



Planning and Protection Committee Action Report
for the May 31st, 2011 meeting held in the
Council Chambers following Physical Environment Committee

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

- 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) **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.

122257 Received from Les Reynolds, Director of Protective Services
 Addressed to Planning and Protection Committee
 Date May 24th, 2011
 Topic OWFC Activity Report

SUMMARY

The April activity report is attached.

COMMENT

For Council's Information

STAFF RECOMMENDATION

Receive and File

COMMITTEE DECISION

Receive and File

122258 Received from Les Reynolds, Director of Protective Services
Addressed to Planning and Protection Committee
Date May 24th, 2011
Topic Police Service Board Minutes

SUMMARY

Minutes of the Police Service Board May 16, 2011 meeting are attached

COMMENT

For Council's Information

STAFF RECOMMENDATION

Receive and File

COMMITTEE DECISION

Receive and File

TO BE DISCUSSED

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 was previously distributed.

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.

122203 Continued

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

UPDATE

The applicant has submitted a letter of request related to By-law 26-2009 and the recovery of costs for services. The proposal has been made to collect these fees at the building permit stage which could be addressed as a note on the severance decision or as an agreement that would be registered on title ensuring that all future owners are aware of this requirement. Staff have reviewed this option with respect to past practices. An agreement registered on the title of each property would ensure that all future owners are aware of this request.

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.

122203 Continued

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 prepares and enters into an agreement to the satisfaction of the Town of Carleton Place which clearly indicates the required fees associated with the servicing of Francis Street as set out in By-law 26-2009. This applicant will ensure that the agreement is registered on title and included in any offer or agreement of purchase.

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.

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

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.

UPDATE

Staff have researched by-laws from surrounding municipalities and found that tarpaulin/temporary structures are typically not regulated implying they are not permitted. The attached chart provides the provisions from Arnprior, Sudbury, Meaford and Pembroke.

Arnprior has taken an approach similar to Carleton Place restricting these structures to Highway Commercial, General Industrial and Light Industrial.

Sudbury and Meaford included provisions within their zoning by-law that allow tarpaulin structures. These structures are not permitted to be located any closer to the front than the main building on the lot. Setbacks are established for interior and rear yard as well.

Pembroke has used their property standards by-law to address temporary shelters. These structures are not permitted in the front or exterior side yard. They have restricted the timeframe in which these shelters can be erected. They permitted after October 15 and must be removed by May 15.

122206 Continued

STAFF RECOMMENDATION

That the existing provisions within the Development Permit by-law stand.

COMMITTEE DECISION

THAT this item be included in Council visioning session in June. Bring Forward

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.
- 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.

UPDATE

Staff held a residents meeting on May 18th which was well attended. Approximately eighty people attended representing fifty households. Staff gave a brief description of the situation and the responsibility of the homeowners to maintain the fence. Discussion revolved around repair of the existing sections of fence that had fallen down by the property owners, as well as, the replacement of the entire fence abutting McNeely Avenue with a new privacy fence that would be a simple design for easier repair in the future.

122214 continued

A number of options were posed by the property owners which included the following

1. Eight foot privacy fence
2. Eight foot noise fence
3. Six foot privacy fence
4. Six foot noise fence
5. Repair is owners responsibility

Homeowners suggested that the cost for the replacement of this fence should either be shared by the Town or paid for in its entirety. Additional information was requested by property owners in order to make an informed decision. This included having more than one cost and a breakdown of the costs associated with replacement of the fence. There was consensus that the height of the fence should be at least eight feet because of the increase in traffic along McNeely Avenue and a noise barrier fence also needed to be an option. An additional meeting was requested that contained information on the cost of the requested options of fencing.

STAFF RECOMMENDATION

That staff explore the cost of an eight foot privacy and noise fence as well as a six foot privacy and noise fence. That a meeting be set up with residents to indicate the cost of these fence options.

COMMITTEE DECISION

That staff explore the cost of an eight foot privacy and noise fence as well as a six foot privacy and noise fence. That a meeting be set up with residents to indicate the cost of these fence options.

122243

Received from Les Reynolds, Director of Protection
Addressed to Community Issues Committee
Date May 12th, 2011
Topic Surplus Ambulance

SUMMARY

Lanark County has recently declared two ambulances surplus to their needs and following their policy for such vehicles have offered them to their constituent municipalities on a rotating basis for a nominal fee. We presently have one such vehicle in the fire department, used primarily for fire prevention. Another vehicle would be very useful because of the additional staff position being created this year.

STAFF RECOMMENDATION

THAT the Director of Protective Services be authorized to request that the County of Lanark provide the Town of Carleton Place with the 2006 Ford E-350 vehicle which has been declared surplus to their needs.

COMMITTEE DECISION

THAT the Director of Protective Services be authorized to request that the County of Lanark provide the Town of Carleton Place with the 2006 Ford E-350 vehicle which has been declared surplus to their needs

122259 Received from Andrew Robar
Addressed to By-law Department
Date May 24th, 2011
Topic Access Across sidewalk

SUMMARY

Resident's property backs on to Franktown Rd. He has been accessing his backyard from Franktown Rd. even though there is no designated driveway or entrance there. Staff have informed him that this is a violation of the Traffic and Parking By-law (2003 – 46) and directed him to cease. He has written asking for permission to continue.

STAFF RECOMMENDATION

That Mr. Robar be informed that the provisions of the by-law cannot be waived and he will not be permitted to drive vehicles across the sidewalk to access his backyard.

COMMITTEE DECISION

That Mr. Robar be informed that the provisions of the by-law cannot be waived and he will not be permitted to drive vehicles across the sidewalk to access his backyard.

122260 Received from Les Reynolds, Director of Protective Services
Addressed to Planning and Protection Committee
Date May 4th, 2011
Topic Yard Sale Signs

SUMMARY

Councillor Flynn has suggested that there should be penalties imposed for people who do not promptly remove signs advertising yard sales. By-law Enforcement Officers currently advise people who erect such signs (if possible) that it is their responsibility to remove them promptly following the event. If the signs remain after a day or two staff remove them. Arena staff also collect a deposit from anyone holding an event at the arena that can be withheld if they do not remove signs advertising the event.

Sec. 6.10 of By-law 65-2008 (Sign By-law) states that "No person shall affix any handbill or notice of advertisement on or to any pole or tree on any street".

Sec. 7.9.1 of the same by-law states (in part) that "No person shall attach a poster to any public property like poles or trees located along the roadway, street, lane or sidewalk".

The by-law has not been approved for short form wording so enforcement is difficult.

STAFF RECOMMENDATION

To be discussed

COMMITTEE DECISION

THAT item be included in Council visioning session in June. Bring forward

122261 Received from Les Reynolds, Director of Protective Services
Addressed to Planning and Protection Committee
Date May 24th, 2011
Topic Emerging Fire Service Issues

BACKGROUND

Recently AMO has issued advisories about two emerging issues that may have an impact on fire services across the province

SUMMARY

Issue No. 1 – Mandatory Retirement for Firefighters

On Apr. 19 the Provincial Government introduced legislation that would mandate retirement for all salaried firefighters involved in suppression activities at age 60. The legislation as presented does not impact volunteer firefighters. There is some confusion about the definition of 'suppression activities'. The Ontario Association of Fire Chiefs is monitoring the progress and potential impact of this legislation.

Issue No. 2 – Changes to the Criteria for Dispatching Fire Services to Medical Emergencies

AMO has raised concerns about the implications of broadening the criteria for dispatching fire services to medical emergencies. Locally, the EMS service is operated by Lanark County and our fire service has entered into a Tiered Response Agreement with them that sees the fire services dispatched to any Code 4 (life-threatening) incident where the ETA for an ambulance is 20 minutes or more. Additionally, paramedics can request assistance from the fire service any time they feel it is necessary or advisable. At this time, the number of medical calls is not imposing an undue burden on our fire service. Significant changes to the EMS dispatch system province wide are expected in the coming months

STAFF RECOMMENDATION

Information only. Staff will continue to monitor developments. Receive and File

COMMITTEE DECISION

Information only. Staff will continue to monitor developments. Receive and File