



Planning and Protection Committee Action Report
for the May 3rd, 2011 meeting held in the
Council Chambers following Physical Environment Committee

PRESENT: Mayor LeBlanc, Deputy-Mayor Sonnenburg, Councillor Antonakos, Councillor Flynn, Councillor Probert, Councillor Black, Councillor Strike, Duncan Rogers, Clerk, Tom Gallagher, Chief Building Official, Dave Young, Director of Public Works, Paul Knowles, Chief Administrative Officer, Lisa Young, Director of Planning

- 1) **DECLARATION OF PECUNIARY INTEREST** - now or anytime during the meeting
- 2) **REGISTRATION OF PUBLIC WISHING TO SPEAK** - with the secretary
- 3) **PLEASE TURN OFF ALL CELL PHONES AND PAGERS**
- 4) **COMMUNICATION 122209 IS A CLOSED MEETING**
- 4) **IF THERE IS AN ADDENDUM, IN ACCORDANCE WITH SECTION 15.2.4 (OF STRIKING REPORT) DOES THE COMMITTEE WISH TO APPROVE THIS ADDENDUM?**

The following items are for information only and will not be discussed unless the Committee chooses to do so. The Chair will entertain a motion to receive and file for those items not pulled out for discussion.

122200 Received from Les Reynolds, Director of Protective Services
 Addressed to Planning and Protection Committee
 Date April 27th, 2011
 Topic OWFC Activity Report

SUMMARY

The March activity report is attached.

COMMENT

For Council's Information

STAFF RECOMMENDATION

Receive and File

COMMITTEE DECISION

Receive and File

TO BE DISCUSSED

122201 Received from Les Reynolds, Director of Protective Services
 Addressed to Planning and Protection Committee
 Date April 27th, 2011
 Topic Police Service Board Minutes

SUMMARY

Minutes of the April 18th, 2011 Police Service Board are attached. Noteworthy items include:

277 – 2010 year end reconciliation resulted in a \$93,099 credit.

COMMENT

For Council's Information

STAFF RECOMMENDATION

Receive and File

COMMITTEE DECISION

Receive and File

122202 Received from Lisa Young, Director of Planning
 Addressed to Town of Carleton Place
 Date April 19th, 2011
 Topic Liquor licence – 7 Bridge Street

SUMMARY

A request for a liquor licence for 7 Bridge Street (Carleton Heritage Inn) has been requested. The application is for indoor and outdoor use. This licence requires the approval of the Building Official and Fire Chief prior to issuance.

COMMENT

That staff proceed with the review of the application. For Council's Information.

STAFF RECOMMENDATION

Receive and file.

COMMITTEE DECISION

Receive and File

122203

Received from County of Lanark
Addressed to Town of Carleton Place
Date April 15th, 2011
Topic Consent application B17-20/2011 – Kerry White

SUMMARY

A consent application has been received for the property known municipally as Francis Street. The lot is located on the northwest corner of Francis Street and King Street and has an existing house on the property.

The severed lot would be approximately 15.24 metres wide and 859.23 m². The retained parcel would be approximately 30.4 metres wide and 1718.4 m² and contain the house. A key map has been attached.

COMMENT

The Official Plan designation is Residential (R). This designation allows for a mix of housing types which complement the existing small town character. This includes single detached, semi-detached and townhouse style dwellings and apartment units. The Development Permit designation of the property is Residential. The effect of the application will be to create 4 infill lots between an existing neighbourhood and a new subdivision. The lot frontage and access will be on Francis Street.

There is an existing by-law in place to deal with the pay back of servicing for these lots as part of the services that were installed. The applicant is aware of this and that it will be a condition of consent. There are existing trees that compliment the streetscape as well as others that are scattered on the property that will need to be incorporated into the development of a lot layout. This will need to be identified on a landscape plan.

Staff recommend approval of the severance with the following conditions:

1. The balance of any outstanding taxes, including penalties and interest, (and any local improvement charges, if applicable) shall be paid to the Town.
2. That the applicant provides a digital copy of the reference plan (in NAD83 datum);
3. That the applicant provides the Town with a Building Location Survey or Surveyor's Certificate demonstrating that the lands severed and the lands retained are in compliance with all Development Permit provisions. The surveyor's information shall include confirmation of adequate frontage and area for both the severed and retained parcels along the maintained road.
4. Satisfactory evidence shall be provided to the Town of Carleton Place by way of a surveyor's report to confirm the setback for the existing building to the new property lines and existing property lines meet the Ontario Building Code and Development Permit by-law.
5. That the applicant provides a Site Grading and Drainage Plan for the retained and severed parcels to the satisfaction of the Town of Carleton Place.
6. That building elevations for the severed lot be provided that demonstrate that the existing character of the neighbourhood is maintained.
7. That the applicant provides a landscape plan including the existing vegetation for the severed parcel to the satisfaction of the Town of Carleton Place.
8. That the applicant provide certification from the Lanark, Leeds and Grenville Health Unit that the existing septic system has been decommissioned and all associated septic system materials have been removed from the site.
9. That the applicant connects to municipal services for the existing dwelling unit.
10. That the applicant pays the required fees associated with the servicing of Francis Street as set out in By-law 26-2009.

122203 Continued

11. That the applicant demonstrates compliance with the required Ontario Building Code unprotected openings in the existing building elevation adjacent to proposed lot line.

STAFF RECOMMENDATION

That staff forward comments and suggested conditions of approval to the County for consideration.

COMMITTEE DECISION

Bring Forward

122204

Received from County of Lanark
Addressed to Town of Carleton Place
Date April 18th, 2011
Topic Consent application B029/2011 –Martin Edwards

SUMMARY

A consent application has been received for the property known municipally as 165 King Street. The lot is located on the north side of King Street and east of Queen Street and has an existing house on the property.

The severed lot would be approximately 11.25 metres wide and 332 m². The retained parcel would be approximately 22.2 metres wide and 560 m² and contain the house. A key map has been attached.

COMMENT

The Official Plan designation is Residential (R). This designation allows for a mix of housing types which complement the existing small town character. This includes single detached, semi-detached and townhouse style dwellings and apartment units. The Development Permit designation of the property is Residential. The effect of the application will be to create an infill lot within an existing neighbourhood. The lot frontage and access will be on King Street. The severed lot will require a municipal service for the lot which will be at the expense of the owner. The grading and drainage of the severed lot will need to be carefully considered since the property is generally flat and is positioned between two existing houses.

Staff recommend approval of the severance with the following conditions:

1. The balance of any outstanding taxes, including penalties and interest, (and any local improvement charges, if applicable) shall be paid to the Town.
2. That the applicant provides a digital copy of the reference plan (in NAD83 datum);
3. That the applicant provides the Town with a Building Location Survey or Surveyor's Certificate demonstrating that the lands severed and the lands retained are in compliance with all Development Permit provisions. The surveyor's information shall include confirmation of adequate frontage and area for both the severed and retained parcels along the maintained road.

122204 Continued

4. Satisfactory evidence shall be provided to the Town of Carleton Place by way of a surveyor's report to confirm the setback for the existing building to the new property lines and existing property lines meet the Ontario Building Code and Development Permit by-law.
5. That the applicant provides a Site Grading and Drainage Plan for the retained and severed parcels to the satisfaction of the Town of Carleton Place.
6. That building elevations for the severed lot be provided that demonstrate that the existing character of the neighbourhood is maintained.
7. That the applicant demonstrates compliance with the required Ontario Building Code unprotected openings in the existing building elevation adjacent to proposed lot line.

STAFF RECOMMENDATION

That staff forward comments and suggested conditions of approval to the County for consideration.

COMMITTEE DECISION

That staff forward comments and suggested conditions of approval to the County for consideration.

122205

Received from Lisa Young, Director of Planning
Addressed to Town of Carleton Place
Date April 19th, 2100
Topic Encroachment Agreement – 17 Franklin Street –Dr. Ellis

SUMMARY

The owner of 17 Franklin Street is proposing to replace the existing concrete step with a step that has heritage characteristics and will be constructed of mahogany or similar material. The survey indicates that the existing landing and step encroach into the right-of-way by 2.20 feet. The footprint of the new construction will be identical to that of the survey dated April 14, 1977 by Geo W. Bracken.

COMMENT

There is no existing encroachment agreement on title although the steps and platform have existed in this location since at least 1977. Staff has reviewed the location of the existing step and right of way and have determined that the replacement of these structures in their existing location does not impact the right of way.

STAFF RECOMMENDATION

That the Mayor and Clerk are authorized to sign an encroachment agreement for a step and landing with the owners of 17 Franklin Street.

COMMITTEE DECISION

That the Mayor and Clerk are authorized to sign an encroachment agreement for a step and landing with the owners of 17 Franklin Street.

122206 Received from Councillor Black
 Addressed to Planning and Protection Committee
 Date April 19th, 2011
 Topic Temporary Garages in Residential areas

SUMMARY

Councillor has requested that the issue of regulating temporary garages in Residential neighbourhoods be investigated and amended.

COMMENT

The Development Permit By-law only permits tarpaulin structures in the Employment designation.

STAFF RECOMMENDATION

That staff research potential options for revisions to the bylaw. Bring forward.

COMMITTEE DECISION

That staff research potential options for revisions to the bylaw. Bring forward.

122207 Received from Councillor Strike
 Addressed to Town of Carleton Place
 Date April 28, 2011
 Topic Recreational Vehicles

SUMMARY

The Councillor has requested that the provisions for Recreational vehicles be further discussed.

COMMENT

Staff has brought forward information from other municipalities in order to better understand how other municipalities are dealing with this issue. Staff was directed by Committee to collect data on the number of residential vehicle stored in the front yard from April to September under Communication Number 122075.

STAFF RECOMMENDATION

That staff proceed with the Committee Decision of Communication Number 122075. Receive and file.

COMMITTEE DECISION

That staff proceed with the Committee Decision of Communication Number 122075. Receive and file.

122208

Received from Lisa Young, Director of Planning
Addressed to Town of Carleton Place
Date April 19th, 2011
Topic DP3-01-2011 – 240 Coleman Street

SUMMARY

An application has been submitted for the development of a 3 storey, 46 unit apartment building at 240 Coleman Street. Although the property has frontage on Miguel Street and Coleman Street, both the vehicle access and the main entrance to the building will be from Coleman Street.

COMMENT

The proposal is consistent the Provincial Policy Statements and development within a settlement area and the use of existing infrastructure services. The application is consistent with Section 4.2.3.7 of the Official Plan (OP) designation being Residential and the provisions of the Development Permit (DP) designation of Residential. The application has implemented the required setback provisions and created a streetscape along Coleman Street through the placement of the building and driveway access.

Servicing for the property will be from Miguel Street. Coordination with the Town's Public Works department will be required since Miguel Street is part of the municipal construction schedule for this year. The Developer will be responsible for the costs associated with the extension of the storm water services and the costs associated with water, sanitary and storm services to the property.

The Developer has completed all of the requirements and procedures of the Ministry of Natural Resources for the removal of the butternut trees that were found on site but unable to be incorporated in the design. A mitigation plan has been submitted to the Town that appears to have Ministry approval. A landscape plan has been submitted and only minor changes are required with respect to the variety of the maple to be planted. The use of native species like the Burr Oak is commended. A Tree Preservation and Conservation Plan was completed as part of the application. The Developer is proposing a 1.8 metre wooden privacy fence with lattice on the top around the perimeter of the property as well as plantings around the perimeter adjacent to the existing residential units.

The design of the building has incorporated similar materials, roof styles and pitches, balconies, and front porch/entrances similar to that of the surrounding neighbourhood. Underground parking is being provided as well as at grade parking behind the building. The front entrance and landscaping will provide a streetscape for Coleman Street. Amenity space is provided for the residents on the grounds of the property at the rear of the site, in the west yard and on the balconies. The proposed light standards detail will be required to be provided prior to final approval of the site and landscape plan.

The site is not of a sufficient size to be able to provide an adequate park and there is an existing park in the neighbouring subdivision as well as a park at the municipal property referred to as the Train Station. The applicant will be required to pay 5% cash in lieu of parkland.

STAFF RECOMMENDATION

That staff proceed with the approval of the Development Permit agreement.

COMMITTEE DECISION

That staff proceed with the approval of the Development Permit agreement.

122209 Received from Paul Knowles, Chief Administrative Officer
Addressed to Policy Review Committee
Date April 28th, 2011
Topic Closed Meetings

SUMMARY

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

STAFF RECOMMENDATION

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

AGENDA

- 03-05-11-1 personnel matters about an identifiable individual, including municipal or local board employees
- 08-03-11-2 a proposed or pending acquisition or disposition of land by the municipality or local board.
- 01-02-11-1 a proposed or pending acquisition or disposition of land by the municipality or local board.

COMMITTEE DECISION

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

AGENDA

- 03-05-11-1 personnel matters about an identifiable individual, including municipal or local board employees
- 08-03-11-2 a proposed or pending acquisition or disposition of land by the municipality or local board.
- 01-02-11-1 a proposed or pending acquisition or disposition of land by the municipality or local board.

REPORT TO COUNCIL

- 03-05-11-1 Bring Forward
- 08-03-11-2 Bring Forward
- 01-02-11-1 Bring Forward

122213 Received from Paul Knowles, Chief Administrative Officer
Addressed to Planning and Protection Committee
Date May 3rd, 2011
Topic Freedom of Information

SUMMARY

Attached is a general explanation of the Municipal Freedom of Information and Protection of Privacy Act. It is worth noting that:

- Sometimes a lengthy report may have to be reviewed and certain information, exempted under the Act, needs to be deleted. This can take considerable time and result in costs;
- The Clerk (Head under the MFIPPA) evaluates all formal requests and determines what information can be released or alternatively, information that is subject to one or more of the permitted exemptions under the noted Act and as such, cannot be released. Examples of permitted exemptions, under the MFIPPA include but are not limited to information containing solicitor-client privileges, advice or recommendations and personal privacy matters. Decisions, made by the Clerk (Head), are made in accordance with the MFIPPA and are not subject to political involvement.

STAFF RECOMMENDATION

THAT the attached information be posted on the Town's web site.

COMMITTEE DECISION

THAT the attached information be posted on the Town's web site.

122214 Received from Paul Knowles, Chief Administrative Officer
Addressed to Planning and Protection Committee
Date May 3rd, 2011
Topic Fence Along East Side of McNeely Avenue

SUMMARY

The recent wind has badly damaged the fence along the east side of McNeely Avenue, particularly between Stonewater Bay and Lake Avenue E. The Subdivision Agreement required the Owner (now the individual homeowners) to install and maintain the fence. The Town has four options:

- 1) Leave repair of the fence up to the Owners but take no particular action;
- 2a) Advise the Owners that the fence is their responsibility and instruct owners to repair fence;
- 2b) Revise the Property Standards By-law to add a requirement the Owners maintain requirements of Subdivision and Site Plan Control Agreements;
- 2c) Enforce Property Standards By-law for any owners that do not properly repair fence.

122214 Continued

- 3a) Advise the Owners that the fence is their responsibility and instruct owners to repair fence;
- 3b) Invite all owners to a meetings, explain Option 2 and highlight that the fence is 15+ years old and full replacement should be considered;
- 3c) If majority of owners favour replacement then the Town could consider being involved by arranging for construction of a new fence and financing the cost through a local area charge on the owner's property tax.
- 4) Construct a new fence on the municipal property at municipal expense. Maintenance would then become a municipal responsibility.

STAFF RECOMMENDATION

THAT staff explore details of implementing option 3 (cost for fence, legislative authority to fund cost).

COMMITTEE DECISION

THAT staff explore details of implementing option 3 (cost for fence, legislative authority to fund cost).