



Planning and Protection Committee Action Report  
for the September 6<sup>th</sup>, 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, Les Reynolds, Director of Protective Services, 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) **COMMUNICATION 122365 IS A CLOSED MEETING**
- 5) **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.

122359      Received from    Les Reynolds, Director of Protective Services  
                 Addressed to      Planning and Protection Committee  
                 Date                August 24<sup>th</sup>, 2011  
                 Topic                OWFC Activity Report

**SUMMARY**

The July activity report is attached.

**COMMENT**

For Council's Information

**STAFF RECOMMENDATION**

Receive and File

**COMMITTEE DECISION**

Receive and File

122360      Received from Paul Knowles, Chief Administrative Officer  
Addressed to Planning and Protection Committee  
Date August 29<sup>th</sup>, 2011  
Topic Hydro Overcharging

**SUMMARY**

Earlier the Town was advised that funds from a lawsuit related to overcharging by Hydro would be paid to a charity. Council has asked that local funds be directed to the local Christmas Basket program. Solicitors have advised this is not possible and funds will be directed to Lanark County program to assist those that cannot afford to pay their Hydro bills.

**COMMENT**

For Council's Information

**STAFF RECOMMENDATION**

Receive and File

**COMMITTEE DECISION**

Receive and File

**TO BE DISCUSSED**

122075      Received from Councillor Doug Black  
Addressed to Planning and Protection Committee  
Date January 26<sup>th</sup>, 2011  
Topic Revisions to Section 3.35 Parking Restrictions in Residential Designations

**SUMMARY**

Councillor has requested that Section 3.35 Parking Restrictions in Residential Designation be amended to eliminate of storage of motor homes in required front yard setbacks.

**UPDATE 1**

Staff have undertaken a review of the provisions related to recreational vehicles from the following municipalities: Arnprior, Beckwith, Brockville, Gananoque, Mississippi Mills, Perth, Renfrew, and Smiths Falls.

122075 Continued

The following table summarizes the provisions of the above noted municipalities.

Municipality	Definitions	Summary of Provisions
Arnprior	-Recreational vehicle -Trailer -Trailer, tent or travel	-restrict to 10% of lot area -permitted to be located in garage or carport or within side lot within a 1.2 m setback
Beckwith	-Recreational vehicle -Trailer	No provisions
Brockville	-Recreational vehicle -Trailer	-one commercial vehicle permitted within private garage -not permitted to store on vacant lot -permit only 1 boat or trailer or other recreational vehicle not more than 10 m in length -permitted within rear and interior side yard on a properly surfaced parking area -allowed in front yard from May to October provided 5 m from curb or edge of paved street
Gananoque	-Recreational vehicle	No provisions
Mississippi Mills	-Motor home -Recreational vehicle	-Permit one boat, one tourist vehicle, one tourist trailer not greater than 8.5 m in length and two snowmobiles --parking and storage of recreational vehicle may be permitted for a period of not more than 72 hours in any one calendar month in front or exterior side yard
Renfrew	-Recreational vehicle -Trailer -Trailer, Park Model -Trailer, Tent or Travel	-limit of storing one recreational vehicle of any type except allow 2 snowmobiles and must be the owner -to be stored in private garage or carport or within rear yard or interior side yard but not closer than 1.0 m -no restriction on number of recreational vehicles provided stored within enclosed garage.
Smiths Falls	-Motor Home -Recreational vehicles	-Permit one boat, one tourist vehicle, one tourist trailer not greater than 8.5 m in length and two snowmobiles --parking and storage of recreational vehicle may be permitted for a period of not more than 72 hours in any one calendar month in front or exterior side yard
Carleton Place	-Recreation Vehicle -Trailer	-permitted in front yard provided minimum of 2.0m from curb or sidewalk. --parking and storage of recreational vehicle may be permitted for a period of not more than 72 hours in any one calendar month in front or exterior side yard within 2m setback. - Recreational vehicle can only be used for sleeping for a maximum of 30 days.

The definition of “Recreational Vehicle” is wide ranging and includes a variety of the following: travel trailer, tent trailer, park model trailers, vans, campers, motor home, boat and all vessels, boat trailer, snowmobile, all terrain vehicles, trail bikes, and trailers designed to accommodate them.

In order to better understand the impact associated with changing the existing provisions of the by-law, it would be advisable to undertake an inventory of the number of existing residential properties that comply with the existing provisions. This will allow Council the understanding of the number of properties that will be impacted by a potential change.

122075 Continued

**UPDATE 2**

Staff have collected the attached data with respect to the number and location of recreational vehicles within the community. Data was collected on utility trailers, boats, snowmobile and all terrain vehicles (ATVs), recreational vehicles, and recreational trailers. Approximately twenty percent (20%) of property owners store some form of recreational vehicle on their property.

**COMMENT**

Any change to the existing provisions of the Development Permit Bylaw regarding parking and storage of vehicles would impact a significant number of property owners that use their yards for storage of recreational vehicles. The collection of this data may result in no change to the existing by-law. Alternatively, provisions for the storage of recreational vehicles could be taken out of the Development Permit by-law and included in a new by-law or included in the Property Standards By-law. This alternative would allow the enforcement officers the ability to respond to complaints and proceed with standard enforcement policies.

Prior to amending the by-law, the public (particularly those property owners that will be affected) should be notified and consulted of any proposed changes.

**STAFF RECOMMENDATION**

THAT a public meeting be planned to present options to deal with the parking and storage of all recreational vehicles. Potential impacted property owners should be contacted to ensure they have an opportunity for input.

**COMMITTEE DECISION**

THAT staff prepare options to present at a public meeting to deal with the parking and storage of all recreational vehicles. Potential impacted property owners should be contacted to ensure that they have an opportunity for input. Bring Forward.

**RECORDED VOTE**

Councillor Antonakos	Nay	Councillor Black	Yea
Councillor Flynn	Nay	Mayor LeBlanc	Yea
Councillor Probert	Yea	Councillor Strike	Yea
Deputy-Mayor Sonnenburg	Nay		

**CARRIED**

122214 Received from Paul Knowles, Chief Administrative Officer  
 Addressed to Planning and Protection Committee  
 Date May 3<sup>rd</sup>, 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;

**122214 Continued**

- 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 1**

Staff held a residents meeting on May 18<sup>th</sup> 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.

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

- i) Eight foot privacy fence;
- ii) Eight foot noise fence;
- iii) Six foot privacy fence;
- iv) Six foot noise fence; and
- v) Repair is owner's 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.

**UPDATE 2**

Staff held a meeting with the residents on July 19<sup>th</sup> which was relatively well attended. Thirty property owners signed the attendance sheet and additional homeowners came in after the meeting started. The cost per household and the fence styles were presented to the residents. The residents requested that an information package be mailed to all of the affected homeowners which includes the fence details, the cost per household and a survey that indicates whether they want to participate in the replacement of the fence or not. Due to the time of year, it was requested that a reasonable timeframe be provided in order to return the survey to the Town. The residents that attended were concerned that

**122214 Continued**

a decision may be made that is not representative of the entire community. It is understood that in order to deal with a “Local Improvement Charge” at least two-thirds of the property owners must agree to the replacement of the fence.

**UPDATE 3**

The fence package was sent to all eighty one (81) property owners. A total of 46 property owners responded. Of those property owners that responded, only 56 % requested that the existing fence be replaced with a new fence. The majority that had requested replacement of the fence chose a six (6) foot privacy fence as their preferred choice.

**COMMENT**

This number of respondents does not represent the required number of property owners needed to implement the Local Improvement Charge. The property owners are aware that if consensus could not be reached then the Property Standards By-law would be enforced. Staff would follow the procedure of giving notice to the affected property owners and ensuring compliance with the notice.

During the public meetings, homeowners had requested and suggested that the cost of the replacement of the fence be paid for by the Town or the County since McNeely was a major road in the community and traffic had increased significantly since the original development of the subdivision. Lanark County is the approval authority for McNeely Avenue. A municipal fence could be constructed within the right-of-way after approval from the County. Although residents had requested a number of options with respect to the type and height of the fence, the recommendation from the fence installer was a six foot fence over the eight foot fence. The price range for a six foot fence is from \$120, 00 to \$280,000 depending on the construction of the fence. This would allow for replacement of the fence along McNeely Avenue and Lake Avenue and disposable of existing material.

**STAFF RECOMMENDATION**

That staff proceed with the enforcement of the Property Standards By-law.

That consideration is given to including the construction of a municipal fence in a future budget.

**COMMITTEE DECISION**

THAT staff proceed with the enforcement of Property Standards By-law.

122361

Received from County of Lanark  
Addressed to Town of Carleton Place  
Date August 26<sup>th</sup>, 2011  
Topic Consent application B112/2011 – Art and Jane Blouin

**SUMMARY**

A consent application has been received for the property owned by Art and Jane Blouin which is legally described as Pt Lot 15, Concession 10. The severed parcel of land is within the boundary of the Town of Carleton Place while the retained portion is within the Township of Beckwith (as shown on the attached map). The severed portion of land will be approximately 12.1 hectares (30 acres) and is adjacent to the McNeely Avenue road allowance which is unopened.

122361 Continued

**COMMENT**

The Official Plan and Development Permit designation is Special Study Area (SSA). The permitted uses in the Special Study Area designation have not yet been determined and planning studies are required prior to the development of the area. No new development shall be permitted except for uses permitted in the Open Space designation and additions or alternations to existing uses.

There is an existing residence, barn and accessory building on the retained parcel which has access from Tenth Line Road in Beckwith Township. There are no structures on the severed parcel. Any future development proposals will require the appropriate supporting studies for an Official Plan Amendment, Development Permit Amendment and other planning applications.

Staff recommends 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 and hard copy of the reference plan (in NAD83 datum);

**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.

122362

Received from Lisa Young, Director of Planning and Development  
 Addressed to Town of Carleton Place  
 Date August 31<sup>st</sup>, 2011  
 Topic Request for Proposal for Master Servicing Plan, Official Plan, Development Permit By-law and Consulting Services

**SUMMARY**

The Province requires that Official Plans are reviewed every 5 years in order to ensure that changes to legislation are included in the policies of the community. This is also an opportunity for communities to confirm the direction that they are taking and revise any policies. A request for proposal was sent to a variety of consultants for services which include a Master Servicing Plan, Official Plan, Development Permit By-law and consulting services.

**COMMENT**

Novatech Engineering declined submitting a proposal at this time. The following consultants submitted proposals:

FoTenn Consultants Inc. in association with AECOM	Master Plan Official Plan Development Permit By-law Consulting Services	\$112,964 \$50,952 \$26,239 \$100.00
Delcan	Master Plan Official Plan Development Permit By-law Consulting Services	\$126,034 \$49,770 \$22,240 \$85 /\$140 /\$195
McIntosh Perry Consulting Engineers Ltd in association with Project Management Partnerships	Master Plan Official Plan Development Permit By-law Consulting Services	n/a \$53,597.50 \$13,829.75 \$125.00

**122362 Continued**

The proposals have been provided electronically to members of Council. The Master Servicing Plan component of these proposals far exceeds the budgeted amount of \$100,000.00 which was to incorporate the creation of the Master Servicing Plan, Official Plan and Development Permit By-law.

Although McIntosh Perry did not provide a quote for the Master Servicing Plan, they did include a senior engineer as part of the Official Plan team to provide direction on the routing of major transportation and servicing infrastructures based on land use planning and engineering design considerations. The lead for the project, Pierre Mercier is in the process of completing the Lanark County Official Plan and will be instrumental in ensuring those policies and visions are included within the municipal document. The primary contact, Jane Almond, has worked with staff to develop the Development Permit bylaw and has a good understanding of the community and its vision. The combination of this team and the knowledge of staff, with respect to existing infrastructure, will be able to create the components of the Master Servicing Plan that will guide the future of the community. There may be some extras for the Master Servicing Plan component that have not been included in the above quote. There may be additional meetings requested which will affect the above noted quote but McIntosh Perry with the assistance of staff will be able to complete the Master Servicing Plan component within the \$100, 000.00 budget.

**STAFF RECOMMENDATION**

That staff engage McIntosh Perry Consulting Engineers Ltd. to complete the Official Plan, and Development Permit By-law.

That with the assistance of staff, that McIntosh Perry Consulting Engineers Ltd. be engaged to complete the Master Servicing Plan.

**COMMITTEE DECISION**

That staff engage McIntosh Perry Consulting Engineers Ltd. to complete the Official Plan, and Development Permit By-law.

That with the assistance of staff, that McIntosh Perry Consulting Engineers Ltd. be engaged to complete the Master Servicing Plan.

122363

Received from Paul Knowles, Chief Administrative Officer  
Addressed to Planning and Protection Committee  
Date August 29<sup>th</sup>, 2011  
Topic Town Hall

**SUMMARY**

.Staff have obtained a proposal from a specialized Consultant to survey the Town Hall and prepare a report outlining findings and recommendations along with prioritizing remedial action and opinion of probable cost.

**STAFF RECOMMENDATION**

THAT Town Hall exterior painting included in the 2011 budget be deferred and that John G. Cooke and Associates be engaged to survey the Town Hall for \$9,000.00.

**COMMITTEE DECISION**

THAT Town Hall exterior painting included in the 2011 budget be deferred and that John G. Cooke and Associates be engaged to survey the Town Hall for \$9,000.00.

122364 Received from Paul Knowles, Chief Administrative Officer  
Addressed to Community Issues Committee  
Date August 8<sup>th</sup>, 2011  
Topic Pride in Community

**SUMMARY**

Council has discussed embarking on a program to improve the appearance of properties within the town. Some of the tools that could be utilized for this program include;

- pro-active enforcement of the Yard Maintenance components of Property Standards By-law;
- pro-active enforcement of the Grass Cutting By-law; and
- pro-active enforcement of the provision prohibiting temporary garage structures.

**COMMENT**

If Council is to proceed with this direction, a complete program should be organized and phased in next spring beginning with publicity and incentives (for example a tax funded spring clean up) followed by compliance notices and enforcement of by-laws. The 2012 budget would need to include funds for publicity and incentives and staff priorities would need to be realigned to allocate time to implement and enforce the by-laws related to the program.

Embarking on a program to improve the appearance of properties has a potential for significant impacts and Council should seek input from the community prior to proceeding.

**STAFF RECOMMENDATION**

THAT a public meeting be planned to present the potential impacts of a program to improve the appearance of properties to residents for their input. Potential impacted property owners should be contacted to ensure they have an opportunity for input.

**COMMITTEE DECISION**

THAT a public meeting be planned to present the potential impacts of a program to improve the appearance of properties to residents for their input. Potential impacted property owners should be contacted to ensure they have an opportunity for input. Bring forward

122365 Received from Paul Knowles, Chief Administrative Officer  
Addressed to Policy Review Committee  
Date August 30<sup>th</sup>, 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**

- 06-09-11-1 personnel matters about an identifiable individual, including municipal or local board employees;
- 06-09-11-2 a proposed or pending acquisition or disposition of land by the municipality or local board;

**122365 Continued**

- 06-09-11-3 litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board;
- 08-03-11-2 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**

- 06-09-11-1 personnel matters about an identifiable individual, including municipal or local board employees;
- 06-09-11-2 a proposed or pending acquisition or disposition of land by the municipality or local board;
- 08-03-11-2 a proposed or pending acquisition or disposition of land by the municipality or local board;

**REPORT TO COUNCIL**

- 06-09-11-1 THAT Council hereby authorizes the Clerk to amend the Striking Committee Report and add John Andrews to the Parks and Recreation Committee.
- 06-09-11-2 Bring Forward
- 08-03-11-2 Bring Forward