



Municipality of Mississippi Mills

COUNCIL AGENDA

**Tuesday, February 20, 2018
6:00 p.m.
Council Chambers, Municipal Office**

PLEASE REMEMBER TO SET YOUR CELL PHONE TO SILENT AND THAT NO RECORDING DEVICES ARE PERMITTED.

A. CONSIDERATION OF A CLOSED SESSION

[None]

B. CALL TO ORDER (6:00 p.m.)

C. O CANADA

D. ATTENDANCE

E. APPROVAL OF AGENDA

F. DISCLOSURE OF PECUNIARY INTEREST

G. APPROVAL OF MINUTES

Council Minutes dated February 6, 2018

Pages 5-15

H. PUBLIC MEETINGS

[None]

I. DELEGATION, DEPUTATIONS, AND PRESENTATIONS

[None]

J. COMMITTEE OF THE WHOLE

Motion to resolve into Committee of the Whole.

(J.1) CONSENT ITEMS

Motion to approve:

- Memo re: Proclamation Volunteer Week

Pages 16-17

Recommendation:

Whereas National Volunteer Week is celebrated across Canada;

And whereas volunteers are essential people in our community who donate their time and energy to their fellow citizens;

And whereas in Mississippi Mills, we are proud of and wish to recognize these members of our community who enrich the lives of those around them and help make our community a strong and vital place to live;

Therefore be it resolved that the Council of the Corporation of the Municipality of Mississippi Mills does hereby proclaim April 15-21, 2018 as National Volunteer Week.

(J.2) REPORTS**Public Works****a. Bridge Railing Options**

Pages 18-22

Recommendation:

That Council approve the railing illustrated as Option ____ for installation as part of the rehabilitation of the Back and Short bridges in 2018.

Planning and Development**b. J.L. Richards Agricultural Lands Review**

Pages 23-45

Recommendation:

That Council approve Scenario 1 – status quo of the existing agricultural lands be maintained as part of the current Community Official Plan Review;

And that Council complete a review of its prime agricultural zoning through an alternative agricultural land evaluation area review approved by the Province including a review of related policies prior to the next Community Official Plan Five Year Review.

c. Zoning Amendment Sparrow 1491 County Rd 29

Pages 46-55

Recommendation:

That Council approve the necessary Zoning By-law Amendment to change the zoning of the retained agricultural parcel from Consent application B17/036 for the lands legally described as Concession 12, East ½ Part Lot 18, Pakenham Ward, Municipality of Mississippi Mills, municipally known as 1491 County Road 29 N, from the “Agricultural (A)” Zone to the “Agricultural Exception 28 (A-28)” Zone in order to reduce the minimum lot area requirement from 40ha (98.8ac) to 32.8ha (81.1ac) and to prohibit the construction of a new residential dwelling.

d. Zoning Amendment Wicklum Conc. 9 Part Lot 20 27R-8437 Part 2-9 Pages 56-67Recommendation:

That Council approve the Zoning By-law Amendment to change the zoning of the lands described as Concession 9, Part Lot 20, Plan 27R-8437, Parts 2 to 9 from Rural (RU-16) to Rural Exception 33 (RU-33) to legally recognize those lots whose boundaries have been adjusted as part of Consent application B17/057 and B17/058 as conforming to the Municipality’s Comprehensive Zoning By-law #11-83.

e. Follow Up Changes to Proposed Building By-law

Pages 68-95

Recommendation:

That Council approve the revised Building By-law as presented.

Finance and Administration**f. 2017 Transfers to Reserves for Capital**

Pages 96-98

Recommendation

That Council authorize a transfer to reserves of \$820,967 for 2017 capital projects that were incomplete/underspent at year end.

g. 2018 Municipal Election - Joint Compliance Audit Committee

Pages 99-113

Recommendation:

That Council approve the Municipality’s membership in the Joint Lanark County Compliance Audit Committee;

And that a by-law be brought forward that stipulates the Committee’s terms of reference;

And that a recommendation for Committee appointments be brought forward for approval in due course.

(J.3) INFORMATION ITEMS

- Mayor's Report None
- County Councillors' Report Pages 114-115
- Mississippi Valley Conservation Authority None
- Information List (*Motion to receive*) Pages 116-125
- Meeting Calendar Pages 126-129

K. RISE AND REPORT

Motion to return to Council Session.

Recommendation:

That the recommendations of the Committee of the Whole for the meeting of February 20, 2018 be adopted as resolutions of Council.

L. BY-LAWS

That By-laws 18-23 and 18-27 be taken as read, passed, signed and sealed in Open Council.

- 18-23 Building By-law Pages 130-154
- 18-24 Zoning Amendment Sparrow 1491 County Rd 29 Pages 155-156
- 18-25 Zoning Amendment Wicklum Conc 9 Part Lot 20 27R-8437 Pages 157-158
- 18-26 Sale of Business Park Lands to Pegasus Properties Inc. Pages 159-160
- 18-27 Amendments to Fees & Charges Pages 161-162

M. OTHER/NEW BUSINESS

[None]

N. NOTICE OF MOTION

[None]

O. ANNOUNCEMENTS AND INVITATIONS**P. CONFIRMATORY BY-LAW – 18-28****Q. ADJOURNMENT**



The Corporation of the Municipality of Mississippi Mills

Council Meeting #03-18

MINUTES

A regular meeting of Council was held on Tuesday, February 6, 2018 at 5:30 p.m. in the Council Chambers.

A. CALL TO ORDER

Councillor Lowry called the meeting to order at 5:33 p.m.

B. CONSIDERATION OF A CLOSED SESSION

Resolution No. 75-18

Moved by Councillor Ferguson

Seconded by Councillor Watters

THAT Council enter into an in camera session at 5:33 p.m. re: personal matters about an identifiable individual, including municipal or local board employees (*Municipal Act* s. 239 2(b)) – Committee Appointments (CEDC and Beautification); and litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board (*Municipal Act* s. 239 2(e)) - Update on Legal Matter.

CARRIED

Resolution No. 76-18

Moved by Councillor McCubbin

Seconded by Councillor Abbott

THAT Council return to regular session at 5:53 p.m.

CARRIED

Council recessed at 5:53 p.m. and reconvened at 6:03 p.m.

Rise & Report

1. Committee Appointments (Community and Economic Development Committee and Beautification)

Resolution No. 77-18

Moved by Councillor Watters

Seconded by Councillor Abbott

THAT Council approve the appointments of Garwood Tripp, David Hinks and Nancy Timmons to the Beautification Committee, and Sanjeev Sivarulrasa to the CEDC.

CARRIED

2. Update on Legal Matter

Staff direction was provided in camera.

Mayor McLaughlin resumed the Chair.

C. O CANADA

The Council meeting was opened with the singing of O Canada.

D. ATTENDANCE

PRESENT:

Mayor Shaun McLaughlin (arrived at 6:00 pm)
Councillor John Edwards
Councillor Duncan Abbott
Councillor Denzil Ferguson
Councillor Alex Gillis
Councillor Christa Lowry
Councillor Jill McCubbin
Councillor Amanda Pulker-Mok
Councillor Jane Torrance (arrived at 6:43 pm)
Councillor Paul Watters
Councillor Val Wilkinson

ABSENT:

Diane Smithson, CAO

Shawna Stone, Clerk
Cynthia Moyle, Acting Clerk
Jennifer Russell, Acting Deputy Clerk
Guy Bourgon, Director of Roads and Public Works (left at 8:25 pm)
Abby Armstrong, Environmental Compliance Coordinator (left at 8:25 pm)
Andrew Scanlan Dickie, Junior Planner (left at 10:15 pm)
Calvin Murphy, Recreation Manager (left at 8:25 pm)
Marc Rivet, J.L. Richards, Planning Consultant (arrived at 8:25 pm)

E. APPROVAL OF AGENDA

Resolution No. 78-18

Moved by Councillor Ferguson

Seconded by Councillor Lowry

THAT the agenda be approved as presented.

CARRIED

F. DISCLOSURE OF PECUNIARY INTEREST

Mayor McLaughlin and Councillor Edwards declared a pecuniary interest on Item B.2 due to personal involvement. They were not present during that portion of the in camera session.

G. APPROVAL OF MINUTES**Resolution No. 79-18****Moved by Councillor Gillis****Seconded by Councillor Pulker-Mok****THAT** the Council Minutes dated January 30, 2018 be approved as presented.**CARRIED****H. PUBLIC MEETINGS**

[None]

I. DELEGATION, DEPUTATIONS, AND PRESENTATIONS

1. Perspectives on Wild Parsnip Management (40 minutes / 10 minutes per delegate)

Dr. Paula Stewart, Medical Officer of Health, Leeds, Grenville & Lanark District Health Unit - public health risk of severe burns from exposure to sap of wild parsnip; noxious plants must be destroyed under the Weed Act; no research evidence of health risk to humans, works with plant matter only; Clearview is diluted in water.

Shelley McPhail, Harshell Family Farm Enterprises - agricultural perspective, negative impact on crops and profits; wild parsnip out of control in the area; not in compliance with the Weed Act.

Dr. Meg Sears, Chair, Prevent Cancer Now – chemicals are suspect; Health Canada reported incidents with Clearview; water concerns; solutions without pesticides such as pulling/mowing wild parsnip advised.

Paul Lacelle, Ontario Beekeeper's Association – impact of spraying on bees; getting rid of all native plants through spraying herbicides and pesticides affects pollinators, reduces food supply, and habitat.

J. COMMITTEE OF THE WHOLE**Resolution No. 80-18****Moved by Councillor Ferguson****Seconded by Councillor Abbott****THAT** Council resolve into Committee of the Whole, with Councillor Lowry in the Chair.**CARRIED**

Council recessed at 7:08 p.m. and reconvened at 7:16 p.m.

J.1 CONSENT ITEMS

CAO Report – February 2018

Resolution No. 81-18
Moved by Mayor McLaughlin
Seconded by Councillor Ferguson
THAT CAO Monthly Report be received.

CARRIED

2017 By-law Enforcement and Animal Control Report

Resolution No. 82-18
Moved by Mayor McLaughlin
Seconded by Councillor Ferguson
THAT the 2017 By-law Enforcement and Animal Control Report be received.

CARRIED

2017 Statement of Council Remuneration and Expenses

Resolution No. 83-18
Moved by Mayor McLaughlin
Seconded by Councillor Ferguson
THAT the 2017 Statement of Council Remuneration and Expenses be received for information.

CARRIED

Advisory Committee Minutes

Resolution No. 84-18
Moved by Councillor McCubbin
Seconded by Councillor Edwards
THAT the minutes of the following committees be received:

- Active Transportation – January 23, 2018
- Heritage – January 24, 2018

CARRIED

Heritage

Resolution No. 85-18
Moved by Councillor Edwards
Seconded by Councillor Gillis
THAT Council accept the resignation of Charlotte Farmer with regret.

CARRIED

Resolution No. 86-18**Moved by Councillor Ferguson****Seconded by Councillor Edwards****THAT** Council support the renaming of the 7B Bridge to the Cochran Bridge.**CARRIED****Resolution No. 87-18****Moved by Councillor Ferguson****Seconded by Councillor Gillis****THAT** Council approve the planting of new trees in front of the Cedar Hill School House in a location similar to where the trees were cut down, with the replanting ceremony to be coordinated with the Friends of the Cedar Hill School House.**CARRIED****J.2 STAFF REPORTS****Public Works****a. Wild Parsnip Management Plan****Moved by Councillor Edwards****Seconded by Councillor Torrance****THAT** staff investigate working with the County on an integrated pest management approach.**WITHDRAWN****Resolution No. 88-18****Moved by Councillor Edwards****Seconded by Councillor Ferguson****THAT** the Environmental Compliance Coordinator's Report re: Wild Parsnip Management Plan, dated February 6, 2018, be received;**AND THAT** Council select Option 4 as the preferred option from those provided in the report for implementation in 2018 by the Roads and Public Works Department;**AND THAT** staff be directed to monitor the effectiveness of that option;**AND THAT** staff be directed to investigate with the County the possibility of applying their integrated pest management approach;**AND THAT** the necessary funding associated with the selected option be allocated from reserves to offset costs that may be incurred by the Roads and Public Works Department.**CARRIED**

Council recessed at 8:25 p.m. and reconvened at 8:35 p.m.

Planning and Development

b. Environmental Options for the COP

Marc Rivet, J.L. Richards, was present to provide an overview of the three scenarios and address questions from Council.

Resolution No. 89-18

Moved by Councillor Gillis

Seconded by Councillor McCubbin

THAT the rules be suspended to extend the meeting until 10:30 p.m.

CARRIED

Moved by Councillor Abbott

Seconded by Councillor Gillis

THAT Council select Scenario 2 as the preferred option regarding the Community Official Plan.

Motion to amend

Moved by Councillor McCubbin

Seconded by Councillor Wilkinson

Insert: including ecological linkages and ecoregion 6E

WITHDRAWN

Motion to amend

Resolution No. 90-18

Moved by Councillor Wilkinson

Seconded by Councillor McCubbin

Insert: with an option to further examine and develop the COP policies including ecological linkages in ecoregion 6E

CARRIED

Resolution No. 91-18

THAT Council select Scenario 2 as the preferred option regarding the Community Official Plan, with an option to further examine and develop the COP policies including ecological linkages in ecoregion 6E.

CARRIED

- c. Orchard View, 219 Paterson St. – Site Plan Control

Resolution No. 92-18

Moved by Councillor Ferguson

Seconded by Councillor Edwards

THAT Council approve the site plan for Princiotta Construction & Development Inc. for the property described as Concession 10, E ½ Part Lot 14, Plan 27R-10686, Part 2 subject to revision that is satisfactory to the Municipality's Roads & Public Works and Planning Departments, and subject to the following condition:

That the land owner acquires a drainage easement over the adjacent property described as Concession 10, E ½ Part Lot 14 to accommodate overland water flow towards Paterson Street, to the satisfaction of the Director of Roads & Public Works.

AND THAT the Mayor and Clerk be authorized to enter into a Site Plan Control Agreement for the proposed works.

CARRIED

Finance and Administration

- d. Award of RFP for Executive Search

Resolution No. 93-18

Moved by Councillor Edwards

Seconded by Councillor Ferguson

THAT Council award the Request for Proposal for Executive Search Services for a Chief Administrative Officer to Ravenhill Group Inc. in the amount of \$22,800 plus HST.

CARRIED

- e. Revised Election Signs By-law

Resolution No. 94-18

Moved by Councillor Ferguson

Seconded by Councillor Pulker-Mok

THAT Council approve the revised Election Signs By-law as presented.

CARRIED

J. 3 INFORMATION ITEMS

• **Mayor's Report**

The Mayor's report provided highlights of seminars and delegations that took place at ROMA Conference (Rural Ontario Municipal Association) including Bill

68, Bill 148, replacement of the OMB (Ontario Municipal Board), housing, community hubs, and cycling program.

- **County Councillors' Report**

[None]

- **Mississippi Valley Conservation Report**

[None]

- **Information List**

[None]

- **Meeting Calendars**

February 2018

K. RISE AND REPORT

Resolution No. 95-18

Moved by Councillor Abbott

Seconded by Councillor Ferguson

THAT the Committee rise and return to Council to receive the report on the proceedings of the Committee of the Whole.

CARRIED

Resolution No. 96-18

Moved by Councillor Lowry

Seconded by Councillor Pulker-Mok

THAT the recommendations of the Committee of the Whole for the meeting of February 6, 2018 be adopted as resolutions of Council;

AND THAT Items J.2.a. and J.2.b be pulled to be voted on separately.

CARRIED

Resolution No. 97-18

Moved by Councillor Ferguson

Seconded by Councillor Watters

THAT the rules be suspended to extend the meeting until 11:30 p.m.

CARRIED

Item J.2.a.

Moved by Councillor Edwards

Seconded by Councillor Ferguson

THAT the Environmental Compliance Coordinator's Report re: Wild Parsnip Management Plan, dated February 6, 2018, be received;

AND THAT Council select Option 4 as the preferred option from those provided in the report for implementation in 2018 by the Roads and Public Works Department;

AND THAT staff be directed to monitor the effectiveness of that option

AND THAT staff be directed to investigate with the County the possibility of applying their integrated pest management approach;

AND THAT the necessary funding associated with the selected option be allocated from reserves to offset costs that may be incurred by the Roads and Public Works Department.

Motion to amend

Moved by Councillor McCubbin

Seconded by Councillor Torrance

Insert: with more clarity to come from the Director of Roads and Public Works on the parameters that determine the decisions on boom and spot spraying on agricultural properties.

WITHDRAWN

[Resolution No. 88-18]

THAT the Environmental Compliance Coordinator's Report re: Wild Parsnip Management Plan, dated February 6, 2018, be received;

AND THAT Council select Option 4 as the preferred option from those provided in the report for implementation in 2018 by the Roads and Public Works Department;

AND THAT staff be directed to monitor the effectiveness of that option

AND THAT staff be directed to investigate with the County the possibility of applying their integrated pest management approach;

AND THAT the necessary funding associated with the selected option be allocated from reserves to offset costs that may be incurred by the Roads and Public Works Department.

CARRIED 7-4

Councillor Torrance requested a recorded vote.

Yeas: Councillors Abbott, Edwards, Ferguson, Gillis, Lowry, Pulker-Mok, Watters
Nays: Mayor McLaughlin, Councillors McCubbin, Torrance, Wilkinson

Action: Director of Roads and Public Works to provide more information outlining the parameters for boom and spot spraying on agricultural properties.

Item J.2.b.

[Resolution No. 94-18]

Moved by Councillor Edwards

Seconded by Councillor Ferguson

THAT Council select Scenerio 2 as the preferred option regarding the Community Official Plan, with an option to further examine and develop the COP policies including ecological linkages in ecoregion 6E.

CARRIED 9-2

Councillor Watters requested a recorded vote.

Yeas: Mayor McLaughlin, Councillors Abbott, Edwards, Gillis, Lowry, McCubbin, Pulker-Mok, Torrance, Wilkinson

Nays: Councillors Ferguson, Watters

L. BY-LAWS

Resolution No. 98-18

Moved by Councillor Ferguson

Seconded by Councillor Abbott

THAT By-law 18-18 to 18-21 inclusive be taken as read, passed, signed and sealed in Open Council.

CARRIED

By-law 18-18

Resolution No. 99-18

THAT By-law 18-18, being a by-law to authorize the signing of a contract between the Corporation of the Municipality of Mississippi Mills and Blackline Consulting to complete a Service Delivery Review of the Recreation and Culture Department.

CARRIED

By-law 18-19

Resolution No. 100-18

THAT By-law 18-19, being a by-law to authorize the signing of a contract between the Corporation of the Municipality of Mississippi Mills and Ravenhill Group Inc. to undertake Executive Search Services for a Chief Administrative Officer.

CARRIED

By-law 18-20

Resolution No. 101-18

THAT By-law 18-20, being a by-law to appoint Cynthia Moyle as Acting Clerk for the Corporation of the Municipality of Mississippi Mills.

CARRIED

By-law 18-21

Resolution No. 102-18

THAT By-law 18-21, being a by-law to regulate Election Signs.

CARRIED

M. OTHER/NEW BUSINESS

[None]

N. NOTICE OF MOTION

[None]

O. ANNOUNCEMENTS AND INVITATIONS

[None]

P. CONFIRMATORY BY-LAW

By-law 18-22

Resolution No. 103-18

Moved by Councillor Lowry

Seconded by Councillor Ferguson

THAT By-law 18-22, being a by-law to confirm the proceedings of the Council of the Corporation of the Municipality of Mississippi Mills at its regular meeting held on the 6th day of February 2018, be read, passed, signed and sealed in Open Council this 6th day of February 2018.

CARRIED

Q. ADJOURNMENT

Resolution No. 104-18

Moved by Councillor Abbott

Seconded by Councillor Lowry

THAT the meeting be adjourned at 10:38 p.m.

CARRIED

Shaun McLaughlin
MAYOR

Shawna Stone
CLERK

MEMORANDUM

To: Committee of the Whole
From: Shawna Stone, Clerk
Date: February 20, 2017
Re: **National Volunteer Week**

Correspondence dated February 1, 2018, was received from Marsha Guthrie, President of the Almonte Civitan Club, requesting that the week of April 15-21, 2018 be declared Volunteer Week in Mississippi Mills.

The Proclamation Policy states that all requests will go to Committee for discussion first. As such, please see attached correspondence and proposed resolution for your consideration.

WHEREAS National Volunteer Week is celebrated across Canada;

AND WHEREAS volunteers are essential people in our community who donate their time and energy to their fellow citizens;

AND WHEREAS in Mississippi Mills, we are proud of and wish to recognize these members of our community who enrich the lives of those around them and help make our community a strong and vital place to live;

NOW THEREFORE BE IT RESOLVED THAT the Council of the Corporation of the Municipality of Mississippi Mills does hereby proclaim April 15-21, 2018 as National Volunteer Week.



Civitan Club of Almonte Incorporated

500 Almonte Street, Almonte, ON, K0A 1A0

Ph: 613.256.6234 Fx: 613.256.1015

February 1, 2018

Dear Mayor McLaughlin and Members of Mississippi Mills Council

April 15-21 has been declared National Volunteer Week in Canada by Volunteer Canada. The involvement of volunteer activities in Almonte is well known. The time and energy that is given by the citizens contributes immensely to the vitality of Mississippi Mills. It is very appropriate that a week be identified to acknowledge and give credit to the large number of volunteers in Mississippi Mills.

The Almonte Civitan Club will again open its doors on April 18 at 5:00 pm to all volunteers or those that support others that do volunteer. A wine and cheese event, a few speeches of congratulations and thanks in an atmosphere of socializing and celebration is on again this year.

Please accept this letter as a request to declare April 15-21, 2018 as Volunteer Week in Mississippi Mills.

Thank you for your attention to this community building request.

Yours Sincerely

Marsha Guthrie

President Almonte Civitan Club

Phone 613-256-1102

RECEIVED

FEB 02 2018

THE CORPORATION OF THE MUNICIPALITY OF MISSISSIPPI MILLS
ROADS AND PUBLIC WORKS REPORT

DATE: February 20, 2018
TO: Committee of the Whole
FROM: Guy Bourgon, P.Eng., Director of Roads and Public Works
SUBJECT: Bridge Railing Options

RECOMMENDATION:

THAT Council approves the railing illustrated as Option ___ for installation as part of the rehabilitation of the Back and Short bridges in 2018.

BACKGROUND:

As part of the 2018 budget, \$1.9 million was approved for the rehabilitation of the Back and Short bridges. During budget deliberations, Council requested that staff bring forward railing options to Council for consideration.

DISCUSSION:

Staff and our structural consultant, HP Engineering, undertook a review of several different styles of bridge railings keeping in mind structural requirements of the railing and the aesthetics based on the location of the bridges. It should be noted that the existing railing does not meet new standards but is exempted due to the age of the installation.

Three (3) options are presented in the report for Council's consideration:

Option 1 is similar in styling to the current railing, maintains the unobstructed view of the river and meets the new standards for a vehicular bridge railing.

Option 2 is more decorative in nature incorporating arches into the railing, maintains the unobstructed view of the river, and meets the new standards.

Option 3 is a combination of a concrete parapet with decorative finish with a metal railing on top. This combination meets the new standard and allows for a view of the river above the parapet.

The tender for the rehabilitation of the Back and Short bridges is currently being finalized. Council's preferred railing selection will be incorporated into the tender documents. Staff recommends that a timely decision be made in regards to the railing selection to enable the tenders to be issued in the near future in order to attract a better tender price.

FINANCIAL IMPLICATIONS:

There are no financial impacts to the budget for the Back and Short bridges as the current budget is sufficient for any of these options to be implemented.

Please note that it is not the intention of the rehabilitation to change the existing cobra head streetlights which are fully functional. Should Council desire decorative streetlights to be installed, the costs for the streetlights would be over and above the budgetary costs previously approved.

SUMMARY:

At the request of Council, staff has provided options for the railing to be replaced on both the Back and Short bridges for consideration and will incorporate the preferred option in the 2018 tender for the rehabilitation of the bridges.

Respectfully submitted,

Reviewed by,

Guy Bourgon, P.Eng.
Director of Roads and Public Works

Diane Smithson, CAO

Attachment: Decorative Options – Back and Short Bridge

Decorative Options – Back and Short Bridge



Option 1 - Steel railing c/w concrete end walls

Decorative Options – Back and Short Bridge



Option 2 - 4-Box steel railing with 'arched' steel panel profile c/w concrete end walls

Decorative Options – Back and Short Bridge



Option 3 - Concrete parapet with decorative finish and steel railing

AGRICULTURE LANDS REVIEW

February 2018

Prepared for

MUNICIPALITY OF MISSISSIPPI MILLS

P.O. Box 400
3131 Old Perth Road
Almonte, Ontario
K0A 1A0

Prepared by

J.L. RICHARDS & ASSOCIATES LIMITED

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JLR 24473-004.1

AGRICULTURE LANDS REVIEW

MUNICIPALITY OF MISSISSIPPI MILLS

- TABLE OF CONTENTS -

1.0	INTRODUCTION.....	1
2.0	AGRICULTURAL LAND IN MISSISSIPPI MILLS.....	2
3.0	FARMS IN MISSISSIPPI MILLS.....	6
4.0	AGRICULTURAL LAND POLICY IN LANARK COUNTY.....	9
4.1	Provincial Policy Statement 2014.....	10
4.2	Guidelines on Permitted Uses in Ontario’s Prime Agricultural Areas.....	10
4.3	Minimum Distance Separation Formulae.....	13
5.0	SUMMARY OF POLICY OPTIONS FOR CONSIDERATION.....	15
6.0	RECOMENDATION.....	19

- LIST OF TABLES -

<u>Table 1:</u>	Mississippi Mills – Soil Capability for Agriculture	3
<u>Table 2:</u>	Mississippi Mills – Farms by Classification	7
<u>Table 3:</u>	Mississippi Mills – Farms by Size	7
<u>Table 4:</u>	Mississippi Mills – Farm Operators Who Lived on Farm	8
<u>Table 5:</u>	Mississippi Mills – Farm Classified by Operating Arrangement	8
<u>Table 6:</u>	Categorization of Permitted Uses	11-12
<u>Table 7:</u>	Summary of Proposed Scenarios	17

- LIST OF FIGURES -

<u>Figure 1:</u>	Mississippi Mills – Soil Classes	4
<u>Figure 2:</u>	Extent of Prime Agricultural Lands beyond Mississippi Mills	5
<u>Figure 3:</u>	Scenario 1: Existing COP designation	16
<u>Figure 4:</u>	Scenario 2: OMAFRA APPROACH (as interpreted)	18

AGRICULTURE LANDS REVIEW

MUNICIPALITY OF MISSISSIPPI MILLS

1.0 INTRODUCTION

Mississippi Mills is comprised of extensive rural and agricultural areas surrounding a small friendly town and several picturesque villages and hamlets.¹ The agricultural industry found in Pakenham and Ramsay is a major economic and social contributor in Mississippi Mills. Approximately 17,574.2 hectares of land or roughly 36% of the total land base of Mississippi Mills is covered by Classes 1 to 3 soils. This represents roughly 35% of the prime agricultural lands found within Lanark County. Agricultural activities direct approximately \$30 million per year into the local economy based on farm gate sales of \$12.1 million, Mississippi Mills' agricultural industry is one of the largest in Lanark County.² The policies of the current Community Official Plan are designed to protect agricultural resources for agricultural use.

The purpose of this report is to examine the land use planning policies and mapping relating to agricultural land in the Municipality of Mississippi Mills. The report will begin with an examination of the quality of agricultural land within the County including a review of the Census of Agriculture with respect to Mississippi Mills. Local policies in support of the agricultural industry will also be reviewed.

In the *Planning Act*, the protection of the agricultural resources of the Province is listed as a matter of provincial interest that municipalities shall have regard to. The Provincial Policy Statement is issued under the authority of section 3 of the *Planning Act* and came into effect on April 30, 2014. In respect of the exercise of any authority that affects a planning matter, section 3 of the *Planning Act* requires that decisions affecting planning matters "shall be consistent with" policy statements issued under the Act. The PPS is the principal guiding document on land use planning and provides specific policy direction to municipalities. Issues relating to the conformity of the Municipality's land use policies to the PPS will be presented and discussed as will mapping options.

¹ Municipality of Mississippi Mills; Community Profile.
(<http://www.mississippimills.ca/en/live/resources/CommunityProfile2012B.pdf>)

² Municipality of Mississippi Mills; Community Official Plan
(<http://www.mississippimills.ca/en/resourcesGeneral/Community%20Official%20Plan%202006.pdf>)

2.0 AGRICULTURAL LAND IN MISSISSIPPI MILLS

The Canada Land Inventory is a system that has been devised to assess the effects of climate and soil characteristics on the limitations of land for the growing of common field crops such as corn, soybeans, small grains and perennial forages. Under this system, mineral soils are evaluated against three general qualities:

1. Their productivity relative to all mineral soils;
2. Their flexibility, or the range of field crops they are capable of producing; and
3. Their management needs with respect to necessary improvements and conservation practices for field crop production.³

The Canada Land Inventory has identified seven classes of agricultural land according to capability for common field crops. The soil capability classes, ranked from the highest capability soils to the lowest, are:

Class 1 Soils in this class have no significant limitations in use for crops

Class 2 Soils in this class have moderate limitations that reduce the choice of crops, or require moderate conservation practices.

Class 3 Soils in this class have moderately severe limitations that reduce the choice of crops or require special conservation practices.

Class 4 Soils in this class have severe limitations that restrict the choice of crops, or require special conservation practices and very careful management, or both.

Class 5 Soils in this class have very severe limitations that restrict their capability to producing perennial forage crops, and improvement practices are feasible.

Class 6 Soils in this class are unsuited for cultivation, but are capable of use for unimproved permanent pasture.

Class 7 Soils in this class have no capability for arable culture or permanent pasture.⁴

More detailed descriptions of each of these soil classes are provided in **Appendix "A"**.

Table 1 presents information obtained from the Mississippi Mills Geographic Information System on soil capability for agriculture.

³ Agriculture and Agri-Food Canada; Overview of Classification Methodology for Determining Land Capability for Agriculture. (<http://sis.agr.gc.ca/cansis/nsdb/cli/classdesc.html>)

⁴ Ibid.

Table 1: Mississippi Mills – Soil Capability for Agriculture

Soil Capability Class	Land Area (hectares)	Percentage of Land Area (%)
Class 1	7,155.8	14.8
Class 2	4,139.1	8.5
Class 3	6,279.3	12.9
Prime Agricultural Lands (Class 1,2 & 3)	17,574.2	36.2
Class 4	417.2	0.9
Class 5	107.7	0.2
Class 6	7,251.2	15.0
Class 7	23,149.8	47.7
TOTALS	48,500.0	100.0

Roughly 36% of the lands within Mississippi Mills are considered to be prime agricultural lands whereas nearly 48% have no capability for arable culture or permanent pasture. The soil capability mapping had been extensively studied as part of the background to the current Community Official Plan.

Figure 1 demonstrates the location of the prime agricultural lands (Soil Classes 1 to 3), the Class 4 lands and the Class 5, and, the Class 6 and 7 lands which are grouped together accordingly. The Class 4 and Class 5 lands, which comprise only 1.1% of the lands, are dispersed, in small pockets, throughout Mississippi Mills. There are no specific large concentration of the Class 4 and 5 lands; however, these lands are commonly adjacent to prime agricultural lands. Generally, the Class 4 and 5 lands are intermingled with the lands having Class 1 to 3 soil capability. These soil classes predominately form the basis for the *Agriculture* land use designation (including a section of Rural – Agricultural Overlay) in the Mississippi Mills Community Official Plan. Some areas on Figure 1 indicate that there is no data on soil classification (other). Aerial photography interpretation of Mississippi Mills shows the area to be generally forested and crop land.

The Class 6 and 7 lands are generally designated as *Rural* according the Mississippi Mills Community Official Plan. The wetland areas, including the Appleton Swamp, are also in these poorer soil capability classes. Generally, these lands are subject to the *Provincially Significant Wetland* designations in the Community Official Plan or include *Areas of Natural and Scientific Interest* and are subject to policies that restrict or constrain development.

Subsequently, **Figure 2** demonstrates the extent of prime agricultural soils outside of the Mississippi Mills municipal boundary. Provincial policies generally use a 250 hectare benchmark when determining provincially significant agricultural lands.



CANADA LAND INVENTORY SOIL CAPACITY CLASSIFICATION

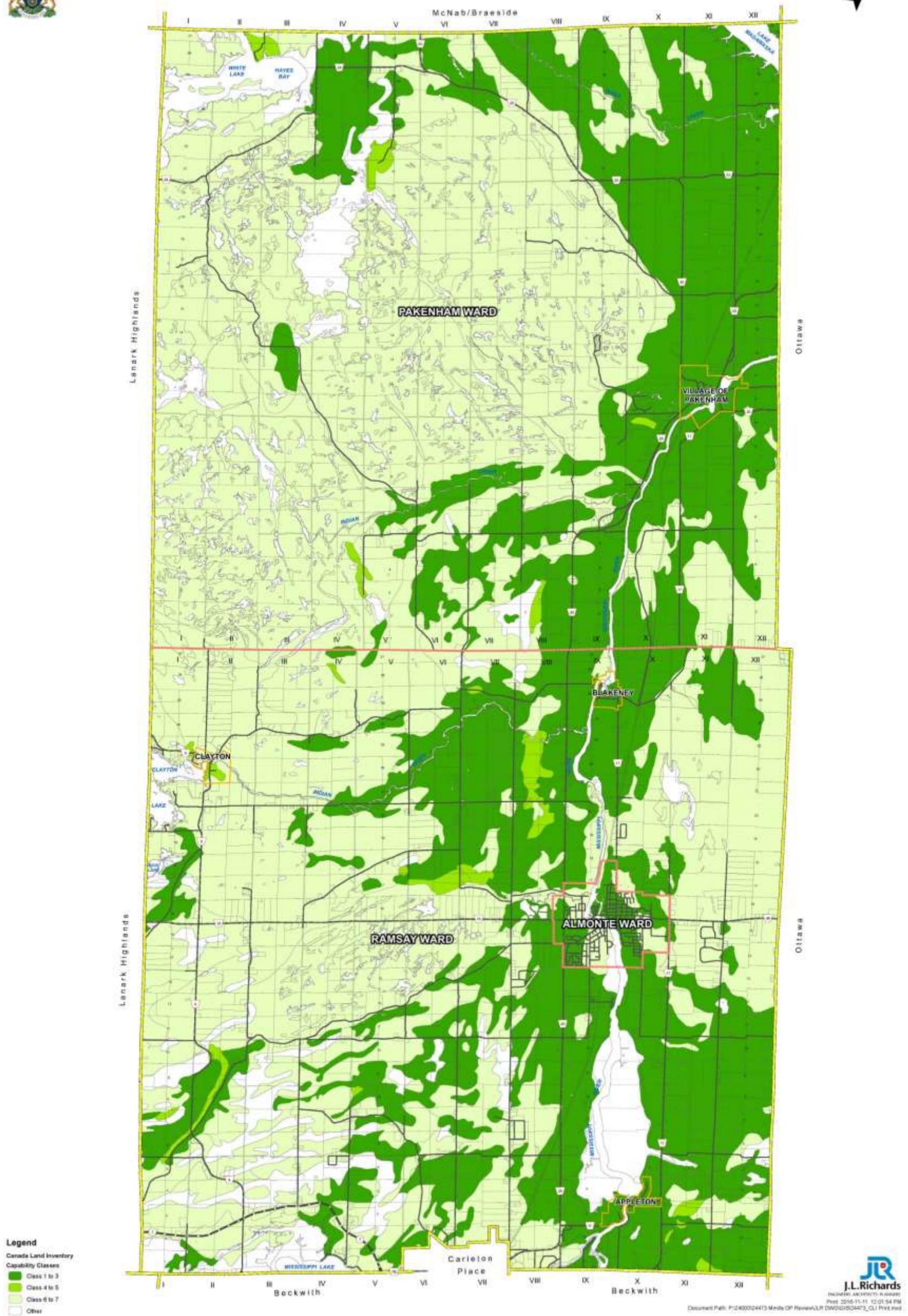


Figure 1: Mississippi Mills – Soil Classes



CANADA LAND INVENTORY SOIL CAPACITY CLASSIFICATION

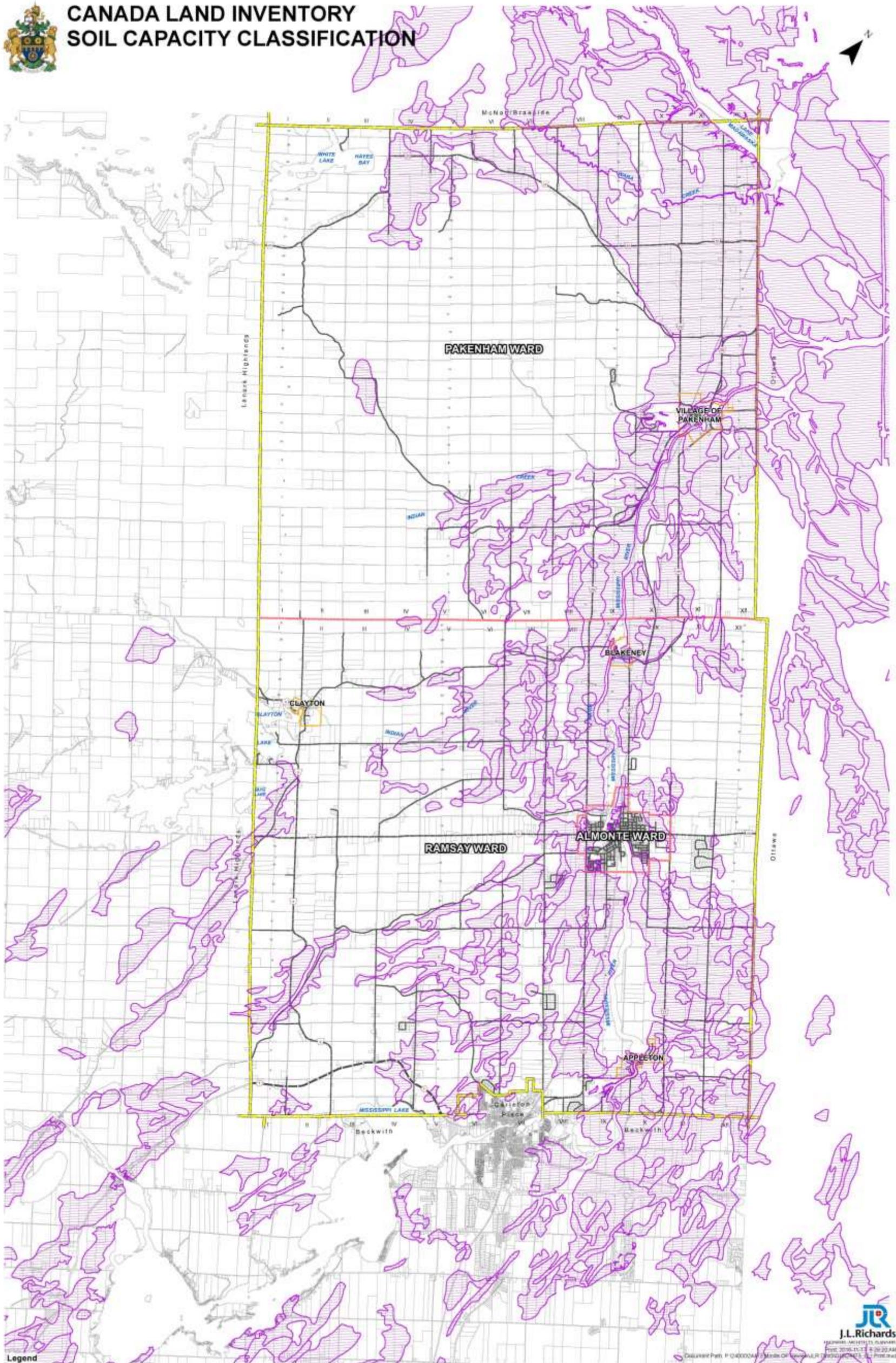


Figure 2: Extent of Prime Agricultural Lands beyond Mississippi Mills

3.0 FARMS IN MISSISSIPPI MILLS

Statistics Canada Census of Agriculture data describes the variety of farms classified by the North American Industry Classification System (NAICS). According to the 2011 data, there were 224 farms and a total of 335 farm operators in Mississippi Mills.

Statistics Canada defines census farm as:

‘an agricultural operation that produces at least one of the following products intended for sale: crops (hay, field crops, tree fruits or nuts, berries or grapes, vegetables, seed); livestock (cattle, pigs, sheep, horses, game animals, other livestock); poultry (hens, chickens, turkeys, chicks, game birds, other poultry); animal products (milk or cream, eggs, wool, furs, meat); or other agricultural products (Christmas trees, greenhouse or nursery products, mushrooms, sod, honey, maple syrup products).’

Statistics Canada defines farm operators “as those persons responsible for the day-to-day management decisions made in the operation of a census farm or agricultural operation. Up to three farm operators could be reported per farm.” Also, Statistics Canada notes the count of farm operators is distinct; hence, operators of 2 or more separate farms are included only once in the total.

Table 2 shows the diversity of farms in Mississippi Mills. Cattle ranching and farming is the most common agricultural activity in the area, comprising roughly 26% of all farms. Other popular farming classes in Mississippi Mills include oilseed and grain farming (counting for 21.4% of farming), and, hay farming (counting for 16.5% of farming).

Table 2: Mississippi Mills – Farms by Classification

Farm Classification	Number of Farms (#)	Percentage of all Farms (%)
Cattle ranching & farming	58	25.9
Hog and pig farming	0	0.0
Poultry and egg production	2	0.9
Sheep & goat farming	5	2.2
Apiculture	4	1.8
Horse & other equine production	18	8.0
Other animal production	13	5.8
Oilseed & grain farming	48	21.4
Vegetable & melon farming	7	3.1
Fruit & tree-nut farming	4	1.8
Greenhouse, nursery & floriculture production	3	1.3
Hay farming	37	16.5
Maple syrup and products production	10	4.5
Other crop farming	15	6.7
All farms	224	100.0

Source: Statistics Canada. 2011 Census. Table 004-0200 – Census of Agriculture, farms classified by North American Industry Classification System (NAICS).

Table 3 presents data on the size of farms in Mississippi Mills. The median farm size in the area is between 130 and 179 acres (52 to 72 hectares). Majority of the farms are in the 70 to 129 acre range (28 to 52 hectares) – mid-point being around 100 acres or 40 hectares. This is fairly consistent with the Provincial recommendation of 40 hectare farm sizes.

Table 3: Mississippi Mills – Farms by Size

Farm Size Category	Number of Farms (#)	Percentage of all Farms (%)
Farms under 10 acres	6	2.7
Farms 10 to 69 acres	33	14.7
Farms 70 to 129 acres	64	28.6
Farms 130 to 179 acres	27	12.1
Farms 180 to 239 acres	25	11.2
Farms 240 to 399 acres	33	14.7
Farms 400 to 559 acres	12	5.4
Farms 560 to 759 acres	11	4.9
Farms 760 to 1,119 acres	8	3.6
Farms 1,120 to 1,599 acres	4	1.8
Farms 1,600 to 2,239 acres	1	0.4
Farms 2,240 acres and over	0	0.0
All farms	224	100.0

Source: Statistics Canada. 2011 Census. Table 004-0201 – Census of Agriculture, farms classified by total farm area.

According to the 2011 Census, 91% of farm operators lived on the farm, as indicated in **Table 4**.

Table 4: Mississippi Mills – Farm Operators Who Lived on Farm

Where farm operator lived	Number of Farms Operators (#)	Percentage of all Farms Operators (%)
Off farm	30	9
On farm	305	91
All farm operators	335	100

Source: Statistics Canada. 2011 Census. Table 004-0240 – Census of Agriculture, number of farm operators who lived on the farm at any time during the 12 months prior to the census.

Table 5 describes the farm tenure in Mississippi Mills. Ownership is the pre-dominant form of tenure, with nearly 98% of farms being owned by the operators. However, ownership is often accompanied by other arrangements such as leasing or renting of land.

Table 5: Mississippi Mills – Farm Classified by Operating Arrangement

Tenure Type	Number of Farms Reporting (#)*	Percentage of all Farms (%)	Land Area (hectares)	Percentage of Farm Land Area (%)
Owned	219	97.8	16,041	73.7
Leased from governments	4	1.8	n/a**	n/a
Rented or leased from others	72	32.1	6,281	28.9
Crop-shared from others	2	0.9	n/a**	n/a
Other arrangements	12	5.4	n/a**	n/a
Land used by others	40	17.9	800	3.7
ALL FARMS	224		21,769	

Source: Statistics Canada. 2011 Census. Table 004-0204 – Census of Agriculture, tenure of land owned, leased, rented, crop-shared, used through other arrangements or used by others.

* Total farm area is the difference between the sum of all land tenure minus “Total area used by others.” The “Number of farms reporting” does not equal the sum of the parts because farms reporting more than one category (or activity) are only counted once.

** Suppressed data to meet the confidentiality requirements of the *Statistics Act*.

4.0 AGRICULTURAL LAND POLICY IN LANARK COUNTY

The Lanark County Sustainable Communities Official Plan addresses agricultural land policies in its Section 6 - Resources. In this section of the upper-tier Official Plan, it is prescribed that each local Official Plan – within Lanark County – shall respectfully identify their agricultural resource lands. The identification of their prime agricultural lands should be based on three factors:

- i. soil capability for agriculture, primarily soil classes 1, 2 and 3 (Canada Land Inventory classification system) and associated class 4 to 7 lands where there is a local concentration of farms which exhibit characteristics of on-going agriculture;
- ii. the extent of land fragmentation; and
- iii. the presence of conflicting land uses in the area.

Furthermore, the County Official Plan speaks to the permitted uses, lot areas, lot creation, zoning and development control in respect to agricultural land resources throughout the entire County. The policies in the County Official Plan are based on a foundation of 19 themes that span over the four pillars of sustainability: cultural, environmental, economic and social.

At the local scale, the Mississippi Mills Community Official Plan recognizes the importance of the agricultural industry to the Municipality of Mississippi Mills. The designation of “agricultural” and “rural – agricultural overlay” has been assigned in large part to prime agricultural lands. In the Community Official Plan, a series of agricultural policies have been created, including the permitted uses; minimum distance separation; land stewardship, sustainable operations and nutrient management; residential development; agricultural commercial and industrial development; severance and lot creation; and prime agriculture area redesignation.

The primary goal and objective of the Mississippi Mills Community Official Plan related to agricultural land is the “protect agricultural resources for agricultural uses”.⁵

The Goals and Objectives of the Plan set the context and purpose behind the current Official Plan policies.

As part of the Official Plan Review Work Program, an initial Agricultural Stakeholder Workshop was held on November 16, 2016 followed by a meeting with members of the Agricultural Committee on February 9, 2018. The Workshop and subsequent meeting explored the characteristics and strengths of the current agricultural policies in the Mississippi Mills Community Official Plan.

The following sections of the report will review specific provincial policy documents subject to agriculture and agricultural activities to verify how the Mississippi Mills Community Official Plan addresses them. The documents reviewed include:

⁵ Municipality of Mississippi Mills, 2006, Mississippi Mills Community Official Plan

- 1) Provincial Policy Statement 2014
- 2) Guidelines on Permitted Uses in Ontario's Prime Agricultural Areas
- 3) Minimum Distance Separation Formulae

4.1 Provincial Policy Statement 2014

The Provincial Policy Statement 2014 (PPS) provides policy direction for appropriate development while protecting resources of provincial interest, such as lands of agricultural importance. The PPS makes a distinction between urban settlement and rural areas which are interdependent to each other in terms of markets, resources and amenities. Settlement areas including cities, towns, villages and hamlets are to be the focus of growth and development. Rural areas may include rural settlement areas, rural lands, prime agricultural areas, natural heritage features and areas and other resource areas. According to the PPS it is essential to leverage rural assets and amenities and to protect the environment as a foundation for a sustainable economy. The PPS contains policies that support the continued agricultural industry viability and to support economic development within rural areas. These policies are consistent with the Provincial interest protecting the agricultural resource base.

Rural lands are different than rural areas and are defined by the PPS as those lands that are outside of settlement areas and which are also outside of prime agricultural areas. In rural lands, recreational, tourism and other economic opportunities, such as resource based uses are to be promoted. Permitted uses include the management and use of resources, resource-based recreational uses including recreational dwellings, limited residential development, home occupations and industries, cemeteries and other rural land uses. Agricultural and other resource-related uses are to be protected.

According to the PPS, prime agricultural areas are to be protected for long-term agricultural use. Prime agricultural areas are where prime agricultural lands predominate. The PPS defines prime agricultural land as Canada Land Inventory Class 1, 2 and 3 lands. Prime agricultural areas are areas where prime agricultural lands predominate. This includes areas of prime agricultural lands and associated Canada Land Inventory Class 4 through 7 lands, and additional areas where there is a local concentration of farms which exhibit characteristics of ongoing agriculture. Prime agricultural areas may be identified by the Ontario Ministry of Agriculture and Foods using guidelines developed by the Province as amended from time to time. A prime agricultural area may also be identified through an alternative agricultural land evaluation system approved by the Province. Prime agricultural areas shall be protected for long-term use for agriculture.

4.2 Guidelines on Permitted Uses in Ontario's Prime Agricultural Areas

The Ontario Ministry of Agriculture, Food and Rural Affairs (OMAFRA) have developed Guidelines on Permitted Uses in Ontario's Prime Agriculture Areas.

OMAFRA has classified permitted uses as:

- 1) Agricultural Uses
- 2) Agriculture-Related Uses
- 3) On-Farm Diversifies Used

Table 6 summarizes OMAFRA's Guidelines on Permitted Uses in Ontario's Prime Agricultural Areas.

Table 6: Categorization of Permitted Uses

	Examples of Permitted Uses*	Examples of Non-Permitted Uses
Agricultural Uses	<ul style="list-style-type: none"> ▪ Accommodation for full-time farm labour ▪ Barns, manure storages and other associated buildings and structures ▪ Christmas trees and nurseries ▪ Cold storage (for farm's use) ▪ Croplands (all crops including biomass and sod) ▪ Feedlot ▪ Feed storages (e.g. silos and gravity bins) ▪ Fish farm ▪ Greenhouse for growing plants ▪ Horse farm ▪ Machine shed (for farm's use) ▪ Mushroom farm ▪ Pastureland ▪ Tobacco kiln or smoke barn ▪ Washing, sorting and grading (for farm's products) 	<ul style="list-style-type: none"> ▪ Dog kennels ▪ Green dryers or mechanical garages serving several producers/customers ▪ Greenhouses used for retailing plants ▪ Landscape businesses ▪ Off-season vehicle storages ▪ Recreational facilities such as campsites, golf courses, fairgrounds, racetracks or ball parks ▪ Restaurants

* Provided all PPS criteria are met

Agriculture-Related Uses	<ul style="list-style-type: none"> ▪ Abattoir processing and selling local meat ▪ Agricultural research centre ▪ Apple storage and distribution centre ▪ Auction for local produce ▪ Farm equipment repair shop ▪ Farm input supplier (e.g. feeds, seeds, fertilizer) ▪ Farmers' market selling local produce ▪ Flour mill for local grain ▪ Food processing plant for local produce ▪ Grain dryer servicing several local farmers ▪ Livestock assembly yard or stock yard for local farmers ▪ Winery using local grapes 	<ul style="list-style-type: none"> ▪ Antique businesses ▪ Art or music studios ▪ Automobile wrecking yards ▪ Conference centres, hotels, guest houses or restaurants ▪ Equipment or vehicle dealerships ▪ Furniture makers ▪ Institutions such as school or clinics ▪ Landscaping businesses ▪ Large food processing plants or micro-breweries that are high-water-use facilities and are better suited to locations with full urban services ▪ Paint or building suppliers ▪ Recreational facilities, campgrounds or fairgrounds ▪ Seasonal storage of boats, trailers or cars ▪ Small animal veterinary clinics ▪ Trucking yards
On-Farm Diversified Uses	<ul style="list-style-type: none"> ▪ Agri-tourism uses (e.g. farm vacation suite, bed and breakfast, hay rides, petting zoo, equine events, wine tasting) ▪ Café/small restaurant, cooking classes, food store ▪ Home industries (e.g. sawmill, welding or woodworking shop, equipment repair, seasonal storage, biomass pelletizer) ▪ Home occupations (e.g. professional office, land surveyor, art studio, daycare, veterinary clinic, kennel, hairdresser) ▪ Retail uses (e.g. farm market, antique business, seed supplier, tack shop) ▪ Value-added uses (e.g. processor, packager, winery, cheese factory, bakery, abattoir) 	<ul style="list-style-type: none"> ▪ Institutional uses (e.g. churches, schools, nursing homes, cemeteries) ▪ Large-scale equipment or vehicle dealerships, hotels, landscape businesses, manufacturing plants, trucking yards ▪ Large-scale recreational facilities such as golf courses, soccer fields, ball diamonds or arenas ▪ Uses with high water and sewage needs and/or that generate significant traffic (e.g. food processors, distribution centres, full-scale restaurants, banquet halls)

These OMAFRA Guidelines are in accordance to the PPS. The intent of the PPS and these guidelines is to allow uses in *prime agricultural areas* that ensure:

- agriculture remains the dominant use and is safeguarded for future generations
- land taken out of agricultural production, if any, is minimal
- regard is given to the long-term (multi-generational) impact on *prime agricultural areas*

- *normal farm practices* are able to continue
- local agricultural character and heritage are maintained as much as possible
- there is compatibility between nearby uses
- the uses make a positive contribution to the agricultural industry, either directly or indirectly
- servicing requirements (e.g. water and wastewater) fit with the agricultural context.

These guidelines aim to increase the consistency of municipal approaches to permitted uses in prime agricultural areas across the province. To maintain the wide variety of uses that the PPS permits, municipalities are encouraged to adopt policies that explicitly reflect PPS policies and the criteria identified in this document.

4.3 Minimum Distance Separation Formulae

The Lanark County Sustainability Communities Official Plan and the Municipality of Mississippi Mills Community Official Plan rely on the minimum distance separation (MDS) formulae, established by the Ontario Ministry of Agriculture and Food (OMAFRA), as a tool to avoid or minimize conflicts and complaints from odour between existing or planned livestock and manure storage facilities and other sensitive land uses. The MDS formulae do not deal with other potential complaints relating to noise or dust.

The MDS is comprised of two separate but comparable formulae:⁶

- MDS I:** provides the minimum distance separation between proposed new development and existing livestock facilities and/or permanent manure storages located in areas where the keeping of livestock is permitted.
- MDS II:** provides the minimum distance separation between proposed new, enlarged or remodelled livestock facilities and/or permanent manure storages and existing or approved development located in areas where the keeping of livestock is permitted.

The MDS formulae are based on the following factors:

- The type of livestock
- The number of livestock housed
- An increase in the size of the operation (if expanding)
- The type of manure system and storage
- The type encroaching land use.

⁶ Ontario Ministry of Agriculture, Food and Rural Affairs: Minimum Distance Separation (MDS) Formulae Review, 2015 (http://www.omafra.gov.on.ca/english/landuse/mds_review.htm)

The application of the formulae results in the calculation of a minimum setback distance between the new or expanding livestock facility and existing or approved development and road allowances. It is the responsibility of municipalities to determine that the MDS setbacks are met when reviewing land use planning applications, such as lot creation applications, and building permits.

OMAFRA has recently conducted a review of the MDS formulae and their application. A number of changes to the MDS Formulae and Implementation Guidelines have been made. While a number of the changes are administrative and technical in nature, some have a direct impact on land use planning, including the following:

- Inclusion of a requirement for municipalities to apply MDS to development on existing lots of record unless they adopt zoning by-law provisions to exempt this requirement;
- Clarifying that MDS does not apply to extraction of minerals aggregates and petroleum resources, infrastructure, and landfills, and,
- Clarifying that MDS setbacks for agriculture-related uses and on-farm diversified uses are applied at the discretion of a municipality, through appropriate zoning by-law provisions.

The Lanark County Sustainable Communities Official Plan prescribes that all uses permitted within the agricultural resource areas shall be subject to the appropriate Minimum Distance Separation calculation. Further, the permitted uses are subject to the Municipality of Mississippi Mills Comprehensive Zoning By-law.

The Municipality of Mississippi Mills Comprehensive Zoning By-law makes reference to the MDS formulae in its Section 6 – General Provisions for All Zones. In this section, the interests of the PPS and the community official plan in regards to the MDS are withheld. In addition to these setbacks, the Mississippi Mills Community Official Plan requires specific separation distances as well. For example:

“The establishment of new non-farm buildings and structures on lands adjacent to the Agricultural designation shall maintain a setback of 150 metres from the boundary of the Agricultural designation.”

“The establishment of new non-farm buildings shall maintain a setback of 30 metres from lands which are being utilized as part of an active agricultural operation.” (Rural – Agricultural Overlay)

“Within the Almonte and Pakenham village... Under no circumstance shall the subdivision design result in residential dwellings being located closer than 30 metres to the boundary of the Agriculture designation.”

5.0 SUMMARY OF POLICY OPTIONS FOR CONSIDERATION

During the Five Year Official Plan Review of the Mississippi Mills Community Official Plan, agricultural land use policies will be evaluated.

Various scenarios were created as a result of mapping and GIS exercises using data from the Municipality of Mississippi Mills, Canada Land Inventory, Municipal Property Assessment Corporation and Ontario Ministry of Agriculture, Food and Rural Affairs.

The following scenarios were developed for consideration in the current Official Plan review.

Scenario 1:

In this Scenario, no changes are proposed to the existing lands designated as Agricultural and Rural – Agriculture Overlay in the Community Official Plan. Remaining at a status quo would retain all 11,723 hectares of the lands currently designated as agriculture in use. **Figure 3** shows the current extent of the agricultural lands as described in the 2005/2006 Community Official Plan.



**AGRICULTURE MAPPING
SCENARIO 1: EXISTING OP DESIGNATION**

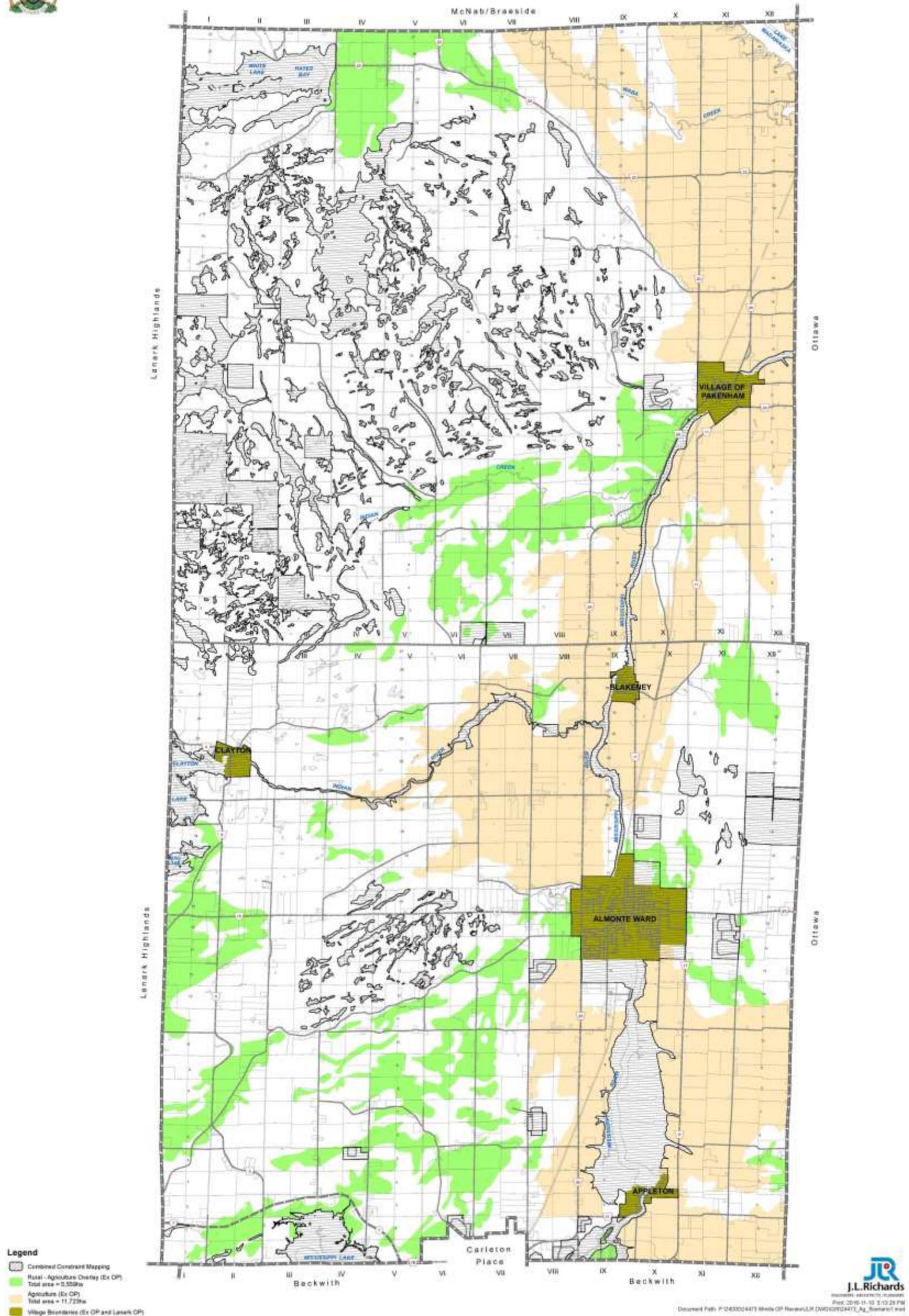


Figure 3 – Scenario 1: Existing OP designation

Scenario 1 includes predominantly Class 1 to 3 soils, however, does not include the adjacent lands or additional areas where there is a local concentration of farms.

Scenario 2:

The second option for consideration extends the agricultural designation from what exists in the current Community Official Plan. In this Scenario, the lands to be included as agricultural extend to the entirety of all parcels that contain 50% or more prime agricultural land (Class 1, 2 or 3 soils) with some exclusions based on our interpretation of the Ontario Ministry of Agriculture, Food and Rural Affairs' (OMAFRA) prescribed parameters.

According to OMAFRA's approach:

when mapping a prime agricultural area, designations should be established by utilizing common identification and delineation practices. Aspects of these practices typically include having approximately 250 hectares of generally contiguous area where prime agricultural area characteristics predominates in order to justify the establishment of a prime agricultural area and conversely requiring approximately 250 hectares of generally contiguous area where non-prime agricultural area characteristics predominates in order to justify the exclusion of lands that are surrounded by a prime agricultural area. Further when identifying the Agricultural area they should be delineated to an identifiable boundary such as a lot line road way or watercourse. To assist with the mapping of the Agricultural area, it is recommended that the Canada Land Inventory (CLI) agricultural capability mapping be obtained. This can be found through Land Information Ontario (LIO).

Table 7: Summary of Proposed Scenarios

Options	Area of Designated Agriculture Lands	Increase in Total Area of Designated Agriculture Lands	Relative Increase of Designated Agriculture Lands
Scenario 1	11,723 hectares	No increase	No increase
Scenario 2	15,560 hectares	+ 3,837 hectares	↑ +/- 33 %

*However removes the Rural – Agricultural Overlay

This option would increase the total area of agriculture lands to 15,560 hectares, roughly 3,837 hectares larger than the existing area. However this scenario removes the 5,559 hectares of Rural – Agricultural Overlay from the existing COP. **Figure 4** demonstrates this proposed option. Note the existing Agriculture and Rural – Agriculture Overlay has been added to this option to illustrate the change in boundaries.



**AGRICULTURE MAPPING
EXISTING OP AGRICULTURE VS PROPOSED AGRICULTURE DESIGNATION**

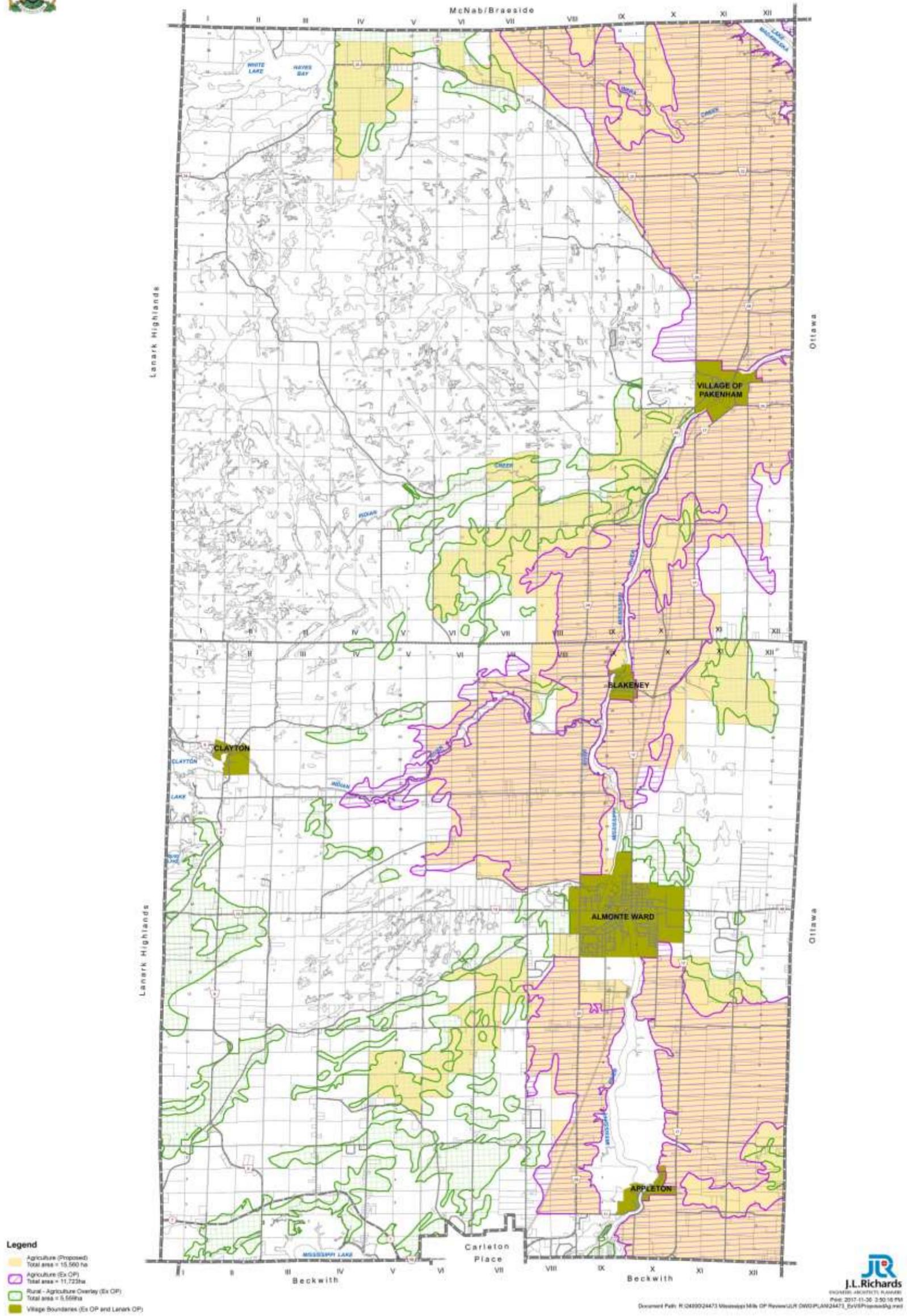


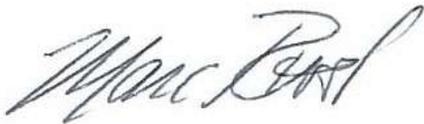
Figure 4 – Scenario 2: OMAFRA APPROACH (as interpreted)

6.0 RECOMMENDATION

A public workshop regarding agricultural land use policies in Mississippi Mills was held on November 16th, 2016 followed by discussions with the Planning Department. A meeting was held on February 9, 2018 with the Agricultural Committee. At this meeting, it was recommended that Scenario 1 – status quo be maintained as part of the current Community Official Plan Review. Furthermore, it was recommended that prior to the municipality's next Community Official Plan Five Year Review, the municipality undertakes to complete a review of its prime agricultural areas through an alternative agricultural land evaluation system approved by the Province including a review of related policies.

J.L. RICHARDS & ASSOCIATES LIMITED

Prepared by:



Marc Rivet, MCIP, RPP
Senior Planner

Reviewed by:



Tyler Duval, M.Pl.
Planner

APPENDIX A

The seven (7) identified classes of agricultural land according to The Canada Land Inventory.

- Class 1 Soils in this class have no significant limitations in use for crops. The soils are deep, are well to imperfectly drained, hold moisture well, and in the virgin state were well supplied with plant nutrients. They can be managed and cropped without difficulty. Under good management they are moderately high to high in productivity for a wide range of field crops.
- Class 2 Soils in this class have moderate limitations that restrict the range of crops or require moderate conservation practices. The soils are deep and hold moisture well. The limitations are moderate and the soils can be managed and cropped with little difficulty. Under good management they are moderately high to high in productivity for a fairly wide range of crops.
- Class 3 Soils in this class have moderately severe limitations that restrict the range of crops or require special conservation practices. The limitations are more severe than for class 2 soils. They affect one or more of the following practices: timing and ease of tillage, planting and harvesting, choice of crops, and methods of conservation. Under good management they are fair to moderately high in productivity for a fair range of crops.
- Class 4 Soils in this class have severe limitations that restrict the range of crops or require special conservation practices, or both. The limitations seriously affect one or more of the following practices: timing and ease of tillage, planting and harvesting, choice of crops, and methods of conservation. The soils are low to fair in productivity for a fair range of crops but may have high productivity for a specially adapted crop.
- Class 5 Soils in this class have very severe limitations that restrict their capability to producing perennial forage crops, and improvement practices are feasible. The limitations are so severe that soils are not capable of use for sustained production of annual field crops. The soils are capable of producing native or tame species of perennial forage plants, and may be improved by use of farm machinery. The improvement practices may include clearing of bush, cultivation, seeding, fertilizing, or water control.
- Class 6 Soils in this class are capable only of producing perennial forage crops, and improvement practices are not feasible. The soils provide some sustained grazing for farm animals, but the limitations are so severe that improvement by use of farm machinery is impractical terrain may be unsuitable for use of farm machinery, or the soils may not respond to improvement, or the grazing season may be very short.
- Class 7 Soils in this class have no capability for arable culture or permanent pasture. This class also includes rock land, other non-soil areas, and bodies of water too small to show on the maps.

THE CORPORATION OF THE MUNICIPALITY OF MISSISSIPPI MILLS

PLANNING REPORT

DATE: February 20, 2018
TO: Committee of the Whole
FROM: Andrew Scanlan Dickie – Junior Planner
SUBJECT: **ZONING BY-LAW AMENDMENT APPLICATION Z-01-17**
Concession 12, East ½ Part Lot 18
Pakenham Ward, Municipality of Mississippi Mills
Municipally known as 1491 County Road 29 N

OWNER/APPLICANT: Robert & Carolyn Sparrow

RECOMMENDATION:

THAT Council approve the necessary Zoning By-law Amendment to change the zoning of the retained agricultural parcel from Consent application B17/036 for the lands legally described as Concession 12, East ½ Part Lot 18, Pakenham Ward, Municipality of Mississippi Mills, municipally known as 1491 County Road 29 N, from the “Agricultural (A)” Zone to the “Agricultural Exception 28 (A-28)” Zone in order to reduce the minimum lot area requirement from 40ha (98.8ac) to 32.8ha (81.1ac) and to prohibit the construction of a new residential dwelling.

BACKGROUND

In March 2017, a surplus-farm dwelling consent application – B17/036 – was submitted to the Municipality of Mississippi Mills for the property legally known as Concession 12, East ½ Part Lot 18. The consent was provisionally approved in October 2017, with the landowners required to fulfil conditions set by the Municipality, one of which is to amend the zoning of the now vacant agricultural parcel to prohibit the construction of a dwelling. The associated Community Official Plan policy (Section 3.2.7) states the following:

The [Municipality] shall impose a condition on the severance of the surplus farm dwelling which shall require a zoning by-law amendment prohibiting the construction of a new residential dwelling on the farm land parcel rendered vacant as a result of the severance.

PURPOSE AND EFFECT

The purpose and intent of the Zoning By-law Amendment is to change the zoning from Agriculture (A) to Agriculture Exception 28 (A-28) to fulfil a condition for the severance of a surplus farm-dwelling property. As per the Community Official Plan, the rezoned property – vacant agricultural land – would not be permitted to have a new dwelling, or associated accessory structures constructed on it.

DESCRIPTION OF SUBJECT LANDS

The subject lands are located near the northeastern limits of the Pakenham Ward, in the Municipality of Mississippi Mills, along the City of Ottawa border. The lands are described as Concession 12, East ½ Part Lot 18, and are municipally known as 1491 County Road 29 N. The surplus farm dwelling lot size is ±2.1ha (5.2ac) and the retained property, to be rezoned, is ±32.8ha (81.1ac). The lots would have ±63.7m and ±548.9m of frontage, respectively. Neighbouring lands are predominantly agricultural. The location of the subject lands is depicted in the following Location Map and Aerial Photo:

Figure 2. – Aerial Photo (2014)



SERVICING & INFRASTRUCTURE

The properties, severed and retained, are exterior of the Ward of Almonte municipal services' boundary. Consequently, the farm dwelling utilizes private water and septic. The subject lands are accessed from County Road 29 N, a County owned and maintained road. The servicing and infrastructure demands would not change as a result of the application.

COMMENTS FROM INTERNAL CIRCULATION

Comments received based on the circulation of this application have been summarized below:

CAO: No concerns or objections.

CBO: No concerns or objections.

Clerk: No concerns or objections.

Fire Chief: No concerns or objections.

Director of Roads and Public Works: No concerns or objections.

Recreation Coordinator: No concerns or objections.

COMMENTS FROM EXTERNAL AGENCY CIRCULATION

No comments were received from external agencies as of the date this report was prepared.

COMMENTS FROM THE PUBLIC

The Municipality held a Public Meeting on January 30, 2018 to provide an opportunity for the public to comment on the application. During the Public Meeting, no one spoke in support of or in opposition to the proposal. No comments have been received as of the date this report was prepared.

EVALUATION

PROVINCIAL POLICY STATEMENT (PPS), 2014

The PPS provides policy direction on matters of provincial interest related to land use planning and development. As per Section 3(5)(a) of the *Planning Act, R.S.O. 1990*, all planning decisions must be consistent with the PPS. The following is a list of applicable sections of the PPS as well as a review of the proposal against these policies:

2.3.4 *Lot Creation and Lot Adjustments*

Lot creation in prime agricultural areas is discouraged and may only be permitted for:

- c) a residence surplus to a farming operation as a result of farm consolidation, provided that:*
 - 1. the new lot will be limited to a minimum size needed to accommodate the use and appropriate sewage and water services; and*
 - 2. the planning authority ensures that new residential dwellings are prohibited on any remnant parcel of farmland created by the severance. The approach used to ensure that no new residential dwellings are permitted on the remnant parcel may be recommended by the Province, or based on municipal approaches which achieve the same objective.*

The property in question is one of seven properties owned by the applicants and is not used as their primary residence. Thus, the dwelling is considered surplus to a farming operation as a result of consolidation.

The location of the detached dwelling, at least 160m from the front yard line, inhibits the ability to minimize the severed lot's size as it needs to maintain sufficient lot frontage according to the Municipality's Zoning By-law. A sketch of the property and building locations is found within this report's Appendix. Nonetheless, the land designated to be severed, to the understanding of the Municipality, is primarily unusable. Apart from the home and laneway, the majority of land is steeply sloped and located adjacent to a stream. Thus, the severance will negligibly impact the workable land of the agricultural parcel.

The subject Zoning By-law Amendment would rezone the consolidated agricultural parcel to prohibit a residential dwelling on the lands in order to ensure that the proposal would not result in the creation of an additional residential building lot. As such, Staff is of the opinion that the proposal is consistent with the policies of the PPS.

COMMUNITY OFFICIAL PLAN (COP)

The subject lands are designated as “Agriculture” in the Municipality’s Community Official Plan (COP). The Agriculture designation permits agricultural operations and accessory residential dwellings, non-farm residential dwellings, and home-based businesses (among others), set out in and subject to the Zoning By-law.

Agriculture Consent Policies

Section 3.2.7 of the COP provides the policies for Consents related to surplus farm dwelling severances in the Agriculture designation. The following are those relevant to this application:

3.2.7.1 Farm-related severances may be considered for a farm dwelling, built prior to the adoption of the Community Official Plan (December 13, 2005), made surplus to a farming operation as a result of farm consolidation. [...] The lot area and frontage for surplus farm dwelling lots should be kept to a minimum in order to keep as much land in agricultural production as possible, but generally should not be less than 0.4 ha in size.

The subject surplus farm dwelling was built in 1878 and is unoccupied by the land owners who reside outside of the Municipality. This property is one of seven agricultural parcels consolidated by the owners, and is intended only for their farming operations. The result is a 2.12ha severance of the non-farm residential portion, which meets the required 0.4ha minimum lot size.

The dwelling location (towards the centre of the lot) limits the ability to keep the lot size to a minimum since it is required to maintain proper lot frontage. Nonetheless, the land within the severed lot is unusable for agricultural practice due to the presence of a stream and its adjacent slopes. Thus, to the understanding of the Municipality, all land that can be used for farming would remain under production as it was prior to the Consent.

3.2.7.4 Farm-related severances may be considered for the creation of a new agricultural holding provided that:

- i. Generally, the minimum lot area for agricultural parcels shall be approximately 100 acres.*
- ii. The size of the parcels to be severed and retained is appropriate for the type of agriculture being carried out in the area.*
- iii. The minimum lot area shall be sufficiently large to ensure the long-term flexibility of the land to accommodate future agricultural uses.*

The lot in question is an original township lot set out in the initial division of municipal land. An original township lot is defined as the east or west half of a lot which was laid out as part of the original survey of Ramsay or Pakenham Townships and which is typically a 40 hectare (100 acre) parcel of land (e.g. East ½ of Lot 12, Concession 3). There are situations where the lots were originally created having less or greater than 40 hectares, often reflecting the placement of municipal boundaries. For instance, properties abutting the City of Ottawa border, such as 1491 County Road 29 N, have less area because they were created with land that remained after the original township survey.

The subject Zoning By-law Amendment application would rezone the consolidated agricultural parcel to reduce its minimum lot area requirement from 40ha (98.8ac) to 32.8ha (81.1ac). The

subject Zoning By-law Amendments would also rezone the retained agricultural parcel to prohibit the construction of a residential dwelling. Based on the above analysis, Staff views the proposal to meet the relevant policies of the COP.

ZONING BY-LAW #11-83

The subject properties are currently zoned “Agricultural (A)” by the Municipality’s Comprehensive Zoning By-law #11-83. The “A” Zone permits agricultural and non-farm residential uses.

Agricultural (A) Zone

As noted, the severance is of a surplus farm dwelling, thus the severed land would include the non-farm residential building; whereas, the retained parcel would be used strictly for agriculture. The following table outlines the minimum lot area and lot frontage requirements of the A Zone the dimensions of the proposed lots:

Table 1: RU Zone Development Standards vs. Proposed Lot Dimensions

12.2 ZONE PROVISIONS	MINIMUM LOT AREA (ha)	MINIMUM LOT FRONTAGE (m)
By-law requirement (non-farm residential lot)	0.4	45
Non-Farm Residential Lot (severed)	2.12	63.68
By-law requirement (agricultural)	40	150
Agricultural Lot (retained)	32.80	548.90

The lot to be severed would generously meet the minimum lot requirements, exceeding the minimum area by 1.72ha and the frontage by 18.68m. Agricultural severance policies encourage small lots to ensure the maximum quantity of workable land remains under production. Due to the positioning of the dwelling and the frontage requirements, the severed parcel is limited in how small it could become. Nonetheless, the land that it contains cannot be used for agriculture as it is either already developed, steeply sloped, or covered by a stream/watercourse.

The lot to be retained will not meet the minimum lot area with 32.8ha. However, the property is an original township lot whose size was made smaller due to the original township survey process; lots abutting the City of Ottawa were formed using leftover land. Consequently, the smaller property is of its original dimensions and has not been altered by severance since its creation. Thus, the property is not considered undersized by the Official Plan and can proceed with the surplus farm dwelling severance. However, the retained parcel will require a Zoning By-law Amendment to be recognized as legally permissible. In addition, the amendment would include the removal of residential structures as permitted uses to ensure the land remains used solely for agriculture.

The subject properties are currently zoned “Agricultural (A)” by the Municipality’s Comprehensive Zoning By-law #11-83. The “A” Zone permits agricultural and non-farm residential uses. The first amendment would change the zoning of the consolidated agricultural parcel from the “Agricultural (A)” Zone to the “Agricultural Exception 28 (A-28)” Zone in order to prohibit the construction of a new residential dwelling and to reduce the minimum lot area requirement from 40ha (98.8ac) to 32.8ha (81.1ac). The purpose of the prohibition of a new residential dwelling is to satisfy Subsection 2.3.4(c)(2) of the PPS, which states that new residential dwellings are prohibited on the farmland parcel. The COP and the Ontario Ministry of Agriculture, Food and Rural Affairs’ (OMAFRA) draft “Guidelines on Permitted Uses in Ontario’s Prime Agricultural Areas” generally recommend 40.5ha (100ac) as the minimum size for new parcels where livestock and cash cropping operations are the dominant forms of agriculture, but state that these parcels be sufficiently large to maintain flexibility for future changes in the type or size of agricultural operations. Given that the consolidated agricultural parcel would be 32.8ha (81.1ac), Staff is of the opinion that the parcel is of a sufficient size to maintain flexibility for future changes in the type or size of agricultural operations.

CONCLUSION

Overall, Staff supports the subject Zoning By-law Amendment application. As the purpose of rezoning the new agricultural parcel is to prohibit a new residential dwelling, the proposal is consistent with both Provincial and local policy regarding the long-term protection of prime agricultural land. A minor reduction of the minimum lot area requirement for the agricultural parcel in order to finalize the approval of the Consent application is viewed by Staff to be a logical and orderly form of development that would still allow for flexibility for future changes in the type or scale of agricultural operations. Staff views the proposal to conform to the agricultural policies of the Community Official Plan, to be consistent with the PPS, and to generally satisfy the development standards of Zoning By-law #11-83. Therefore, Staff recommends that the subject Zoning By-law Amendment application be approved.

All of which is respectfully submitted,

Andrew Scanlan Dickie
Junior Planner

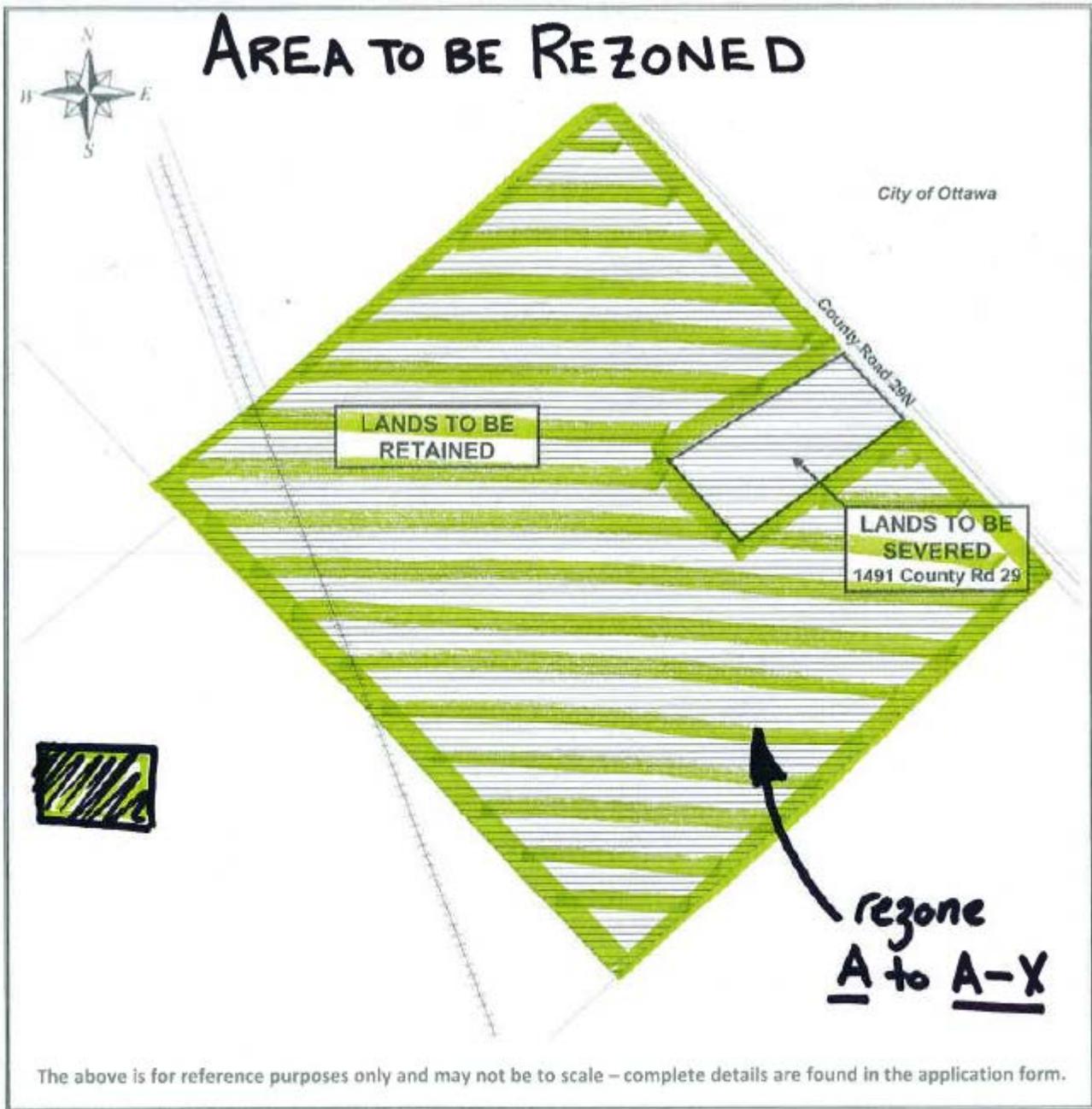
Diane Smithson
Reviewed by CAO

Attachments:

1. Zoning Sketches
2. Draft Zoning Amendment By-law 18-xx

ATTACHMENT 1

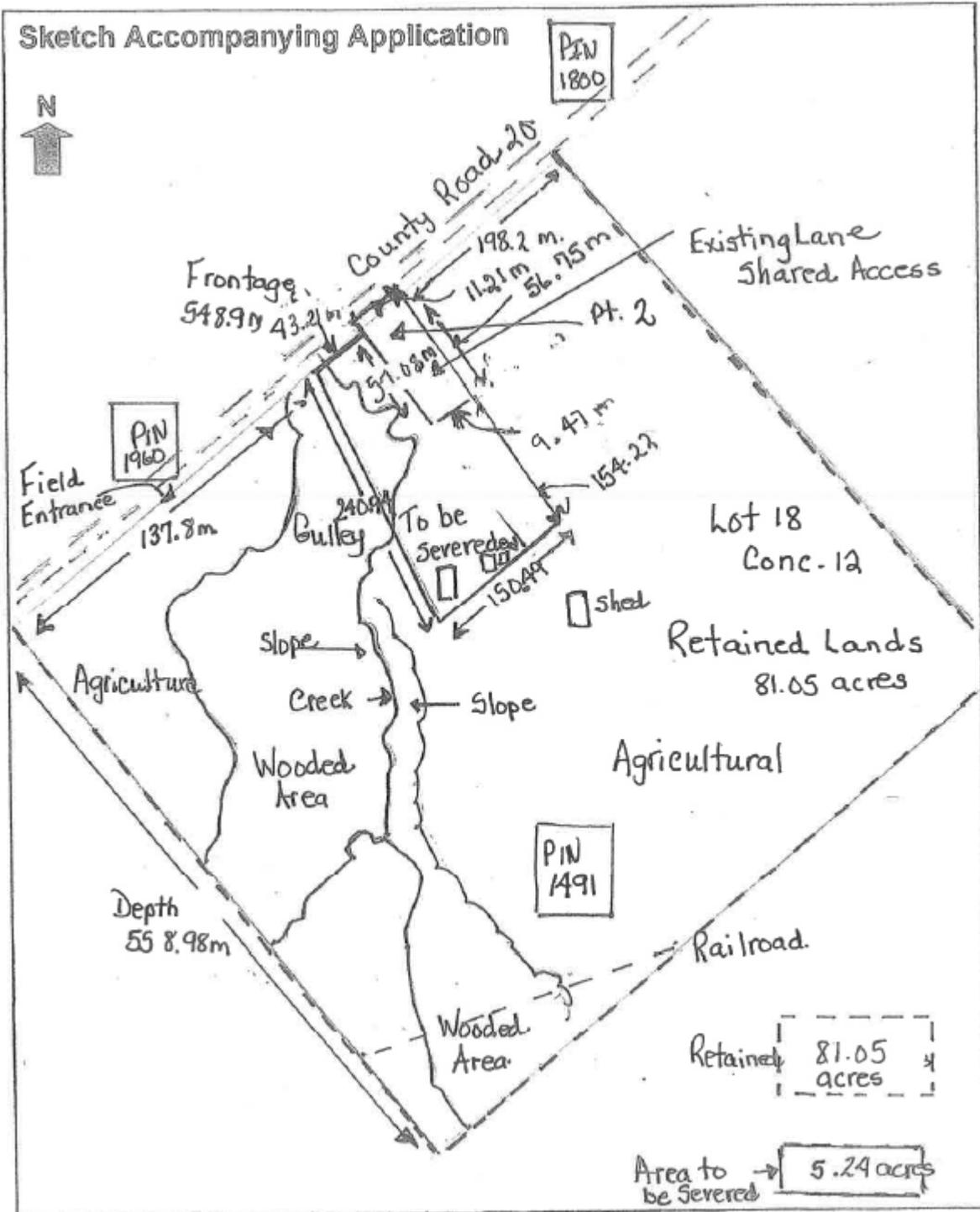
Zoning Sketch



Landowner: Robert Boyle Sparrow and Carolyn Bernice Sparrow
File No.: B17/036
Subject Land: Pt. Lot 18 Conc. 12 geographic Township of Pakenham,
now in the Municipality of Mississippi Mills.

APPLICATION FOR
CONSENT
"Sketch Only"
Prepared by Lanark County
Planning Dept.
NOT A LEGAL SURVEY

Sketch of Provisionally Approved Lots (Prepared by Applicant)



ATTACHMENT 2

**Draft By-law
THE CORPORATION OF THE MUNICIPALITY OF MISSISSIPPI MILLS
BY-LAW NO. 18-XX**

BEING a by-law to amend By-law No. 11-83 being the Zoning By-law for the Municipality of Mississippi Mills.

WHEREAS the Council of the Corporation of the Municipality of Mississippi Mills passed Zoning Bylaw 11-83, known as the Zoning By-law, to regulate the development and use of lands within the Municipality;

NOW THEREFORE the Council of the Corporation of the Municipality of Mississippi Mills pursuant to Section 34 of the *Planning Act*, R.S.O. 1990, Chapter P.13, enacts as follows:

1. That Schedule 'B' to By-law No. 11-83, as amended, is hereby further amended by changing thereon from the "Agricultural (A)" Zone to "Agricultural Exception 28 (A-28)" Zone for the lands identified on the attached Schedule 'A', which is described as Concession 12, East ½ Part Lot 18, Pakenham Ward, Municipality of Mississippi Mills.
2. That By-law No. 11-83, as amended, is hereby further amended by adding the following subsection to Section 11.3:

11.3.28 *Notwithstanding their 'A' zoning designation, lands designated as 'A-28' on Schedule 'A' to this By-law, may be used in compliance with the A Zone provisions contained in this by-law, excepting however, that:*

 - i) *all residential uses are prohibited; and*
 - ii) *the minimum lot area shall be 32.8ha*
3. This By-Law takes effect from the date of passage by Council and comes into force and effect pursuant to the provisions of the *Planning Act*, R.S.O. 1990, Chapter P.13.

BY-LAW read, passed, signed and sealed in open Council this **20th day of February, 2018.**

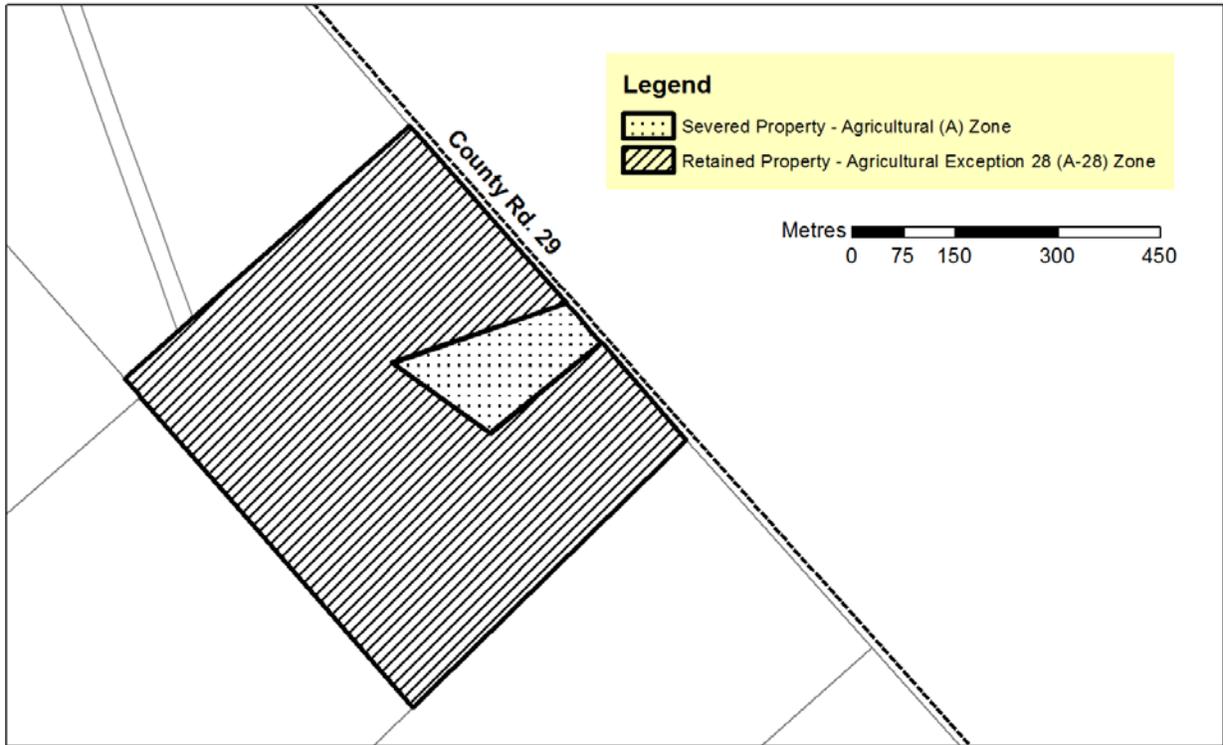
Shaun McLaughlin, Mayor

Shawna Stone, Clerk

SCHEDULE 'A' TO BY-LAW NO. 18-XX



Zoning By-law Amendment Application D14-SP-17; Z-01-17
Concession 12, Part Lot 18
Pakenham Ward, Municipality of Mississippi Mills
Municipally known as 1491 County Road 29 N



THE CORPORATION OF THE MUNICIPALITY OF MISSISSIPPI MILLS

PLANNING REPORT

DATE: February 20, 2018
TO: Committee of the Whole
FROM: Andrew Scanlan Dickie – Junior Planner
SUBJECT: **PLANNING REPORT – ZONING BY-LAW AMENDMENT Z-10-17
Concession 9, Part Lot 20, Plan 27R-8437, Parts 2 to 9
Ramsay Ward, Municipality of Mississippi Mills**
OWNER: Sonja & Daniel Wicklum
APPLICANT: ZanderPlan Inc.

RECOMMENDATION:

THAT Council approve the Zoning By-law Amendment to change the zoning of the lands described as Concession 9, Part Lot 20, Plan 27R-8437, Parts 2 to 9 from Rural (RU-16) to Rural Exception 33 (RU-33) to legally recognize those lots whose boundaries have been adjusted as part of Consent application B17/057 and B17/058 as conforming to the Municipality’s Comprehensive Zoning By-law #11-83.

BACKGROUND

In November 2002, two severance applications – B122-02 and B123-03 – were submitted to the Municipality of Mississippi Mills for a property that was legally known as Concession 9, Part Lot 20. The severances were approved and completed by Spring 2004, resulting in three non-farm residential lots located just north of the Almonte Settlement Area. From north to south, these lots are presently known as Part 3, Parts 5 & 6, and Parts 8 & 9 of Plan 27R-8437. As a condition of the consent application, the landowner applied for a Zoning By-law Amendment to specifically address the change in frontage and size for each of the lots – now known as the “Rural Exception 16 (RU-16)” Zone.

In September 2017, ZanderPlan, on behalf of Sonja and Daniel Wicklum, submitted two consent applications – B17/057 and B17/058 – for boundary adjustments between the existing lots. The additions would transfer land from the middle lot, which includes the existing single-detached dwelling (known as 5993 Martin Street N), to the northern lot, and land from the southern lot to the middle lot. The results of the boundary adjustments are two (2) lots that have increased in size while another has reduced, rendering the latter non-compliant as per the RU-16 zoning standards (outlined in Zoning By-law section of this report). Consequently, for final approval, the Consent application requires the RU-16 Zone be amended to solely address the lot size issue.

Initial concerns of the original severance of 2002-2004 related to the impact of traffic entering and exiting from the shared entranceway on Part 5 of Plan 27R-8437, particularly if future severances were to be permitted for the site. This is why the required by-law (RU-16) stated

that the frontage for each lot be a minimum of 45m (147.6ft). Neither the boundary adjustments nor the zoning amendment impact the frontage size or requirement, maintaining the intent of the original application.

PURPOSE AND EFFECT

The purpose and intent of the Zoning By-law Amendment is to change the zoning from Rural Exception 16 (RU-16) to Rural Exception 33 (RU-33) as a response to a condition imposed by a Consent approval for two (2) lot additions/boundary adjustments. The current RU-16 zone has specific minimum lot size requirements, with which one (1) of the impacted lots would be non-compliant with a smaller than required lot area. Consequently, the re-zoning would accommodate the legal construction of a future dwelling on the presently non-compliant property.

DESCRIPTION OF SUBJECT LANDS

The three (3) lands subject to the application are located in the Municipality of Mississippi Mills' Ramsay Ward. The lands are described as Concession 9, Part Lot 20, Plan 27R-8437, Parts 2 to 9. From the north to south, the current lot sizes are approximately 1.79ha (4.43ac), 4.55ha (11.25ac), and 7.56ha (18.67ac) in area with intended shared access from Martin Street N through Part 5 of Plan 27R-8437. When the Consent application has met all conditions, the lot sizes would be 4.05ha (10ac), 4.21ha (10.4ac), and 5.55ha (13.7ac), respectively. Aerials depicting the change in boundaries are as follows:

Figure 1: Original Layout



Figure 2: New Layout



The subject lands are to the approximate north of the Almonte Settlement Area, and are surrounded by various land uses. These land uses include:

- Lands to the north consist primarily of agricultural properties, with pockets of rural designated land along the wooded areas, which include non-farm residential parcels occupied by single-detached dwellings.
- Lands to the west consist of rural waterfront properties and the Mississippi River.
- Lands to the east are predominantly rural, except for the White Tail Ridge Subdivision that is within 100m from the subject lands.
- Lands to the immediate south are a combination of rural and agricultural properties, with the Almonte Settlement Area within 1.5km.

SERVICING & INFRASTRUCTURE

All properties subject to the Zoning Amendment are exterior of the Ward of Almonte municipal services boundary and thus have or require private water and septic. Although there is currently only one (1) residential entrance thus far, the three (3) properties share a right-of-way access through Part 5 of Plan 27R-8437. The properties are accessed from Martin Street N, a County owned and maintained road.

COMMENTS FROM INTERNAL CIRCULATION

Comments received based on the circulation of this application have been summarized below:

CAO: No concerns or objections.

CBO: No concerns or objections.

Recreation Coordinator: No concerns or objections.

Clerk: No concerns or objections.

Fire Chief: No concerns or objections.

Director of Roads and Public Works: No concerns or objections.

COMMENTS FROM EXTERNAL AGENCY CIRCULATION

Mississippi Valley Conservation: No comments received.

Ministry of Municipal Affairs & Housing: No comments received.

Bell Canada: No comments received.

Canada Post Corporation: No comments received.

Catholic District School Board: No comments received.

Enbridge Gas Distribution: No comments or objections.

Hydro One Networks Inc.: No comments received.

Leeds, Grenville & Lanark District Health Unit: No comments received.

Ottawa River Power Corporation: No comments received.

Rogers Cable Communications Inc.: No comments received.

Upper Canada District School Board: No comments received.

COMMENTS FROM THE PUBLIC

The Municipality held a Public Meeting on January 30th, 2018 to provide an opportunity for the public to speak to the application. Prior to the Public Meeting, one (1) correspondence was received by the Planning Department regarding the Zoning By-law Amendment application.

Two (2) people spoke at the meeting. The first, the previous landowner, offered to answer any questions the public may have of the application as they had intimate knowledge of the property. The second shared that they had correspondence with Planning Staff, who provided insight to the effects of the application. Questions raised through a general correspondence with Planning Staff are summarized as follows:

(1) What does the zoning change mean? Will higher-density units be permitted?

The zoning change is solely to address the change in minimum lot area to legally allow one of the adjusted lots to maintain its legal right to build a non-farm residential dwelling. No adjustments to the type of units is proposed – single-detached dwellings remain the only housing unit type permitted on site.

(2) Will the properties be subject to Mississippi Valley Conservation Authority regulations, such as setbacks?

All lots are subject to MVCA regulations. As part of the original severances from 2004, an agreement was registered on title that stipulated that future development would maintain the minimum setbacks from the flood line and unstable slopes, and preserve vegetation within these areas. An updated agreement is required as a condition of severance.

(3) How would the application impact the waterfront?

The zoning application would not impact the waterfront more than the existing situation. The three lots would still be limited to one dwelling each and would have to adhere to MVCA regulations, as mentioned above.

EVALUATION

PROVINCIAL POLICY STATEMENT (PPS), 2014

The PPS provides policy direction on matters of provincial interest related to land use planning and development. As per Section 3(5)(a) of the *Planning Act*, all planning decisions must be consistent with the PPS. The following is a list of applicable sections of the PPS as well as a review of the proposal against these policies:

1.1 *Managing and Directing Land Use to Achieve Efficient and Resilient Development and Land Use Patterns*

1.1.1 *Healthy, liveable and safe communities are sustained by:*

- c) avoiding development and land use patterns which may cause environmental or public health and safety concerns;*
- e) promoting cost-effective development patterns and standards to minimize land consumption and servicing costs;*

Although the boundaries of the three (3) subject lots would change, the overall land use patterns and development type would remain unaltered. The three (3) lots would continue to be permitted one (1) dwelling each, which would remain subject to MVCA regulations.

- 1.1.5.2 *On rural lands located in municipalities, permitted uses are:*
 - a) *the management or use of resources;*
 - c) *limited residential development*
- 1.1.5.4 *Development that is compatible with the rural landscape and be sustained by rural service levels should be promoted.*
- 1.1.5.5 *Development shall be appropriate to the infrastructure which is planned or available, and avoid the need for the unjustified and/or uneconomical expansion of this infrastructure.*

The three (3) lots fall outside the urban settlement area boundary and thus use private water and septic. Consequently, the only impacted infrastructure would be that of the road network. However, the County owned and maintained road would experience no changes to its expected demand. The lots, severed in 2004, increased the total possible units on the subject lands from one (1) to three (3). This maximum unit count has not varied as a result of the boundary adjustment applications of 2017, nor has the frontage along the County road. With approximately ten (10) hectares proposed for each lot, the properties would maintain the limited residential development and rural character of the surrounding area, and no expansion of Municipal or County infrastructure would be required. The only impact of the Zoning By-law amendment would be the legal recognition of the size of the lots.

COMMUNITY OFFICIAL PLAN (COP)

The subject lands are designated as “Agriculture” and “Rural” within the Municipality’s Community Official Plan (COP). The following provides a summary of the applicable Community Official Plan policies.

3.2.1 Agriculture Goals and Objectives

It is a goal of this Plan to:

Protect agricultural resources for agricultural use

The following objectives are designed to implement the goal:

- 2. *Restrict development on agricultural lands to those uses which are compatible with or supportive of the agricultural industry.*
- 4. *Require development within rural areas to be buffered and setback from the boundary of the Agricultural designation.*

3.2.2 Permitted Uses

On lands designated as “Agriculture” the following shall be permitted:

- (viii) *non-farm residential dwellings and accessory uses, including garden suites, home-based businesses, group homes and bed and breakfast establishments, as defined in the Residential section of this Plan*

Only one (1) of the three (3) subject properties currently have a non-farm residential dwelling. However, the likely future for the remaining two (2) would be in a similar capacity, which continues to be permitted by the Official Plan. All lots share the Rural and Agriculture

designation, which means that dwellings situated on rural lands would have to maintain an adequate setback. However, this policy is only applicable if “development” occurs, defined as the creation of a new lot, a change in land use, or the construction of buildings or structures that requires approval under the Planning Act. No lot is being created, there is no change in land use, and no dwelling is yet proposed; thus, there is no setback implication. Even if applicable, there would be sufficient agriculturally designated land on each lot to accommodate construction.

3.3.1 Rural Goals and Objectives

It is a goal of this Plan to:

Provide for an appropriate range of rural land uses which protect rural resources, traditional land uses, and environmental features.

3.3.2 Permitted Uses

On lands designated as “Rural” the following shall be permitted:

- (ix) non-farm residential dwellings and accessory uses, including garden suites, home-based businesses, group homes and bed and breakfast establishments, as defined in the Residential section of this Plan*

The properties were, and continue to be, permitted a non-farm residential use on both the Rural and Agriculture designations. The size of the lots and limitation on density maintain the rural character of the surrounding area and provide sufficient land to minimize impacts to environmental features.

ZONING BY-LAW NO. 11-83

The subject property is currently zoned “Rural Exception 16 (RU-16)” by the Municipality’s Comprehensive Zoning By-law #11-83. The RU-16 Zone was approved under the Municipality’s By-law no.03-52 and was a requirement of two (2) consent applications initiated in 2002 and approved in 2004. The zone reads as follows:

12.3.16 *Notwithstanding their ‘A’ zoning designation, lands designated as ‘RU-16’ to this By-law, may be used in compliance with the ‘RU’ zone provisions contained in this By-law, excepting however, that:*

- i) all buildings, structures and septic systems shall have a 30 metre setback from the top of a bank associated with the Mississippi River;*
- ii) the minimum lot frontage for a non-farm residential lot shall be 45 m (150 feet);*
- iii) the minimum lot area of the severed parcel created by consent application B122/02 shall be 1.8 ha (4.4 acres);*
- iv) the minimum lot area of the severed parcel created by consent application B123/02 shall be 7.5 ha (18.5 acres); and*
- v) the minimum lot area of the retained parcel created by consent application B123/02 shall be 3 ha (7.5 acres).*

The consent applications noted within the RU-16 Zone are now subject to a boundary adjustment, thereby altering the lot size of each property. The result is one (1) of the lots being non-compliant (Parts 8 & 9); its 5.55ha size falls short of the required 7.5ha. Consequently, the applicant has requested an amendment to change the minimum lot areas to recognize all lots as legally conforming. The properties would continue to meet all other RU provisions, inclusive of the permitted residential uses (such as detached dwellings, garden suites, and group homes) and non-residential uses (such as agriculture, conservation, forestry, hobby farm, home-based businesses, hunt or fishing camps, or Class A pits). The development would maintain the low-density rural character of the neighbouring properties. The proposed by-law is as follows:

- 12.3.33** *Notwithstanding their 'A' zoning designation, lands designated as 'RU-33' to this By-law, may be used in compliance with the 'RU' zone provisions contained in this By-law, excepting however, that:*
- i) all buildings, structures and septic systems shall have a 30 metre setback from the top of a bank associated with the Mississippi River;*
 - ii) the minimum lot frontage for a non-farm residential lot shall be 45 m (150 feet);*
 - iii) the minimum lot area of the severed parcel created by consent application B122/02, whose boundaries are amended by consent application B17/057, shall be 4.05ha (10ac);*
 - iv) the minimum lot area of the severed parcel created by consent application B123/02, whose boundaries are amended by consent application B17/058, shall be 5.55ha (13.7ac); and*
 - v) the minimum lot area of the retained parcel created by consent application B123/02, whose boundaries are amended by consent application B17/058, shall be 4.21ha (10.4ac).*

ANALYSIS

A core principle of the PPS is the management of the province's natural and economic resources, and limiting the potential impacts of development on said resources. As discussed, "development" is defined as the creation of a new lot, a change in land use, or the construction of buildings or structures that requires approval under the Planning Act. Such a development occurred in 2004 with the severance of the parent lot, which ultimately altered the primary use of the property from prime agricultural land to non-farm residential. To ensure that the Consent application does not result in the creation of a new lot, the following condition was required:

"The Certificate of Consent 'Schedule' attached to the deed/transfer [...] shall include the following condition: 'the lands to be severed are for the purpose of a lot addition only to the adjacent described as Concession 9, Part Lot 20, Plan 27R-8437, Parts [ABC] owned by [insert land owner] and any subsequent transfer, charge or other conveyance of the lands to be severed is subject to Section 50(3) [...] of the Planning Act. Neither the lands to be severed nor the adjacent lands are to be reconveyed without the other parcel unless a further consent is obtained. The owner shall cause the lands to be severed to be consolidated on title with the adjacent lands and for this condition to be entered into the parcel register as a restriction."

The proposed Zoning By-law amendment compliments current RU Zone requirements for the one (1) hectare minimum lot area of non-farm residential properties, does not alter the required lot frontage of 45m, maintains its rural character, and must continue to adhere to MVCA regulations. Therefore, the amendment is largely a matter of house-keeping for another Planning Act application.

From an aerial perspective, the lots do become increasingly irregular shaped. However, the only lands that can be added or subtracted are those along the water due to the minimal frontage along the roadway – the Ottawa Valley Recreation Trail cuts through the southeastern corner of the property. Further, the result of the lot adjustments are three (3) similarly sized properties.

CONCLUSION

Overall, Staff is of the opinion that the proposed amendment is consistent with the intent of the Provincial Policy Statement and Community Official Plan. Re-zoning the property as Rural Exception 33 (RU-33) is primarily a matter of house-keeping to legally recognize three (3) non-farm residential lots. To ensure the lots adhere to MVCA regulations and that new lots are not created, appropriate conditions are required as part of the concurrent Consent applications.

All of which is respectfully submitted,

Andrew Scanlan Dickie
Junior Planner

Diane Smithson
Reviewed by CAO

Attachments:

1. Original Survey and Lot Addition Survey
2. Draft Zoning Amendment By-law 18-xx

ATTACHMENT 2

Draft By-law

THE CORPORATION OF THE MUNICIPALITY OF MISSISSIPPI MILLS

BY-LAW NO. 18-XX

BEING a by-law to amend By-law No. 11-83 being the Zoning By-law for the Municipality of Mississippi Mills.

WHEREAS the Council of the Corporation of the Municipality of Mississippi Mills passed Zoning Bylaw 11-83, known as the Zoning By-law, to regulate the development and use of lands within the Municipality;

NOW THEREFORE the Council of the Corporation of the Municipality of Mississippi Mills pursuant to Section 34 of the *Planning Act*, R.S.O. 1990, Chapter P.13, enacts as follows:

1. That Schedule 'A' to By-law No. 11-83, as amended, is hereby further amended by changing thereon from the "Rural Exception 16 (RU-16)" Zone to "Rural Exception 33 (RU-33)" Zone for the lands identified on the attached Schedule 'A', which is described as Concession 9, Part Lot 20, Plan 27R-8437, Parts 2 to 9, Ramsay Ward, Municipality of Mississippi Mills.
2. That By-law No. 11-83, as amended, is hereby further amended by adding the following subsection to Section 23.3:

12.3.33 *Notwithstanding their 'A' zoning designation, lands designated as 'RU-33' to this By-law, may be used in compliance with the 'RU' zone provisions contained in this By-law, excepting however, that:*

 - i) *all buildings, structures and septic systems shall have a 30m setback from the top of a bank associated with the Mississippi River;*
 - ii) *the minimum lot frontage for a non-farm residential lot shall be 45m (150ft);*
 - iii) *the minimum lot area of the severed parcel created by consent application B122/02, whose boundaries are amended by consent application B17/057, shall be 4.05ha (10ac);*
 - iv) *the minimum lot area of the severed parcel created by consent application B123/02, whose boundaries are amended by consent application B17/058, shall be 5.55ha (13.7ac); and*
 - v) *the minimum lot area of the retained parcel created by consent application B123/02, whose boundaries are amended by consent application B17/058, shall be 4.21ha (10.4ac).*
3. That By-law No. 03-52 is hereby repealed.

4. This By-Law takes effect from the date of passage by Council and comes into force and effect pursuant to the provisions of the *Planning Act*, R.S.O. 1990, Chapter P.13.

BY-LAW read, passed, signed and sealed in open Council this **20th** day of **February, 2018**.

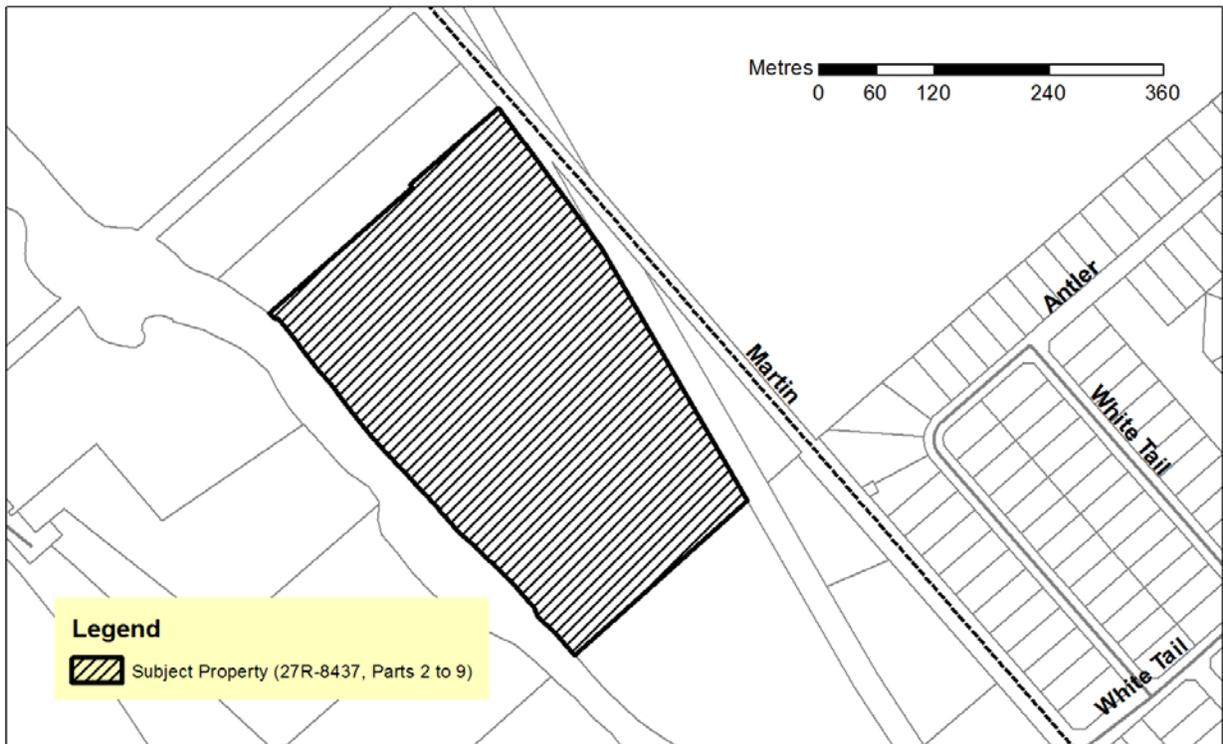
Shaun McLaughlin, Mayor

Shawna Stone, Clerk

SCHEDULE 'A' TO BY-LAW NO. 18-XX



**Zoning By-law Amendment Application D14-WI-17; Z-10-17
Concession 9, Part Lot 20, 27R-8437, Parts 2 to 9
Ramsay Ward, Municipality of Mississippi Mills
Municipally known as 5993 Martin St N**



THE CORPORATION OF THE MUNICIPALITY OF MISSISSIPPI MILLS

BUILDING REPORT

DATE: February 20, 2018
TO: Committee of the Whole
FROM: Dan J. Prest, Chief Building Official
SUBJECT: Follow up Changes to Proposed Building By-law

RECOMMENDATION:

THAT Council approve the revised Building By-law as presented.

BACKGROUND:

On January 30, 2018, a draft Building By-law was presented which included updates and additional information to outline more clearly Building Code requirements and current practices. Council referred the by-law back to the CBO for further review.

DISCUSSION:

The following is a summary of changes being presented for consideration:

- Remove Schedule 'C' – residential deposit fees in favour of 1 year permit renewal
- Clarify descriptions of fee types and categories Schedule 'F'
- Reduce the current timeframe to renew a permit from 2 years to 1 year
- Designated Materials report to be included with permit application if applicable
- Update the information on the types of permits
- Increase timeframes for review of applications from 2 to 5 days
- Outline the requirements for permit applications
- Outline required inspections
- Provision for higher construction fences where deemed necessary

FINANCIAL IMPLICATIONS:

None

SUMMARY:

That the revised Building By-law be approved as presented.

Respectfully submitted,

Reviewed by,

Dan J. Prest, CBO

Diane Smithson, CAO

Attachments:

1. Draft Building By-law 18-xx

THE CORPORATION OF THE MUNICIPALITY OF MISSISSIPPI MILLS

BY-LAW NO. 18-xx

BEING a by-law of the Corporation of the Municipality of Mississippi Mills respecting buildings.

WHEREAS Section 7 of the Building Code Act, 1992, S.O. 1992, Chapter 23, as amended, empowers Council to pass certain by-laws respecting construction, demolition and change of use permits and inspections.

AND WHEREAS Section 3.(1) of the Building Code Act, 1992, S.O. 1992, Chapter 23, as amended empowers Council to be responsible for the enforcement of the Act in the municipality, excepted where otherwise provided by this Act, 2002;

AND WHEREAS from time to time the Chief Building Official and Inspectors for the Corporation of the Municipality of Mississippi Mills have been appointed by by-law pursuant to Section 3. (2) of the Building Code Act, 1992, S.O. 1992, Chapter 23, as amended.

NOW THEREFORE the Council of the Corporation of the Municipality of Mississippi Mills enacts as follows:

1.0 SHORT TITLE

1.1 This By-law may be cited as the Building By-law.

2.0 DEFINITIONS

2.1 In this By-law:

- (1) "Act" means the *Building Code Act*, S.O. 1992, Chapter 23, including amendments thereto;
- (2) "Administration Fee" means a monetary penalty for starting to construct a structure prior to acquiring a permit, "Building Without a Permit" Section 6.6 of this By-Law.
- (3) "Applicable Law" ~~means applicable law~~ as defined in Division A Section 1.4.1.3. of the Building Code.
- (4) "Architect" means holder of a license, a certificate or practice, or temporary license under the Architects Act as defined in the Building Code
- (5) "As Constructed Plans" means as constructed plans as defined in the Building Code;

- (6) “Authorized Agent” means the applicant submitting the application on behalf of the Owner;
- (7) “Builder” means a person as described in Section 1(1) of the Act.
- (8) “Building” means a building as defined in Section 1(1) of the Act;
- (9) “Building Code” means the regulations made under Section 34 of the Act;
- (10) “Chief Building Official” means the Chief Building Official (CBO) appointed by By-law of the Corporation of the Municipality of Mississippi Mills for the purposes of the enforcement of the Act;
- (11) “Conditional Permit” means a permit issued under clause 8. (3)(c) of the Act where all conditions have not been met but where unreasonable delays in construction may occur if a permit is not granted;
- (12) “Construct” means to do anything in the erection, installation, extension or material alteration or repair of a building, and includes the installation of a building unit fabricated or moved from elsewhere and “Construction” has a corresponding meaning;
- (13) “Corporation” means the Corporation of the Municipality of Mississippi Mills;
- (14) “Demolish” means to do anything in the removal of a building or any material part thereof and “Demolition” has a corresponding meaning;
- ~~(13) “Designer” means a competent person with the qualifications and insurance in accordance with Division C — Part 3 of the Building Code;~~
- (15) “Designer” means a person as described in Section 1(1) of the Act. (see Qualified Designer)
- (16) “Farm Building” means a farm building as defined in the building code;
- (17) “Fee Schedule” means the listing of all fees and charges approved by Council from time to time.

- (18) “Fixture” means a “fixture” as defined in Division A, Section 1.4.1.2. of the Building Code;
- (19) “Major Project” means any project that is not listed in Minor Project;
- (20) “Material Alteration” means the substitution, changing, or altering of materials used in buildings, such as insulation, structural components, heating systems, plumbing, sewage systems and other building components **and systems as** described and regulated under the Building Code;
- (21) “Minor Project” includes but are not limited to these **examples**: decks, **landings, stairs, covered porches/sun rooms, docks**, minor plumbing alterations, **hot water tanks & temperature safety balance valves**, heating system installations, **fireplace solid fuel burning devices**, installations, **small sheds/garages/carports and demolitions under 500 sq. ft.**, ~~additions less than 250 sq. ft.~~, change of use, ~~interior fit ups less than 500 sq. ft.~~, pools, hot tubs, non-commercial farm buildings, and solar panel installations on roofs;
- (21) “Municipality” means the Corporation of the Municipality of Mississippi Mills;
- (23) “Occupancy” means the use or intended use of a building or part of a building for the shelter or support of persons, animals or property.
- (24) “Owner” any 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;
- (25) “Permit” means permission or authorization, in writing, from the Chief Building Official to perform work regulated by this By-law and the Act and, in the case of an occupancy permit, to occupy any building or part thereof;
- (26) “Plumbing” means plumbing as defined in Section 1. (1) of the Act;
- (27) “Professional Engineer” means a person who holds a license or a temporary license under the Professional Engineers Act;
- (28) “Project” means **a planned undertaking which includes activities that have been designed reviewed and approved by the Chief Building Official;**

- (29) “*Qualified Designer*” means a competent person with the qualifications and insurance in accordance with Division C – Part 3 of the Building Code;
- (30) “*Value of Work*” means the value of the proposed work including value of land, work, labour, equipment, materials, and design services; and
- (31) “*Work*” means anything in the construction or demolition or change of use or plumbing work for a building which is regulated by the Act and, which includes a “*Project*” that has a corresponding meaning.

2.1 Terms not defined in this by-law shall have the meaning ascribed to them in the Act or the Building Code.

3.0 **CLASS OF PERMITS**

3.1 **Permit Types**

Class of permits consist of the following classes of permits as described in detail together with their respective fees outlined in the most current Fees By-Law.

- (a) Building Permit;
- (b) Change of Use Permit;
- (c) Conditional Permit;
- (d) Demolition Permit;
- (e) HVAC Permit;
- (f) Occupancy Permit;
- (g) Transfer of Permit; and
- (h) Plumbing Permit
- (i) Solid Fuel Burning Appliance Permit

4.0 **PERMIT APPLICATION AND ISSUANCE**

4.1 **Permit Application**

The Owner or *Authorized Agent* shall file an application in writing for any class of Permit to the Chief Building Official by completing the prescribed Provincial and Municipal forms in their entirety and supplying all information with the application as deemed necessary by the Chief Building Official.

4.2 **Detail in Application for All Permits**

Every Building Permit application submitted to the Chief Building Official shall contain the following items:

- (a) Identify and describe in detail the proposed *project* and use to be covered by the *permit* for which the application is being made;
- (b) identify and describe in detail the existing uses and the proposed use(s) for which the premises are intended;
- (c) describe the land on which the *work* is to be done, by a description that will readily identify and locate the site on which the *work* covered by the *permit* is to occur. (e.g. civic address, legal description and lot measurements);
- (e) be accompanied by the applicable fees as described in the most current Fees By-Law and deposit, if applicable, as outlined in attached Schedule “H” attached to this By-law;
- (f) state the name, address, telephone number, facsimile and email of the *Owner*, Architect, Authorized Agent, *Professional Engineer*, Builder and *Designer and/or Qualified Designer* that are retained to perform *work* on the project;
- (g) in circumstances where section 1.2 of Division C Part 1 of the Building Code applies, be accompanied by a “Commitment to General Review by Architects of Engineers” form as set out in Schedule “D” of this by-law;
- (h) include, where applicable, the registration number of the builder or vendor as provided for in the Ontario New Home Warranties Act (Tarion);
- (i) state the estimated *Value of Work* as described in the definition;
- (j) be signed by the applicant;
- (k) include any documents establishing compliance to applicable law as set out in article 1.4.1.3 of Division A Part 1 of the Building Code; and
- (l) decide of the completeness of the application submitting all required documentation to demonstrate compliance;
- (m) where a construction *project* involves disturbing a ‘designated substance’, as described by Ontario Regulation 278/05 and, which applies to all buildings constructed before 1985; the ‘project’ must adhere to these regulations and a ‘Material Substance Report’, if required, will be provided to the CBO.
- (n) where a ‘Notice of Project’ is required by regulation to be submitted to the Ministry of Labour for construction, with a value over \$50,000.00, a copy shall be provided to the CBO.

4.3 Detail in Application for Demolition Permits

In addition to the requirements of Section 4.2 of this by-law, every application for a Demolition Permit under Subsection 8.(1) of the Act, may at the discretion of the Chief Building Official require:

- (a) documentation that arrangements have been made with the proper authorities for the cutting off and plugging of all water, sewer, gas, electric, telephone or other utilities and services;
- (b) that the applicant is meeting all requirements of the Labour Code and file a 'Notice of Project' with the Ministry;
- (c) that the applicant fences the demolition site to the satisfaction of the Chief Building Official as described in Section 9 of this by-law;
- (d) that in circumstances where section 1.2 of Division C Part 1 of the Building Code applies, be accompanied by a "Commitment to General Review by Architects of Engineers" form as set out in Schedule "D" of this by-law;
- (e) that the applicant clearly indicates methods of removal and disposal of materials that are following applicable laws; and
- (f) indicate the date by which demolition and disposal will be completed.
- (g) where a demolition project involves disturbing a 'designated substance', as described by Ontario Regulation 278/05 and, which applies to all buildings constructed before 1985; the 'project' must adhere to these regulations and a 'Material Substance Report', if required, will be provided to the CBO.
- (h) where a 'Notice of Project' is required by regulation, to be submitted to the Ministry of Labour for demolitions, a copy shall be provided to the CBO.

4.4 Detail in Application for Conditional/~~Partial~~ Building Permits

Where application is made for a ~~Partial~~ Conditional permit under Subsection 8(3) of the Act, the application shall contain;

- (a) a written statement from the Applicant explaining the reasons why the Applicant believes that unreasonable delays in construction would occur if a Conditional Permit is not granted;
- (b) a written acknowledgement from the Applicant of the necessary approvals which must be obtained in respect of the proposed construction and the time-period in which such approvals are proposed to be obtained by the Applicant; and,
- (c) a written agreement, in the form provided by the Chief Building Official, executed by the Applicant, the Owner and all other persons that the Chief Building Official considers appropriate for the purposes set out in clause 8.(3)(c) of the Act.

4.5 Detail in Application for a Change of Use Permit

Where application is made for a Change of Use Permit issued under Section 10 of the Building Code, the application shall;

- (a) describe the building in which the occupancy is to be changed by a description that will readily identify and locate the building;
- (b) identify and describe, in detail the current and proposed occupancies of the building or part thereof for which the application is made;
- (c) include plans and specifications which show the current and proposed occupancy of all parts of the building, and which contain sufficient information to establish compliance with the requirements of the Building Code, including: floor plans, details of wall, ceiling and roof assemblies, identifying required fire resistance ratings and load bearing capacities;
- (d) state the name, address, e-mail (if available) and telephone number of the owner and any *authorized agent*; and,
- (e) be signed by the owner or *authorized agent* who shall certify the truth of the contents of the application.

4.6 Detail in Application for a Renewable Energy Permit

Where application is made for Renewable Energy Approvals, the application shall ensure the following;

- (a) That any structure supporting a wind turbine shall have a name plate capacity of more than 3kW (smaller turbines do not require a building permit);
- (b) That a building-mounted solar collector shall have a face area equal to or greater than 5.0 m²; and
- (c) meet the standards of Ontario Reg. 359/09.

4.7 Detail in Application for a Plumbing Permit

In addition to the requirements of Section 4.2 of this by-law, the Chief Building Official may request the following:

- (a) plans to show the location of all drain, waste, and vents of proposed plumbing;
- (b) that the permit only be granted to a licensed plumbing contractor, or their authorized agent or, an owner of a single-family dwelling who undertakes the plumbing work on the premises in which he or she resides **providing it is accompanied by a detailed drawing acceptable to the CBO describing the detailed design of the proposed system or proposed changes.**
- (c) Exception: No plumbing permit shall be required for:

- (i) repairing or the replacement of a valve faucet or fixture;
- (ii) repairing a leak or forcing out a stoppage; or
- (iii) the replacement of a hot water tank.

4.8 Delegation to Chief Building Official

The Chief Building Official is authorized to execute the written agreement referred to in Section 4.4(c) of this by-law on behalf of the Corporation where;

- (a) the Applicant has complied with Section 4.4; and,
- (b) The Chief Building Official is satisfied that the compliance required under Section 8 of the Act has been achieved.

4.9 Contents of Agreement

The Chief Building Official may require financial securities be provided to the Corporation as a condition for issuance of a Conditional Permit.

4.10 Registration of the Agreement

Where deemed necessary by the Chief Building Official, the agreement referred to in Section 4.4(c) of this by-law may be registered on title to the lands upon which the building or part thereof is located or will be located for which the application for Permit has been made. All registration costs are the responsibility of the Owner of the property where the Work will be taking place.

4.11 No Implied Future Permits

The Chief Building Official shall not, due to the issuance of a Conditional Permit or Partial Permit be under any obligation to grant any further Permits.

4.12 Material Changes After Permit Issued

Should a Permit Holder wish to make any material change to any plan, specification, document or other information on the basis upon which the Permit was issued, the Permit holder must file an application for revision to the Permit. The provisions of Sections 4.0 and 5.0 of this by-law apply to the application for revision as if the application was entirely new.

4.13 Incomplete Applications

All Permit applications must contain the information required pursuant to this By-law. In addition, an application is incomplete where the Chief

Building Official determines within ~~two (2) working days~~ **5 working days, not including day of submission**, that the proposed work or change of use will not comply with the Act, the Building Code, or any other applicable law. The Chief Building Official may refuse an application if anything required by this Section or Section 5.1 is omitted or submitted in an incomplete or unsatisfactory state at the time of application and a written statement of reasons for the refusal must be provided.

4.14 Abandoned Applications

An application for a Permit is considered to have been abandoned by the Applicant where:

- (a) the application is incomplete and remains incomplete six (6) months after it was submitted;
- (b) the application is complete, a Permit is available to be issued, and six (6) or more months have elapsed from the date upon which the Corporation notified the applicant of the availability of the Permit.

4.15 Transfer of Permits

Where a property, which is the subject matter of an open Permit is sold, the new Owner **shall** obtain a transfer of the Permit into his or her name **and, shall complete a Permit application** and, **shall paying** the administrative transfer fee prescribed in the most current Fees By-Law. **A new building permit will be issued, and the previous permit closed.** The new Owner shall then be the Permit Holder for the purposes of this By-law, the Act and the Building Code.

4.16 Revocation of Permits

The Chief Building Official, subject to provisions outlined in subsection 8.(10) of the Act has the authority to revoke a permit issued under the Act.

4.17 Permit Allowances and Descriptions

The chart in Schedule "F" outlines and describes all permit types.

4.18 Permit Renewals

Permits to be renewed after an initial period of **one (1) year** but shall not be renewed for a period of longer than one (1) year, for every renewal period after the initial period.

5.0 PLANS AND SPECIFICATIONS

5.1 Submission

Every applicant shall submit two (2) sets of plans, specifications, documents and other information drawn using a strait edge/ruler on material that would enable the Chief Building Official to determine whether the proposed construction, demolition, or change of use conforms to the Act, the Building Code, including but not limited to plans as listed on Schedule "A" and any other applicable law.

5.2 Site Plans

Site plans shall be referenced to an up-to-date survey when available and, when required to demonstrate compliance with the Act, the Building Code or other applicable law. A copy of the survey shall be submitted to the Chief Building Official.

Site plans shall show:

- (a) Lot size, dimensions of the property, setbacks to property lines for any existing or proposed buildings. All drawings are to be drawn to scale with the scale clearly identified and using a straight edge tool;
- (b) The dimensioned location of any other existing building(s), pools, hot tubs, decks, wells, septic, hydro lines on the property;
- (c) Existing right-of-ways, easements and municipal services;
- (d) Exterior lighting details which conform with the Municipality's Lighting By-law.
- (e) Location of any new proposed driveway from a public road. (A new driveway will require approval from public works department)

5.3 Grading plans

Grading Plans shall be referenced to an up-to-date survey when available and, when required to demonstrate compliance with the Act, the Building Code or other applicable law. A copy of the survey shall be submitted to the Chief Building Official and include:

- (a) Accurate geodetic survey elevations when possible;
- (b) A permanent bench mark for reference;
- (c) Footing elevations, where step footings indicate elevations of all steps, elevations of footings on frost walls;
- (d) Top of foundation wall where step foundations show all elevations;
- (e) Average grade around foundation and spot elevations;

- (f) Garage floor, basement floor, 1st and 2nd floor elevations, peak roof elevation, sump hole elevation and elevations of building heights where height of buildings are critical;
- (g) Driveway, walkways, decks, retaining walls, walkout elevations, parking yards, turnarounds;
- (h) Slopes of yards, driveways, terracing or berming;
- (i) Swales, grade elevations, outlet elevations and inlet elevations.
- (j) **Drainage plan showing the location of termination of sump discharge line and/or any other appliance that discharges water to the exterior including eavestroughs, pools and hot tubs and surface drainage.**

5.4 Essential Information

In lieu of separate specifications, the Chief Building Official may allow the essential information to be shown on the plans, but in no case shall such terms as “in accordance with the Act”, “legal”, or similar terms be used as substitutes for specific information.

5.5 Wellhead Protection Areas and Intake Protection Zones

Lot grade and drainage plans must be submitted as part of the building permit application where a septic system is proposed in an area where it would be a significant drinking water threat (Wellhead Protection Areas (WHPAs) and Intake Protection Zones (IPZs) with a vulnerability score of 10 only). Two (2) copies of a site plan will be required to be completed by a Professional Engineer (P.Eng) registered in the Province of Ontario and shall include the following:

- (a) Title block (owner/applicant, address/legal description of property, firm preparing the drawing, scale, date of submission, revision date);
- (b) North arrow, legend, geodetic benchmarks used;
- (c) Property lines, roads, existing surface features;
- (d) Existing grades referenced to a permanent benchmark;
- (e) Existing swales, ditches, watercourses, etc. with elevations and arrows indicating the surface drainage direction;
- (f) Proposed location of buildings, septic tanks and outline of tile beds (septic system footprint/envelope referred to above), and well;
- (g) Proposed final grades referenced to a permanent benchmark;
- (h) Final drainage patterns with elevations and arrows indicating the drainage direction, including direction of drainage on proposed paved, graveled and grassed areas;
- (i) Final features that impact drainage such as retaining walls, culverts, roof downspout locations.

5.6 Legibility

All plans submitted must be legible and drawn to scale upon paper or other suitable and durable material or electronic media approved by the Corporation.

5.7 “As Constructed” Drawings

On completion of the construction of a building, or part of a building, the Chief Building Official may require a set of “as constructed” plans, including a plan of survey showing the location and confirming the elevation of the building.

5.8 Corporation Property

Plans and specifications furnished in accordance with this by-law or otherwise required by the Act become the property of the Corporation and will be disposed of or retained in accordance with relevant legislation.

5.9 Alternative Solutions

Where an application for a permit or for authorization to make a material change to a plan, specification, document or other information based on which a permit was issued contains an alternative solution, the following information shall be provided to the Chief Building Official:

- (a) identify an applicable objective, functional statement and acceptable solutions;
- (b) describe a basis for past performance, established tests of the solutions or other evaluation of the solution.

6.0 FEES AND REFUNDS

6.1 Payment Required

Fees for the required permit shall be based on the service index as listed in the most current Fees By-Law. The Applicant shall pay these fees at the time of application. No Permit shall be issued until the fees have been paid in full. Administrative fees imposed after issuance of a Permit are due at the time the service is requested or required.

6.2. Changing Permit Fees

The Corporation, prior to passing a by-law under clause 7 (c) of the Act to introduce or change a fee imposed for applications for permits or for the

issuance of permits, shall in accordance with sentence 1.9.1.2. of the Building Code do the following:

- (a) hold at least one public meeting at which any person who attends has an opportunity to make representations with respect to the matter;
- (b) ensure that a minimum of 21 days' notice of the public meeting is given to every person and organization that has, within five (5) days before the day of the meeting, requested such notice; and
- (c) ensure that the notice include an estimate of the costs for administering and enforcing the Act, the amount of the fee or any change to the existing fee and the rationale for imposing or changing the fee.

6.3 Refunds

In the case of withdrawal or abandonment of an application, or the refusal or revocation of a permit, upon written request, the Chief Building Official shall determine the amount of fees, if any, that may be refunded, in accordance with Schedule "B" to this by-law.

6.4 Where Refunds Not Available

No refund of any portion of the Permit fee paid shall be made in the following circumstances:

- (a) where the calculation in accordance with Section 6.3 of this by-law yields a payment of less than fifty (\$50.00) dollars;
- (b) where a Permit was revoked (except where the revocation is due to an error by the Corporation); and
- (c) in circumstances where the application has been deemed to have been abandoned in accordance with Section 4.14 of this By-law, and the applicant has not contacted the Corporation for a period longer than **six (6) months**.

6.5 Deposit Fees

At the discretion of the Chief Building Official, deposit fees as set forth in Schedule C" of this By-Law, may be required at the time of permit issuance.

6.6 Building Without a Permit

Where an owner commences with construction, demolition, building, or material alteration prior to the issuance of the required building permit the

owner may be required to pay an administrative fee in the amount set forth in the current Fees By-Law for either a Major Project or a Minor Project.

7.0 NOTICE REQUIREMENTS FOR INSPECTIONS

7.1 Notices Under Subsection 1.3.5. Division C Part 1 of the Ontario Building Code:

- (a) The Permit Holder or authorized agent shall notify the Chief Building Official of readiness for inspection at least two (2) business days (not including the day of notification) in advance of each stage of construction for which notice in advance is mandatory under article 1.3.5.1., Division C. Part 1 of the Building Code. After the mandatory notice has been given, an inspector shall undertake a site inspection not later than two (2) days after the notice is given.
- (b) The Permit Holder or authorized agent shall notify the Chief Building Official of completion as prescribed by Section 11 of the Act or where occupancy is required prior to completion and shall notify the Chief Building Official of readiness for inspection to ensure that the requirements of Section 11 of the Act and subsection 1.3.5.1, Division C Part 1 of the Building Code are complied with.
- (c) A notice pursuant to this section is not effective until written or oral notice is received by the Chief Building Official or his designate.
- (d) **Occupancy inspections are required for all projects that involve the occupancy of any new building or addition.**
- (e) **Final inspections are required for all projects.**

7.2 Additional Notices

The Permit Holder or authorized agent shall notify the Chief Building Official or his designate of commencement of construction of:

- (a) a masonry fireplace; or
- (b) completion of a public pool or public spa, or
- (c) **solid-fuel burning device - example (wood stove, fireplace insert, furnace)**

7.3 REQUIRED INSPECTIONS:

- 1) Underside of footing, excavation
- 2) **Forms for footing, foundation, piers, posts or other point loads**
- 3) **Insulated Concrete Forms (ICF)**
- 4) Prior to Backfill of foundation includes damp proofing, water proofing, drainage layer, drainage tile, granular layer
- 5) Plumbing - underground

- 6) Framing I – all buildings, decks, accessory structures
- 7) Mechanical components
- 8) Plumbing Rough-in includes air/water tests, ball tests and design components
- 9) Air Barrier/2nd plain of protection – if applicable
- 10) Insulation/Vapour/Air Barrier
- 11) Framing II – Subsequent framing of decks, or other areas not included in main inspection.
- 12) Insulation final – final including ceiling, documentation.
- 13) Grading – rough grading away from building.
- 14) Occupancy – includes required framing, plumbing, mechanical, insulation, HVAC completion.
- 15) Final interior – all interior areas completed
- 16) Final exterior – all grading, decks, guards, and landscaping completed

8.0 PRESCRIBED FORMS

- 8.1** The forms prescribed for use as applications for permits, orders and inspection reports shall be as set out in Schedule “D” to this By-law.

9.0 CONSTRUCTION DEMOLITION FENCING

9.1 Fencing Requirements

Where in the opinion of the Chief Building Official, a construction or demolition site presents a hazard to the public, the Chief Building Official may, under clauses 7(1) and 7(2) of the Act, require the erection of such fencing as he or she deems necessary to abate the hazard.

9.2 Fencing Requirements

The height of the fence shall be a minimum of 1.2 meters (4 feet) to be measured from the highest adjacent grade or higher, if in the opinion of the Chief Building Official, it is deemed necessary to ensure public safety.

9.3 Fencing Construction

Every fence required under this By-law shall be located on the perimeter of the site as determined by the Chief Building Official as follows;

- (a) if of chain link construction, the chain link shall be fastened to a minimum 1½ inch inside diameter metal bar which is securely fastened to metal posts at not more than 3.0 meter (10 feet) on centre and embedded into the ground to provide rigid support;

- (b) If of wood construction, the exterior face shall be minimum ½ inch exterior grade plywood or OSB or equivalent material that will not facilitate climbing. The facing shall be supported by a minimum 4x4 inch posts embedded in the ground at a minimum 2.4 meters on centre to provide rigid support;
- (c) If the fence is snow fencing or plastic mesh type, the fencing should be securely fastened to steel T-bar posts at 3.0 meters on centre and embedded in the ground to provide a rigid support, and
- (d) Other materials or methods may be substituted provided in the opinion of the Chief Building Official there is an equivalent degree of safety.

9.4 Fencing Openings

The fence may provide openings sufficient to accommodate access to the site provided these openings are closed off when work at the site has ended for the day.

10.0 CODE OF CONDUCT

The Chief Building Official and Inspectors shall be required to conform to the Municipality's Code of Conduct as detailed in Schedule "E" in this By-Law in accordance with Section 7.1 (1) of the Act.

11.0 ALLEGED BREACH OF CONDUCT IF UNRESOLVED AND DISPUTE RESOLUTION OF NON-TECHNICAL NATURE

Where it is the opinion of persons that a breach of conduct or non-technical disputes may have occurred, the following procedure shall be followed:

- (a) A letter shall be delivered to the Chief Administrative Officer in confidence.
- (b) The letter shall clearly explain the perceived violation of conduct, the date the violation occurred and who was affected
- (c) The Chief Administrative Officer upon receiving this notice will, depending on the nature of the violation, discuss the matter with the perceived offender and obtain a written submission from the accused as to the detail
- (d) The Chief Administrative Officer shall arrange a meeting between the parties to attempt to resolve the issue.
- (e) A written declaration of the Chief Administrative Officer's action on the matter will be sent to all affected parties.

12.0 APPOINTMENTS AND CONTRACT AGREEMENTS

Staff and principal authorities shall be appointed by a By-law for specific duties based on qualifications and registration as set out in the Ontario Building Code. Appropriate appointments shall be registered with the Ministry of Municipal Affairs and Housing.

13.0 DISPUTE RESOLUTIONS, REVIEWS & APPEALS (Section 24 of the Act)

13.1 Section 24(1) of the Act outlines area of dispute.

13.2 Where a dispute occurs, all parties shall attempt to resolve the issue in an amicable manner.

- (a) Issues of process and of a non-technical nature shall follow a similar process as outlined in Section 11 of this By-law.
- (b) Issues of a technical nature or of direct interpretation of the Building Code Act or the Building Code shall be made through an application to the Building Code Commission for a hearing in accordance with Section 24(1) of the Act.
- (c) The decision of the Building Code Commission shall be final.

14.0 PENALTIES AND OFFENCES

Any person who contravenes any provision of this By-law is guilty of an offence as provided for in Section 36 of the Ontario Building Code Act.

15.0 SCHEDULES "A", "B", "~~G~~", "D", "E" AND "F"

Schedules "A", "B", "~~G~~", "D", "E" and "F" hereto form part of this by-law.

16.0 REPEAL

By-law No. 16-13 and any other by-laws inconsistent with this By-law shall be and are hereby repealed.

17.0 ENACTMENT

This By-law shall come into full force and take effect on the passing thereof.

BY-LAW READ, passed, signed and sealed in open Council this xx day of xxxx, 2018.

Shawn McLaughlin, Mayor

Shawna Stone, Clerk

SCHEDULE "A" TO BY-LAW 18-xx

LIST OF WORKING PLANS AND DRAWINGS REQUIRED FOR PERMIT

Unless otherwise noted, two (2) sets of the following plans must be submitted:

- Site/Drainage Plan
- Framing Plans
- Reflected Ceiling Plans
- Building Elevations
- Heat Loss Gain Plan
- Energy Efficiency Design
- Duct Design
- Heating, Ventilation and Air Conditioning Drawings
- Plumbing drawings
- Fire Alarm and Sprinkler Plan
- Fire Separations and/or STC

Note: The Chief Building Official may specify that not all the above-mentioned plans are required to accompany an application for a permit.

DRAFT

SCHEDULE "B" TO BY-LAW 18-xx

REFUND PERCENTAGES

- (a) Eighty percent (80%) if application is filed and no processing or review functions have been performed;
- (b) Seventy percent (70%) if administrative and zoning functions only have been performed;
- (c) Forty-five percent (45%) if administrative, zoning, and plan examination functions have been performed;
- (d) Thirty-five percent (35%) if the permit has been issued and no field inspections have been performed after permit issuance; and,
- (e) Five percent (5%) shall additionally be deducted for each field inspection that has been performed after the permit has been issued.

DRAFT

SCHEDULE "C" TO BY-LAW 16-13

DEPOSIT FEES

Deposit Amount	Projects Covered	Release Criteria
\$200 for a maximum of three (3) projects running concurrently	Decks, Porches, Landings & Verandahs 1-200 ft ² ; Swimming Pools/Hot tubs; Finished Basements ≤ 300 ft ² ; Solar Panels; Agricultural buildings ≤1200 ft ² ; Basement foundation and wall repairs; New plumbing installed in existing house Insulation and VB for existing structure; Furnace and Woodstove install; All projects not listed ≤ \$5000 in value; Misc. projects as required by CBO.	When final inspections and file is closed.
\$400 for a maximum of three (3) projects running concurrently	Decks, Porches & Verandahs > 200 ft ² ; Additions ≤ 200 ft ² ; Agricultural buildings ≤1200 ft ² ; Agricultural buildings > 1200 ft ² ; Finished Basements > 300 ft ² ; New Full Foundation Basement installs; All projects not listed > \$5000 but ≤ \$10,000 in value; Misc. projects as required by CBO	When final inspections and occupancy issued, and file is closed.
\$600	Additions > 200 ft ² ; Agricultural buildings > 1200 ft ² ; All projects not listed > \$10,000 in value; Misc. projects as required by CBO	When final inspections and occupancy issued, and file is closed.
\$1,200	New Single-Family Dwellings New Multi-Dwelling Units (Triplex, Duplex, Apartments)	When final inspections and occupancy issued, and file is closed.
\$2500.00 lump sum annual fee.	Established large quantity home builders Dedicated Home Builders in subdivision within Mississippi Mills & Home Builders that erect 6 or more homes in a year within the Mississippi Mills	At year end or can be a revolving deposit that is carried over year to year. Any issues legally with the contractor would allow the department to use this balance for compliance.
Deposit Fees	Will be returned to the individual	Deposit cheque held 6

	or entity/corporation that provided deposit.	months; option/adjust date/provide new cheque further 6 months. Cheque cashed at 12 months.
Inspection Fees- Additional	Additional inspections required due to called for but not ready, multiple failures incomplete work, no access to property, missing documents, other situations deemed by the CBO that would be considered over and above the average inspections required for a project of similar nature. These fees will be invoiced to the owner.	These fees may be deducted from the deposit, invoiced to the owner or added to the tax account as provided for under the Ontario Municipal Act.

Note: At any time, the Chief Building Official, at their discretion, may allow for an altered deposit amount.

DRAFT

SCHEDULE "D" TO BY-LAW 18-xx

PRESCRIBED MINISTRY OF HOUSING AND ONTARIO BUILDING CODE FORMS

- | | |
|--------|--|
| Form 1 | Application for a Permit to Construct or Demolish, incorporates Application for Conditional Permit |
| Form 2 | Application for Change of Use Permit |
| Form 3 | Commitment to General Reviews by Architect and Engineers |
| Form 4 | Order Requiring Tests and Samples under Section 18(1) of the Building Code Act, 1992 |
| Form 5 | Order to uncover under Section 13(6) of the Building Code Act, 1992 |
| Form 6 | Order Not to Cover or Enclose under Section 13(1) of the Building Code Act, 1992 |
| Form 7 | Order to Comply under Section 12(2) of the Building Code Act, 1992 |
| Form 8 | Stop Work Order under Section 14(1) of the Building Code Act, 1992 |

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SCHEDULE “E” TO BY-LAW 18-xx

BUILDING OFFICIALS CODE OF CONDUCT AS PASSED BY COUNCIL

1.0 Introduction

The Municipality of Mississippi Mills has created this code of conduct in accordance with the provisions of the Building Code Act. Building Officials undertake building certification functions that ensure the quality, structural integrity and safety of buildings. Building Officials are exposed to potential conflicts of interest because of the special powers conferred on them. The conduct and behavior of the Municipality of Mississippi Mills Building Officials reflects the Municipality of Mississippi Mills Building Department’s commitment to the highest standards of professionalism, technical competence, skill, honesty, fairness and independence. Building Officials observe both the letter and the spirit of this code of conduct as it pertains to situations that bear on their responsibilities.

2.0 Purpose

The purposes of this code of conduct are to:

- promote appropriate standards of behavior by Building Officials in the exercise of their powers and performance of their duties;
- prevent practices which may constitute an abuse of power, and
- promote appropriate standards of honesty and integrity.

3.0 Standards of Conduct and Professionalism

In addition to any Policy and with respect to any “Code of Ethics and Conduct applying to all municipal staff”, Municipality of Mississippi Mills Building Officials shall undertake always to:

1. Act in the public interest, particularly regarding the safety of building works and structures;
2. Maintain their knowledge and understanding of the best current building practice, the building laws and regulations relevant to their building certifying functions;
3. Commit themselves to a process of continuous education to constantly be aware of developments in building design, practice and the law relevant to their duties;
4. Comply with the provisions of the Building Code Act, the Building Code and any other Act or Law that regulates or governs Building Officials or their functions;

5. Avoid situations where there may be, or where there may reasonably appear to be, a conflict between their duties to their clients, their profession, their peers and the public at large and their personal interests;
6. Not act beyond their level of competence or outside their area of expertise;
7. Apply all relevant building laws, regulations and standards strictly and without favour and independent of the influence of interested parties;
8. Perform their inspections and certifying duties impartially and in accordance with the highest professional standards.
9. Not divulge any confidential or sensitive information or material that they become privy to in the performance of their duties, except in accordance with laws governing freedom of information and protection of privacy.
10. To avoid any conduct that could bring Building Officials or the Municipality of Mississippi Mills into disrepute;
11. Extend professional courtesy to all;
12. Accept responsibility for the conduct of their subordinate employees;
13. Maintain current accreditation to perform the functions assigned to them;
14. Take all reasonable steps to ascertain and document all available facts relevant to the performance of their duties; and
15. Exemplify compliance with all regulations and standards that govern building construction, health and safety or other matters related to their status as a Building Official.

4.0 Guideline for Responding to Misconduct Allegations

The Building Code Act provides that the performance of Building Officials will be measured against this code of conduct. In response to any allegation of a breach of this code, the Chief Building Official shall direct an investigation and where appropriate, recommend disciplinary action against any Building Official who fails to comply with this code of conduct. Where the allegation is against the Chief Building Official; the Planner, as Supervisor will direct the investigation and make such recommendations as are reasonable to the Chief Administrative Officer.

In determining the appropriate discipline, the Chief Building Official or Planner/Chief Administrative Officer will have regard to the relevance of the conduct to the Official's powers and responsibilities as well as the severity of any misconduct. Disciplinary Action arising from violations of this code of conduct is the responsibility of the Municipality of Mississippi Mills Administration and is subject to relevant collective agreements, or employment laws and standards.

NOTE: The following fee descriptions have been used for many years. I have modified the descriptions in an effort to provide clarity and further information to describe how projects are assessed.

SCHEDULE “F” TO BY-LAW 16-13

PERMIT FEE DESCRIPTIONS

Description	Permit Information
RESIDENTIAL	
Single Family Dwelling Unit	Details: Includes all finished areas above the basement, all finished basement areas, all plumbing fixtures, 1 - rear deck of unlimited size, 1 - front porch and up to a 3-bay attached garage. All items must be included at time of application.
Townhouse/ Row House/ Carriage House/ Garden Suites Dwelling Unit	Details: Includes all finished areas above the basement, all finished basement areas, all plumbing fixtures, 1 - rear deck of unlimited size, 1 - front porch and up to a 3-bay attached garage. All items must be included at time of application.
Semi Detached Dwelling Unit	Details: Includes all finished area above the basement, all finished basement areas, all plumbing fixtures, 1 - rear deck of unlimited size, 1 - front porch and up to a 2-bay attached garage. All items must be included at time of application.
Apartment Unit	Details: Includes Finished Apartment with all Plumbing Fixtures and Balcony/Patio.
Buildings relocated to Municipality without a CAN-CSA A277 certificate.	Details: As described for a single-family dwelling unit. Includes all finished areas above the basement, all finished basement areas, all plumbing fixtures, 1 - rear deck of unlimited size, 1 - front porch and up to a 3-bay attached garage. All items must be included at time of application.
Buildings relocated to Municipality with a CAN-CSA A277 certificate.	Details: Fee, as described for a ‘Foundation or Crawl Space’ only. All other construction will require additional fees.
Residential Finished Area	Details: New residential apartment units, additional finished basement area and, other projects of similar nature as determined by the Chief Building Official.
Foundation or Crawl Space	Details: Fee for new foundations under existing buildings and/or future buildings.
Residential Accessory Building or Carport	Details: Maximum size of 400ft ² for ‘accessory building’, any ‘accessory building’ greater than that area will be charged as a ‘New Residential Garage’. No size limit on Carport.
Residential Garage (Detached or Attached and Un-insulated)	Details: Not used for commercial uses other than basic home-based business uses permitted in the most current version of the Mississippi Mills Zoning By-Law

Residential Garage Detached/Attached/Insulated	Details: Not used for commercial uses other than basic home-based business uses permitted in the most current version of the Mississippi Mills Zoning By-Law
Uncovered Deck	Details: Includes decks on ground and decks with in ground footings.
Covered Deck / Porch	Details: Includes floating decks on ground and/or decks with roof supports and in ground footings.
Verandah	Details: Same as a covered deck or porch but enclosed and not heated.
Landing	Details: Covered/Uncovered, on ground/in-ground & footings support no greater than 25 sq. ft. area.
Residential Pool – no deck	Details: Fully surrounded by a required barrier as per the most current pool bylaw requirements.
Residential Pool - with deck	Details: Deck is free standing and has no direct access from a dwelling unit and is fully surrounded by a required barrier as per the most current pool bylaw requirements.
Residential Hot Tub	Details: Hot tub with locking lid or fencing requirement as per the most current pool bylaw requirement.
Residential Basement Repairs (Non-Structural)	Details: Damp-proofing, waterproofing, weeping tile replacement, parging etc.
Residential Basement Repairs (Structural)	Details: Block work, insulation and vapour barrier after wall repair, concrete repair, butrices etc.
Material Alterations affecting residential/public property affecting safety	Details: Changes to exterior cladding, windows, doors, roofs and such that may create a hazard or reduce the fire separation to an adjoining property.
AGRICULTURAL	
Grain Bin/Coverall/Pole Barns/Storage Shed	Details: All building areas included
Commercial Engineered Farm Buildings 1-2999 sq. ft.	Details: For commercial farming (e.g. commercial milking operations)
Commercial Engineered Farm Buildings 3000 sq. ft. +	Details: For commercial farming (e.g. commercial milking operations)
COMMERCIAL	
Interior Fit Up and Renovations for all buildings	Details: For all occupancies (except residential)
Commercial, Industrial, Institutional, Retail, Business and Personal Service, Assembly Occupancies.	Details: New Construction or additions

Commercial Cold Storage Garage, Self Storage Units and Warehouse Shell Only 1-1499 sq. ft.	Details: For group F occupancies only, any offices, assembly, or retail area to be separate permit and adhere to New Occupancy rates
Commercial Cold Storage Garage, Self Storage Units and Warehouse Shell Only 1500-2999 sq. ft.	Details: For group F occupancies only, any offices, assembly, or retail area to be separate permit and adhere to New Occupancy rates
Commercial Cold Storage Garage, Self Storage Units and Warehouse Shell Only 3000 sq. ft.	Details: For group F occupancies only, any offices, assembly, or retail area to be separate permit and adhere to New Occupancy rates
Material Alterations that may affect neighbouring property/public safety	Details: Changes to exterior cladding, windows, doors, roofs and such that may create a hazard or reduce the fire separation to an adjoining property.
OTHER FEES	
Heating System, Fireplace, Solid Wood Burning Appliances	Details: All occupancies
Solar Panels on a Building	Details: For all occupancies
Plumbing Fixtures	Details: For new installed sinks, toilets, showers, laundry tubs etc. Along with new vent and drain pipes. Not required for changing of taps, toilets showers etc. that does not require relocation of DWV.
Change of Use Permit	Details: Minimum Fee
Alterations of permit and plans	Details: As per discretion of Chief Building Official.
Permit Transfer/Permit Renewal	Details: Price cost is per permit
Permit Revoking	Details: Charge is per permit not cumulative – FEES NOT ELIGIBLE FOR REFUND.
Minimum Permit Fee	Details: Minimum Fee
Extra Inspection Fee	Details: Includes inspections beyond (1) required inspection and (1) permitted re-inspection. Payable by cheque to inspector onsite - no inspection will be done without payment.
Building with no Permit - Minor	Details: Farm buildings, additions (less than 500 sq. ft.), decks, pools, finished basements and other similar permits – CBO may, at their discretion, reduce the established fee.
Building with no Permit - Major	Details: For all other projects – CBO may, at their discretion, reduce the established fee.
Agreements (Conditional)	Details: For all projects
Conditional Permits	Details: For all projects
Occupancy Certificates	Details: For all projects – Administration Fee of \$500.00 per day will be issued for 'Failure to obtain the Occupancy and Use Certificate' required under this by-law and the Ontario Building Code.

THE CORPORATION OF THE MUNICIPALITY OF MISSISSIPPI MLLS

ADMINISTRATION REPORT

DATE: February 20, 2018
TO: Council
FROM: Rhonda Whitmarsh, Treasurer
SUBJECT: 2017 Transfers to Reserves for Capital

RECOMMENDATION:

THAT Council authorize a transfer to reserves of \$820,967 for 2017 capital projects that were incomplete/underspent at year end.

BACKGROUND:

The 2017 year end is now complete. The Municipality's reserve policy allows for the transfer to reserves of capital funds that were unspent in the current year. The Auditors require a motion of Council to approve these transfers.

DISCUSSION:

A number of 2017 capital projects did not proceed or were incomplete/underspent at the end of 2017 and are included in the 2018 budget as follows:

Project	Department	Amount	Reason for transfer
Operational Review	Administration	\$60,000	Incomplete at year end. Funds being utilized for review of P&R Department in 2018
Security Measures	Administration	\$6,000	Incomplete. Funds included in 2018 budget to offset 2018 expenditure
Exterior Lighting	Administration	\$9,500	Incomplete. Funds included in 2018 budget to offset 2018 expenditure
Building Maintenance	Almonte Old Town Hall	\$7,000	Incomplete. Funds included in 2018 budget to offset 2018 expenditure
Designated Substance Reports	Protection	\$6,900	Underspent. Funds included in 2018 budget to offset 2018 expenditure
Pakenham	Transportation	\$4,000	Incomplete. Funds included in

Storage Shed			2018 budget to offset 2018 expenditure
Road Rehabilitation	Transportation	\$200,000	Underspent as a result of grant funding received for Union St. Funds included in 2018 budget to offset 2018 expenditure
Bridge Inspection	Transportation	\$19,000	Incomplete. Funds included in 2018 budget to offset 2018 expenditure
Bridge Design	Transportation	\$32,500	Incomplete. Funds included in 2018 budget to offset 2018 expenditure
Ramsay Garage	Transportation	\$31,640	Incomplete. Funds included in 2018 budget to offset 2018 expenditure
Almonte Garage Repairs	Transportation	\$25,800	Incomplete. Funds included in 2018 budget to offset 2018 expenditure
Howie Road Garage	Waste Management	\$10,000	Incomplete. Funds included in 2018 budget to offset 2018 expenditure
Pakenham Landfill Monitoring	Waste Management	\$4,500	Incomplete. Funds included in 2018 budget to offset 2018 expenditure
Daycare Capital	Daycare	\$60,000	Underspent as a result of grant funding received. Funds included in 2018 budget to offset 2018 expenditure
Waste Receptacles	C&EDC	\$4,000	Incomplete. Funds included in 2018 budget to offset 2018 expenditure
Welcome Sign	C&EDC	\$2,000	Incomplete. Funds included in 2018 budget to offset 2018 expenditure
Riverfront Estates	Parks & Recreation	\$52,500	Incomplete. Funds included in 2018 budget to offset 2018 expenditure
Cedar Hill Schoolhouse	Parks & Recreation	\$3,000	Incomplete. Funds included in 2018 budget to offset 2018 expenditure
Mill Run Park	Parks & Recreation	\$37,340	Incomplete. Funds included in 2018 budget to offset 2018 expenditure
White Tail Ridge Park	Parks & Recreation	\$1,260	Incomplete. Funds included in 2018 budget to offset 2018 expenditure

Class EA Water System Expansion	Water & Sewer	\$67,927	Incomplete. Project will not proceed until 2020 per the Director of Public Works
Island SPS Surge Protection	Water & Sewer	\$20,000	Incomplete. Funds included in 2018 budget to offset 2018 expenditure
OCWA Capital	Water & Sewer	\$50,000	Incomplete. Funds included in 2018 budget to offset 2018 expenditure
Mechanical-Well Sites	Water & Sewer	\$45,000	Incomplete. Funds included in 2018 budget to offset 2018 expenditure
Electrical-Instrumentation	Water & Sewer	\$12,000	Incomplete. Funds included in 2018 budget to offset 2018 expenditure
Annual Infiltration Program	Water & Sewer	\$15,000	Incomplete. Funds included in 2018 budget to offset 2018 expenditure
Exterior Lighting	Fire Department	\$8,000	Incomplete. Funds included in 2018 budget to offset 2018 expenditure
Facility Maintenance	Library	\$25,500	Incomplete. Funds included in 2018 budget to offset 2018 expenditure
Total		\$820,367	

I am requesting that Council approve the transfer to reserves for these projects.

FINANCIAL IMPLICATIONS:

The 2018 budget includes carry forward projects from 2017 as noted above and assumes that funding would come from reserves. The 2018 budget has already been approved with this funding included.

SUMMARY:

Each year at year end I request a transfer to reserves for unspent capital so that projects can proceed in the following year. I am requesting that Council approve a transfer to reserves in the amount of \$820,367 for 2017 unspent capital projects.

Respectfully Submitted

Reviewed By

Rhonda Whitmarsh,
Treasurer

Shawna Stone
Clerk

THE CORPORATION OF THE MUNICIPALITY OF MISSISSIPPI MILLS

STAFF REPORT

DATE: February 20, 2018
TO: Committee of the Whole
FROM: Shawna Stone, Clerk
SUBJECT: 2018 Municipal Elections - Joint Compliance Audit Committee

RECOMMENDATION:

THAT Council approve the Municipality's membership in the Joint Lanark County Compliance Audit Committee;

AND THAT a by-law be brought forward that stipulates the Committee's terms of reference;

AND THAT a recommendation for Committee appointments be brought forward for approval in due course.

BACKGROUND:

Pursuant to Section 88.37 of *Municipal Elections Act, 1996*, municipalities are required to establish a Compliance Audit Committee to deal with complaints regarding election campaign financing. In 2010 and 2014, the Municipality was a member of the Joint Lanark County Election Compliance Audit Committee.

DISCUSSION:

Clerks within Lanark County have been working together on a wide variety of election matters. In developing the terms of reference, the Clerks have made recommendations with regard to recruitment and appointment and support a pooling of resources to ensure qualified members are represented on the Committee.

Each municipality will be required to approve the terms of reference (Attachment 1) and appointments.

Council approved a similar terms of reference for the Committee for the 2010 – 2014 and 2014 – 2018 terms.

FINANCIAL IMPLICATIONS:

Under the Act, municipalities are responsible for the costs associated with the Compliance Audit Committee.

In the event of an application, the affected municipality will be responsible for the associated costs and the Clerk of that municipality will serve as Committee Secretary in dealing with the specific application.

The terms of reference state that appointees will receive a stipend (\$150 per meeting) along with reimbursement of expenses associated with travel to be paid by the member municipality requiring the services of the Committee.

The Committee has not had to convene since its inception was mandated in 2010.

SUMMARY:

It is recommended that Council approve the Municipality's membership in the Joint Lanark County Compliance Audit Committee.

Respectfully submitted,

Shawna Stone, Clerk

Attachments:

1. Joint Compliance Audit Committee Terms of Reference

**Joint Lanark County 2018 Election
Compliance Audit Committee**

Terms of Reference	
1	<p><u>Name</u></p> <p>The name of the Committee is the “Joint Lanark County 2018 Election Compliance Audit Committee” consisting of the following municipalities:</p> <p style="padding-left: 40px;">Municipality of Mississippi Mills Tay Valley Township Town of Carleton Place Town of Perth Town of Smiths Falls Township of Beckwith Township of Drummond/North Elmsley Township of Lanark Highlands Township of Montague</p>
2	<p><u>Duration</u></p> <p>The term of office is from December 1, 2018 to November 14, 2022 to deal with applications from the 2018 election and any by-elections during Council’s term.</p>
3	<p><u>Mandate</u></p> <p>The powers and functions of the Committee are set out in Sections 88.33 to 88.36 of the <i>Municipal Elections Act, 1996</i> (Appendix “A”). The Committee will perform the functions relating to the compliance audit application process as outlined in the Act. These functions include:</p> <p style="padding-left: 40px;"><u>Candidate Contravention</u></p> <ol style="list-style-type: none"> a. within 30 days receipt of a compliance audit application by an elector, consider the application and decide whether it should be granted or rejected; b. give to the Candidate, the Clerk and the Applicant the decision of the Committee to grant or reject the application, and brief written reasons for the decision; c. if the application is granted, appoint a licensed auditor to conduct a compliance audit of the Candidate’s election campaign finances; d. receive the auditor’s report from the Clerk; e. within 30 days receipt of the auditor’s report, consider the report; f. if the report concludes that the candidate appears to have contravened a provision of the Act relating to election campaign finances, decide whether to commence legal proceedings against the candidate for the apparent contravention; g. after reviewing the report, give to the Candidate, the Clerk and the Applicant the decision of the Committee, and brief written reasons for the decision.

Candidate Contributor Contravention

- a. within 30 days receipt of a report identifying each contributor to a candidate for office on a council who appears to have contravened any of the contribution limits, consider the report and decide whether to commence a legal proceeding against the contributor for an apparent contravention.
- b. after reviewing the report, give to the Contributor and the Clerk the decision of the Committee, and brief written reasons for the decision.

Registered Third Party Contravention

- a. within 30 days receipt of a compliance audit application by an elector, consider the application and decide whether it should be granted or rejected;
- b. give to the Candidate, the Clerk and the Applicant the decision of the Committee to grant or reject the application, and brief written reasons for the decision;
- c. if the application is granted, appoint a licensed auditor to conduct a compliance audit of the Registered Third Party's campaign finances;
- d. receive the auditor's report from the Clerk;
- e. within 30 days receipt of the auditor's report, consider the report;
- f. if the report concludes that the Registered Third Party appears to have contravened a provision of the Act relating to campaign finances, decide whether to commence legal proceedings against the Registered Third Party for the apparent contravention;
- g. after reviewing the report, give to the Registered Third Party, the Clerk and the Applicant the decision of the Committee, and brief written reasons for the decision.

Registered Third Party Contributor Contravention

- a. within 30 days receipt of the report, consider the report;
- b. if the report concludes that the Contributor appears to have contravened a provision of the Act relating to campaign finances, decide whether to commence legal proceedings against the Contributor for the apparent contravention;
- c. after reviewing the report, give to the Contributor and the Clerk the decision of the Committee, and brief written reasons for the decision.

Auditor Selection

If the committee decides to grant the application, it shall appoint an auditor licensed under the *Public Accounting Act, 2004* to conduct a compliance audit of the Candidate's election campaign finances.

The selection process will be coordinated through the Clerk of the respective municipality.

<p>4</p>	<p><u>Membership</u></p> <p>The Committee shall be composed of three (3) voting members, with three (3) alternate members that would assume all the rights and privileges of a voting member if called upon. Alternate members shall be ranked and will be called upon to replace a voting member that has resigned from the Committee.</p> <p>Membership will be drawn from the following groups:</p> <ul style="list-style-type: none"> a. accounting and audit - accountants or auditors with experience in preparing or auditing the financial statements of municipal candidates and registered third parties; b. legal; c. professionals who in the course of their duties are required to adhere to codes or standards of their profession which may be enforced by disciplinary tribunals; and/or d. other individuals with knowledge of the campaign financing rules of the <i>Municipal Elections Act, 1996</i>. <p>Municipal employees or officers of the municipality, members of Council or local board; any Candidates or any persons who are Registered Third Parties in the 2018 municipal election or in any by-election during the term of Council for any member municipality are ineligible to be appointed as a member of the Committee pursuant to subsection 88.37 (2) of the of the <i>Municipal Elections Act, 1996</i>.</p> <p>Members will be required to participate in an orientation session as a condition of appointment.</p>
<p>5</p>	<p><u>Membership Selection</u></p> <p>The terms of reference and application form will be posted, as a minimum, on the municipal websites of the member municipalities. Staff will also contact and solicit those individuals as set out under section 4 of the Terms of Reference. In addition, advertisements will be placed in a local paper.</p> <p>All applicants will be required to complete an application form outlining their qualifications and experience. Staff may interview applicants who meet the selection criteria and prepare a short list of three voting members and three alternate members. Recommended candidates will be submitted to the Council of each member municipality for consideration.</p> <p>Members will be selected on the basis of the following:</p> <ul style="list-style-type: none"> a. demonstrated knowledge and understanding of municipal election financing rules; b. proven analytical and decision-making skills; c. experience working on a committee, task force or similar setting; d. availability and willingness to attend meetings; and e. excellent oral and written communication skills.

	<p>Any members appointed must also agree in writing they will not be a candidate or an individual who is a Registered Third Party in the current municipal election or in any by-election during the term of Council for any member municipality. Failure to adhere to this requirement will result in the individual being removed from the Committee.</p>
<p>6</p>	<p><u>Conflict of Interest</u></p> <p>The principles of the <i>Municipal Conflict of Interest Act</i>, apply to this Committee. Failure to adhere to this requirement will result in the individual being removed from the Committee.</p> <p>To avoid a conflict, any person appointed to the Committee must agree in writing not to prepare or audit the election financial statements of any candidate or registered third party for any of the member municipalities in the current municipal election. Failure to adhere to this requirement will result in the individual being removed from the Committee.</p>
<p>7</p>	<p><u>Chair</u></p> <p>The Committee will select a Chair from amongst its members at its first meeting when a compliance audit application is received.</p> <p>The Chair is the liaison between the members and the Secretary of the Committee on matters of policy and process.</p> <p>The Chair shall enforce the observance of order and decorum among the Committee members and the public at all meetings.</p> <p>When the Chair is absent, the Committee may appoint another member as Acting Chair. While presiding, the Acting Chair shall have all the powers of the Chair.</p>
<p>8</p>	<p><u>Staffing and Funding</u></p> <p>The Clerk from the applicable member municipality shall act as Secretary to the Committee.</p> <p>The member municipality requiring the services of the Committee shall be responsible for all associated expenses, including the auditor's costs.</p> <p>Committee Member Remuneration:</p> <ul style="list-style-type: none"> • \$150 per diem per meeting; and • mileage at a rate of \$0.50 cents per kilometer.

9 Meetings

Meetings of the Committee shall be open to the public. The Committee may deliberate in private.

Timing of Meetings

Meetings shall be called by the Clerk of the member municipality when required. The date and time of the meeting will be determined by the Clerk and communicated directly to the Committee members. Subsequent meetings will be held at the call of the Chair in consultation with the Clerk.

Committee activity shall be determined primarily by the number and complexity of applications for compliance audits that may be received. The frequency and duration of meetings will be determined by the Committee in consultation with the Clerk.

Meeting Location

The Committee shall meet at the location determined by the member municipality.

Meeting Notices, Agendas & Minutes

The agenda shall constitute notice. The Clerk of the member municipality requiring the services of the Committee shall cause notice of the meetings to be provided:

- to members of the Committee, Candidate, and the Public for a meeting regarding an application by an elector;
- to members of the Committee, Contributor, Candidate and the Public for a meeting regarding a Candidate Contributor Contravention report;
- to members of the Committee, Contributor, Registered Third Party and the public for a meeting regarding a Registered Third Party Contributor Contravention.

A minimum of two (2) business days prior to the date of each meeting, not including weekends or holidays. The agendas and minutes of meetings shall be posted on the member municipality's website.

Minutes of each meeting shall outline the general deliberations and specific actions and recommendations that result.

Agenda Format

1. Call to Order
2. Disclosure of Pecuniary Interest and General Nature Thereof
3. Consideration of Compliance Audit Application, Clerk's Report or Auditor's Report
4. Adjournment

Quorum

Quorum for meetings shall consist of a majority of the members of the Committee.

	<p>If no quorum is present thirty (30) minutes after the time appointed for a meeting, the Clerk shall record the names of the members present and the meeting shall stand adjourned until the date of the next meeting.</p> <p><i>Meeting Attendance</i> Any member of the Committee, who misses three (3) consecutive meetings, without being excused by the Committee, may be removed from the Committee. The Committee must make recommendations, by a report to Council for the removal of any member.</p> <p><i>Motions & Voting</i> A motion shall only need to be formally moved before the Chair can put the question or a motion can be recorded in the minutes.</p> <p>A motion shall be reduced to writing and shall be signed by the Chair and Secretary.</p> <p>Every Member present shall be deemed to vote against the motion if they decline or abstain from voting, unless disqualified from voting by reason of a declared pecuniary interest.</p> <p>In the case of a tie vote, the motion shall be considered to have been lost.</p> <p>The manner of determining the vote on a motion shall be by show of hands.</p> <p>The Chair shall announce the result of every vote.</p>
10	<p><u>Administrative Practices and Procedures</u></p> <p>The Terms of Reference constitute the Administrative Practices and Procedures of the Committee. Any responsibilities not clearly identified within these Terms of Reference shall be in accordance with Section 88.33 to 88.37 of the <i>Municipal Elections Act, 1996</i>.</p> <p>The Clerk at any time has the right to develop additional administrative practices and procedures.</p>

APPENDIX “A”

Municipal Elections Act, 1996

S.O. 1996, c. 32

(for reference only)

Compliance Audits and Reviews of Contributions

Compliance audit of candidates' campaign finances

Application by elector

88.33 (1) An elector who is entitled to vote in an election and believes on reasonable grounds that a candidate has contravened a provision of this Act relating to election campaign finances may apply for a compliance audit of the candidate's election campaign finances, even if the candidate has not filed a financial statement under section 88.25. 2016, c. 15, s. 63.

Requirements

(2) An application for a compliance audit shall be made to the clerk of the municipality or the secretary of the local board for which the candidate was nominated for office, and it shall be in writing and shall set out the reasons for the elector's belief. 2016, c. 15, s. 63.

Deadline for applications

(3) The application must be made within 90 days after the latest of the following dates:

1. The filing date under section 88.30.
2. The date the candidate filed a financial statement, if the statement was filed within 30 days after the applicable filing date under section 88.30.
3. The candidate's supplementary filing date, if any, under section 88.30.
4. The date on which the candidate's extension, if any, under subsection 88.23 (6) expires. 2016, c. 15, s. 63.

Compliance audit committee

(4) Within 10 days after receiving the application, the clerk of the municipality or the secretary of the local board, as the case may be, shall forward the application to the compliance audit committee. 2016, c. 15, s. 63.

Procedural matters

(5) The meetings of the committee under this section shall be open to the public and reasonable notice shall be given to the candidate, the applicant and the public. 2016, c. 15, s. 63.

Same

(6) Subsection (5) applies despite sections 207 and 208.1 of the *Education Act*. 2016, c. 15, s. 63.

Decision of committee

(7) Within 30 days after the committee has received the application, the committee shall consider the application and decide whether it should be granted or rejected. 2016, c. 15, s. 63.

Same

(8) The decision of the committee to grant or reject the application, and brief written reasons for the decision, shall be given to the candidate, the clerk with whom the candidate filed his or her nomination, the secretary of the local board, if applicable, and the applicant. 2016, c. 15, s. 63.

Appeal

(9) The decision of the committee under subsection (7) may be appealed to the Superior Court of Justice within 15 days after the decision is made, and the court may make any decision the committee could have made. 2016, c. 15, s. 63.

Appointment of auditor

(10) If the committee decides under subsection (7) to grant the application, it shall appoint an auditor to conduct a compliance audit of the candidate's election campaign finances. 2016, c. 15, s. 63.

Same

(11) Only auditors licensed under the *Public Accounting Act, 2004* or prescribed persons are eligible to be appointed under subsection (10). 2016, c. 15, s. 63.

Duty of auditor

(12) The auditor shall promptly conduct an audit of the candidate's election campaign finances to determine whether he or she has complied with the provisions of this Act relating to election campaign finances and shall prepare a report outlining any apparent contravention by the candidate. 2016, c. 15, s. 63.

Who receives report

(13) The auditor shall submit the report to the candidate, the clerk with whom the candidate filed his or her nomination, the secretary of the local board, if applicable, and the applicant. 2016, c. 15, s. 63.

Report to be forwarded to committee

(14) Within 10 days after receiving the report, the clerk of the municipality or the secretary of the local board shall forward the report to the compliance audit committee. 2016, c. 15, s. 63.

Powers of auditor

(15) For the purpose of the audit, the auditor,
(a) is entitled to have access, at all reasonable hours, to all relevant books, papers, documents or things of the candidate and of the municipality or local board; and
(b) has the powers set out in section 33 of the *Public Inquiries Act, 2009* and section 33 applies to the audit. 2016, c. 15, s. 63.

Costs

(16) The municipality or local board shall pay the auditor's costs of performing the audit. 2016, c. 15, s. 63.

Decision

(17) The committee shall consider the report within 30 days after receiving it and, if the report concludes that the candidate appears to have contravened a provision of the Act relating to election campaign finances, the committee shall decide whether to commence a legal proceeding against the candidate for the apparent contravention. 2016, c. 15, s. 63.

Notice of decision, reasons

(18) The decision of the committee under subsection (17), and brief written reasons for the decision, shall be given to the candidate, the clerk with whom the candidate filed his or her nomination, the secretary of the local board, if applicable, and the applicant. 2016, c. 15, s. 63.

Immunity

(19) No action or other proceeding for damages shall be instituted against an auditor appointed under subsection (10) for any act done in good faith in the execution or intended execution of the audit or for any alleged neglect or default in its execution in good faith. 2016, c. 15, s. 63.

Saving provision

(20) This section does not prevent a person from laying a charge or taking any other legal action, at any time, with respect to an alleged contravention of a provision of this Act relating to election campaign finances. 2016, c. 15, s. 63.

88.34 (1) The clerk shall review the contributions reported on the financial statements submitted by a candidate under section 88.25 to determine whether any contributor appears to have exceeded any of the contribution limits under section 88.9. 2016, c. 15, s. 64.

Report, contributions to candidates for council

(2) As soon as possible following the day that is 30 days after the filing date or supplementary filing date, as the case may be, under section 88.30, the clerk shall prepare a report identifying each contributor to a candidate for office on a council who appears to have contravened any of the contribution limits under section 88.9 and,
(a) if the contributor's total contributions to a candidate for office on a council appear to exceed the limit under section 88.9, the report shall set out the contributions made by that contributor to the candidate; and
(b) if the contributor's total contributions to two or more candidates for office on the same council appear to exceed the limit under section 88.9, the report shall set out the contributions made by that contributor to all candidates for office on the same council. 2016, c. 15, s. 64.

Same

(3) The clerk shall prepare a separate report under subsection (2) in respect of each contributor who appears to have contravened any of the contribution limits under section 88.9. 2016, c. 15, s. 64.

Same

(4) The clerk shall forward each report prepared under subsection (2) to the compliance audit committee. 2016, c. 15, s. 64.

Report, contributions to candidates for a local board

(5) As soon as possible following the day that is 30 days after the filing date or supplementary filing date, as the case may be, under section 88.30, the clerk shall prepare a report identifying each contributor to a candidate for office on a local board who appears to have contravened any of the contribution limits under section 88.9 and, (a) if the contributor's total contributions to a candidate for office on a local board appear to exceed the limit under section 88.9, the report shall set out the contributions made by that contributor to the candidate; and (b) if the contributor's total contributions to two or more candidates for office on the same local board appear to exceed the limit under section 88.9, the report shall set out the contributions made by that contributor to all candidates for office on the same local board. 2016, c. 15, s. 64.

Same

(6) The clerk shall prepare a separate report under subsection (5) in respect of each contributor who appears to have contravened any of the contribution limits under section 88.9. 2016, c. 15, s. 64.

Same

(7) The clerk shall forward each report prepared under subsection (5) to the secretary of the local board for which the candidate was nominated for office and, within 10 days after receiving the report, the secretary of the local board shall forward it to the compliance audit committee. 2016, c. 15, s. 64.

Decision of compliance audit committee

(8) Within 30 days after receiving a report under subsection (4) or (7), the compliance audit committee shall consider it and decide whether to commence a legal proceeding against a contributor for an apparent contravention. 2016, c. 15, s. 64.

Procedural matters

(9) The meetings of the committee under subsection (8) shall be open to the public, and reasonable notice shall be given to the contributor, the applicable candidate and the public. 2016, c. 15, s. 64.

Same

(10) Subsection (9) applies despite sections 207 and 208.1 of the *Education Act*. 2016, c. 15, s. 64.

Notice of decision, reasons

(11) The decision of the committee under subsection (8), and brief written reasons for the decision, shall be given to the contributor and to the clerk of the municipality or the secretary of the local board, as the case may be. 2016, c. 15, s. 64.

Saving provision

(12) This section does not prevent a person from laying a charge or taking any other legal action, at any time, with respect to an alleged contravention of a provision of this Act relating to contribution limits. 2016, c. 15, s. 64.

Compliance audit of registered third parties

Application by elector

88.35 (1) An elector who is entitled to vote in an election in a municipality and believes on reasonable grounds that a registered third party who is registered in relation to the election in the municipality has contravened a provision of this Act relating to campaign finances may apply for a compliance audit of the campaign finances of the registered third party in relation to third party advertisements, even if the registered third party has not filed a financial statement under section 88.29. 2016, c. 15, s. 65.

Requirements

(2) An application for a compliance audit shall be made to the clerk of the municipality in which the registered third party was registered, and it shall be made in writing and shall set out the reasons for the elector's belief. 2016, c. 15, s. 65.

Deadline

(3) The application must be made within 90 days after the latest of the following dates:

1. The filing date under section 88.30.
2. The date the registered third party filed a financial statement, if the statement was filed within 30 days after the applicable filing date under section 88.30.
3. The supplementary filing date, if any, for the registered third party under section 88.30.
4. The date on which the registered third party's extension, if any, under subsection 88.27 (3) expires. 2016, c. 15, s. 65.

Application of s. 88.33 (4) to (20)

(4) Subsections 88.33 (4) to (20) apply to a compliance audit under this section, with the following modifications:

1. A reference to a candidate shall be read as a reference to the registered third party.
2. A reference to the clerk with whom the candidate filed his or her nomination shall be read as a reference to the clerk of the municipality in which the registered third party is registered.
3. A reference to election campaign finances shall be read as a reference to the campaign finances of the registered third party in relation to third party advertisements that appear during an election in the municipality. 2016, c. 15, s. 65.

Review of contributions to registered third parties

88.36 (1) The clerk shall review the contributions reported on the financial statements submitted by a registered third party under section 88.29 to determine whether any contributor appears to have exceeded any of the contribution limits under section 88.13. 2016, c. 15, s. 65.

Report by the clerk

(2) As soon as possible following the day that is 30 days after the filing date or supplementary filing date, as the case may be, under section 88.30 for a registered third party, the clerk shall prepare a report identifying each contributor to the registered third

party who appears to have contravened any of the contribution limits under section 88.13 and,

(a) if the contributor's total contributions to a registered third party that is registered in the municipality appear to exceed the limit under section 88.13, the report shall set out the contributions made by that contributor to the registered third party in relation to third party advertisements; and

(b) if the contributor's total contributions to two or more registered third parties that are registered in the municipality appear to exceed the limit under section 88.13, the report shall set out the contributions made by that contributor to all registered third parties in the municipality in relation to third party advertisements. 2016, c. 15, s. 65.

Same

(3) The clerk shall prepare a separate report under subsection (2) in respect of each contributor who appears to have contravened any of the contribution limits under section 88.13. 2016, c. 15, s. 65.

Same

(4) The clerk shall forward each report prepared under subsection (2) to the compliance audit committee. 2016, c. 15, s. 65.

Decision of compliance audit committee

(5) Within 30 days after receiving a report under subsection (4), the compliance audit committee shall consider it and decide whether to commence a legal proceeding against a contributor for an apparent contravention. 2016, c. 15, s. 65.

Procedural matters

(6) The meetings of the committee under subsection (5) shall be open to the public, and reasonable notice shall be given to the contributor, the registered third party and the public. 2016, c. 15, s. 65.

Notice of decision, reasons

(7) The decision of the committee under subsection (5), and brief written reasons for the decision, shall be given to the contributor and to the clerk of the municipality. 2016, c. 15, s. 65.

Saving provision

(8) This section does not prevent a person from laying a charge or taking any other legal action, at any time, with respect to an alleged contravention of a provision of this Act relating to contribution limits. 2016, c. 15, s. 65.

Compliance audit committee

88.37 (1) A council or local board shall establish a compliance audit committee before October 1 of an election year for the purposes of this Act. 2016, c. 15, s. 66.

Composition

(2) The committee shall be composed of not fewer than three and not more than seven members and shall not include,

(a) employees or officers of the municipality or local board;

(b) members of the council or local board;

(c) any persons who are candidates in the election for which the committee is established; or

(d) any persons who are registered third parties in the municipality in the election for which the committee is established. 2016, c. 15, s. 66.

Eligibility for appointment

(3) A person who has such qualifications and satisfies such eligibility requirements as may be prescribed is eligible for appointment to the committee. 2016, c. 15, s. 66.

Same

(4) In appointing persons to the committee, the council or local board shall have regard to the prescribed eligibility criteria. 2016, c. 15, s. 66.

Term of office

(5) The term of office of the committee is the same as the term of office of the council or local board that takes office following the next regular election, and the term of office of the members of the committee is the same as the term of the committee to which they have been appointed. 2016, c. 15, s. 66.

Role of clerk or secretary

(6) The clerk of the municipality or the secretary of the local board, as the case may be, shall establish administrative practices and procedures for the committee and shall carry out any other duties required under this Act to implement the committee's decisions. 2016, c. 15, s. 66.

Costs

(7) The council or local board, as the case may be, shall pay all costs in relation to the committee's operation and activities. 2016, c. 15, s. 66.

Here are the highlights from the regular Lanark County Council meeting held Wednesday, Feb. 14.

- **Council Endorses Transit Recommendations:** Council has authorized the striking committee to develop terms of reference for a permanent transit committee following a series of recommendations from the Transit Advisory Group (TAG). As well, it authorized using \$25,000 of provincial gas tax funding to support the recommendations. Last month, TAG Chair Councillor Jane Torrance (Mississippi Mills) presented the summary of findings and recommendations to the economic development committee. The group began meeting last year to review the “Rural Transportation Issues and Options for Lanark County” consultants’ report and develop options for an action plan. TAG consisted of representatives from stakeholder groups, transportation operators, county councillors, staff and community members and heard from several delegations that provide service or support vulnerable populations. Various sources have found transportation to be a number one challenge for families. TAG found many organizations and businesses are offering similar transportation services, but in a siloed approach, and that current options are not well publicized. It learned Lanark Transportation Association has rebranded, purchased new dispatching software and is willing to review its mandate, which could present an opportunity to obtain increased provincial gas tax funding. Smiths Falls is interested in being involved and OC Transpo has some routes that service parts of Lanark County. TAG recommended increased communications, including a media campaign, advertising, website promotions and education. A fixed route pilot project is planned, with Lanark Transportation Association working with Lanark Highlands on a route through Lanark Highlands, Tay Valley Township and Perth. TAG also recommended the permanent transit committee be established to guide future projects and continue conversations; that an intern be hired to work on ridership development and to help coordinate existing services, investigate grant opportunities and more; and that technology-based/dynamic solutions be investigated for transit. For more information, contact Kurt Greaves, CAO, at 1-888-9-LANARK, ext. 1101.

Support for Climate Innovation Application: Council has passed a motion to support the Mills Community Support’s application to the Federation of Canadian Municipalities’ Climate Innovation program and to use \$10,000 from contingency reserves to support the initiative. The county will work with The Mills and the Leeds, Grenville & Lanark District Health Unit to develop a comprehensive climate change adaption and mitigation plan. Jeff Mills and Patricia Larkin of The Mills made a presentation about the project to the economic development committee last month. CAO Kurt Greaves also reported on the proposal, noting the FCM program is a “five-year, \$75-million program that helps municipalities prepare for and adapt to climate change, and to reduce emissions of greenhouse gases.” It is delivered by FCM and funded the Government of Canada funds up to 80 per cent off eligible expenses. The program has a focus on infrastructure and can help municipalities by raising awareness of climate change, providing technical expertise, funding municipal projects and sharing knowledge. The Mills would be the lead in the project to develop a climate change adaptation and mitigation plan, which would include identifying local and regional hazards and risk issues for vulnerable populations and developing a plan to assist residents. For climate change mitigation, The Mills would be looking at housing and transportation specifically for greenhouse gas emission reductions and to prepare for climate change. “What is of interest to Lanark County is to understand the vulnerability to local climate change risks and identify priority areas for action that could be replicated for other agencies and county activities, both in terms of adaptation and mitigation,” Mr. Greaves said. The application ties into the county’s Sustainable

Communities Official Plan and would have benefits to all county residents. For more information, contact Kurt Greaves, CAO, at 1-888-9-LANARK, ext. 1101.

- **Upcoming Meetings: County Council, Wednesday, Feb. 21, 5 p.m.;** Public Works, Feb. 21 (following County Council); Economic Development, Feb. 21 (following Public Works). **County Council, Wednesday, March 14, 5 p.m.;** Community Services, March 14 (following County Council); Corporate Services, Feb. 14 (following Community Services). All meetings are in Council Chambers unless otherwise noted. For more information, contact 1-888-9-LANARK, ext. 1502. Like "LanarkCounty1" on Facebook and follow "@LanarkCounty1" on Twitter!

– 30 –

INFORMATION LIST #03-18 February 20, 2018

The following is a list of information items received as of February 12, 2018.

Item #	Date	Originator	Subject
1	22-Jan-18	Town of Lakeshore	Resolution re: Population Growth Projections
2	22-Jan-18	Town of Lakeshore	Resolution re: Marijuana Tax Revenue
3	31-Jan-18	Catholic District School Board of Eastern Ontario	Capital Funding Projects – Holy Name of Mary Catholic School
4	5-Feb-18	Township of Norwich	Resolution re: Ontario Building Code Ammendments
5	7-Feb-18	Township of Montague	Resolution re: <i>Police Services Act</i>



TOWN OF LAKESHORE

419 Notre Dame St.
Belle River, ON N0R 1A0

January 22, 2018

Honourable Kathleen Wynne, Premier
Legislative Building, Room 281
Queen's Park
Toronto, ON M7A 1A1

Dear Premier Wynne:

RE: POPULATION GROWTH PROJECTIONS

At their meeting of January 16, 2018 the Council of the Town of Lakeshore duly passed the following resolution.

576-01-2018

Councillor Wilder moved and Deputy Mayor Fazio seconded:

That:

WHEREAS municipalities are required to create and implement master plans and asset management plans, as part of prudent financial planning;

WHEREAS population growth projections and estimates are a key foundational component, relied upon in creating master plans and asset management plans, as part of prudent financial planning;

WHEREAS population growth projections and estimates are simply estimates of future events, often several years into the future, and are highly susceptible to ultimately being inaccurate, due to changes in circumstances, such as economic conditions and housing patterns;

WHEREAS both upper-tier municipalities and lower-tier municipalities often prepare their own growth projections and estimates, which can result in a significant discrepancy between their respective, anticipated population numbers in future years;

WHEREAS lower-tier municipalities are essentially forced to accept and rely upon upper-tier municipalities growth projections and estimates, regardless of whether those projections and estimates reflect reality; and

WHEREAS inaccurate growth projections and estimates, negatively impacts municipal financial planning, resulting in significant financial difficulties for municipalities.

NOW THEREFORE BE IT RESOLVED that the Government of Ontario be urged to grant more autonomy to lower-tier municipalities, to adopt and rely upon their own growth projections and estimates, especially for financial planning purposes;

BE IT FURTHER RESOLVED that the Government of Ontario be urged to create a mechanism, whereby lower-tier municipalities can more easily dispute growth projections and estimates of upper-tier municipalities;

BE IT FURTHER RESOLVED that the Government of Ontario be urged to require upper-tier municipalities to update growth projections and estimates, when reality indicates that the previous projections and estimates are inaccurate and unreliable;

BE IT FURTHER RESOLVED that a copy of this motion be sent to the Honourable Kathleen Wynne, Premier of Ontario, the Honourable Patrick Brown, Leader of the Progressive Conservative Party, the Honourable Andrea Horwath, Leader of the New Democratic Party, and all MPPs in the Province of Ontario; and

BE IT FURTHER RESOLVED THAT a copy of this Motion be sent to the Association of Municipalities of Ontario (AMO) and all Ontario municipalities for their consideration.

Motion Carried Unanimously

Should you require any additional information with respect to the above matter, please contact the undersigned.

Yours truly,



Mary Masse
Clerk

/cl

cc: Hon. Patrick Brown, Leader of Progressive Conservative Party
cc: Hon. Andrea Horwath, Leader of New Democratic Party
cc: Members of Provincial Parliament in Ontario
cc: Association of Municipalities Ontario (AMO)
cc: Via Email - All Ontario Municipalities



TOWN OF LAKESHORE

419 Notre Dame St.
Belle River, ON N0R 1A0

January 22, 2018

Right Honourable Justin Trudeau,
Prime Minister of Canada
Office of the Prime Minister
80 Wellington Street
Ottawa, ON K1A 0A2

Dear Prime Minister Trudeau:

RE: MARIJUANA TAX REVENUE

At their meeting of January 16, 2018 the Council of the Town of Lakeshore duly passed the following resolution.

577-01-2018 Councillor Wilder moved and Councillor McKinlay seconded:

It is recommended that:

WHEREAS marijuana will soon be available for purchase through retail outlets in Canada;

WHEREAS the sale of marijuana will generate new tax revenues;

WHEREAS the Government of Canada and the Government of Ontario have been actively discussing how to distribute the new tax revenues generated by the sale of marijuana;

WHEREAS the Government of Canada and the Government of Ontario have thus far not agreed to distribute any of the new tax revenues generated by the sale of marijuana to municipalities directly;

WHEREAS municipalities are responsible for critical infrastructure projects, such as roads, bridges, water treatment and delivery of potable water;

WHEREAS municipalities face a significant challenge in funding critical infrastructure projects and have limited options for increasing revenues, aside from raising property taxes, which negatively impacts all taxpayers; and

WHEREAS the new tax revenues generated from the sale of marijuana, could be used to help offset infrastructure costs for municipalities.

NOW THEREFORE BE IT RESOLVED that the Government of Canada and the Government of Ontario be urged to allocate a proportionate share of the new tax revenues generated from the sale of marijuana, to municipalities directly;

BE IT FURTHER RESOLVED that the Government of Canada and the Government of Ontario be urged to create a fund, similar to the Gas Tax Fund and the Clean Water and Wastewater Fund, from the new tax revenues generated by the sale of marijuana, to provide funding to municipalities for infrastructure projects;

BE IT FURTHER RESOLVED that a copy of this motion be sent to the Right Honourable Justin Trudeau, Prime Minister of Canada, Mr. Andrew Scheer, Leader of the Conservative Party of Canada, Mr. Jagmeet Singh, Leader of the New Democratic Party of Canada, Ms. Elizabeth May, Leader of the Green Party of Canada, all Members of Parliament, the Honourable Kathleen Wynne, Premier of Ontario, Mr. Patrick Brown, Leader of the Progressive Conservative Party of Ontario, Ms. Andrea Horwath, Leader of the New Democratic Party of Ontario, and all Members of Provincial Parliament in Ontario; and

BE IT FURTHER RESOLVED THAT a copy of this Motion be sent to the Federation of Canadian Municipalities (FCM), and the Association of Municipalities of Ontario (AMO) for their consideration.

Motion Carried Unanimously

Should you require any additional information with respect to the above matter, please contact the undersigned.

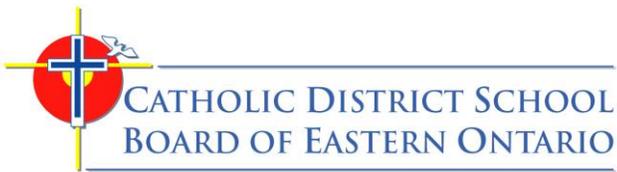
Yours truly,



Mary Masse
Clerk

/cl

cc: Honourable Kathleen Wynne, Premier of Ontario
cc: Mr. Andrew Scheer, Leader of the Conservative Party of Canada
cc: Mr. Jagmeet Singh, Leader of the New Democratic Party of Canada
cc: Ms. Elizabeth May, Leader of the Green Party of Canada
cc: Hon. Patrick Brown, Leader of Progressive Conservative Party
cc: Hon. Andrea Horwath, Leader of New Democratic Party
cc: Members of Provincial Parliament in Ontario
cc: Federation of Canadian Municipalities (FCM)
cc: Association of Municipalities Ontario (AMO)
cc: Via Email - All Ontario Municipalities



News Release

FOR IMMEDIATE RELEASE

CDSBEO Receives Capital Funding for School Addition and Child Care Spaces in Three Communities

Kemptville, ON (Wednesday, January 31, 2018) – The Catholic District School Board of Eastern Ontario has received approval for three capital project requests that were submitted to the Ministry of Education. The funding is being provided through the Ministry of Education’s Capital Priorities Program and the School-based Early Years Capital Program. The three projects which received funding approval include: Holy Name of Mary Catholic School (**Almonte**), St. Joseph’s Catholic School (**Gananoque**), and St. Finnan’s Catholic School (**Alexandria**).

Holy Name of Mary Catholic School in Almonte will receive \$4.9 million for the construction of a six-classroom addition and daycare.

“The school currently has five portables on site, and the addition of six classrooms will provide our students with a more energy efficient, modern learning environment. The community is also very excited to be receiving a full-time daycare program for toddlers and preschoolers in a new facility,” noted Board Chair, Todd Lalonde.

“Almonte is a growing community and the addition of permanent classrooms and a daycare is much needed for the school. Our students deserve to learn in permanent facilities, and I know this will help meet both the needs of the community, as well as the students, for the long term,” explained Lanark County Trustee, Nancy Kirby.

The six-classroom addition and daycare are planned to open in late 2018.

The CDSBEO has also received \$1.1 million in capital funding from the Ministry of Education’s Early Years Capital Program for a daycare addition at St. Joseph Catholic School in Gananoque. The daycare will include sufficient space to accommodate a toddler and preschool program at the school site, and will be supported and operated by the United Counties of Leeds and Grenville.

“I’m pleased to see the young children of Gananoque and the surrounding area receiving access to licensed childcare that is part of our school community. This is an excellent way for our youngest learners to be exposed to school in the early years,” noted Leeds County Trustee, Robin Reil.

The daycare addition is expected to open in September 2018.

The CDSBEO will also receive \$268,000 through the Early Years Capital Program to complete an internal retrofit that will accommodate an infant/toddler daycare program at St. Finnan’s Catholic School in Alexandria.

"The addition of this daycare helps support the government's announcement to create access to licensed child care for 100,000 more children aged 0 to 4 years old over the next five years. We are pleased that our school was selected to help meet this need," stated City of Cornwall and Glengarry County Trustee, and Board Vice-Chair, Ron Eamer.

"Families in the community of Alexandria, as well as other areas that are receiving similar funding, will now have access to quality childcare in their local Catholic school. This arrangement is so beneficial to the students, who are able to then transition seamlessly into their Kindergarten program," noted City of Cornwall and Glengarry County Trustee, and Board Chair, Todd Lalonde.

The retrofit at St. Finnan's is supported by the City of Cornwall and is expected to be complete for September 2018.

The Catholic District School Board of Eastern Ontario operates 40 elementary and 10 secondary schools across eight counties. The CDSBEO offers excellence in Catholic education through provincial-leading programs to approximately 12,900 students.

-30-

Media contact: **Amber LaBerge, Communications Officer**
Amber.Laberge@cdsbeo.on.ca
t. 1-800-443-4562 or 613-258-7757, ext. 3024
c. 613-485-0268



THE CORPORATION OF THE TOWNSHIP OF NORWICH

February 5, 2018

Honourable Peter Milczyn, MPP
Minister of Housing
17th Floor - 777 Bay Street
Toronto, Ontario
M5G 2E5

Dear Sir

Re: Ontario Building Code Amendments

At their meeting held Tuesday January 30, 2018 the Council of the Township of Norwich passed the following resolution:

“... Whereas the Preface and Introduction to the Ontario Building Code Compendium reads such that the Code is meant to be; “essentially a set of minimum provisions respecting the safety of buildings with reference to public health, fire protection, accessibility, and structurally sufficiency,

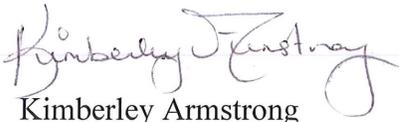
And Whereas the Ministry of Housing has for a number of years and continues to make significant changes to the scope of the Ontario Building Code to include provincial policy initiatives such as Environmental Protection, Resource Conservation, and Energy Conservation,

And Whereas these expanded roles in the Code have had significant impacts on local municipal Building Departments for additional training, staffing, and other resources required to implement such initiatives,

Therefore be it resolved that the Township of Norwich hereby requests that the Province ensure that the intent of the legislation and regulations relative to the Ontario Building Code continues to be principally for the protection of the public, and occupant health and safety in relation to the built environment, and examine other avenues for implementation of other initiatives.”

If you require further information with respect to the above noted matter, please contact the undersigned.

Sincerely



Kimberley Armstrong
Deputy Clerk

- cc. Honourable Kathleen Wynne, Premier
Ontario Building Officials Association CAO Aubrey LeBlanc, cao@oboa.on.ca
Ms. Hannah Evans, Director, Building Development Branch, MMA
hannah.evans@ontario.ca
Ontario Municipalities – via email

THE CORPORATION OF THE
TOWNSHIP OF MONTAGUE



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February 7, 2018

VIA Email
Lanark County Clerks

Hello,

Please be advised the Council of the Township of Montague passed the following resolution at its regular meeting of December 19th, 2017:

MOVED BY: I. Streight RESOLUTION NO: 315-2017
SECONDED BY: K. Van Der Meer DATE: December 19, 2017

Whereas the Township of Montague supports the changes to the Police Services Act; and

Whereas the Township of Montague maintains a local contract (Section 10) based Police Services Board; and

Whereas the Township of Montague supports the concept of detachment based Police Services Board, however each municipality must have equal representation; and

Now therefore the Township of Montague requests that the regulation under the new Police Services Act includes equal representation for all municipalities in a detachment board, with no provincial appointees; and

That the Township of Montague supports increased oversight for Police Services across Ontario.

And that this resolution be circulated to Lanark County municipalities.
CARRIED

Please contact me if you have any additional questions.

Thank you,

Jasmin Ralph
Clerk Administrator

COUNCIL CALENDAR

February 2018

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
				1 8:00am Beautification	2	3
4	5	6 8:00am CEDC 6:00pm Council	7	8 3:30pm ACAC 7:00pm AOTH	9	10
11	12 6:30pm EAC	13 2:30pm AAC	14	15 7:00am Business Breakfast	16	17
18	19 Family Day Office Closed	20 8:00am CEDC 6:00pm Council	21 7:00pm Daycare	22 8:00am Beautification	23	24
25	26	27	28 7:00pm Heritage 7:00pm Library			

COUNCIL CALENDAR

March 2018

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
				1	2	3
4	5	6 6:00pm Council	7	8	9	10
11	12 6:30pm EAC	13	14	15	16	17
18	19	20 2:30pm AAC 6:00pm Council	21 6:00pm COP Open House - Almonte Old Town Hall	22	23	24
25	26	27 6:00pm ATAC 6:00pm COP Open House - Clayton Community Centre	28 7:00pm MMPL 7:00pm Heritage 6:00pm COP Open House - Stewart Community Centre	29 6:00pm COP Open House - Almonte Community Centre	30 Good Friday	31



NOTICE OF OPEN HOUSES PROPOSED OFFICIAL PLAN AMENDMENT NO. 21 (FIVE YEAR COMMUNITY OFFICIAL PLAN REVIEW)

TAKE NOTICE that the Council of the Municipality of Mississippi Mills will hold Open Houses pursuant to Sections 17(16) and 17(17) of the *Planning Act*, respecting the Municipality's Five Year Community Official Plan Review.

OPEN HOUSES: DATES, TIMES, AND LOCATIONS

The purpose of the Open Houses is to provide the public with the opportunity to review and ask questions about the information and material, including a copy of the current proposed plan, with representatives of the Municipality in an informal setting.

DATE	TIME	LOCATION	TOPIC
Wednesday, March 21, 2018	6:00 p.m. – 9:00 p.m.	Almonte Old Town Hall (Auditorium), 14 Bridge St, Almonte	Almonte Ward and Urban Subdivision policies
Tuesday, March 27, 2018	6:00 p.m. – 9:00 p.m.	Clayton Community Centre, 147 Linn Bower Lane, Clayton	Rural / Hamlets / Natural Heritage System / Environment policies
Wednesday, March 28, 2018	6:00 p.m. – 9:00 p.m.	Stewart Community Centre, 112 MacFarlane St, Pakenham	Agriculture policies
Thursday, March 29, 2018	6:00 p.m. – 9:00 p.m.	Almonte Community Centre (Upper Hall), 182 Bridge St, Almonte	A general session for questions pertaining to any policies within the Community Official Plan

Section 26(1) of the *Planning Act*, requires that official plans be reviewed and updated not less frequently than every five years. The Municipality of Mississippi Mills' present Community Official Plan was adopted by Council December 13, 2005 and approved by the Minister of Municipal Affairs and Housing August 29, 2006. The Mississippi Mills Community Official Plan Five Year Review will update and refine the goals, objectives, policies and schedules of the existing Community Official Plan in keeping with Provincial Policies and the *Planning Act R.S.O. 1990, Chapter P. 13*, as amended by the *Planning and Conservation Land Statute Law Amendment Act, 2006*.

A key map is not provided as the Official Plan Amendment applies to the entire Municipality of Mississippi Mills.

A copy of the plan amendment and information and material is available to the public from the Municipality's website and for inspection at the Municipality of Mississippi Mills, Building and Planning Department, 3131 Old Perth Road; Mississippi Mills Public Library, Almonte Branch, 155 High Street, Almonte; and Pakenham Branch Library, 128 MacFarlane Street, Pakenham.

For more information about this matter, including information about preserving your appeal rights, contact the Municipality of Mississippi Mills, 3131 Old Perth Road, P.O. Box 400, Almonte, Ontario K0A 1A0; T: (613) 256-2064 F: (613) 256-4887 www.mississippimills.ca

Dated at Mississippi Mills this 2nd day of February, 2018.

Diane Smithson, B. Comm, Dipl.M.M., CMO
Chief Administrative Officer
Municipality of Mississippi Mills

NEXT STEPS

Over the past nine years, the Municipality has held a number of special meetings, public meetings and information sessions regarding various proposed amendments and concept plans for the Community Official Plan.

- **Open Houses: Various dates (refer to table on page one)**
The purpose of the Open Houses is to provide the public with the opportunity to review and ask questions about the information and material, including a copy of the updated proposed plan, with representatives of the Municipality in an informal setting.
- **Council Meeting: Tuesday, April 24, 2018**
JL Richards will consolidate and provide to Council a summary of the comments from the open houses / drop-in sessions and will have an overview of the proposed changes to the Community Official Plan. This meeting will take place at the Municipal Office (3131 Old Perth Road). Council will provide further direction and comment to JL Richards.
- **Formal Public Meeting Under the Planning Act: Tuesday, May 22, 2018 at 6:00 pm.**
The purpose of the Public Meeting is to give the public an opportunity to make representations in respect of the modified proposed plan. Location of meeting to be determined.
- **Report to Council: Tuesday, June 19 at 6:00 p.m.**
Following the public meeting, municipal staff and JL Richards will consolidate comments and feedback received from the public and Council, and prepare a report to Council. Council will provide further direction and comment to JL Richards. Location of meeting to be determined.
- **Final COP Prepared and Adopted: Tuesday, June 26, 2018 at 6:00 p.m.**
JL Richards will prepare a final version of the COP for Council's consideration and approval.
- **County Approval: By December 31, 2018**
The County will consider the proposed COP and makes any amendments/comments before approving the plan. The County has 180 days to complete this phase.
- **Notice of Approval:** Date to be announced
The Municipality and the County of Lanark will provide public notice that the COP has been approved.
- **Appeal Period:** Date to be announced
Following County approval any person or public body who made oral submissions at a public meeting or written submissions may appeal the decision within 20 days from the date notice is given.

How can I stay informed?

The Municipality regularly updates its website with new and relevant information. You can also subscribe to our newsfeed to receive notices and updates or follow us on Facebook. The Planning Department is available to address your questions or comments. Please e-mail us at town@mississippimills.ca or call 613-256-2064.

THE CORPORATION OF THE MUNICIPALITY OF MISSISSIPPI MILLS

BY-LAW NO. 18-23

BEING a by-law of the Corporation of the Municipality of Mississippi Mills respecting buildings.

WHEREAS Section 7 of the Building Code Act, 1992, S.O. 1992, Chapter 23, as amended, empowers Council to pass certain by-laws respecting construction, demolition and change of use permits and inspections.

AND WHEREAS Section 3. (1) of the Building Code Act, 1992, S.O. 1992, Chapter 23, as amended empowers Council to be responsible for the enforcement of the Act in the municipality, excepted where otherwise provided by this Act, 2002;

AND WHEREAS from time to time the Chief Building Official and Inspectors for the Corporation of the Municipality of Mississippi Mills have been appointed by by-law pursuant to Section 3. (2) of the Building Code Act, 1992, S.O. 1992, Chapter 23, as amended.

NOW THEREFORE the Council of the Corporation of the Municipality of Mississippi Mills enacts as follows:

1.0 SHORT TITLE

1.1 This By-law may be cited as the Building By-law.

2.0 DEFINITIONS

2.1 In this By-law:

- 1) "Act" means the *Building Code Act*, S.O. 1992, Chapter 23, including amendments thereto;
- 2) "Administration Fee" means a monetary penalty for starting to construct a structure prior to acquiring a permit, "Building Without a Permit" Section 6.6 of this By-Law.
- 3) "Applicable Law" as defined in Division A Section 1.4.1.3. of the Building Code.
- 4) "Architect" means holder of a license, a certificate or practice, or temporary license under the Architects Act as defined in the Building Code

- 5) “As Constructed Plans” means as constructed plans as defined in the Building Code;
- 6) “Authorized Agent” means the applicant submitting the application on behalf of the Owner;
- 7) “Builder” means a person as described in Section 1(1) of the Act.
- 8) “Building” means a building as defined in Section 1(1) of the Act;
- 9) “Building Code” means the regulations made under Section 34 of the Act;
- 10) “Chief Building Official” means the Chief Building Official (CBO) appointed by By-law of the Corporation of the Municipality of Mississippi Mills for the purposes of the enforcement of the Act;
- 11) “Conditional Permit” means a permit issued under clause 8. (3)(c) of the Act where all conditions have not been met but where unreasonable delays in construction may occur if a permit is not granted;
- 12) “Construct” means to do anything in the erection, installation, extension or material alteration or repair of a building, and includes the installation of a building unit fabricated or moved from elsewhere and “Construction” has a corresponding meaning;
- 13) “Corporation” means the Corporation of the Municipality of Mississippi Mills;
- 14) “Demolish” means to do anything in the removal of a building or any material part thereof and “Demolition” has a corresponding meaning;
- 15) “Designer” means a person as described in Section 1(1) of the Act. (see Qualified Designer)
- 16) “Farm Building” means a farm building as defined in the building code;
- 17) “Fee Schedule” means the listing of all fees and charges approved by Council from time to time.
- 18) “Fixture” means a “fixture” as defined in Division A, Section 1.4.1.2. of the Building Code;
- 19) “Major Project” means any project that is not listed in Minor Project;

- 20) “Material Alteration” means the substitution, changing, or altering of materials used in buildings, such as insulation, structural components, heating systems, plumbing, sewage systems and other building components and systems as described and regulated under the Building Code;
- 21) “Minor Project” includes but are not limited to these examples: decks, landings, stairs, covered porches/sun rooms, docks, minor plumbing alterations, hot water tanks & temperature safety balance valves, heating system installations, solid fuel burning devices, installations, sheds/garages/carports and demolitions under 500 sq. ft., change of use, pools, hot tubs, non-commercial farm buildings, and solar panel installations on roofs;
- 22) “Municipality” means the Corporation of the Municipality of Mississippi Mills;
- 23) “Occupancy” means the use or intended use of a building or part of a building for the shelter or support of persons, animals or property.
- 24) “Owner” any 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;
- 25) “Permit” means permission or authorization, in writing, from the Chief Building Official to perform work regulated by this By-law and the Act and, in the case of an occupancy permit, to occupy any building or part thereof;
- 26) “Plumbing” means plumbing as defined in Section 1. (1) of the Act;
- 27) “Professional Engineer” means a person who holds a license or a temporary license under the Professional Engineers Act;
- 28) “Project” means a planned undertaking which includes activities that have been reviewed and approved by the Chief Building Official;
- 29) “Qualified Designer” means a competent person with the qualifications and insurance in accordance with Division C – Part 3 of the Building Code;
- 30) “Value of Work” means the value of the proposed work including value of land, work, labour, equipment, materials, and design services; and

- 31) *“Work”* means anything in the construction or demolition or change of use or plumbing work for a building which is regulated by the Act which includes a *“Project”* that has a corresponding meaning.

2.2 Terms not defined in this by-law shall have the meaning ascribed to them in the Act or the Building Code.

3.0 CLASS OF PERMITS

3.1 Permit Types

Class of permits consist of the following classes of permits as described in detail together with their respective fees outlined in the most current Fees By-Law.

- a) Building Permit;
- b) Change of Use Permit;
- c) Conditional Permit;
- d) Demolition Permit;
- e) HVAC Permit;
- f) Occupancy Permit;
- g) Transfer of Permit;
- h) Plumbing Permit;
- i) Solid Fuel Burning Appliance Permit

4.0 PERMIT APPLICATION AND ISSUANCE

4.1 Permit Application

The Owner or Authorized Agent shall file an application in writing for any class of Permit to the Chief Building Official by completing the prescribed Provincial and Municipal forms in their entirety and supplying all information with the application as deemed necessary by the Chief Building Official.

4.2 Detail in Application for All Permits

Every Building Permit application submitted to the Chief Building Official shall contain the following items:

- a) Identify and describe in detail the proposed *project* and use to be covered by the *permit* for which the application is being made;
- b) identify and describe in detail the existing uses and the proposed use(s) for which the premises are intended;

- c) describe the land on which the *work* is to be done, by a description that will readily identify and locate the site on which the *work* covered by the *permit* is to occur. (e.g. civic address, legal description and lot measurements);
- d) be accompanied by the applicable fees as described in the most current Fees By-Law and deposit, if applicable, as outlined in attached Schedule “E” attached to this By-law;
- e) state the name, address, telephone number, facsimile and email of the *Owner*, *Architect*, *Authorized Agent*, *Professional Engineer*, *Builder* and *Designer and/or Qualified Designer* that are retained to perform *work* on the project;
- f) in circumstances where section 1.2 of Division C Part 1 of the Building Code applies, be accompanied by a “Commitment to General Review by Architects of Engineers” form as set out in Schedule “C” of this by-law;
- g) include, where applicable, the registration number of the builder or vendor as provided for in the Ontario New Home Warranties Act (Tarion);
- h) state the estimated *Value of Work* as described in the definition;
- i) be signed by the applicant;
- j) include any documents establishing compliance to applicable law as set out in article 1.4.1.3 of Division A Part 1 of the Building Code; and
- k) decide of the completeness of the application submitting all required documentation to demonstrate compliance;
- l) where a construction *project* involves disturbing a ‘designated substance’, as described by Ontario Regulation 278/05 and, which applies to all buildings constructed before 1985; the ‘project’ must adhere to these regulations and a ‘Material Substance Report’, if required, will be provided to the CBO.
- m) where a ‘Notice of Project’ is required by regulation to be submitted to the Ministry of Labour for construction, with a value over \$50,000.00, a copy shall be provided to the CBO.

4.3 Detail in Application for Demolition Permits

In addition to the requirements of Section 4.2 of this by-law, every application for a Demolition Permit under Subsection 8.(1) of the Act, may at the discretion of the Chief Building Official require:

- a) documentation that arrangements have been made with the proper authorities for the cutting off and plugging of all water, sewer, gas, electric, telephone or other utilities and services;
- b) that the applicant is meeting all requirements of the Labour Code and file a ‘Notice of Project’ with the Ministry;
- c) that the applicant fences the demolition site to the satisfaction of the Chief Building Official as described in Section 9 of this by-law;

- d) that in circumstances where section 1.2 of Division C Part 1 of the Building Code applies, be accompanied by a “Commitment to General Review by Architects of Engineers” form as set out in Schedule “C” of this by-law;
- e) that the applicant clearly indicates methods of removal and disposal of materials that are following applicable laws; and
- f) indicate the date by which demolition and disposal will be completed.
- g) where a demolition *project* involves disturbing a ‘designated substance’, as described by Ontario Regulation 278/05 and, which applies to all buildings constructed before 1985; the ‘project’ must adhere to these regulations and a ‘Material Substance Report’, if required, will be provided to the CBO.
- h) where a ‘Notice of Project’ is required by regulation, to be submitted to the Ministry of Labour for demolitions, a copy shall be provided to the CBO.

4.4 Detail in Application for Conditional Building Permits

Where application is made for a Conditional permit under Subsection 8(3) of the Act, the application shall contain;

- a) a written statement from the Applicant explaining the reasons why the Applicant believes that unreasonable delays in construction would occur if a Conditional Permit is not granted;
- b) a written acknowledgement from the Applicant of the necessary approvals which must be obtained in respect of the proposed construction and the time-period in which such approvals are proposed to be obtained by the Applicant; and,
- c) a written agreement, in the form provided by the Chief Building Official, executed by the Applicant, the Owner and all other persons that the Chief Building Official considers appropriate for the purposes set out in clause 8.(3)(c) of the Act.

4.5 Detail in Application for a Change of Use Permit

Where application is made for a Change of Use Permit issued under Section 10 of the Building Code, the application shall;

- a) describe the building in which the occupancy is to be changed by a description that will readily identify and locate the building;
- b) identify and describe, in detail the current and proposed occupancies of the building or part thereof for which the application is made;
- c) include plans and specifications which show the current and proposed occupancy of all parts of the building, and which contain sufficient information to establish compliance with the requirements

- of the Building Code, including: floor plans, details of wall, ceiling and roof assemblies, identifying required fire resistance ratings and load bearing capacities;
- d) state the name, address, e-mail (if available) and telephone number of the owner and any *authorized agent*; and,
 - e) be signed by the owner or *authorized agent* who shall certify the truth of the contents of the application.

4.6 Detail in Application for a Renewable Energy Permit

Where application is made for Renewable Energy Approvals, the application shall ensure the following;

- a) That any structure supporting a wind turbine shall have a name plate capacity of more than 3kW (smaller turbines do not require a building permit);
- b) That a building-mounted solar collector shall have a face area equal to or greater than 5.0 m²; and
- c) meet the standards of Ontario Reg. 359/09.

4.7 Detail in Application for a Plumbing Permit

In addition to the requirements of Section 4.2 of this by-law, the Chief Building Official may request the following:

- a) plans to show the location of all drain, waste, and vents of proposed plumbing;
- b) that the permit only be granted to a licensed plumbing contractor, or their authorized agent or, an owner of a single-family dwelling who undertakes the plumbing work on the premises in which he or she resides providing it is accompanied by a detailed drawing acceptable to the CBO describing the detailed design of the proposed system or proposed changes.
- c) Exception: No plumbing permit shall be required for:
 - i. repairing or the replacement of a valve faucet or fixture;
 - ii. repairing a leak or forcing out a stoppage; or
 - iii. the replacement of a hot water tank.

4.8 Delegation to Chief Building Official

The Chief Building Official is authorized to execute the written agreement referred to in Section 4.4(c) of this by-law on behalf of the Corporation where;

- a) the Applicant has complied with Section 4.4; and,

- b) The Chief Building Official is satisfied that the compliance required under Section 8 of the Act has been achieved.

4.9 Contents of Agreement

The Chief Building Official may require financial securities be provided to the Corporation as a condition for issuance of a Conditional Permit.

4.10 Registration of the Agreement

Where deemed necessary by the Chief Building Official, the agreement referred to in Section 4.4(c) of this by-law may be registered on title to the lands upon which the building or part thereof is located or will be located for which the application for Permit has been made. All registration costs are the responsibility of the Owner of the property where the Work will be taking place.

4.11 No Implied Future Permits

The Chief Building Official shall not, due to the issuance of a Conditional Permit or Partial Permit be under any obligation to grant any further Permits.

4.12 Material Changes After Permit Issued

Should a Permit Holder wish to make any material change to any plan, specification, document or other information on the basis upon which the Permit was issued, the Permit holder must file an application for revision to the Permit. The provisions of Sections 4.0 and 5.0 of this by-law apply to the application for revision as if the application was entirely new.

4.13 Incomplete Applications

All Permit applications must contain the information required pursuant to this By-law. In addition, an application is incomplete where the Chief Building Official determines within 5 working days, not including day of submission, that the proposed work or change of use will not comply with the Act, the Building Code, or any other applicable law. The Chief Building Official may refuse an application if anything required by this Section or Section 5.1 is omitted or submitted in an incomplete or unsatisfactory state at the time of application and a written statement of reasons for the refusal must be provided.

4.14 Abandoned Applications

An application for a Permit is considered to have been abandoned by the Applicant where:

- a) the application is incomplete and remains incomplete six (6) months after it was submitted;
- b) the application is complete, a Permit is available to be issued, and six (6) or more months have elapsed from the date upon which the Corporation notified the applicant of the availability of the Permit.

4.15 Transfer of Permits

Where a property, which is the subject matter of an open Permit is sold, the new Owner shall obtain a transfer of the Permit into his or her name and, shall complete a Permit application and, shall pay the administrative transfer fee prescribed in the most current Fees By-Law. A new building permit will be issued, and the previous permit closed. The new Owner shall then be the Permit Holder for the purposes of this By-law, the Act and the Building Code.

4.16 Revocation of Permits

The Chief Building Official, subject to provisions outlined in subsection 8.(10) of the Act has the authority to revoke a permit issued under the Act.

4.17 Permit Allowances and Descriptions

The chart in Schedule "E" outlines and describes all permit types.

4.18 Permit Renewals

Permits to be renewed after an initial period of one (1) year but shall not be renewed for a period of longer than one (1) year, for every renewal period after the initial period.

5.0 PLANS AND SPECIFICATIONS

5.1 Submission

Every applicant shall submit two (2) sets of plans, specifications, documents and other information drawn using a strait edge/ruler on material that would enable the Chief Building Official to determine whether the proposed construction, demolition, or change of use conforms to the Act, the Building Code, including but not limited to plans as listed on Schedule "A" and any other applicable law.

5.2 Site Plans

Site plans shall be referenced to an up-to-date survey when available and, when required to demonstrate compliance with the Act, the Building Code or other applicable law. A copy of the survey shall be submitted to the Chief Building Official.

Site plans shall show:

- a) Lot size, dimensions of the property, setbacks to property lines for any existing or proposed buildings. All drawings are to be drawn to scale with the scale clearly identified and using a straight edge tool;
- b) The dimensioned location of any other existing building(s), pools, hot tubs, decks, wells, septic, hydro lines on the property;
- c) Existing right-of-ways, easements and municipal services;
- d) Exterior lighting details which conform with the Municipality's Lighting By-law.
- e) Location of any new proposed driveway from a public road. (A new driveway will require approval from public works department)

5.3 Grading plans

Grading Plans shall be referenced to an up-to-date survey when available and, when required to demonstrate compliance with the Act, the Building Code or other applicable law. A copy of the survey shall be submitted to the Chief Building Official and include:

- a) Accurate geodetic survey elevations when possible;
- b) A permanent bench mark for reference;
- c) Footing elevations, where step footings indicate elevations of all steps, elevations of footings on frost walls;
- d) Top of foundation wall where step foundations show all elevations;
- e) Average grade around foundation and spot elevations;
- f) Garage floor, basement floor, 1st and 2nd floor elevations, peak roof elevation, sump hole elevation and elevations of building heights where height of buildings are critical;
- g) Driveway, walkways, decks, retaining walls, walkout elevations, parking yards, turnarounds;
- h) Slopes of yards, driveways, terracing or berming;
- i) Swales, grade elevations, outlet elevations and inlet elevations.
- j) Drainage plan showing the location of termination of sump discharge line and/or any other appliance that discharges water to the exterior including eavestroughs, pools and hot tubs and surface drainage.

5.4 Essential Information

In lieu of separate specifications, the Chief Building Official may allow the essential information to be shown on the plans, but in no case shall such terms as “in accordance with the Act”, “legal”, or similar terms be used as substitutes for specific information.

5.5 Wellhead Protection Areas and Intake Protection Zones

Lot grade and drainage plans must be submitted as part of the building permit application where a septic system is proposed in an area where it would be a significant drinking water threat (Wellhead Protection Areas (WHPAs) and Intake Protection Zones (IPZs) with a vulnerability score of 10 only). Two (2) copies of a site plan will be required to be completed by a Professional Engineer (P.Eng) registered in the Province of Ontario and shall include the following:

- a) Title block (owner/applicant, address/legal description of property, firm preparing the drawing, scale, date of submission, revision date);
- b) North arrow, legend, geodetic benchmarks used;
- c) Property lines, roads, existing surface features;
- d) Existing grades referenced to a permanent benchmark;
- e) Existing swales, ditches, watercourses, etc. with elevations and arrows indicating the surface drainage direction;
- f) Proposed location of buildings, septic tanks and outline of tile beds (septic system footprint/envelope referred to above), and well;
- g) Proposed final grades referenced to a permanent benchmark;
- h) Final drainage patterns with elevations and arrows indicating the drainage direction, including direction of drainage on proposed paved, graveled and grassed areas;
- i) Final features that impact drainage such as retaining walls, culverts, roof downspout locations.

5.6 Legibility

All plans submitted must be legible and drawn to scale upon paper or other suitable and durable material or electronic media approved by the Corporation.

5.7 “As Constructed” Drawings

On completion of the construction of a building, or part of a building, the Chief Building Official may require a set of “as constructed” plans, including a plan of survey showing the location and confirming the elevation of the building.

5.8 Corporation Property

Plans and specifications furnished in accordance with this by-law or otherwise required by the Act become the property of the Corporation and will be disposed of or retained in accordance with relevant legislation.

5.9 Alterative Solutions

Where an application for a permit or for authorization to make a material change to a plan, specification, document or other information based on which a permit was issued contains an alternative solution, the following information shall be provided to the Chief Building Official:

- a) identify an applicable objective, functional statement and acceptable solutions;
- b) describe a basis for past performance, established tests of the solutions or other evaluation of the solution.

6.0 FEES AND REFUNDS

6.1 Payment Required

Fees for the required permit shall be based on the service index as listed in the most current Fees By-Law. The Applicant shall pay these fees at the time of application. No Permit shall be issued until the fees have been paid in full. Administrative fees imposed after issuance of a Permit are due at the time the service is requested or required.

6.2. Changing Permit Fees

The Corporation, prior to passing a by-law under clause 7 (c) of the Act to introduce or change a fee imposed for applications for permits or for the issuance of permits, shall in accordance with sentence 1.9.1.2. of the Building Code do the following:

- a) hold at least one public meeting at which any person who attends has an opportunity to make representations with respect to the matter;
- b) ensure that a minimum of 21 days' notice of the public meeting is given to every person and organization that has, within five (5) days before the day of the meeting, requested such notice; and
- c) ensure that the notice include an estimate of the costs for administering and enforcing the Act, the amount of the fee or any change to the existing fee and the rationale for imposing or changing the fee.

6.3 Refunds

In the case of withdrawal or abandonment of an application, or the refusal or revocation of a permit, upon written request, the Chief Building Official shall determine the amount of fees, if any, that may be refunded, in accordance with Schedule "B" to this by-law.

6.4 Where Refunds Not Available

No refund of any portion of the Permit fee paid shall be made in the following circumstances:

- a) where the calculation in accordance with Section 6.3 of this by-law yields a payment of less than fifty (\$50.00) dollars;
- b) where a Permit was revoked (except where the revocation is due to an error by the Corporation); and
- c) in circumstances where the application has been deemed to have been abandoned in accordance with Section 4.14 of this By-law, and the applicant has not contacted the Corporation for a period longer than six (6) months.

6.5 Deposit Fees

At the discretion of the Chief Building Official, deposit fees as set forth in Schedule C" of this By-Law, may be required at the time of permit issuance.

6.6 Building Without a Permit

Where an owner commences with construction, demolition, building, or material alteration prior to the issuance of the required building permit the owner may be required to pay an administrative fee in the amount set forth in the current Fees By-Law for either a Major Project or a Minor Project.

7.0 NOTICE REQUIREMENTS FOR INSPECTIONS

7.1 Notices Under Subsection 1.3.5. Division C Part 1 of the Ontario Building Code:

- a) The Permit Holder or authorized agent shall notify the Chief Building Official of readiness for inspection at least two (2) business days (not including the day of notification) in advance of each stage of construction for which notice in advance is mandatory under article 1.3.5.1., Division C. Part 1 of the Building Code. After the mandatory notice has been given, an inspector shall undertake a site inspection not later than two (2) days after the notice is given.

- b) The Permit Holder or authorized agent shall notify the Chief Building Official of completion as prescribed by Section 11 of the Act or where occupancy is required prior to completion and shall notify the Chief Building Official of readiness for inspection to ensure that the requirements of Section 11 of the Act and subsection 1.3.5.1, Division C Part 1 of the Building Code are complied with.
- c) A notice pursuant to this section is not effective until written or oral notice is received by the Chief Building Official or his designate.
- d) Occupancy inspections are required for all projects that involve the occupancy of any new building or addition.
- e) Final inspections are required for all projects.

7.2 Additional Notices

The Permit Holder or authorized agent shall notify the Chief Building Official or his designate of commencement of construction of:

- a) a masonry fireplace; or
- b) completion of a public pool or public spa, or
- c) solid-fuel burning device - example (wood stove, fireplace insert, furnace)

7.3 Required Inspections

The following inspections are required under this By-Law.

- a) Underside of footing, excavation
- b) Forms for footing, foundation, piers, posts or other point loads
- c) Insulated Concrete Forms (ICF)
- d) Prior to Backfill of foundation includes damp proofing, water proofing, drainage layer, drainage tile, granular layer
- e) Plumbing - underground
- f) Framing I – all buildings, decks, accessory structures
- g) Mechanical components
- h) Plumbing Rough-in includes air/water tests, ball tests and design components
- i) Air Barrier/2nd plain of protection – if applicable
- j) Insulation/Vapour/Air Barrier
- k) Framing II – Subsequent framing of decks, or other areas not included in main inspection
- l) Insulation final – final including ceiling, documentation.
- m) Grading – rough grading away from building
- n) Occupancy – includes required framing, plumbing, mechanical, insulation, HVAC completion
- o) Final interior – all interior areas completed
- p) Final exterior – all grading, decks, guards, and landscaping completed

8.0 PRESCRIBED FORMS

8.1 The forms prescribed for use as applications for permits, orders and inspection reports shall be as set out in Schedule “C” to this By-law.

9.0 CONSTRUCTION DEMOLITION FENCING

9.1 Fencing Requirements

Where in the opinion of the Chief Building Official, a construction or demolition site presents a hazard to the public, the Chief Building Official may, under clauses 7(1) and 7(2) of the Act, require the erection of such fencing as he or she deems necessary to abate the hazard.

9.2 Fencing Requirements

The height of the fence shall be a minimum of 1.2 meters (4 feet) to be measured from the highest adjacent grade or higher, if in the opinion of the Chief Building Official, it is deemed necessary to ensure public safety.

9.3 Fencing Construction

Every fence required under this By-law shall be located on the perimeter of the site as determined by the Chief Building Official as follows;

- a) if of chain link construction, the chain link shall be fastened to a minimum 1½ inch inside diameter metal bar which is securely fastened to metal posts at not more than 3.0 meter (10 feet) on centre and embedded into the ground to provide rigid support;
- b) If of wood construction, the exterior face shall be minimum ½ inch exterior grade plywood or OSB or equivalent material that will not facilitate climbing. The facing shall be supported by a minimum 4x4 inch posts embedded in the ground at a minimum 2.4 meters on centre to provide rigid support;
- c) If the fence is snow fencing or plastic mesh type, the fencing should be securely fastened to steel T-bar posts at 3.0 meters on centre and embedded in the ground to provide a rigid support, and
- d) Other materials or methods may be substituted provided in the opinion of the Chief Building Official there is an equivalent degree of safety.

9.4 Fencing Openings

The fence may provide openings sufficient to accommodate access to the site provided these openings are closed off when work at the site has ended for the day.

10.0 CODE OF CONDUCT

The Chief Building Official and Inspectors shall be required to conform to the Municipality's Code of Conduct as detailed in Schedule "D" in this By-Law in accordance with Section 7.1 (1) of the Act.

11.0 ALLEGED BREACH OF CONDUCT IF UNRESOLVED AND DISPUTE RESOLUTION OF NON-TECHNICAL NATURE

Where it is the opinion of persons that a breach of conduct or non-technical disputes may have occurred, the following procedure shall be followed:

- a) A letter shall be delivered to the Chief Administrative Officer in confidence.
- b) The letter shall clearly explain the perceived violation of conduct, the date the violation occurred and who was affected
- c) The Chief Administrative Officer upon receiving this notice will, depending on the nature of the violation, discuss the matter with the perceived offender and obtain a written submission from the accused as to the detail
- d) The Chief Administrative Officer shall arrange a meeting between the parties to attempt to resolve the issue.
- e) A written declaration of the Chief Administrative Officer's action on the matter will be sent to all affected parties.

12.0 APPOINTMENTS AND CONTRACT AGREEMENTS

Staff and principal authorities shall be appointed by a By-law for specific duties based on qualifications and registration as set out in the Ontario Building Code. Appropriate appointments shall be registered with the Ministry of Municipal Affairs and Housing.

13.0 DISPUTE RESOLUTIONS, REVIEWS & APPEALS (Section 24 of the Act)

13.1 Section 24(1) of the Act outlines area of dispute.

13.2 Where a dispute occurs, all parties shall attempt to resolve the issue in an amicable manner.

- a) Issues of process and of a non-technical nature shall follow a similar process as outlined in Section 11 of this By-law.

- b) Issues of a technical nature or of direct interpretation of the Building Code Act or the Building Code shall be made through an application to the Building Code Commission for a hearing in accordance with Section 24(1) of the Act.
- c) The decision of the Building Code Commission shall be final.

14.0 PENALTIES AND OFFENCES

Any person who contravenes any provision of this By-law is guilty of an offence as provided for in Section 36 of the Ontario Building Code Act.

15.0 SCHEDULES "A", "B", "C", "D" AND "E"

Schedules "A", "B", "C", "D" and "E" hereto form part of this by-law.

16.0 REPEAL

By-law No. 16-13 and any other by-laws inconsistent with this By-law shall be and are hereby repealed.

17.0 ENACTMENT

This By-law shall come into full force and take effect on the passing thereof.

BY-LAW READ, passed, signed and sealed in open Council this 20th day of February, 2018.

Shawn McLaughlin, Mayor

Shawna Stone, Clerk

SCHEDULE "A" TO BY-LAW 18-23

LIST OF WORKING PLANS AND DRAWINGS REQUIRED FOR PERMIT

Unless otherwise noted, two (2) sets of the following plans must be submitted

- Site/Drainage Plan
- Framing Plans
- Reflected Ceiling Plans
- Building Elevations
- Heat Loss Gain Plan
- Energy Efficiency Design
- Duct Design
- Heating, Ventilation and Air Conditioning Drawings
- Plumbing drawings
- Fire Alarm and Sprinkler Plan
- Fire Separations and/or STC

Note: The Chief Building Official may specify that not all the above-mentioned plans are required to accompany an application for a permit.

SCHEDULE "B" TO BY-LAW 18-23

REFUND PERCENTAGES

- a) Eighty percent (80%) if application is filed and no processing or review functions have been performed;
- b) Seventy percent (70%) if administrative and zoning functions only have been performed;
- c) Forty-five percent (45%) if administrative, zoning, and plan examination functions have been performed;
- d) Thirty-five percent (35%) if the permit has been issued and no field inspections have been performed after permit issuance; and,
- e) Five percent (5%) shall additionally be deducted for each field inspection that has been performed after the permit has been issued.

SCHEDULE "C" TO BY-LAW 18-23

**PRESCRIBED MINISTRY OF HOUSING AND ONTARIO BUILDING
CODE FORMS**

Form 1	Application for a Permit to Construct or Demolish, incorporates Application for Conditional Permit
Form 2	Application for Change of Use Permit
Form 3	Commitment to General Reviews by Architect and Engineers
Form 4	Order Requiring Tests and Samples under Section 18(1) of the Building Code Act, 1992
Form 5	Order to uncover under Section 13(6) of the Building Code Act, 1992
Form 6	Order Not to Cover or Enclose under Section 13(1) of the Building Code Act, 1992
Form 7	Order to Comply under Section 12(2) of the Building Code Act, 1992
Form 8	Stop Work Order under Section 14(1) of the Building Code Act, 1992

SCHEDULE "D" TO BY-LAW 18-23

BUILDING OFFICIALS CODE OF CONDUCT AS PASSED BY COUNCIL

1.0 Introduction

The Municipality of Mississippi Mills has created this code of conduct in accordance with the provisions of the Building Code Act. Building Officials undertake building certification functions that ensure the quality, structural integrity and safety of buildings. Building Officials are exposed to potential conflicts of interest because of the special powers conferred on them. The conduct and behavior of the Municipality of Mississippi Mills Building Officials reflects the Municipality of Mississippi Mills Building Department's commitment to the highest standards of professionalism, technical competence, skill, honesty, fairness and independence. Building Officials observe both the letter and the spirit of this code of conduct as it pertains to situations that bear on their responsibilities.

2.0 Purpose

The purposes of this code of conduct are to:

- promote appropriate standards of behavior by Building Officials in the exercise of their powers and performance of their duties;
- prevent practices which may constitute an abuse of power, and
- promote appropriate standards of honesty and integrity.

3.0 Standards of Conduct and Professionalism

In addition to any Policy and with respect to any "Code of Ethics and Conduct applying to all municipal staff", Municipality of Mississippi Mills Building Officials shall undertake always to:

- 1) Act in the public interest, particularly regarding the safety of building works and structures;
- 2) Maintain their knowledge and understanding of the best current building practice, the building laws and regulations relevant to their building certifying functions;
- 3) Commit themselves to a process of continuous education to constantly be aware of developments in building design, practice and the law relevant to their duties;
- 4) Comply with the provisions of the Building Code Act, the Building Code and any other Act or Law that regulates or governs Building Officials or their functions;
- 5) Avoid situations where there may be, or where there may reasonably appear to be, a conflict between their duties to their clients, their profession, their peers and the public at large and their personal interests;
- 6) Not act beyond their level of competence or outside their area of expertise;
- 7) Apply all relevant building laws, regulations and standards strictly and without favour and independent of the influence of interested parties;

- 8) Perform their inspections and certifying duties impartially and in accordance with the highest professional standards.
- 9) Not divulge any confidential or sensitive information or material that they become privy to in the performance of their duties, except in accordance with laws governing freedom of information and protection of privacy.
- 10) To avoid any conduct that could bring Building Officials or the Municipality of Mississippi Mills into disrepute;
- 11) Extend professional courtesy to all;
- 12) Accept responsibility for the conduct of their subordinate employees;
- 13) Maintain current accreditation to perform the functions assigned to them;
- 14) Take all reasonable steps to ascertain and document all available facts relevant to the performance of their duties; and
- 15) Exemplify compliance with all regulations and standards that govern building construction, health and safety or other matters related to their status as a Building Official.

4.0 Guideline for Responding to Misconduct Allegations

The Building Code Act provides that the performance of Building Officials will be measured against this code of conduct. In response to any allegation of a breach of this code, the Chief Building Official shall direct an investigation and where appropriate, recommend disciplinary action against any Building Official who fails to comply with this code of conduct. Where the allegation is against the Chief Building Official; the Planner, as Supervisor will direct the investigation and make such recommendations as are reasonable to the Chief Administrative Officer.

In determining the appropriate discipline, the Chief Building Official or Planner/Chief Administrative Officer will have regard to the relevance of the conduct to the Official's powers and responsibilities as well as the severity of any misconduct. Disciplinary Action arising from violations of this code of conduct is the responsibility of the Municipality of Mississippi Mills Administration and is subject to relevant collective agreements, or employment laws and standards.

SCHEDULE “E” TO BY-LAW 18-23

PERMIT FEE DESCRIPTIONS

Description	Permit Information
RESIDENTIAL	
Single Family Dwelling Unit	Details: Includes all finished areas above the basement, all finished basement areas, all plumbing fixtures, 1 - rear deck of unlimited size, 1 - front porch and up to a 3-bay attached garage. All items must be included at time of application.
Townhouse/ Row House/ Carriage House/ Garden Suites Dwelling Unit	Details: Includes all finished areas above the basement, all finished basement areas, all plumbing fixtures, 1 - rear deck of unlimited size, 1 - front porch and up to a 3-bay attached garage. All items must be included at time of application.
Semi Detached Dwelling Unit	Details: Includes all finished area above the basement, all finished basement areas, all plumbing fixtures, 1 - rear deck of unlimited size, 1 - front porch and up to a 2-bay attached garage. All items must be included at time of application.
Apartment Unit	Details: Includes Finished Apartment with all Plumbing Fixtures and Balcony/Patio.
Buildings relocated to Municipality without a CAN-CSA A277 certificate.	Details: As described for a single-family dwelling unit. Includes all finished areas above the basement, all finished basement areas, all plumbing fixtures, 1 - rear deck of unlimited size, 1 - front porch and up to a 3-bay attached garage. All items must be included at time of application.
Buildings relocated to Municipality with a CAN-CSA A277 certificate.	Details: Fee, as described for a ‘Foundation or Crawl Space’ only. All other construction will require additional fees.
Residential Finished Area	Details: New residential apartment units, additional finished basement area and, other projects of similar nature as determined by the Chief Building Official.
Foundation or Crawl Space	Details: Fee for new foundations under existing buildings and/or future buildings.
Residential Accessory Building or Carport	Details: Maximum size of 400ft ² for ‘accessory building’, any ‘accessory building’ greater than that area will be charged as a ‘New Residential Garage’. No size limit on Carport.
Residential Garage (Detached or Attached and Un-insulated)	Details: Not used for commercial uses other than basic home-based business uses permitted in the most current version of the Mississippi Mills Zoning By-Law
Residential Garage Detached/Attached/Insulated	Details: Not used for commercial uses other than basic home-based business uses permitted in the most current version of the Mississippi Mills Zoning By-Law

Uncovered Deck	Details: Includes decks on ground and decks with in ground footings.
Covered Deck / Porch	Details: Includes floating decks on ground and/or decks with roof supports and in ground footings.
Verandah	Details: Same as a covered deck or porch but enclosed and not heated.
Landing	Details: Covered/Uncovered, on ground/in-ground & footings support no greater than 25 sq. ft. area.
Residential Pool – no deck	Details: Fully surrounded by a required barrier as per the most current pool bylaw requirements.
Residential Pool - with deck	Details: Deck is free standing and is fully surrounded by a required barrier as per the most current pool bylaw requirements.
Residential Hot Tub	Details: Hot tub with locking lid or fencing requirement as per the most current pool bylaw requirement.
Residential Basement Repairs (Non-Structural)	Details: Damp-proofing, waterproofing, weeping tile replacement, parging etc.
Residential Basement Repairs (Structural)	Details: Block work, insulation and vapour barrier after wall repair, concrete repair, butrices etc.
Material Alterations affecting residential/public property affecting safety	Details: Changes to exterior cladding, windows, doors, roofs and such that may create a hazard or reduce the fire separation to an adjoining property.
AGRICULTURAL	
Grain Bin/Coverall/Pole Barns/Storage Shed	Details: All building areas included
Commercial Engineered Farm Buildings 1-2999 sq. ft.	Details: For commercial farming (e.g. commercial milking operations)
Commercial Engineered Farm Buildings 3000 sq. ft. +	Details: For commercial farming (e.g. commercial milking operations)
COMMERCIAL	
Interior Fit Up and Renovations for all buildings	Details: For all occupancies (except residential)
Commercial, Industrial, Institutional, Retail, Business and Personal Service, Assembly Occupancies.	Details: New Construction or additions

Commercial Cold Storage Garage, Self Storage Units and Warehouse Shell Only 1-1499 sq. ft.	Details: For group F occupancies only, any offices, assembly, or retail area to be separate permit and adhere to New Occupancy rates
Commercial Cold Storage Garage, Self Storage Units and Warehouse Shell Only 1500-2999 sq. ft.	Details: For group F occupancies only, any offices, assembly, or retail area to be separate permit and adhere to New Occupancy rates
Commercial Cold Storage Garage, Self Storage Units and Warehouse Shell Only 3000 sq. ft.	Details: For group F occupancies only, any offices, assembly, or retail area to be separate permit and adhere to New Occupancy rates
Material Alterations that may affect neighbouring property/public safety	Details: Changes to exterior cladding, windows, doors, roofs and such that may create a hazard or reduce the fire separation to an adjoining property.
OTHER FEES	
Heating System, Fireplace, Solid Wood Burning Appliances	Details: All occupancies
Solar Panels on a Building	Details: For all occupancies
Plumbing Fixtures	Details: For new installed sinks, toilets, showers, laundry tubs etc. Along with new vent and drain pipes. Not required for changing of taps, toilets showers etc. where it does not require relocation of DWV.
Change of Use Permit	Details: Minimum Fee
Alterations of permit and plans	Details: Charged at hourly rate
Permit Transfer/Permit Renewal	Details: Fee cost is minimum fee per permit
Permit Revoking	Details: Fees are not eligible for refund.
Minimum Permit Fee	Details: Minimum Fee as provided for in current fee by-law.
Extra Inspection Fee	Details: Includes inspections beyond average required inspections for similar project and/or more than one (1) re-inspection of required inspections. Payable by cheque to inspector onsite or pre-payment at office - no inspection will be done without payment.
Building with no Permit - Minor	Details: Farm buildings, additions (less than 500 sq. ft.), decks, pools, finished basements and other similar permits – CBO may, at their discretion, reduce the established fee.
Building with no Permit - Major	Details: For all other projects – CBO may, at their discretion, reduce the established fee.
Agreements (Conditional)	Details: For all projects
Conditional Permits	Details: For all projects
Occupancy Certificates	Details: For all projects

THE CORPORATION OF THE MUNICIPALITY OF MISSISSIPPI MILLS

BY-LAW NO. 18-24

BEING a by-law to amend By-law No. 11-83 being the Zoning By-law for the Municipality of Mississippi Mills.

WHEREAS the Council of the Corporation of the Municipality of Mississippi Mills passed Zoning Bylaw 11-83, known as the Zoning By-law, to regulate the development and use of lands within the Municipality;

NOW THEREFORE the Council of the Corporation of the Municipality of Mississippi Mills pursuant to Section 34 of the *Planning Act*, R.S.O. 1990, Chapter P.13, enacts as follows:

1. That Schedule 'B' to By-law No. 11-83, as amended, is hereby further amended by changing thereon from the "Agricultural (A)" Zone to "Agricultural Exception 28 (A-28)" Zone for the lands identified on the attached Schedule 'A', which is described as Concession 12, East ½ Part Lot 18, Pakenham Ward, Municipality of Mississippi Mills.
2. That By-law No. 11-83, as amended, is hereby further amended by adding the following subsection to Section 11.3:

11.3.28 *Notwithstanding their 'A' zoning designation, lands designated as 'A-28' on Schedule 'A' to this By-law, may be used in compliance with the A Zone provisions contained in this by-law, excepting however, that:*

- i) all residential uses are prohibited; and*
- ii) the minimum lot area shall be 32.8ha*

3. This By-Law takes effect from the date of passage by Council and comes into force and effect pursuant to the provisions of the *Planning Act*, R.S.O. 1990, Chapter P.13.

BY-LAW read, passed, signed and sealed in open Council this **20th day of February, 2018.**

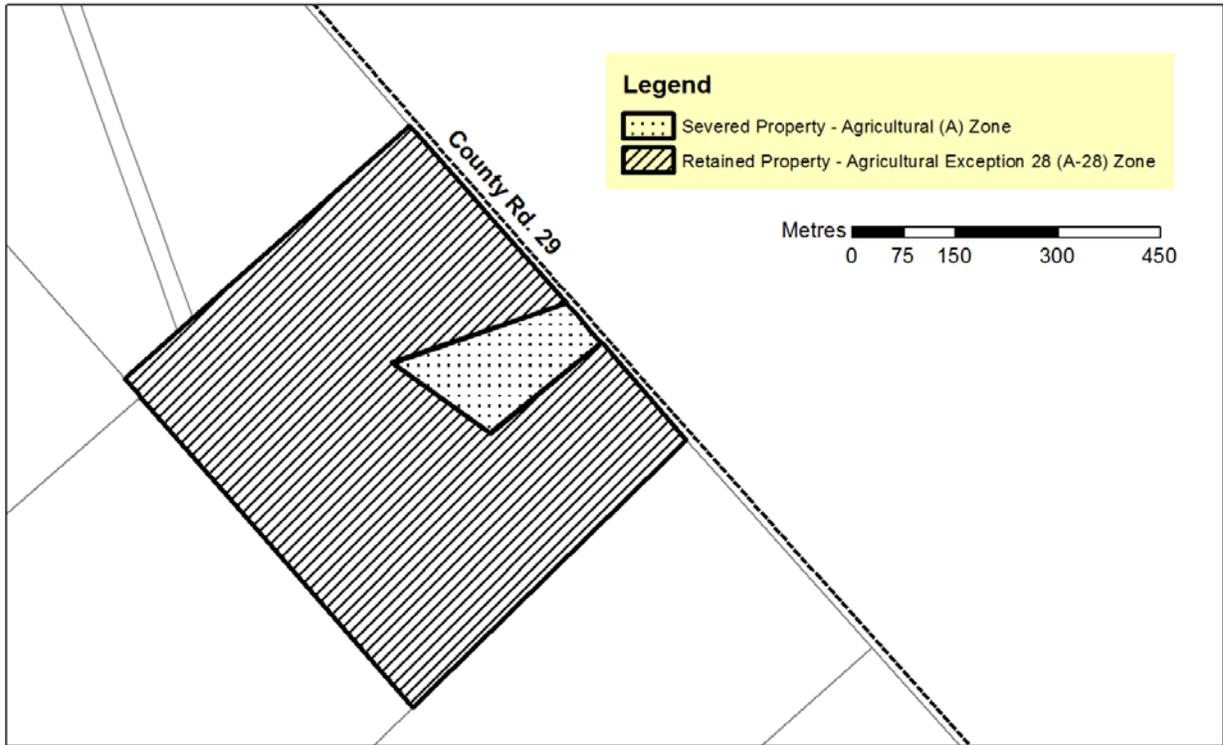
Shaun McLaughlin, Mayor

Shawna Stone, Clerk

SCHEDULE 'A' TO BY-LAW NO. 18-24



Zoning By-law Amendment Application D14-SP-17; Z-01-17
Concession 12, Part Lot 18
Pakenham Ward, Municipality of Mississippi Mills
Municipally known as 1491 County Road 29 N



THE CORPORATION OF THE MUNICIPALITY OF MISSISSIPPI MILLS

BY-LAW NO. 18-25

BEING a by-law to amend By-law No. 11-83 being the Zoning By-law for the Municipality of Mississippi Mills.

WHEREAS the Council of the Corporation of the Municipality of Mississippi Mills passed Zoning Bylaw 11-83, known as the Zoning By-law, to regulate the development and use of lands within the Municipality;

NOW THEREFORE the Council of the Corporation of the Municipality of Mississippi Mills pursuant to Section 34 of the *Planning Act*, R.S.O. 1990, Chapter P.13, enacts as follows:

1. That Schedule 'A' to By-law No. 11-83, as amended, is hereby further amended by changing thereon from the "Rural Exception 16 (RU-16)" Zone to "Rural Exception 33 (RU-33)" Zone for the lands identified on the attached Schedule 'A', which is described as Concession 9, Part Lot 20, Plan 27R-8437, Parts 2 to 9, Ramsay Ward, Municipality of Mississippi Mills.
2. That By-law No. 11-83, as amended, is hereby further amended by adding the following subsection to Section 23.3:

12.3.33 *Notwithstanding their 'A' zoning designation, lands designated as 'RU-33' to this By-law, may be used in compliance with the 'RU' zone provisions contained in this By-law, excepting however, that:*

 - i) *all buildings, structures and septic systems shall have a 30m setback from the top of a bank associated with the Mississippi River;*
 - ii) *the minimum lot frontage for a non-farm residential lot shall be 45m (150ft);*
 - iii) *the minimum lot area of the severed parcel created by consent application B122/02, whose boundaries are amended by consent application B17/057, shall be 4.05ha (10ac);*
 - iv) *the minimum lot area of the severed parcel created by consent application B123/02, whose boundaries are amended by consent application B17/058, shall be 5.55ha (13.7ac); and*
 - v) *the minimum lot area of the retained parcel created by consent application B123/02, whose boundaries are amended by consent application B17/058, shall be 4.21ha (10.4ac).*
3. That By-law No. 03-52 is hereby repealed.
4. This By-Law takes effect from the date of passage by Council and comes into force and effect pursuant to the provisions of the *Planning Act*, R.S.O. 1990, Chapter P.13.

BY-LAW read, passed, signed and sealed in open Council this **20th day of February, 2018.**

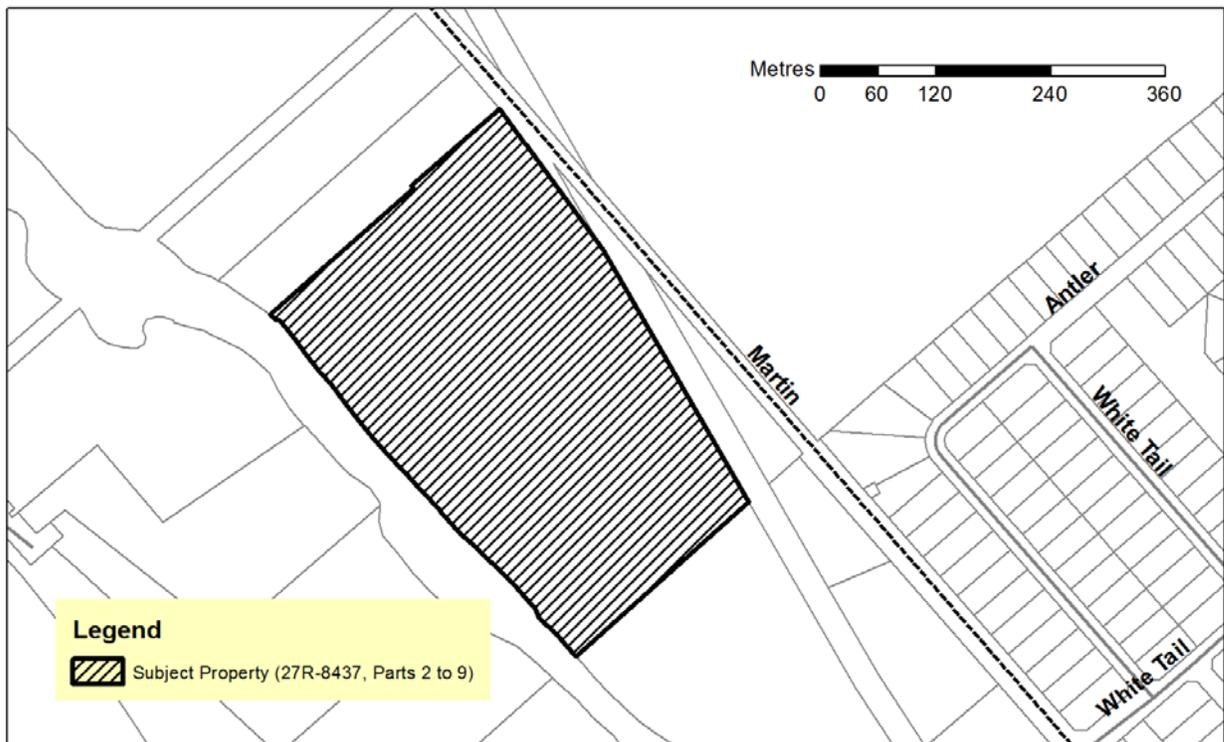
Shaun McLaughlin, Mayor

Shawna Stone, Clerk

SCHEDULE 'A' TO BY-LAW NO. 18-25



**Zoning By-law Amendment Application D14-WI-17; Z-10-17
Concession 9, Part Lot 20, 27R-8437, Parts 2 to 9
Ramsay Ward, Municipality of Mississippi Mills
Municipally known as 5993 Martin St N**



THE CORPORATION OF THE MUNICIPALITY OF MISSISSIPPI MILLS

BY-LAW NO. 18-26

BEING a by-law to authorize the sale of certain lands described as Part Lot 15, Concession 10, being Lots 14, 15, 16, 21 and 22 as identified on the concept plan of the Business Park lands located along the north side of Industrial Drive, Almonte Ward (Part of PIN 05090-0270).

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;

WHEREAS Section 268(1) of the *Municipal Act, 2001* (S.O. 2001, c.25), authorizes municipal councils to pass by-laws for establishing procedures, including the giving of notice to the public, governing the sale of land;

AND WHEREAS the Council of the Corporation of the Municipality of Mississippi Mills deems it appropriate to pass a by-law to sell such land;

NOW THEREFORE, the Council of the Corporation of the Municipality of Mississippi Mills enacts as follows:

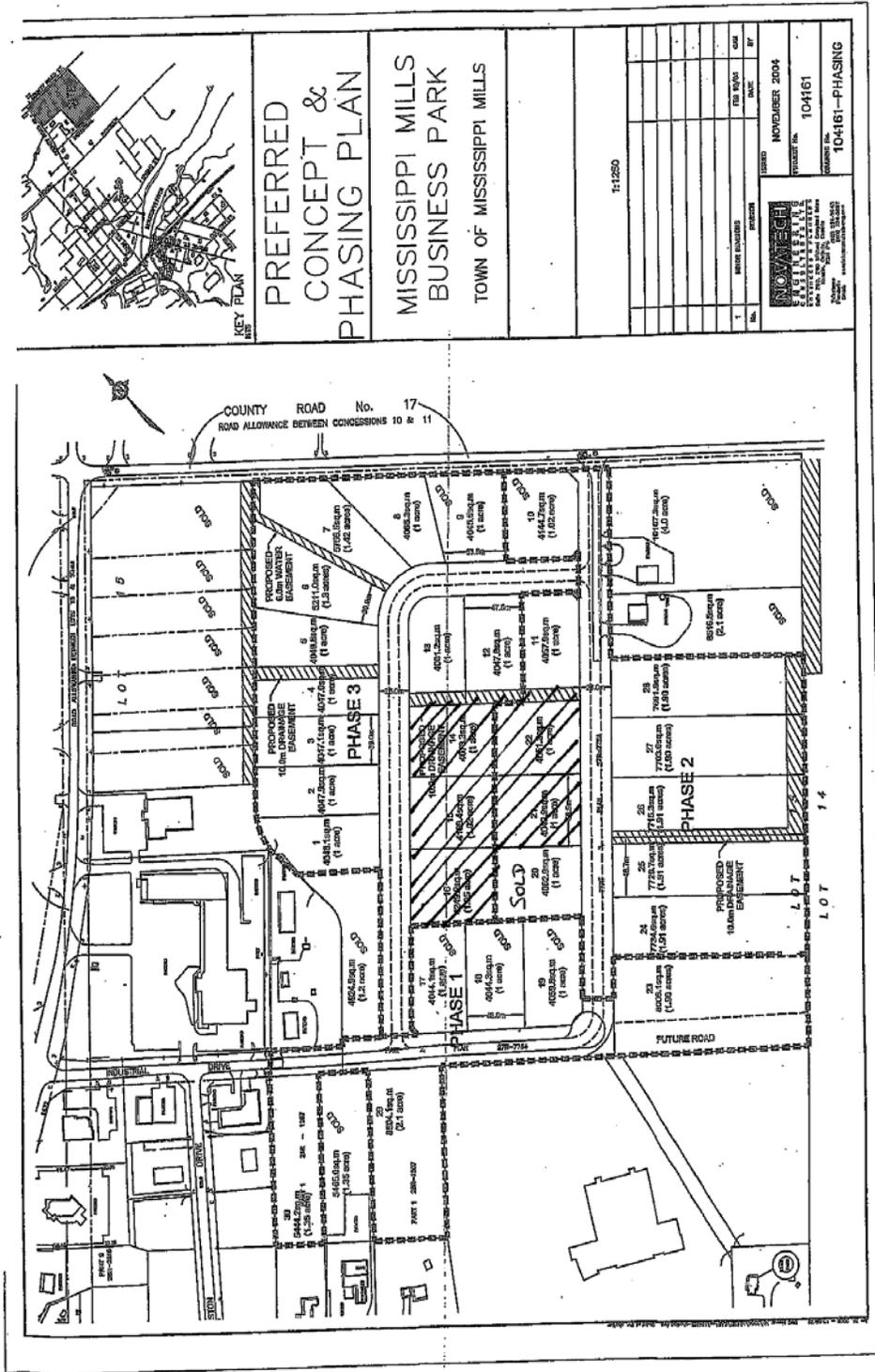
1. That the lands described as Part Lot 15, Concession 10, being Lots 14, 15, 16, 21, 22 as identified on the concept plan of the Business Park lands, Almonte Ward, as shown on Schedule 'A' be sold to Pegasus Properties Inc. for the consideration of \$195,000.00 plus HST.
2. That the Mayor and Clerk are hereby authorized to execute such documents on behalf of the Corporation and to affix the seal of the Corporation thereto as may be necessary to give effect to the said sale.

BY-LAW READ, passed, signed and sealed in open Council this 20th day of February, 2018.

Shaun McLaughlin, Mayor

Shawna Stone, Clerk

SCHEDULE 'A' TO BY-LAW NO. 18-26



**PREFERRED
CONCEPT &
PHASING PLAN**

**MISSISSIPPI MILLS
BUSINESS PARK**

TOWN OF MISSISSIPPI MILLS

1	DATE	NOVEMBER 2004
2	BY	104161
3	PROJECT NO.	104161-PHASING
4	SCALE	
5	DATE	
6	BY	

11-250

NOVATECH
ENGINEERING & CONSULTING
1000 SHEPPARD AVENUE EAST
SUITE 1000
SCARBOROUGH, ONTARIO M1S 1T5
TEL: (416) 291-1111
WWW.NOVATECH-ENGINEERING.COM

*Lots 17, 15, 16, 21, & 22 Business Park Lands
ft of lot 15, concession 10*

THE CORPORATION OF THE MUNICIPALITY OF MISSISSIPPI MILLS

BY-LAW NO. 18-27

BEING a by-law to amend Fees and Charges By-law 17-104.

WHEREAS Council passed Fees and Charges By-law 17-104 on November 21, 2017;

AND WHEREAS Council deems it expedient to make administrative amendments to clarify the descriptions under Building and Community and Economic Development;

AND WHEREAS Council approved Elections Signs By-law 18-21 which includes an administrative penalty as a means of encouraging compliance;

NOW THEREFORE the Council of the Corporation of the Municipality of Mississippi Mills enacts as follows:

1. That Schedule "A" be amended as follows:

ADMINISTRATION	
GENERAL	
Election Signs Removal Fee	•..... \$25.00/sign
BUILDING (fees per permit)	
Residential Basement Repairs (non-structural) resulting from water damage requiring basement to be excavated and rebuilt	•.....Minimum permit fee
New heating system, new fireplace, new woodstove (authority provided under the Building Code)	•..... Minimum permit
New Plumbing Fixtures in conjunction with a renovation/addition	•..... \$10.00/fixture
COMMUNITY AND ECONOMIC DEVELOPMENT	
BANNER INSTALLATION	
All rates subject to HST	
Non Profit Groups/Events	•.....\$150.00/sign
For Profit Groups/Event	•.....\$200.00/sign

2. That By-law 17-104 is hereby amended.
3. That this by-law shall come into force and take on the day of its passing.

BY-LAW READ, passed, signed and sealed in open Council this 20th day of February, 2018.

Shaun McLaughlin, Mayor

Shawna Stone, Clerk



**Municipality of Mississippi Mills
PENDING LIST
February 20, 2018**

Title	Department	Comments/Status	Report to Council (Date)
Memorial Donations Policy to Parks and Public Spaces	Parks & Rec	Referred to AAC and ATC Dec 19/18	Feb/Mar
Review and update Procedural By-law	Admin	Referred Jun 6/17 - updates also required due to Bill 68	Feb/Mar
Proposed Building By-law Changes	Building	Referred Jan 30/18 - revisions required	Feb/Mar
Main Street Revitalization Initiative	Public Works	Referred Jan 30/18 - revisions required	Mar
Paterson St No Parking Signs By-law	Public Works	Referred Jan 30/18 - report required	Mar
Live Streaming Options	Admin	Investigate bandwidth availability at Municipal Office	TBD
Review of Parking	Public Works	Carry forward from old task list	TBD
Review By-law 03-62 - Night Sky Policy	Planning	Carry forward from old task list	TBD
Downtown Infrastructure Renewal	Public Works	Detailed Plans for Phases 1 and 2 approved Aug 24/17	TBD