the Town of Carleton Place, in the County of Lanark;

AND WHEREAS *The Planning Act*, subsection 50 (7.1) does not come into effect until approved by the County of Lanark;

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

1. Subsection 5 of Section 50 of *The Planning Act*, R.S.O. 1990, as amended, does not apply to Block 188, Registered Plan 27M-81, in the Town of Carleton Place, in the County of Lanark.
2. This by-law shall be effective only to the extent necessary to permit:
 - a) The creation of blocks and parcels for construction purposes and to permit such lots to be charged and/or discharged
 - b) Individual dwelling units, together with appurtenant rights and easements in land associated therewith, to be conveyed to each initial purchaser of each individual dwelling unit;
And this by-law shall not be construed as to permit the further severance or re-subdivision of any such parcel.
3. This by-law shall become effective upon the approval of the County of Lanark and registration of the by-law in the land titles office.
4. This by-law shall expire and be of no further force and effect as of November 24, 2022.
5. The properties are locally known as 14, 16, 18, 20, 22 Antonakos Drive.

READ A FIRST TIME, SECOND TIME AND THIRD TIME AND FINALLY PASSED THIS 24th DAY OF NOVEMBER, 2020.

Doug Black, Mayor

Stacey Blair, Clerk

BY-LAW NO. 101-2020

A BY-LAW OF THE CORPORATION OF THE TOWN OF CARLETON PLACE TO AMEND THE DEVELOPMENT PERMIT BY-LAW 15-2015

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

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

1. That By-law 15-2015 of the Town of Carleton Place is hereby amended by adding the following provision:

Section 2.28 Holding Provisions

Any parcel or area of land in any designation on the Schedule of this By-law may be further classified with a holding provision through the addition of the suffix "h". The holding classification added to a given designation shall restrict development of the land until such time as the holding provision is removed.

Where a holding provision applies, no lands shall be used and no buildings or structures shall be erected or used for any purpose other than uses existing on the date of passing of this By-law. Any change from the holding status shall require an amendment to this By-law and the Town may require that the applicant enter into an agreement for the development of the land prior to the amendment being adopted.

2. This by-law shall come into force and effect on the date of passing.

READ A FIRST TIME, SECOND TIME AND A THIRD TIME AND FINALLY PASSED THIS 24th DAY OF NOVEMBER, 2020.

Doug Black, Mayor

Stacey Blair, Clerk

BY-LAW NO. 102-2020

A BY-LAW OF THE CORPORATION OF THE TOWN OF CARLETON PLACE TO AMEND THE DEVELOPMENT PERMIT BY-LAW 15-2015

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

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

That Schedule A and Section 4.5.4 of Development Permit By-law 15-2015 of the Town of Carleton Place is hereby amended as by identifying a “holding” symbol and adding the following provisions:

1. None of the permitted uses identified in Section 4.5.1 shall be permitted on the portion of the lands identified in Schedule ‘A’ as Strategic Property – Holding, and such lands shall remain vacant and undeveloped until such time as the following plans, reports, approvals and agreements have been provided to the satisfaction of the Town:
 - a. Composite Utility Plan
 - b. Environmental Compliance Approval by the Ministry of the Environment;
 - c. Detailed design for all pedestrian bridges and pathway crossings of the Mississippi River;
 - d. Building Elevations;
 - e. Landscape Plans;
 - f. Record of Site Condition;
 - g. Traffic Study Regarding Mill Street Bridge capacity and widening requirements;
 - h. Amending Development Permit Agreement including but not limited to:
 - i. Financial Conditions
 - ii. Insurance Certificates;
 - iii. Performance Bonds;
 - iv. Updated Schedules.

2. This by-law shall come into force and effect on the date of passing.

READ A FIRST TIME, SECOND TIME AND A THIRD TIME AND FINALLY PASSED THIS 24th DAY OF NOVEMBER, 2020.

Doug Black, Mayor

Stacey Blair, Clerk

BY-LAW NO. 103-2020

BEING A BY-LAW OF THE CORPORATION OF THE TOWN OF CARLETON PLACE TO APPOINT BRITTANY MARSDEN AS A BUILDING OFFICIAL, BUILDING INSPECTOR/PLANS EXAMINER AND A BY-LAW ENFORCEMENT OFFICER.

WHEREAS the Building Code Act, 1992, Section 3 (2) authorizes the Council of a municipality to appoint such officials as are necessary for the purpose of the enforcement of the Building Code Act in the areas in which the municipality has jurisdiction;

AND WHEREAS Section 15(1) of the *Police Services Act*, R.S.O. 1990, Chapter P.15, as amended, permits a municipality to appoint persons to enforce the by-laws of the municipality.

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

1. **THAT** Brittany Marsden is hereby appointed:
 - a) as a Building Official for the Corporation of the Town of Carleton Place whose position title shall be Building Inspector/Plans Examiner;
 - b) as a By-law Enforcement Officer for the administration and enforcement of all the municipal by-laws for the Corporation of the Town of Carleton Place.
2. **THAT** By-laws 04-2018, 106-2018, 107-2018, 115-2018 and any amendments thereto be hereby repealed.
3. **THAT** Sections 1, 2 and 4 of By-law 05-2016 be repealed.
4. **THAT** this By-law shall take force and effect on the day of its passing.

READ A FIRST TIME, SECOND TIME AND A THIRD TIME AND FINALLY PASSED THIS 24th DAY OF NOVEMBER 2020.

Doug Black, Mayor

Stacey Blair, Clerk

BY-LAW NO. 104-2020

A BY-LAW TO PROVIDE FOR POWERS OF ENTRY ONTO LAND FOR THE PURPOSE OF CARRYING OUT INSPECTIONS.

WHEREAS Section 436 (1) of the Municipal Act, 2001, S.O. 2001.c. 25 as amended (the 'Act') provides 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;

AND WHEREAS Sections 435, 437 and 438 of the Act set out additional powers and restrictions in regard to the power of entry;

AND WHEREAS Section 426 of the Act prohibits any person from hindering or obstructing, or attempting to hinder or obstruct, any person exercising a power to perform a duty under this Act or under a by-law passed under this Act;

AND WHEREAS the Corporation of the Town of Carleton Place wishes to pass a By-law allowing for the entry onto land for the purpose of carrying out an inspection to ensure that its By-laws, directions, orders and conditions of a licence are being complied with;

AND WHEREAS this by-law applies to any by-laws of the Town of Carleton Place without power of entry provisions passed pursuant to the Act;

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

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

1.0 DEFINITIONS

- 1.1 **Council** means the elected municipal officials of the Corporation of the Town of Carleton Place;
- 1.2 **Land** means any outdoor private property, grounds, yards or vacant lots;
- 1.3 **Municipal Act** means the Municipal Act, 2001, S.O. 2001, c. 25, or any preceding Municipal Act;
- 1.4 **Officer** means a municipal law enforcement officer, a police officer or other person appointed by by-law to enforce the provisions of a by-law or any other individual designated by the Town to enforce this By-law;
- 1.5 **Occupier** means a person, firm or corporation having control over any portion of the building or property under consideration and includes the persons in the building or property;
- 1.6 **Town** means the Corporation of the Town of Carleton Place

2.0 APPLICATION

2.1 This by-law applies to all by-laws passed under the authority of the Municipal Act.

3.0 ENTRY AND INSPECTION

3.1 No person shall hinder or obstruct or attempt to hinder or obstruct, any Officer who is exercising a power or performing a duty under this By-law.

3.2 An Officer may at any time, enter onto land for the purpose of carrying out an inspection and in accordance with operating guideline #BL-001 to determine whether or not the following are being complied with:

- a) a by-law of the municipality passed under the Municipal Act;
- b) a direction or order of the municipality made under the Municipal Act or made under a by-law of the municipality passed pursuant to the Municipal Act;
- c) a condition of a licence issued under a by-law of the municipality passed under the Municipal Act;
- d) an order made under Section 431 of the Municipal Act;

3.3 Despite Section 3.2, an Officer and any person acting under the Officer's instructions may enter and inspect land at any reasonable time for the purpose of conducting an inspection or taking remedial action related to the following Town by-laws:

- a) Fire Route By-law
- b) Lawn Watering By-law
- c) Pool By-law

3.4 For the purpose of an inspection, an Officer may:

- a) require the production for inspection of documents or things relevant to the inspection;
- b) inspect and remove documents or things relevant to the inspection for the purpose of making copies and extracts;
- c) require information from any person concerning a matter related to the inspection;
- d) alone or in conjunction with a person possessing special or expert

knowledge, make examinations or take tests, samples or photographs necessary for the purpose of inspection

4.0 EMERGENCY INSPECTIONS

4.1 In the event of an emergency or safety issue, the Director of Protective Services or designate may approve an Officer and any person acting under the Officer's instructions to enter and inspect land at any reasonable time for the purpose of conducting an inspection or taking remedial action;

5.0 CONDITIONS GOVERNING POWER OF ENTRY

5.1 Unless otherwise provided in the Municipal Act, in an order under Section 438 of the Municipal Act, or in a warrant under Section 439 of the Municipal Act, the following conditions apply to a power of entry under the by-law:

- a) The Officer must on request display or produce proper identification;
- b) The Officer may be accompanied by a person under his or her direction; and
- c) The municipality shall restore the land to its original condition insofar as is practicable and shall provide compensation for any damages caused by the entry or by anything done on the land except where the entry is under Section 446 of the Municipal Act, or is under Part XI of the Municipal Act, if under that Part, the Treasurer registers a notice of vesting, in the name of the municipality, in respect of the land.

6.0 RESTRICTIONS REGARDING DWELLINGS

6.1 Despite any provision of this by-law, a person exercising a power of entry shall not enter or remain in any room or place actually being used as a dwelling unless:

- a) The consent of the occupier is obtained, the occupier first having been informed that the right of entry may be refused and, if refused, may only be made under the authority of an order issued under Section 438 of the Municipal Act, a warrant issued under Section 439 of the Municipal Act or a warrant under Section 386.3 of the Municipal Act;
- b) An order under Section 438 of the Municipal Act is obtained;
- c) A warrant issued under Section 439 of the Municipal Act is obtained;
- d) A warrant issued under Section 386.3 of the Municipal Act is obtained;
- e) The delay necessary to obtain an order under Section 438 of the Municipal

Act, to obtain a warrant under Section 439 of the Municipal Act or to obtain the consent of the occupier would result in an immediate danger to the health or safety of any person; or

- f) The municipality has given the occupier of land notice of its intention to enter as required under Section 435 (2) of the Municipal Act and the entry is authorized under Section 79, 80 or 446 of the Municipal Act.

7.0 PENALTY

- 7.1 Every person who contravenes any of the provisions of this by-law is guilty of an offence and upon conviction is liable to a fine as provided for in the Provincial Offences Act, R.S.O., 1990, c. P33.
- 7.2 Upon conviction, in addition to any other remedy and to any penalty imposed by this by-law, the court in which the conviction has been entered and any court of competent jurisdiction thereafter may make an order prohibiting the continuation or repetition of the offence by the person convicted.
- 7.3 Where a person fails to do a matter or thing as directed or required by an Officer or other person pursuant to this by-law or other Town of Carleton Place by-law or the Act, the matter or thing may be done by the Municipality at the person's expense and the associated costs may be added to the tax roll of the person to be collected in the same manner as property taxes.

8.0 SEVERABILITY

- 8.1 If a court of competent jurisdiction should declare any section or part of a section of this by-law to be invalid, such section or part of a section shall not be construed as having persuaded or influenced Council to pass the remainder of this by-law and it is hereby declared that the remainder of this by-law shall be valid and shall remain in force.

9.0 SHORT TITLE

- 9.1 This By-law may be referred to as the 'Power of Entry' By-law.

READ A FIRST TIME, SECOND TIME AND THIRD TIME AND FINALLY PASSED
THIS 24th DAY OF NOVEMBER, 2020.

Doug Black, Mayor

Stacey Blair, Clerk

BY-LAW NO. 105-2020

A BY-LAW OF THE CORPORATION OF THE TOWN OF CARLETON PLACE TO EXEMPT CERTAIN LANDS FROM PART LOT CONTROL, BLOCK 189, REGISTERED PLAN 27M-81 IN THE TOWN OF CARLETON PLACE, IN THE COUNTY OF LANARK.

WHEREAS Subsection 7 of Section 50 of *The Planning Act*, R.S.O. 1990 as amended, authorizes a Municipality to provide a by-law that part lot control does not apply to land that is within registered plans or plan of subdivision or parts thereof, subject to the approval of the County of Lanark;

AND WHEREAS it is deemed expedient to exempt certain lands located in an area designated Residential in Development Permit By-law 15-2015, and described as Block 189, Registered Plan 27M-81, in the Town of Carleton Place, in the County of Lanark;

AND WHEREAS *The Planning Act*, subsection 50 (7.1) does not come into effect until approved by the County of Lanark;

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

1. Subsection 5 of Section 50 of *The Planning Act*, R.S.O. 1990, as amended, does not apply to Block 189, Registered Plan 27M-81, in the Town of Carleton Place, in the County of Lanark.
2. This by-law shall be effective only to the extent necessary to permit:
 - a) The creation of blocks and parcels for construction purposes and to permit such lots to be charged and/or discharged
 - b) Individual dwelling units, together with appurtenant rights and easements in land associated therewith, to be conveyed to each initial purchaser of each individual dwelling unit;
And this by-law shall not be construed as to permit the further severance or re-subdivision of any such parcel.
3. This by-law shall become effective upon the approval of the County of Lanark and registration of the by-law in the land titles office.
4. This by-law shall expire and be of no further force and effect as of November 24, 2022.
5. The properties are locally known as 2, 4, 6, 8, 10 Antonakos Drive.

READ A FIRST TIME, SECOND TIME AND THIRD TIME AND FINALLY PASSED THIS 24th DAY OF NOVEMBER, 2020.

Doug Black, Mayor

Stacey Blair, Clerk

BY-LAW NO. 106-2020

BEING A BY-LAW TO CONFIRM THE PROCEEDINGS OF THE COUNCIL OF THE CORPORATION OF THE TOWN OF CARLETON PLACE

WHEREAS the Municipal Act S.O. 2001, c 25, Section 5(1), as amended, provides that the powers of a municipal corporation are to be exercised by its council; and

WHEREAS the Municipal Act S.O. 2001, c 25, Section 5(3), as amended, provides that a municipal power, including a municipality's capacity rights, powers and privileges under section 9; shall be exercised by by-law; and

WHEREAS the Council for The Corporation of the Town of Carleton Place deems it expedient that the proceedings of meetings of Council be confirmed and adopted by by-law;

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

1. That the actions of the Council of the Corporation of the Town of Carleton Place at its meeting held on **November 24, 2020**, in respect to each report, motion, resolution or other actions recorded and taken by the Council at its said meeting, except where the prior approval of the Ontario Municipal Board is required, is hereby adopted, ratified and confirmed as if all such proceedings were expressly embodied in this by-law;
2. That the Mayor and appropriate Manager of the Corporation are hereby authorized and directed to do all things necessary to give effect to the said actions of the Council of the Town of Carleton Place referred to in the proceeding section;
3. That the Mayor and Clerk, and their designates, are hereby authorized and directed to execute all documents necessary on behalf of the Council and to affix the corporate seal of the Corporation of the Town of Carleton Place to all such documents;
4. That the Treasurer, or designate, is hereby directed to execute any documents necessary on behalf of the Council of the Town of Carleton Place and to affix the corporate seal of the municipality to all such documents.
5. That this by-law shall come into effect upon final passage.
6. This by-law may be cited as the "**November 24, 2020 Confirmatory By-Law**"

READ A FIRST TIME, SECOND TIME AND A THIRD TIME AND FINALLY PASSED THIS 24th DAY OF NOVEMBER 2020.

Doug Black, Mayor

Stacey Blair, Clerk