



**CORPORATION OF THE CITY OF
CLARENCE-ROCKLAND
REGULAR MEETING**

March 4, 2019, 6:30 pm

Council Chambers

415 rue Lemay Street, Clarence Creek, Ont.

Pages

1. Opening of the meeting

The meeting is scheduled to begin at 6:30 pm in order to allow for a closed session.

The portion of the meeting that is open to the public begins at 7:15 pm.

2. Prayer

1

3. Adoption of the agenda

4. Disclosure of pecuniary interests

3

5. Closed Meeting

5.1 Adoption of the minutes - February 20, 2019

5.2 Potential Land Acquisition

5.3 Human Resources Matter - Financial Analyst Position

5.4 Organizational Review

6. Closed Meeting report

7. Announcements

8. Comment/Question Period

Note: Members of the public may come forward to the podium and after seeking permission from the Presiding Officer, shall state their name and direct their question/comment on any matter which is related to any item included in this agenda to the Presiding Officer.

The maximum time allowed in all circumstances for a question/comment shall be three (3) minutes per person per meeting. There shall be a maximum of 30 minutes dedicated to the question/comment period. Any unasked questions/comments due to the time restriction may be submitted in writing to the Clerk.

At no time shall this question period be taken by members of the audience to make speeches or accusations.

9. Council Members' Items

9.1 Member's resolution presented by Councillor Carl Grimard regarding narrow streets

10. Consent Items

Note: All items listed in this section of the agenda will be subject to approval under one non-debatable, non-amendable motion. Should any member of Council wish to hold a discussion or engage in debate on one of these items, he or she is required to ask for the item to be considered separately before a vote is taken.

10.1 Adoption of the minutes of the following meetings:

- | | |
|--|----|
| a. Regular meeting of February 20, 2019 | 5 |
| b. Committee of the Whole of February 20, 2019 | 25 |

10.2 Receipt of the minutes of the following meetings:

- | | |
|---|----|
| a. Public Library Board of January 15, 2019 | 33 |
|---|----|

10.3 Resolution to amend Resolution 2019-33 in order to change the salary level of the newly hired project coordinator

11. Committee/Staff Reports

- | | |
|---|----|
| 11.1 Site Plan Approval – 1984 Laurier Street | 37 |
| 11.2 Request from Valoris in order to rent the Optimist Performance Hall free of charge | 45 |

12. By-laws

Note: All items listed in this section of the agenda will be subject to approval under one non-debatable, non-amendable motion. Should any member of Council wish to hold a discussion or engage in debate on one of these By-laws, he or she is required to ask for the item to be considered separately before a vote is taken.

12.1 2019-25 - Part Lot Control – Block 39-41, Plan 50M-323**73****12.2 2019-26 - Appointment of an Integrity Commissioner****77****12.3 2019-27 - Property Standard By-law****87****12.4 2019-29 - Amendment to the User fees By-Law (Schedule J)****159****13. Confirmatory By-law****165****14. Adjournment**



**CORPORATION DE LA CITÉ DE
CLARENCE-ROCKLAND
RÉUNION RÉGULIÈRE**

le 4 mars 2019, 18 h 30

Council Chambers

415 rue Lemay Street, Clarence Creek, Ont.

Pages

1. Ouverture de la réunion

La réunion débute à 18h30 afin de permettre une session à huis clos.

La section de la réunion ouverte au public débute à 19h15.

2. Prière

1

3. Adoption de l'ordre du jour

4. Déclarations d'intérêts pécuniaires

3

5. Réunion à huis clos

5.1 Adoption du procès-verbal - 20 février 2019

5.2 Acquisition potentielle d'un terrain

5.3 Dossier de ressources humaines - Poste d'analyste financier

5.4 Révision de la structure organisationnelle

6. Rapport de la réunion à huis clos

7. Annonces

8. Période de Questions/Commentaires

Note: Les membres du public sont invités à se rendre au podium et après avoir reçu la permission du président de l'assemblée, doivent se nommer et adresser leur question et/ou commentaire sur tout sujet qui est relié à n'importe quel item qui figure à l'ordre du jour au président de réunion.

Le temps maximal accordé pour une question/commentaire dans toutes circonstances est de trois (3) minutes par personne par réunion. Il y aura un maximum de 30 minutes consacrés à la période de questions/ commentaires. Toutes questions et/ou commentaires qui n'ont pas été adressés par faute de temps peuvent être soumis par écrit à la greffière.

En aucun cas, cette période de questions/ commentaires ne peut être utilisée par les membres du public pour faire des discours ou porter des accusations.

9. Items des membres du Conseil

9.1 Résolution de membre du conseiller Carl Grimard au sujet des rues étroites

10. Items par consentement

Note : Les items énumérés dans cette section de l'ordre du jour seront sujet à être considéré pour approbation sous une résolution qui n'est pas sujette au débat et non-modifiable. Si un membre du conseil désire engager une discussion ou un débat par rapport à un de ces items, il/elle doit demander que l'item soit considéré séparément avant que le vote ait lieu.

10.1 Adoption des procès-verbaux des réunions suivantes:

- | | | |
|----|--------------------------------------|----|
| a. | Réunion régulière du 20 février 2019 | 5 |
| b. | Comité plénier du 20 février 2019 | 25 |

10.2 Réception des procès-verbaux des réunions suivantes:

- | | | |
|----|---|----|
| a. | Conseil d'administration de la bibliothèque publique du 15 janvier 2019 | 33 |
|----|---|----|

10.3 Résolution pour amender la résolution 2019-33 afin de changer le niveau de salaire du coordonateur de projets nouvellement embauché

11. Rapports des Comités/Services

- | | | |
|------|---|----|
| 11.1 | Approbation du plan de site – 1984 rue Laurier | 37 |
| 11.2 | Demande de Valoris pour louer gratuitement la salle Optimiste | 45 |

12. Règlements municipaux

Les règlements énumérés dans cette section de l'ordre du jour seront sujet à être considéré pour approbation sous une résolution qui n'est pas sujette au débat et non-modifiable. Si un membre du conseil désire engager une discussion ou un débat par rapport à un de ces règlements, il/elle doit demander que l'item soit considéré séparément avant que le vote ait lieu.

12.1 2019-25 - contrôle de partie de lot – Bloc 39-41, Plan 50M-323

73

12.2 2019-26 - Nomination d'un commissaire à l'intégrité

77

12.3 2019-27 - Règlement des normes de bienfonds

87

12.4 2019-29 - Amendement au règlement sur les frais usagers (Annexe J)

159

13. Règlement de confirmation

165

14. Ajournement

**PRIÈRE D'OUVERTURE / OPENING PRAYOR
CITÉ DE / CITY OF CLARENCE-ROCKLAND**

Notre Père

Les personnes présentes dans cette salle ont des opinions divergentes, des modes d'expressions variés, des façons différentes de vivre leurs émotions et des cheminements divers dans la prise de leurs décisions.

May we combine clarity of mind with kindness of heart. May we be impartial without bending to strong personalities. May we sacrifice self-interest for the good of the whole.

Veillez éclairer nos discussions et nos décisions. Aidez-nous à accomplir notre travail avec amour et une vision juste de l'avenir pour le plus grand bien de ceux que nous représentons.

May your name be glorified through our efforts.
Amen



Declaration of pecuniary interest Déclaration d'intérêt pécuniaire

Date of meeting Date de la réunion:	
Item Number Numéro de l'item:	
Subject of the item: Sujet de l'item :	
Name of Council Member Nom du membre du conseil	

I, _____, hereby declare a pecuniary interest in the matter identified above for the following reason :

Je, _____, déclare un intérêt pécuniaire en ce qui concerne l'article ci-haut mentionné, pour la raison suivante :

Name (print)	Signature	Date

This declaration is filed in accordance with the *Municipal Conflict of Interest Act* and will be recorded in the meeting minutes and will be made available in a public registry. / Cette déclaration est soumise sous la *Loi sur les conflits d'intérêt municipaux* et sera enregistrée dans le procès-verbal de la réunion et sera disponible dans un registre public.

Excerpt from the Municipal Conflict of Interest Act, R.S.O. 1990, c. M.50

DUTY OF MEMBER

When present at meeting at which matter considered

5 (1) Where a member, either on his or her own behalf or while acting for, by, with or through another, has any pecuniary interest, direct or indirect, in any matter and is present at a meeting of the council or local board at which the matter is the subject of consideration, the member,

- (a) shall, prior to any consideration of the matter at the meeting, disclose the interest and the general nature thereof;
- (b) shall not take part in the discussion of, or vote on any question in respect of the matter; and
- (c) shall not attempt in any way whether before, during or after the meeting to influence the voting on any such question. R.S.O. 1990, c. M.50, s. 5 (1).

Where member to leave closed meeting

(2) Where the meeting referred to in subsection (1) is not open to the public, in addition to complying with the requirements of that subsection, the member shall forthwith leave the meeting or the part of the meeting during which the matter is under consideration. R.S.O. 1990, c. M.50, s. 5 (2).

Extrait de la Loi sur les conflits d'intérêts municipaux, L.R.O. 1990, chap. M.50

OBLIGATIONS DU MEMBRE

Participation à une réunion où l'affaire est discutée

5 (1) Le membre qui, soit pour son propre compte soit pour le compte d'autrui ou par personne interposée, seul ou avec d'autres, a un intérêt pécuniaire direct ou indirect dans une affaire et participe à une réunion du conseil ou du conseil local où l'affaire est discutée, est tenu aux obligations suivantes :

- a) avant toute discussion de l'affaire, déclarer son intérêt et en préciser la nature en termes généraux;
- b) ne pas prendre part à la discussion ni voter sur une question relative à l'affaire;
- c) ne pas tenter, avant, pendant ni après la réunion, d'influencer de quelque façon le vote sur une question relative à l'affaire. L.R.O. 1990, chap. M.50, par. 5 (1).

Exclusion de la réunion à huis clos

(2) Si la réunion visée au paragraphe (1) se tient à huis clos, outre les obligations que lui impose ce paragraphe, le membre est tenu de quitter immédiatement la réunion ou la partie de la réunion où l'affaire est discutée. L.R.O. 1990, chap. M.50, par. 5 (2).



**CORPORATION OF THE
CITY OF CLARENCE-ROCKLAND
REGULAR MEETING MINUTES**

February 20, 2019

Council Chambers

415 rue Lemay Street, Clarence Creek, Ont.

PRESENT: Guy Desjardins, Mayor
 Samuel Cardarelli, Councillor Ward 1
 Mario Zanth, Councillor Ward 2
 Don Bouchard, Councillor Ward 4
 André J. Lalonde, Councillor Ward 5
 Christian Simard, Councillor Ward 6
 Michel Levert, Councillor Ward 7
 Diane Choinière, Councillor Ward 8
 Monique Ouellet, Clerk
 Maryse St-Pierre, Deputy Clerk

ABSENT: Carl Grimard, Councillor Ward 3

1. Opening of the meeting

Mayor Desjardins calls the meeting to order at 5:33 pm.

2. Prayer

Councillor Michel Levert recites the prayer.

3. Adoption of the agenda

RESOLUTION 2019-28

Moved by André J. Lalonde

Seconded by Don Bouchard

BE IT RESOLVED THAT the agenda be adopted with the following additions:

- 9.2. Petition presented by Sarma Merdian in regard to the proposed fee increase in 2019 Budget for minor associations;
- 5.6. Human Resources matter.

CARRIED, as modified

4. Disclosure of pecuniary interests (none)

5. Closed Meeting

RESOLUTION 2019-29

Moved by Michel Levert

Seconded by Don Bouchard

BE IT RESOLVED THAT the regular meeting be adjourned in order to discuss the following items, as stipulated in Section 239 of the *Municipal Act, 2001*, as amended:

- 5.1. Adoption of the minutes of February 4, 2019
- 5.2. Organizational Review
- 5.3. Reclassification / Hiring - Planner position
- 5.4. Human Resources matter - Employee Requests
- 5.5. Appointment - Integrity Commissioner
- 5.6. Human Resources matter

CARRIED

Members of Council move to the conference room adjacent to the Council Chambers at 5:39 p.m. and return to the Council Chambers at 7:05 p.m.

RESOLUTION 2019-30

Moved by Mario Zanth

Seconded by Samuel Cardarelli

BE IT RESOLVED THAT the closed session be adjourned to resume the regular meeting.

CARRIED

6. Closed Meeting report

Mayor Desjardins informs the members of the public that Council discussed some matters in closed session and that directives were given to staff. He further explains that the salary review will be considered at the next closed session meeting.

RESOLUTION 2019-31

Moved by Michel Levert

Seconded by Mario Zanth

BE IT RESOLVED THAT Municipal Council hereby accepts the hiring of Mr. Nicolas Denis as a full-time Planner II, effective March 11th, 2019 and that he be subject to a probationary period of six (6) months; and

BE IT ALSO RESOLVED THAT Mr. Nicolas Denis's salary is established at Level 1, class 3, of the current unionized employee's salary grid; and

BE IT ALSO RESOLVED THAT Mrs. Claire Lemay be promoted to Planner III, as recommended.

CARRIED

RESOLUTION 2019-32

Moved by Michel Levert

Seconded by Don Bouchard

BE IT RESOLVED THAT the Clerk and the Mayor be directed to negotiate an agreement similar to the draft agreement provided by the UCPR, with the intent of appointing Mr. John Saywell as Integrity Commissioner for the City of Clarence-Rockland at the next regular meeting of Council.

CARRIED

7. Announcements

Councillor André J. Lalonde reports on the 49th Edition of Clarence Creek Carnival.

8. Comment/Question Period

Yves Laviolette, 1058 Baseline, explains that when the decision was made in regard to his drainage issue, he did not have the opportunity to present his point of view. He requests Council to make a decision regarding the extension of new infrastructure located next to his property, which could be affected by his drainage issue. He adds that he is willing to do the works himself at a lower cost than what was estimated by the department, because he does not want to register for a municipal drain.

Further to questions, Julian Lenhart explains that there are no policies to address this kind of situation and this is why the Department suggests registering an easement instead of undertaking these works. He adds that Mr. Laviolette's proposal can't be applied due to the fact that the performance of the work and its quality would not be controlled by the City.

Further to questions, Mr. Lenhart explains that no analysis was done with regard to the ditch lifetime, in particular because it is a private property.

André Sarault, 103 Pigeon, explains that Alma Street should be converted into a one-way street because it is narrow and that it is a link with schools and the YMCA. Mayor Desjardins explains that Councillor Grimard has presented a

member's resolution in this regard which will be considered at the next regular meeting where Councillor Carl Grimard is present.

9. Council Members' Items

9.1 Member's resolution presented by Councillor Carl Grimard regarding narrow streets

Mayor Desjardins informs the public that due to Councillor Carl Grimard's absence his member's resolution will be deferred to the next meeting.

9.2 Petition presented by Sarma Merdian in regard to the proposed fee increase in 2019 Budget for minor associations

Steve Whittaker, 1254 Pilon Road, presents the petition and expresses his concerns in regards to the fee increase for minor associations. Further to questions, Pierre Boucher confirms that there were no fee increases for minor associations between 2011 and 2017.

Further to questions, Mr. Boucher confirms that the ice rental fees increase will be applicable in September.

Robin Barré, 3265 Drouin Road, explains that she is supporting Mr. Whittaker's comments regarding the fee increase. She explains the challenges faced by the association during the ice reservation process.

Further to discussions, Frédéric Desnoyers explains that the ice rental fees show an amount of \$10,300 increase in revenues in the 2019 Budget as proposed.

10. Consent Items

RESOLUTION 2019-33

Moved by Michel Levert

Seconded by Samuel Cardarelli

BE IT RESOLVED THAT the following items, as identified under the consent items category on the regular meeting agenda of February 20, 2019, be adopted:

10.1. Adoption of the minutes of the following meetings:

- a. Regular meeting of February 4, 2019
- b. Committee of the Whole of February 4, 2019

10.2. Receipt of the minutes of the following meetings:

- a. Accessibility Advisory Committee meeting minutes of June 12, 2018
- b. Accessibility Advisory Committee meeting minutes of November 20, 2018

- c. Planning Committee of December 5, 2018
- d. Planning Committee of January 9, 2019

- 10.3. The following recommendation from Committee of the Whole of February 4, 2019
 - a. Municipal Sponsorship Policy
- 10.4. Resolution to appoint members to Committees & Boards
- 10.5. Resolution to hire a Project Coordinator
- 10.6. Resolution to adopt the accounts paid from January 13, 2019, to February 10, 2019, in the amount of \$3,327,202.00
- 10.7. Resolution to adopt the salaries paid from December 30, 2018, to January 26, 2019, in the gross amount of \$944,684.64 and net amount of \$650,726.88

CARRIED

Text of the resolutions as adopted by consent under Resolution 2019-33

- 10.3a. WHEREAS** *the City enters into mutually beneficial business arrangements with external companies, organizations or enterprises wherein the external party contributes funds, goods, or services to a municipal project or initiative in return for recognition, acknowledgement, or other promotional consideration; and*

WHEREAS *the proposed policy is intended to provide guidelines, to outline the process for entering into sponsorship agreements, to ensure that the public interest is respected and to protect the integrity of municipal services;*

BE IT RESOLVED THAT *Council hereby adopts the Municipal Sponsorship Policy proposed by Community Services, as recommended.*

- 10.4 BE IT RESOLVED** *that Isabelle Chartrand be appointed as a member of the Environment Committee.*

BE IT RESOLVED *that Robin Kilroy be appointed as a member of the Off-Leash Dog Park Advisory Committee and that the administration continue to advertise the remaining six (6) vacancies via the City's website and social media, as this committee cannot become active without at least three (3) other members.*

BE IT RESOLVED *that the following individuals be appointed as members of the Du Moulin Park Advisory Committee:*

- Michel Arpin
- Gérald C. Beauchamp

- Jean-Marc Lalonde

BE IT RESOLVED that Luc Boileau be appointed as a member of the Recreation Trails Advisory Committee.

BE IT RESOLVED that By-Law 2019-21 be adopted to add the appointment of Mr. André Sarault as a member of the Property Standards Committee.

- 10.5 BE IT RESOLVED THAT** Municipal Council hereby accepts the hiring of Mr. Charles Bonneau as a full-time project coordinator, effective March 11th, 2019 and that he be subject to a probationary period of six (6) months; and;

BE IT ALSO RESOLVED THAT Mr. Charles Bonneau's salary is established at Level 1, class 1, of the current unionized employee's salary grid, as recommended.

- 10.6 BE IT RESOLVED THAT** the accounts paid from January 13, 2019, to February 10, 2019, in the amount of \$3,327,202.00 be adopted as recommended.

- 10.7 BE IT RESOLVED THAT** the salaries paid from December 30, 2018, to January 26, 2019, in the gross amount of \$944,684.64 and net amount of \$650,726.88 be adopted as recommended.

11. Committee/Staff Reports

11.1 2019 Budget adoption

Further to questions, Brian Wilson explains the process utilized to establish the budget required for the fire training salaries. He confirms that the amounts are based on estimates, in particular because it is impossible to determine the number of interventions to be done throughout the year.

Further to questions, Pierre Boucher confirms that the budget pressure to reduce the user fees increase for the sports activities rentals by 2% corresponds to an amount of \$7,700.97.

RESOLUTION 2019-34

Moved by André J. Lalonde

Seconded by Don Bouchard

BE IT RESOLVED THAT the proposed user fee increase of 4% for the sports activities rentals be reduced by 2%, representing an amount of \$7,800; and

BE IT RESOLVED THAT the Fire Training Salaries budget (1-4-2131-1120) be reduced by \$7,800 in order to address this budget pressure.

CARRIED

11.3 Zoning By-law and Official Plan Amendment – Stéphane J. Lalonde for Eastern Ontario R. E. Investors Inc. – 1026 Laurier

RESOLUTION 2019-35

Moved by Samuel Cardarelli

Seconded by Don Bouchard

WHEREAS the Provincial Policy Statement, the Official Plan of the United Counties of Prescott and Russell and the Official Plan of the Urban Area of the City of Clarence-Rockland all include policies to promote infill and intensification development within the built-up urban area; and

WHEREAS the owners of the property known as 1026 Laurier Street intend to add 5 additional apartment units to the basement of the existing condominium apartment building, for a total of 32 units on the property;

BE IT RESOLVED THAT By-law 2019-18, being a by-law to amend the Zoning By-law 2016-10 to change the zoning category of a portion of the property at 1026 Laurier Street from “Urban Residential First Density (R1) Zone” to “Urban Residential Third Density – Exception 36 (R3-36) Zone” and to change the provisions of the R3-36 zone, as recommended by the Infrastructure and Planning Department and by the Planning Committee, be adopted; and

BE IT RESOLVED THAT By-law 2019-19, being a by-law to amend the Official Plan of the Urban Area of the City of Clarence-Rockland to change the designation of the property at 1026 Laurier Street from “Medium Density Residential” to “High Density Residential” and to add a new policy 5.6.4.3, as recommended by the Infrastructure and Planning Department and by the Planning Committee, be adopted.

CARRIED

11.4 Request from Community Services Prescott-Russell in regard to the Clarence Creek Arena Community Center free of charge

RESOLUTION 2019-36

Moved by André J. Lalonde

Seconded by Don Bouchard

WHEREAS Community Services Prescott-Russell is a not-for-profit organization which offers home care services for Prescott & Russell seniors; and

WHEREAS the Organization is requesting the free use of the Clarence Creek Arena Community Hall in order to organize monthly lunches for seniors in the area, in order to prevent isolation;

BE IT RESOLVED THAT the Council of the City of Clarence-Rockland hereby authorizes Community Services Prescott-Russell to use the Clarence Creek Arena Community Hall at a reduced fee, which corresponds to the operational costs incurred by the City as a result of their use, as outlined in report LOI2019-02-02.

CARRIED

11.5 Appeal of Zoning By-law – 2164 Landry (MDS reduction Michel Leblanc)

RESOLUTION 2019-37

Moved by Don Bouchard

Seconded by André J. Lalonde

WHEREAS Council approved a Zoning By-law Amendment submitted by Michel and Hélène Leblanc for 2164 Landry Street (file number D-14-512), against the recommendation of the Infrastructure and Planning Department; and

WHEREAS Mrs. Monique Halloran of 2320 Landry Street submitted an appeal of Council's decision to the Local Planning Appeals Tribunal; and

WHEREAS Council has recommended on December 17th, 2018 to try a dispute resolution technique to try to resolve the appeal; and

WHEREAS the dispute resolution technique did not end in a resolution from both parties and as such an LPAT appeal will be submitted;

BE IT RESOLVED THAT Council hereby direct the administration to hire the services of an external planner and legal counsel to ensure proper representation before the Local Planning Appeals Tribunal.

CARRIED

11.6 2018 Itemized Statement of Remuneration and expenses

RESOLUTION 2019-38

Moved by Mario Zanth

Seconded by Christian Simard

BE IT RESOLVED THAT the Itemized Statement of Remuneration and expenses paid in 2018 as per section 284 of the Municipal Act, 2001, as presented under Report No. FIN 2019-008, be adopted.

CARRIED**12. By-laws****RESOLUTION 2019-39****Moved by** Diane Choinière**Seconded by** Don Bouchard**BE IT RESOLVED THAT** the following by-laws be adopted:

12.1. 2019-17 - Lifting of Part-Lot Control – CH Clément Construction – Docteur Corbeil Boulevard

12.2. 2019-20 - Business Licence By-law

12.3. 2019-22 - Tree Canopy and vegetation cover policy

12.4. 2019-24 - Easement agreement - Part 1 on Plan 50R-10806

CARRIED

Break from 8:30 p.m. to 8:40 p.m.

11.1 2019 Budget adoption**RESOLUTION 2019-40****Moved by** Don Bouchard**Seconded by** André J. Lalonde**BE IT RESOLVED THAT** By-law No. 2019-09, being a by-law to establish the budget estimates for the year 2019, be approved.**CARRIED****11.2 Ontario Regulation 284/09****RESOLUTION 2019-41****Moved by** Samuel Cardarelli**Seconded by** Michel Levert**BE IT RESOLVED THAT** the report prepared as per Ontario Regulation 284/09 for the 2019 budget, be adopted as per Schedule 'A' to Report no. FIN2019-001.**CARRIED****13. Confirmatory By-law****RESOLUTION 2019-42****Moved by** Diane Choinière**Seconded by** Mario Zanth

BE IT RESOLVED THAT By-law no. 2019-23, being a confirmatory by-law for the regular meeting of February 20, 2019, be adopted.

CARRIED

14. Adjournment

Mayor Desjardins adjourns the meeting at 8:51 p.m.

Guy Desjardins, Mayor

Maryse St-Pierre, Deputy Clerk



**CORPORATION DE LA
CITÉ DE CLARENCE-ROCKLAND
RÉUNION RÉGULIÈRE - PROCÈS-VERBAL**

le 20 février 2019

Salle du Conseil

415 rue Lemay Street, Clarence Creek, Ont.

PRÉSENT: Guy Desjardins, maire
 Samuel Cardarelli, conseiller quartier 1
 Mario Zanth, conseiller du quartier 2
 Don Bouchard, conseiller quartier 4
 André J. Lalonde, conseiller du quartier 5
 Christian Simard, conseiller quartier 6
 Michel Levert, conseiller du quartier 7
 Diane Choinière, conseillère du quartier 8
 Monique Ouellet, greffière
 Maryse St-Pierre, greffière adjointe

ABSENT: Carl Grimard, conseiller du quartier 3

1. Ouverture de la réunion

Le maire Desjardins ouvre la réunion à 17h33.

2. Prière

Le conseiller Michel Levert fait la lecture de la prière.

3. Adoption de l'ordre du jour

RÉSOLUTION 2019-28

Proposée par André J. Lalonde

Appuyée par Don Bouchard

QU'IL SOIT RÉSOLU QUE l'ordre du jour soit adopté avec les ajouts suivants:

- 9.2. Pétition présentée par Sarma Merdian relativement à la hausse de frais proposée pour les associations mineures;
- 5.6. Dossier des ressources humaines.

ADOPTÉE, telle que modifiée

4. **Déclarations d'intérêts pécuniaires** (aucune)

5. **Réunion à huis clos**

RÉSOLUTION 2019-29

Proposée par Michel Levert

Appuyée par Don Bouchard

QU'IL SOIT RÉSOLU QUE la réunion régulière du conseil municipal soit ajournée afin de tenir une session à huis clos pour discuter des sujets suivants, tel que stipulé à la section 239 de la *Loi sur les municipalités 2001*, tel que modifiée :

5.1. Adoption du procès-verbal du 4 février 2019

5.2. Révision de la structure organisationnelle

5.3. Reclassification / Embauche - Poste d'urbaniste

5.4. Dossier des ressources humaines - Demande d'employés

5.5. Nomination - Commissaire à l'intégrité

5.6. Dossier des ressources humaines

ADOPTÉE

Les membres du conseil se retirent dans la salle de conférence adjacente à la salle du conseil à 17h39 et retournent dans la salle du conseil à 19h05.

RÉSOLUTION 2019-30

Proposée par Mario Zanth

Appuyée par Samuel Cardarelli

QU'IL SOIT RÉSOLU QUE la réunion à huis clos soit ajournée afin de retourner en réunion régulière.

ADOPTÉE

6. **Rapport de la réunion à huis clos**

Le maire Desjardins informe les membres du public que le conseil a discuté de dossiers à huis clos et que des directives ont été données au personnel. Il explique également que la révision des salaires sera discutée lors de la prochaine réunion à huis clos.

RÉSOLUTION 2019-31

Proposée par Michel Levert

Appuyée par Mario Zanth

QU'IL SOIT RÉSOLU QUE le conseil municipal accepte l'embauche de M. Nicholas Denis à titre d'urbaniste II à temps plein, effectif le 11 mars 2019 et que celui-ci soit sujet à une période probatoire de six (6) mois; et

QU'IL SOIT ÉGALEMENT RÉSOLU QUE le salaire de M. Nicolas Denis soit établi à la Classe 3, niveau 1 de la grille salariale en vigueur des employés syndiqués; et

QU'IL SOIT ÉGALEMENT RÉSOLU QUE Mme Claire Lemay soit promu à titre d'urbaniste III niveau 1, tel que recommandé.

ADOPTÉE

RÉSOLUTION 2019-32

Proposée par Michel Levert

Appuyée par Don Bouchard

QU'IL SOIT RÉSOLU QUE la greffière et le maire soit mandatés de négocier une entente similaire à l'entente fournie par les CUPR, avec l'intention de nommer de M. John Saywell en tant que commissaire à l'intégrité pour la Cité de Clarence-Rockland lors de la prochaine réunion régulière du conseil.

ADOPTÉE

7. Annonces

Le conseiller André J. Lalonde fait un rapport sur la 49e édition Carnaval de Clarence Creek.

8. Période de Questions/Commentaires

Yves Laviolette, 1058 Baseline, explique que lorsque la décision sur sa problématique de drainage a été prise, il n'a pas eu l'occasion de présenter son dossier. Il demande au conseil de prendre une décision relativement au prolongement des nouvelles infrastructures installées près de sa propriété, puisque celles-ci pourront être affectées par son problème de drainage. Il ajoute qu'il est prêt à procéder aux travaux nécessaires pour un coût moindre que celui estimé par le département d'Infrastructure, car il ne veut pas procéder à l'inscription d'un drain municipal.

Suite aux questions, Julian Lenhart explique qu'il n'y a pas de politiques en place pour gérer ce type de situation et c'est une des raisons principales pour lesquelles le département ne recommande pas d'effectuer les travaux, mais plutôt de procéder à l'inscription d'une servitude. Il ajoute que la proposition de M. Laviolette ne peut être appliquée, car il n'y aura pas de contrôle sur l'exécution et la qualité des travaux.

Suite aux questions, M. Lenhart explique qu'aucune analyse n'a été faite relativement à la durée du fossé, notamment car il s'agit d'une propriété privée.

André Sarault, 103 Pigeon, explique la rue Alma devrait être désignée comme sens unique, car elle est étroite et assure le lien avec les écoles et le YMCA. Le maire Desjardins explique que le conseiller Grimard a présenté une résolution de membre portant sur ce sujet, laquelle sera considérée à la prochaine réunion régulière lorsque le conseiller Carl Grimard sera présent.

9. Items des membres du Conseil

9.1 Résolution de membre du conseiller Carl Grimard au sujet des rues étroites

Le maire Desjardins informe le public que suite à l'absence du conseiller Carl Grimard, sa résolution de membre est différée à la prochaine réunion régulière.

9.2 Pétition présentée par Sarma Merdian relativement à la hausse de frais proposée pour les associations mineures

Steve Whittaker, 1254 chemin Pilon, présente cette pétition et exprime ses inquiétudes quant à l'augmentation des frais de glace pour les associations mineures. Suite aux questions, Pierre Boucher confirme qu'il n'y a pas eu d'augmentations entre 2011 et 2017 pour les associations mineures.

Suite aux questions, M. Boucher confirme que les augmentations des frais s'appliqueront à partir du mois de septembre pour les sports de glace.

Robin Barré, 3265 chemin Drouin, explique qu'elle vient appuyer les propos de M. Whittaker concernant l'augmentation de frais. Elle explique les défis rencontrés par l'association quant au processus de réservation de glace et aux frais à déboursier.

Suite aux discussions, Frédéric Desnoyers explique que l'augmentation des taux de glace correspond à un revenu additionnel de 10 300\$ au budget 2019 proposé.

10. Items par consentement

RÉSOLUTION 2019-33

Proposée par Michel Levert

Appuyée par Samuel Cardarelli

QU'IL SOIT RÉSOLU QUE les items suivants, tels qu'identifiés sous la rubrique «items par consentement» à l'ordre du jour de la réunion régulière du 20 février 2019, soient adoptés :

10.1. Adoption des procès-verbaux des réunions suivantes

- a. Réunion régulière du 4 février 2019
 - b. Comité plénier du 4 février 2019
- 10.2. Réception des procès-verbaux des réunions suivantes:
- a. Procès-verbal de la réunion du Comité consultatif en accessibilité du 12 juin 2018
 - b. Procès-verbal de la réunion du Comité consultatif en accessibilité du 20 novembre 2018
 - c. Comité d'aménagement du 5 décembre 2018
 - d. Comité d'aménagement du 9 janvier 2019
- 10.3. La recommandation suivante du comité plénier du 4 février 2019
- a. Politique de commandite municipale
- 10.4. Résolution pour nommer des membres aux comités et conseils d'administration
- 10.5. Résolution pour embaucher un coordonnateur de projets
- 10.6. Résolution pour adopter les comptes payés pour la période du 13 janvier 2019 au 10 février 2019, au montant de 3 327 202,00 \$
- 10.7. Résolution pour adopter les salaires payés pour la période du 30 décembre 2018 au 26 janvier 2019, au montant brut de 944 684,64 \$ et montant net de 650 726,88 \$

ADOPTÉE

Texte des résolutions adoptées par consentement telles qu'identifiées dans la résolution 2019-33

10.3a. ATTENDU QUE *la municipalité conclut des ententes mutuellement bénéfiques avec des entreprises ou organisations externes dans lesquelles la partie externe contribue des fonds, des biens ou des services à un projet ou une initiative municipale en contrepartie d'une reconnaissance ou promotion ; et*

ATTENDU QUE *la politique proposée vise à fournir des lignes directrices, à décrire le processus de conclusion d'ententes de commandite, d'assurer le respect de l'intérêt public ainsi que de protéger l'intégrité des services municipaux ;*

QU'IL SOIT RÉSOLU QUE *le conseil municipal adopte la politique de commandite municipale proposée par les Services communautaires, tel que recommandé.*

10.4 QU'IL SOIT RÉSOLU QUE Isabelle Chartrand soit nommé à titre de membre du comité consultatif sur l'environnement.

QU'IL SOIT RÉSOLU QUE Robin Kilroy soit nommée à titre de membre du comité consultatif pour le parc de chiens sans laisse et que l'administration continue d'annoncer les six (6) postes vacants via le site web de la Cité et les réseaux sociaux, puisque ce comité ne peut devenir actif sans avoir au moins trois (3) autres membres.

QU'IL SOIT RÉSOLU QUE les individus suivants soient nommés à titre de membres du comité consultatif pour le parc Du Moulin :

- Michel Arpin
- Gérald C. Beauchamp
- Jean-Marc Lalonde

QU'IL SOIT RÉSOLU QUE Luc Boileau soit nommé à titre de membre du comité consultatif des sentiers récréatifs.

QU'IL SOIT RÉSOLU QUE le règlement 2019-21 soit adopté afin d'ajouter la nomination de M. André Sarault à titre de membre du comité des normes de bienfonds.

10.5 QU'IL SOIT RÉSOLU QUE le conseil municipal accepte l'embauche de M. Charles Bonneau à titre de coordonnateur de projets à temps plein, effectif le 11 mars 2019 et que celui-ci soit sujet à une période probatoire de six (6) mois; et

QU'IL SOIT ÉGALEMENT RÉSOLU QUE le salaire de M. Charles Bonneau soit établi à la Classe 1, niveau 1 de la grille salariale en vigueur des employés syndiqués, tel que recommandé.

10.6 QU'IL SOIT RÉSOLU QUE les comptes payés pour la période du 13 janvier 2019 au 10 février 2019, au montant de 3 327 202,00 \$ soient adoptés tel que recommandé.

10.7 QU'IL SOIT RÉSOLU QUE les salaires payés pour la période du 30 décembre 2018 au 26 janvier 2019, au montant brut de 944 684,64 \$ et montant net de 650 726,88 \$, soient adoptés tel que recommandé.

11. Rapports des Comités/Services

11.1 Adoption du Budget 2019

Suite aux questions, Brian Wilson explique les méthodes utilisées pour déterminer le budget pour le salaire de formation des pompiers volontaires. Il

confirme que ces montants se basent sur des estimations, notamment parce qu'il est impossible de déterminer le nombre d'interventions à faire durant l'année.

Suite aux questions, Pierre Boucher confirme que la pression budgétaire pour réduire de 2% l'augmentation des frais usagers pour les activités sportives correspond à un montant de 7 700,97\$.

RÉSOLUTION 2019-34

Proposée par André J. Lalonde

Appuyée par Don Bouchard

QU'IL SOIT RÉSOLU QUE l'augmentation proposée de 4% pour les frais de locations pour les activités sportives soit réduite de 2%, représentant un montant de 7 800\$; et

QU'IL SOIT RÉSOLU QUE le budget des Salaires pour la formation des incendies (1-4-2131-1120) soit réduit de 7 800\$ afin d'adresser cette pression budgétaire.

ADOPTÉE

11.3 Amendement au plan officiel et au règlement de zonage– Stéphane J. Lalonde pour Eastern Ontario R. E. Investors Inc. – 1026 Laurier

RÉSOLUTION 2019-35

Proposée par Samuel Cardarelli

Appuyée par Don Bouchard

ATTENDU QUE la Déclaration de principes provinciale, le Plan officiel des Comtés unis de Prescott et Russell, et le Plan officiel de l'aire urbaine de la Cité de Clarence-Rockland incluent tous des politiques pour promouvoir le développement intercalaire et la densification à l'intérieur de la zone bâtie de l'aire urbaine; et

ATTENDU QUE les propriétaires de la propriété décrite comme étant le 1026 rue Laurier ont l'intention d'ajouter 5 appartements additionnels au sous-sol du bâtiment de condos existant, pour un total de 32 unités sur la propriété;

QU'IL SOIT RÉSOLU QUE le règlement 2019-18, visant à amender le Règlement de zonage 2016-10 afin de changer la catégorie de zonage de « Zone résidentielle urbaine de densité 1 (R1) » à « Zone résidentielle de densité 3 – exception 36 (R3-36) » pour une partie de la propriété au 1026 rue Laurier et afin de changer les dispositions de la zone R3-36, tel que recommandé par le département d'infrastructures et aménagement du territoire, soit adopté; et

QU'IL SOIT RÉSOLU QUE le règlement 2019-19, visant à amender le Plan officiel de l'aire urbaine de la Cité de Clarence-Rockland afin de changer la désignation de « Résidentiel à moyenne densité » à « Résidentiel à haute densité », ainsi que d'ajouter la politique 5.6.4.3 pour la propriété au 1026 rue Laurier, tel que recommandé par le département d'infrastructures et aménagement du territoire, soit adopté.

ADOPTÉE

11.4 Demande des Services Communautaires Prescott-Russell au sujet de la location gratuite de la salle communautaire de l'aréna de Clarence Creek

RÉSOLUTION 2019-36

Proposée par André J. Lalonde

Appuyée par Don Bouchard

ATTENDU QUE les Services Communautaires de Prescott-Russell est un organisme sans but lucratif offrant des services de support à domicile pour les aînés de Prescott & Russell; et

ATTENDU QUE la location gratuite de la salle communautaire de l'aréna de Clarence Creek est demandée par cet organisme pour organiser des diners mensuels s'adressant aux aînés de la région, dans le but de briser l'isolement;

QU'IL SOIT RÉSOLU QUE le conseil de la Cité de Clarence-Rockland accorde à l'organisme Services Communautaires de Prescott-Russell le droit d'utiliser la salle communautaire de l'aréna de Clarence Creek pour un tarif réduit correspondant aux frais d'exploitation de la Cité, tel qu'identifié dans le rapport LOI2019-02-02.

ADOPTÉE

11.5 Appel au règlement de zonage – 2164 Landry (Réduction de DMS Michel Leblanc)

RÉSOLUTION 2019-37

Proposée par Don Bouchard

Appuyée par André J. Lalonde

ATTENDU QUE le conseil a approuvé l'amendement au règlement de zonage soumis par Michel et Hélène Leblanc pour le 2164 chemin Landry (numéro de dossier D-14-512) contre la recommandation du département d'Infrastructure et d'aménagement du territoire; et

ATTENDU QUE Mme Monique Halloran du 2320 chemin Landry a soumis un appel à la décision du conseil au Tribunal d'Appel d'Aménagement Local; et

ATTENDU QUE le conseil a recommandé le 17 décembre 2018 d'essayer une technique de règlement des différends afin d'essayer de résoudre l'appel; et

ATTENDU QUE la technique de règlement des différends n'a pas conclut d'entente entre les parties et qu'un appel au TAAL sera déposé;

QU'IL SOIT RÉSOLU QUE le conseil mandate l'administration d'engager les services d'un urbaniste externe et d'un conseiller juridique dans le but d'avoir une représentation adéquate auprès du Tribunal d'Appel d'Aménagement Local.

ADOPTÉE

11.6 État de la rémunération et des indemnités 2018

RÉSOLUTION 2019-38

Proposée par Mario Zanth

Appuyée par Christian Simard

QU'IL SOIT RÉSOLU QUE l'état détaillé de la rémunération et des indemnités versées en 2018 conformément à l'article 284 de la Loi de 2001 sur les municipalités, tel que présenté au rapport no. FIN2019-008, soit adopté.

ADOPTÉE

12. Règlements municipaux

RÉSOLUTION 2019-39

Proposée par Diane Choinière

Appuyée par Don Bouchard

QU'IL SOIT RÉSOLU QUE les règlements municipaux suivants soient adoptés :

12.1. 2019-17 - Levée de l'assujettissement aux parties de lot – CH Clément Construction – Boulevard Docteur Corbeil

12.2. 2019-20 - Règlement relatif aux licences de commerces

12.3. 2019-22 - Politique sur la protection du couvert forestier et de la végétation naturelle

12.4. 2019-24 - Entente de servitude - partie 1 du Plan 50R-10806

ADOPTÉE

11.1 Adoption du Budget 2019

Pause de 20h30 à 20h40.

RÉSOLUTION 2019-40

Proposée par Don Bouchard

Appuyée par André J. Lalonde

QU'IL SOIT RÉSOLU QUE le règlement no. 2019-09, visant à établir les estimations budgétaire pour l'année 2019, soit adopté.

ADOPTÉE

11.2 Règlement de l'Ontario 284/09

RÉSOLUTION 2019-41

Proposée par Samuel Cardarelli

Appuyée par Michel Levert

QU'IL SOIT RÉSOLU QUE le rapport préparé selon le Règlement de l'Ontario 284/09 pour le budget 2019, soit adopté tel que présenté à l'annexe « A » du rapport no. FIN2019-001.

ADOPTÉE

13. Règlement de confirmation

RÉSOLUTION 2019-42

Proposée par Diane Choinière

Appuyée par Mario Zanth

QU'IL SOIT RÉSOLU QUE le règlement no. 2019-23, étant un règlement de confirmation pour la réunion régulière du 20 février 2019, soit adopté.

ADOPTÉE

14. Ajournement

Le maire Desjardins lève l'assemblée à 20h51.

Guy Desjardins, maire

Maryse St-Pierre, greffière adjointe



**CORPORATION OF THE
CITY OF CLARENCE-ROCKLAND
COMMITTEE OF THE WHOLE MINUTES**

February 20, 2019

Council Chambers

415 rue Lemay Street, Clarence Creek, Ont.

PRESENT:

Guy Desjardins, Mayor
Samuel Cardarelli, Councillor Ward 1
Mario Zanth, Councillor Ward 2
Don Bouchard, Councillor Ward 4
André J. Lalonde, Councillor Ward 5
Christian Simard, Councillor Ward 6
Michel Levert, Councillor Ward 7
Diane Choinière, Councillor Ward 8
Monique Ouellet, Clerk
Maryse St-Pierre, Deputy Clerk

ABSENT:

Carl Grimard, Councillor Ward 3

1. Opening of the meeting

Mayor Desjardins calls the meeting to order at 8:52 p.m.

2. Adoption of the agenda

RECOMMENDATION COW2019-21

Moved by Mario Zanth

Seconded by Samuel Cardarelli

THAT the agenda be adopted with the following amendment:

- withdraw item 5.1. Petition presented by Sarma Merdian in regard to the proposed fee increase in 2019 Budget for minor associations.

CARRIED, as modified

3. Disclosure of pecuniary interests (none)

4. Delegations / Presentations

4.1 Presentation by Joanne Dupuis from the Centre d'accueil Roger Séguin - "Do you have your brick?" Challenge

Joanne Dupuis presents the Centre d'accueil Roger Séguin fundraising campaign for the reconstruction.

Further to questions, Ms. Dupuis confirms that an amount of two million has been raised to date.

5. Petitions / Correspondence

5.2 Request from Valoris in order to rent the Optimist Performance Hall free of charge

Further to discussions, Mayor Desjardins mandates the administration to prepare a report for the next regular meeting.

6. Notice of Motion (none)

7. Comment/Question Period

Trevor Stewart, 2694 Gagné, presents a petition requesting to pave Gagné Road.

Further to questions, Julian Lenhart explain that Gagné Road is not included in the ten-year plan because a major reconstruction is required, due to structure and drainage issues.

Further to questions, Julian Lenhart explains that a budget divided into two or three years is required to do the work.

Further to questions, Julian Lenhart explains that this road does not meet the requirement for surface treatment because of the low vehicles volume. He adds that a full road restructuration is required even if surface treatment is considered.

Monique Gendron, 2740 Gagné, explains the road conditions of this road throughout the seasons.

Further to discussions, Mayor Desjardins mandates the administration to prepare a report regarding the possible options for repairs to Gagné Road.

Rolland Labonté, 1573 Rollin Road, representing his daughter, asks what the City budgets for lawyer and engineer services. Mayor Desjardins explains that he cannot answer the question at this time.

8. Report from the United Counties of Prescott and Russell

Mayor Desjardins explains that the UCPR Budget has been adopted at 3.8%.

9. Committee/Staff Reports

9.1 Property Standard By-law

RECOMMENDATION COW2019-22**Moved by** Don Bouchard**Seconded by** Diane Choinière

THAT the Committee of the Whole recommends that Council adopts the revised Property Standard By-law, as presented in Report no. INF2019-001.

CARRIED**9.2 Construction monthly statistics - January 2019****RECOMMENDATION COW2019-23****Moved by** Christian Simard**Seconded by** Mario Zanth

THAT the Construction monthly report be received as information.

CARRIED**10. Other items**

Councillor Don Bouchard explains that the Facebook contest for the hydrant snow removal was a good idea. He adds that some residents did not appreciate the initiative because they feel that the hydrant snow removal belongs to the City. Brian Wilson explains the process for hydrant snow removal. He confirms that the current process is appropriate.

Councillor Mario Zanth asks if the list of approved projects as adopted in the budget is available. Frédéric Desnoyers confirms that the list will be available further to the adoption of budget tonight.

11. Adjournment

The Mayor adjourns the meeting at 9:32 p.m.

 Guy Desjardins, Mayor

 Maryse St-Pierre, Deputy Clerk



**CORPORATION DE LA
CITÉ DE CLARENCE-ROCKLAND
PROCÈS-VERBAL DU COMITÉ PLÉNIER**

le 20 février 2019

Salle du Conseil

415 rue Lemay Street, Clarence Creek, Ont.

PRÉSENT: Guy Desjardins, maire
 Samuel Cardarelli, conseiller quartier 1
 Mario Zanth, conseiller du quartier 2
 Don Bouchard, conseiller quartier 4
 André J. Lalonde, conseiller du quartier 5
 Christian Simard, conseiller quartier 6
 Michel Levert, conseiller du quartier 7
 Diane Choinière, conseillère du quartier 8
 Monique Ouellet, greffière
 Maryse St-Pierre, greffière adjointe

ABSENT: Carl Grimard, conseiller du quartier 3

1. Ouverture de la réunion

Le maire Desjardins ouvre la réunion à 20h52.

2. Adoption de l'ordre du jour

RECOMMANDATION COW2019-21

Proposée par Mario Zanth

Appuyée par Samuel Cardarelli

QUE l'ordre du jour soit adopté avec la modification suivante:

- retirer l'item 5.1. Pétition présentée par Sarma Merdian relativement à la hausse de frais proposée pour les associations mineures.

ADOPTÉE, telle que modifiée

3. Déclarations d'intérêts pécuniaires (aucune)

4. Délégations / Présentations

4.1 Présentation de Joanne Dupuis du Centre d'accueil Roger Séguin - Défi "As-tu ta brique?"

Joanne Dupuis présente la campagne de financement du Centre d'accueil Roger Séguin pour la reconstruction.

Suite aux questions, Mme Dupuis confirme qu'un montant de deux millions a été amassé pour le moment.

5. Pétitions / Correspondance

5.2 Demande de Valoris pour louer gratuitement la salle Optimiste

Suite aux discussions, le maire Desjardins mandate l'administration de préparer un rapport pour la prochaine réunion régulière.

6. Avis de motion (aucun)

7. Période de Questions/Commentaires

Trevor Stewart, 2694 Gagné, dépose une pétition pour demander de paver le chemin Gagné. Il explique les problématiques de ce chemin.

Suite aux questions, Julian Lenhart explique que le chemin Gagné ne fait pas partie de la liste du plan de dix ans car une reconstruction majeure est nécessaire, notamment à cause de problèmes de structure et de drainage.

Suite aux questions, Julian Lenhart explique qu'un budget divisé sur deux à trois ans est nécessaire pour faire les travaux.

Suite aux questions, Julian Lenhart explique que cette route ne rencontre pas les critères nécessaires pour un traitement de surface à cause du faible volume de circulation. Il ajoute qu'une restructuration est toutefois nécessaire malgré la considération d'un traitement de surface.

Monique Gendron, 2740 Gagné, explique les conditions routières de ce chemin selon les saisons.

Suite aux discussions, le maire Desjardins mandate l'administration de préparer un rapport relativement aux options possibles pour la réparation du chemin Gagné.

Rolland Labonté, 1573 chemin Rollin, représentant de sa fille, demande quels sont les montants budgétés pour les services d'avocats et d'ingénieurs. Le maire Desjardins explique qu'il ne peut répondre à cette question à l'instant même.

8. Rapport des Comtés unis de Prescott et Russell

Le maire Desjardins explique que le budget des CUPR a été adopté à 3.8%

9. Rapports des Comités/Services

9.1 Règlement des normes de bienfonds

RECOMMANDATION COW2019-22

Proposée par Don Bouchard

Appuyée par Diane Choinière

QUE le comité plénier recommande au Conseil municipal d'adopter le Règlement des normes de bien-fonds révisé, tel que présenté au rapport no. INF2019-001.

ADOPTÉE

9.2 Statistiques mensuelles de la construction - janvier 2019

RECOMMANDATION COW2019-23

Proposée par Christian Simard

Appuyée par Mario Zanth

QUE le rapport mensuel de la construction soit reçu à titre d'information.

ADOPTÉE

10. Autres items

Le conseiller Don Bouchard explique que le concours Facebook pour le déneigement des bornes-fontaines était une bonne idée. Il ajoute cependant que certains résidents n'ont pas aimé l'initiative, car ils sont d'avis que le déneigement doit être fait par la Cité. Brian Wilson explique le processus de déneigement des bornes-fontaines. Il confirme que le système en place est adéquat.

Le conseiller Mario Zanth demande si la liste de l'ensemble des projets approuvés par le budget est disponible. Frédéric Desnoyers confirme que la liste sera finalisée suite à l'adoption du budget de ce soir.

11. Ajournement

Le maire lève l'assemblée à 21h32.

Guy Desjardins, maire

Maryse St-Pierre, greffière adjointe



The Clarence-Rockland Public Library Board

Le Conseil d'administration de la Bibliothèque publique de Clarence-Rockland

2-1525, avenue du Parc, Rockland (Ontario) K4K 1C3 - (613) 446-5680

Meeting of the Clarence-Rockland Public Library Board Réunion du Conseil d'administration de la Bibliothèque publique de Clarence-Rockland at the Rockland Branch / à la succursale de Rockland

15 January, 2019 / Le 15 janvier 2019
Minutes / Procès-verbal

Present:

Sylvie Archambault: President - Community Rep / Présidente - Rep communautaire
Sarma Merdian: Community Representative / Représentante communautaire
Martine Moreau: Community Representative / Représentante communautaire
Michael Moskau: Community Representative / Représentant communautaire
Barbara Pilek: Community Representative / Représentant communautaire
Catherina Rouse: Chief Executive Officer / Directrice Générale
Sonia Lavoie: Secretary / Secrétaire

Absent:

Don Bouchard: Councillor, Ward 4 / Conseiller municipal, Quartier 4
Diane Choinière: Councillor, Ward 8 / Conseillère municipale, Quartier 8

1. Call to Order

Proposition 2019-01.1

The meeting was called to order at 7:00 pm.

Moved by: S. Archambault
Seconded by: M. Moskau
Carried: Unanimously

2. Approval of the Agenda

Proposition 2019-01.2

It is proposed:
THAT the agenda be accepted as is.

Moved by: M. Moskau
Seconded by: S. Archambault
Carried: Unanimously

1. Ouverture de l'assemblée

Résolution 2019-01.1

La séance est ouverte à 19h00.

Proposée par : S. Archambault
Appuyée par : M. Moskau
Acceptée à: l'unanimité

2. Approbation de l'ordre du jour

Résolution 2019-01.2

Il est proposé :
QUE l'ordre du jour soit accepté tel quel.

Proposée par : M. Moskau
Appuyée par : S. Archambault
Acceptée à: l'unanimité

3. Declaration of conflicts of Interest

M. Moskau will recuse himself on items related to the collective agreement of non-unionized staff, because he is related to C. Rouse.

4. New board members and new president election

C. Rouse introduced our new community representative, Barbara Pilek, a retired librarian. Discussion took place on the requirement to elect a Library board president.

Proposition 2019-01.3

It is proposed:
THAT Sylvie Archambault be re-elected as President.

Moved by: M. Moskau
Seconded by: B. Pilek
Carried: Unanimously

5. Minutes of the December 10, 2018 Meeting

Proposition 2019-01.4

It is proposed:
THAT the minutes of the last Board meeting be accepted as is.

Moved by: M. Moreau
Seconded by: M. Moskau
Carried: Unanimously

6. Monthly Statistics

The monthly statistics were reviewed and added to the meeting documents. C. Rouse mentioned that overall, the stats are still up year to year but she notices a slow down in the increase. Discussion took place on various item's loan periods and late fees currently in effect:

a. Proposition 2019-01.5

It is proposed:
THAT the DVDs and video games loan period be 1 week for new releases and 2 weeks for all others.

3. Déclaration de conflits d'intérêts

M. Moskau se récusera sur des points liés à la convention collective du personnel non syndiqué parce qu'il est apparenté à C. Rouse.

4. Nouveaux membres et élection d'un nouveau président

C. Rouse présenta notre nouvelle représentante communautaire, Barbara Pilek, bibliothécaire retraitée. On discute de la nécessité d'élire le/la président(e) du conseil d'administration de la bibliothèque.

Résolution 2019-01.3

Il est proposé :
QUE Sylvie Archambault soit réélue présidente.

Proposée par : M. Moskau
Appuyée par : B. Pilek
Acceptée à : l'unanimité

4. Procès-verbal de la réunion du 10 décembre 2018

Résolution 2019-01.4

Il est proposé :
QUE le procès-verbal de la dernière réunion du Conseil soit accepté tel quel.

Proposée par : M. Moreau
Appuyée par : M. Moskau
Acceptée à : l'unanimité

5. Statistiques mensuelles

Les statistiques mensuelles ont été examinées et ajoutées aux documents de la réunion. C. Rouse mentionne que dans l'ensemble, les statistiques sont encore en hausse d'année en année, mais elle remarque un ralentissement dans l'augmentation. On discute de la période de prêt des divers articles et des frais de retard actuellement en vigueur :

a. Résolution 2019-01.5

Il est proposé :
QUE la période de prêt des DVD et des jeux vidéo sera d'une semaine pour les nouveautés et de deux semaines pour tous les autres.

Moved by: M. Moreau
Seconded by: S. Archambault
Carried: Unanimously

b. **Proposition 2019-01.6**

It is proposed:
 THAT late fees for Museum passes be increased to \$2/day up to a maximum of \$20.

Moved by: S. Merdian
Seconded by: B. Pilek
Carried: Unanimously

c. **Proposition 2019-01.7**

It is proposed:
 THAT fees for document scans be eliminated.

Moved by: B. Pilek
Seconded by: S. Merdian
Carried: Unanimously

d. **Proposition 2019-01.8**

It is proposed:
 THAT the fee for proctoring exams be increased to \$25.

Moved by: S. Merdian
Seconded by: B. Pilek
Carried: Unanimously

7. Financial Report and Budget

The financial report and budget were reviewed and added to the meeting documents. C. Rouse discussed the 2019 budget that she will be presenting to City Council. The capital projects that were sent to the City a few months back were reviewed and added to the meeting documents.

8. Other Business

None

8. CEO's Report

- a. SOLS Governance Hub/OLA: C. Rouse presented SOLS' website as a great resource for board members.

Proposée par : M. Moreau
Appuyée par : S. Archambault
Acceptée à : l'unanimité

b. **Résolution 2019-01.6**

Il est proposé :
 QUE les frais de retard pour les laissez-passer de musée soient augmentés à 2 \$/jour jusqu'à un maximum de 20 \$.

Proposée par : S. Merdian
Appuyée par : B. Pilek
Acceptée à : l'unanimité

c. **Résolution 2019-01.7**

Il est proposé :
 QUE les frais de numérisation des documents soient supprimés.

Proposée par : B. Pilek
Appuyée par : S. Merdian
Acceptée à : l'unanimité

d. **Résolution 2019-01.8**

Il est proposé :
 QUE les frais de surveillance des examens soient augmentés à 25 \$.

Proposée par : S. Merdian
Appuyée par : B. Pilek
Acceptée à : l'unanimité

6. Rapport financier et budget

Le rapport financier et le budget ont été examinés et ajoutés aux documents de la réunion. C. Rouse discute du budget 2019 qu'elle présentera au conseil municipal. Les projets d'immobilisations qui ont été envoyés à la Ville il y a quelques mois ont été examinés et ajoutés aux documents de la réunion.

7. Varia

Aucun

8. Rapport de la Directrice générale

- a. Centre de gouvernance du SBOS/OLA : C. Rouse a présenté le site Web du SBOS comme une excellente ressource pour les membres du CA.

- b. Discussion behind closed doors took place regarding the collective agreement negotiations
- c. C. Rouse reviewed her 2019 priorities.

9. Adjournment

The next meeting of the Library Board is scheduled for 7 pm on 19 February, 2019 at the Rockland branch.

Proposition 2019-01.9

It is proposed:
THAT the meeting be adjourned at 9:16 pm.

Moved by: S. Merdian
Seconded by: M. Moreau
Carried: Unanimously

- b. Une discussion à huis clos a eu lieu au sujet des négociations de la convention collective.
- c. C. Rouse a passé en revue ses priorités pour 2019.

9. Ajournement

La prochaine réunion du Conseil d'administration de la Bibliothèque aura lieu à 19h00 le 19 février 2019 à la succursale de Rockland.

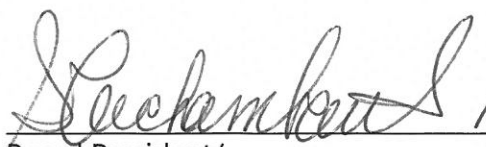
Résolution 2019-01.9

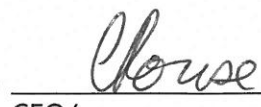
Il est proposé :
QUE la séance soit levée à 21h16.

Proposée par : S. Merdian
Appuyée par : M. Moreau
Acceptée à : l'unanimité

Approval of these minutes:

Approbation du présent procès-verbal :

 19/feb/19
Board President/
Présidente du Conseil d'administration

 Feb/19/19
CEO/
Directrice générale



REPORT N° AMÉ-19-28-R

Date	21/02/2019
Submitted by	Claire Lemay
Subject	Site Plan Approval - 1984 Laurier Street
File N°	D-11-298

1) **NATURE/GOAL :**

The purpose of this report is to present an application for Site Plan Approval for a change of use from residential to commercial of an existing building located at 1984 Laurier Street.

2) **DIRECTIVE/PREVIOUS POLICY :**

N/A

3) **DEPARTMENT'S RECOMMENDATION :**

BE IT RESOLVED THAT Council approves the site plan submitted by Etienne Deschenes and Roxanne Peterson for the conversion of the existing building at 1984 Laurier Street from residential to commercial use; and

BE IT RESOLVED THAT Council authorizes the Manager of Development to sign a letter of undertaking with the applicant for the implementation of the approved site plan drawing.

QU'IL SOIT RÉSOLU QUE le Conseil approuve le plan de site soumis par Etienne Deschenes et Roxanne Peterson pour la conversion du bâtiment existant au 1984 rue Laurier d'usage résidentiel à usage commercial; et

QU'IL SOIT RÉSOLU QUE le Conseil autorise la Gestionnaire du développement à signer une lettre d'engagement avec le demandeur pour la mise en œuvre du plan de site approuvé.

4) **BACKGROUND :**

Etienne Deschenes and Roxanne Peterson submitted an application for Site Plan Approval for the property located at 1984 Laurier Street. The property owners intend to convert the existing dwelling to be used for medical offices. The building and structure will remain intact, the first floor layout will be modified for a dental hygiene clinic, no changes are proposed to the second floor and basement. Parking will be provided on either side of the building and in the existing garage.

5) **DISCUSSION :**

Official Plan of the Urban Area of the City of Clarence-Rockland

The subject property is located in the Commercial Core Area according to Schedule A of the Official Plan of the Urban Area of the City of Clarence-Rockland. This land use designation is intended for street-oriented

commercial and mixed commercial/residential uses. The proposed medical office use is permitted.

Zoning By-law 2016-10

The property is located within the "Urban Core Area (CA) Zone" on Schedule B of the City of Clarence-Rockland Zoning By-law 2016-10. The list of permitted uses for this zone includes "medical office". The property is currently used as a single detached dwelling, which is a legal non-conforming use for this property.

The proposed site plan includes a total of three parking spaces, located at either side of the existing building and in the existing garage, using the two existing entrances. One of these spaces is proposed to be a Type A accessible parking space and the other two are regular parking spaces. The proposed parking layout conforms to the requirements of Section 5.2 – Motor Vehicle Parking Spaces and Section 5.3 – Accessible Parking Spaces. The existing setbacks of the building and driveways benefit from legal non-complying status.

Site Plan Control By-law 2018-22

A change of use from a residential use to a commercial use is subject to Site Plan Control as per the City of Clarence-Rockland Site Plan Control By-law 2018-22. Due to the limited changes proposed for this property, a Letter of Undertaking may be signed in place of a formal Site Plan Control Agreement, as provided for in section 19 of the By-law.

The Site Plan By-law requires that any applications for Site Plan Control for a proposed development within the Urban Core Area be approved by Council, whereas authority for the approval of Site Plan Control applications for all other areas within the City of Clarence-Rockland has been delegated to the Director of Infrastructure and Planning for Site Plan Agreements and to the Manager of Development for Letters of Undertaking

6) CONSULTATION:

A technical circulation was sent out to internal city departments and external agencies on February 21st, 2019.

7) RECOMMENDATIONS OR COMMENTS FROM COMMITTEE/ OTHER DEPARTMENTS :

No comments/objections have been received.

8) FINANCIAL IMPACT (expenses/material/etc.):

N/A

9) LEGAL IMPLICATIONS :

N/A

10) **RISK MANAGEMENT :**
N/A

11) **STRATEGIC IMPLICATIONS :**
N/A

12) **SUPPORTING DOCUMENTS:**
Proposed Site Plan 1984 Laurier

Applicant's Checklist #2

- 1- 47x143
- 2- 1984 Laurier St Rockland, ON K4K 1K4
- 3- 25' 10" x 23' 8"
- 4- Front: 30'
- 5- 2 storeys.
- 6- A) 198, 4 pi^2 Living room
 B) ~~99, 7 pi^2~~ 136, 9 pi^2 Dining room.
 C) 65, 7 pi^2 Laundry room.
 D) 114, 4 pi^2 Bedroom 1
 E) 115, 2 pi^2 Bedroom 2
 F) 105 pi^2 Bedroom 3
- 7- None
- 8- Front
- 9- Both from Laurier St.
 Driveway 1: 9' 0"
 Driveway 2: 10' 6"
- 10- 4 spots
- 11- N/A
- 12- N/A
- 13- N/A
- 14- N/A
- 15- Walkway: 14' 5" x 40"
- 16- N/A

17- N/A

18- Front lawn.

19- N/A

20- N/A

21- N/A

22- N/A

23- N/A

24- N/A

25- N/A

26- N/A

27- N/A

28- N/A

29- R/F corner of house.

30- N/A

31- Giroux St and Laurier St.

32- N/A

33- N/A

34- N/A

35-

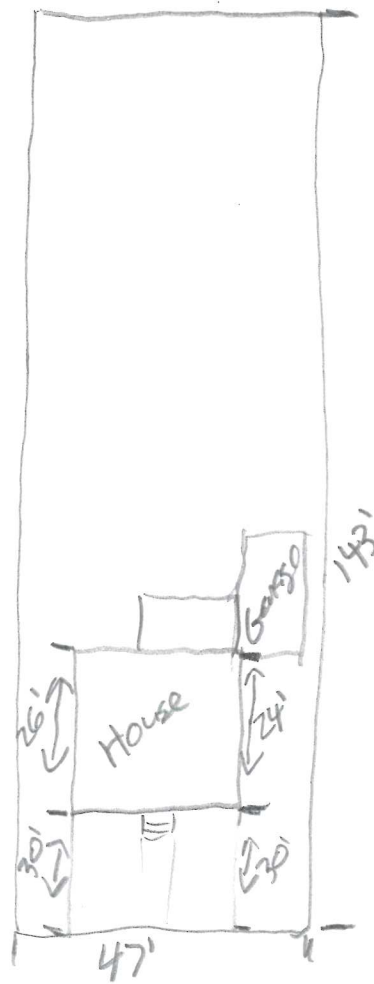


↑ north.

1984 Laurier St. Rockland, ON. K4K 1K4

36- N/A

37- N/A.



Laurier Street.



RAPPORT N° LOI2019-03-02

Date	Le 4 mars 2019
Soumis par	Christine Sarault
Objet	Demande de location gratuite – Salle Optimiste
# du dossier	A21 SAL

1) **NATURE / OBJECTIF :**

Le but du présent rapport est de transmettre aux membres du conseil l'information demandée concernant les implications financières associées à la demande de location gratuite de Valoris pour enfants et adultes de Prescott-Russell.

2) **DIRECTIVE/POLITIQUE ANTÉCÉDENTE :**

À la fin du mois de janvier 2019, Valoris a soumis une demande de location gratuite de la salle de spectacle Optimiste pour un spectacle-bénéfice qui aura lieu le samedi 27 avril 2019.

Lors de la réunion du 20 février dernier, le conseil municipal a mandaté les Services communautaires de présenter un rapport concernant les implications financières associées à la demande de location gratuite faite par Valoris.

3) **RECOMMANDATION DU SERVICE :**

QUE le rapport LOI2019-03-02 soit reçu à titre d'information

THAT the report LOI2019-03-02 be received as information

4) **HISTORIQUE :**

Voici l'ordre chronologique des événements ayant mené à cette demande :

- Fin janvier 2019 : Demande reçue de la part de Valoris
- 20 février 2019 : Demande présentée par un membre du conseil lors de la réunion plénière

- 4 mars 2019 : Court rapport concernant les implications financières de la demande

5) **DISCUSSION :**

Valoris : Il s'agit d'un organisme sans but lucratif qui tient à cœur le bien-être et le développement positif des jeunes et de leur entourage en élaborant des programmes de prévention qui favorisent un meilleur avenir.

Nature de l'activité : L'activité pour laquelle la location gratuite est demandée est l'organisation d'un spectacle-bénéfice au profit du programme CTC. Notre contribution et les profits amassés durant cette soirée permettraient d'offrir une programmation variée d'activités parascolaires pour les jeunes de notre communauté.

Présentement, les Services communautaires dérogent les frais de location du centre Chamberland à chaque mardi après-midi, de janvier à juin, pour le programme C'est Ta Communauté (centre de jeune) qui est offert gratuitement aux adolescents. Ceci représente une valeur de 1 920 \$ plus taxes par année.

De plus, la résolution 2015-271 adoptée par le conseil le 19 octobre 2015 indique que Valoris a accès à la Salle de spectacle Optimiste sans frais pour leur activité de la Fête de la famille. Ceci représente une valeur de 406 \$ plus taxes par année.

6) **CONSULTATION :**

S/O

7) **RECOMMANDATION OU COMMENTAIRES DU COMITÉ :**

S/O

8) **IMPACT FINANCIER (monétaire/matériaux/etc.):**

Frais de location : Le frais de location pour un organisme à but non-lucratif pour l'utilisation de la salle de spectacle Optimiste est **406 \$** plus taxes pour la pleine journée.

Impact financier direct : La seule dépense directe occasionnée par cette demande serait le salaire de l'agent de clés au coût d'environ **118.80 \$ (6 heures x 19.68 \$/h).**

9) **IMPLICATIONS LÉGALES :**

S/O

10) **GESTION DU RISQUE (RISK MANAGEMENT) :**

S/O

11) **IMPLICATIONS STRATÉGIQUES :**

La section 3 - Recommandations du Plan directeur des parcs et loisirs cite que « La Cité s'efforcera de conserver les partenariats fructueux existants avec des partenaires et des exploitants de programmation des activités récréatives, et de rechercher des occasions mutuellement bénéfiques de les développer. »

12) **DOCUMENTS D'APPUI :**

1. Demande de location gratuite - Valoris pour enfants et adultes de Prescott-Russell – Lettre de demande
2. Politique de location de la Salle de spectacle Optimiste



Le 22 janvier 2019

Conseil municipal
Cité de Clarence-Rockland
1560, rue Laurier
Rockland (Ontario) K4K 1P7

Objet : Demande d'utilisation de la salle Optimiste le samedi 27 avril 2019

Madame,
Monsieur,

CTC sollicite la contribution de la Cité de Clarence-Rockland afin d'obtenir gratuitement l'utilisation de la salle Optimiste le samedi 27 avril 2019, de 17h à 22h afin d'accueillir Maxime Carrière, imitateur, pour un spectacle-bénéfice au profit du programme CTC. Votre contribution, ainsi que les profits amassés durant cette soirée nous permettraient d'offrir une programmation variée d'activités parascolaires pour les jeunes de notre communauté.

Les activités et les programmes offerts par notre comité sont très importants puisqu'ils augmentent les opportunités pour les jeunes de développer de nouvelles compétences, de nouvelles amitiés, et de faire une différence dans notre communauté. Dans une atmosphère positive, les jeunes ont la chance de s'exprimer et de vivre différentes expériences, qui habituellement ne leur sont pas accessibles.

Nous vous remercions à l'avance de votre précieuse collaboration. Celle-ci nous permet de concrétiser notre mission, qui se définit comme suit : *le regroupement CTC Clarence-Rockland tient à cœur le bien-être et le développement positif des jeunes et de leur entourage, en élaborant des programmes de prévention qui favorisent un meilleur avenir.*

Si vous acceptez cette demande, nous inclurons votre logo en tant que commandite sur nos publicités. Pour des renseignements additionnels, n'hésitez pas à communiquer avec Julie Lalonde au 1-800-675-6168, poste 4736, ou par courriel à julalonde@valorispr.ca Nous vous remercions à l'avance de l'attention que vous porterez à cette demande, et veuillez agréer, Madame, Monsieur, nos cordiales salutations.

Julie Lalonde,
Intervenante communautaire Valoris

Emmanuelle DiGiovine
Présidente CTC

JL/lt

CORPORATION de la Cité de/of the City of Clarence-Rockland	Politique/Policy no: LOI2014-02
	Objet/Subject: Salle de spectacle Optimiste/ Optimiste Performance Hall
	Département/Department: Services communautaires/Community Services
Date : Août/August 2014 Préparé par/Prepared by: Jean-Luc Jubinville	Règlement/By-Law No.:
	Résolution/Resolution No.:

1- EXPOSÉ DE LA POLITIQUE

La Cité de Clarence-Rockland, ci-après la Cité, reconnaît l'importance de la salle de spectacle Optimiste (SSO) sur le plan culturel et la vie communautaire.

Le département des Services communautaires est responsable de toutes les questions se rapportant à la location et la gestion de la SSO.

2- OBJECTIF

La Cité désire se doter d'une politique afin de gérer adéquatement toutes les activités reliées à la SSO.

3- PORTÉE DE LA POLITIQUE

Il est convenu que la présente politique s'applique à tous ceux qui utilisent la SSO à l'exception du Conseil scolaire du district catholique de l'Est ontarien (CSDCEO). Une entente distincte a déjà été convenue entre la Cité et le CSDCEO quant à l'utilisation de la SSO.

4- PROCESSUS DE LOCATION

Les organismes/groupes qui désirent louer la SSO doivent :

4.1. rencontrer un représentant du département des services communautaires pour faire approuver l'activité envisagée et s'assurer de la disponibilité de la SSO et des locaux adjacents pour la date prévue; et

1- POLICY STATEMENT

The City of Clarence-Rockland, hereafter referred to as the City, recognizes the importance of the Optimiste Performance Hall (OPH) in the cultural and community life development.

The Community Services Department is responsible for all questions pertaining to the rental and management of the OPH.

2- OBJECTIVES

The City would like to create a policy in order to adequately manage all activities related to the OPH.

3- SCOPE OF THE POLICY

It is understood that this policy applies to all users of the OPH, with the exception of Conseil scolaire du district catholique de l'Est ontarien (CSDCEO). The City and CSDCEO have already entered into a separate agreement for the use of the OPH.

4- RENTAL PROCESS

The organizations/groups that wish to rent the OPH shall:

4.1 meet with a Community Services representative to have the type of activity they wish to organize approved and ensure that the OPH and adjacent premises are available on the requested date; and

4.2. remplir le «Contrat de location de la salle de spectacle Optimiste (Annexe A de la présente politique).

4.3. Le représentant de la Cité s'occupera de réserver la salle lorsque le Contrat de la salle de spectacle Optimiste sera dûment rempli.

5- TARIFS POUR LA LOCATION ET LES SERVICES DE TECHNICIENS

Tous les frais associés à la location de la SSO sont compilés dans le document intitulé Grille tarifaire de la salle de spectacle Optimiste (Annexe B).

5.1. Les tarifs de location sont en vigueur pour la période du 1^{er} janvier au 31 décembre ou jusqu'à ce que des modifications y soient apportées. Les tarifs seront révisés annuellement lors du processus budgétaire.

5.2. Les tarifs pour les services de techniciens sont en vigueur pour la durée de l'entente entre le fournisseur des services de techniciens et la Cité de Clarence-Rockland. Les tarifs sont révisés à la date d'expiration de chaque entente.

5.3. La Cité se réserve le droit de modifier les tarifs pour la location et les services de techniciens à tout moment et sans préavis.

6- ÉQUIPEMENT AUDIOVISUEL ET SERVICES TECHNIQUES

La SSO met à la disposition des locataires plusieurs pièces d'équipement audiovisuel. Voici les consignes à respecter :

6.1. UTILISATION

6.1.1. tous ceux qui louent la salle ont accès à l'équipement de base suivant :

- 2 micros (avec fil)
- écran pour projection en avant-scène (non amovible)
- lecteur DVD (projection à l'écran)

4.2 fill out the Optimiste Performance Hall Rental Contract (Annex A of this policy).

4.3 The City's representative will make the required reservations once the Optimiste Performance Hall Rental Contract is duly completed.

5- RENTAL AND TECHNICIAN SERVICES FEES

All the costs associated with renting the OPH are compiled in the Optimiste Performance Hall Fees document (Annex B).

5.1 Rental fees are effective from January 1 to December 31 or until they are modified. The fees will be reviewed annually during the budgetary process.

5.2 The fees for technician services are effective for the duration of the agreement between the technician services provider and the City of Clarence-Rockland. The fees will be reviewed at the term of each agreement.

5.3 The City reserves the right to modify the rental and technician services fees at any time and without prior notice.

6- AUDIOVISUAL EQUIPMENT AND TECHNICAL SERVICE

The OPH has a significant amount of audiovisual equipment that is available for users. The following instructions must be respected:

6.1. USE

6.1.1. All lessees have access to the following basic equipment:

- 2 microphones (with wires)
- the screen for on-stage projection (non-removable)
- DVD player (projection on the screen)

- lecteur CD
- projection de lumière de base

6.1.2. Tout l'équipement audiovisuel de la SSO doit être opéré par des techniciens embauchés par la Cité. Le locataire ne peut opérer que l'équipement dont il est fait mention au point 6.1.1.

6.2. TECHNICIENS

6.2.1. La Cité est responsable des démarches visant à réserver les services de techniciens et l'équipement supplémentaire requis par le locataire.

6.2.2. La Cité exige la présence d'un technicien dans la SSO pour toutes les activités nécessitant l'utilisation d'équipement audiovisuel autre que les articles mentionnés au point 6.1.1.

6.2.3. Tous les frais associés aux services offerts par les techniciens seront défrayés par le locataire.

6.3. ÉQUIPEMENT SUPPLÉMENTAIRE

6.3.1. Si le locataire requiert de l'équipement supplémentaire, il devra obtenir l'équipement demandé par l'intermédiaire du fournisseur de services techniques, choisi par la Cité.

6.3.2. Si le fournisseur de services techniques choisi par la Cité ne peut fournir l'équipement supplémentaire requis par le locataire, celui-ci pourra obtenir l'équipement requis d'une autre source.

6.3.3. Tous les frais associés à la location d'équipement supplémentaire seront défrayés par le locataire.

7- ANNULATION D'UNE LOCATION

Pour annuler une réservation, le locataire doit respecter les consignes suivantes :

- CD player
- basic light projection

6.1.2. All OPH audiovisual equipment shall be used by technicians hired by the City. The only items of equipment that may be used by the lessee are those listed in point 6.1.1.

6.2. TECHNICIANS

6.2.1. The City is responsible for booking technicians and additional equipment requested by the lessee.

6.2.2. The City requires the presence of a technician at the OPH for all activities requiring the use of audiovisual equipment other than the items listed in point 6.1.1.

6.2.3. All costs associated with technician services will be paid by the lessee.

6.3. ADDITIONAL EQUIPMENT

6.3.1. If the lessee requires additional equipment that is not available at the performance hall, he or she shall obtain the requested equipment through the technical services provider hired by the City.

6.3.2. If the technical services provider hired by the City cannot provide the requested additional equipment, the lessee will be free to obtain the equipment from another source.

6.3.3. All the costs associated with renting additional equipment will be paid by the lessee.

7- CANCELLING A RENTAL

To cancel a reservation, the lessee shall respect the following:

7.1. Le locataire doit informer le représentant des Services communautaires le plus rapidement possible s'il y a annulation d'une réservation.

7.2. Le locataire n'aura aucuns frais à déboursier si la réservation est annulée au moins quinze (15) jours avant la date prévue de l'activité.

7.2. Le locataire devra déboursier la totalité des frais pour la location et les services de techniciens si la réservation est annulée moins de quinze (15) jours avant l'activité.

7.3. le locataire n'aura aucuns frais à déboursier si l'activité doit être annulée en raison de conditions climatiques extrêmes et/ou pour des raisons non contrôlables (p.ex., panne électrique, bris mécanique majeur, etc.)

8- MODE DE PAIEMENT

Le locataire doit payer la totalité des frais de location dans les trente (30) jours suivant la réception de la facture. Si le paiement n'est pas reçu dans les 30 jours, des intérêts seront imputés et s'ajouteront au compte du locataire. Le locataire qui persiste à ne pas payer le compte en souffrance s'expose à des poursuites judiciaires.

9- DÉPÔT DE GARANTIE

Le département des Services communautaires se réserve le droit d'exiger un dépôt de garantie s'il juge que l'activité comporte des risques de dommages à la SSO et / ou si le département doute de la capacité du locataire de payer la totalité des frais après l'événement. Le dépôt de garantie sera déduit de la facture finale.

10- ORGANISMES SANS BUT-LUCRATIF (OSBL)

La Cité accorde un taux de location préférentiel à tous les OSBL reconnus sur son territoire. Pour obtenir la liste des OSBL reconnus, et tous les détails concernant la reconnaissance des OSBL, veuillez consulter la politique LOI2014-01. Les OSBL qui utilisent la salle doivent respecter les consignes suivantes :

7.1. The lessee shall inform the Community Services representative as quickly as possible if he or she plans to cancel the reservation.

7.2. The lessee shall not pay any fees if the reservation is canceled more than fifteen (15) days before the reservation.

7.3. The lessee shall be required to pay the entire rental and technician fees if the activity is canceled less than fifteen (15) days before the activity.

7.4. The lessee shall not pay any fees if the activity must be cancelled due to extreme weather conditions and/or for uncontrollable reasons (eg, electrical failure, major mechanical failure, etc.)

8- METHOD OF PAYMENT

Lessees shall pay the entire invoice within thirty (30) days of receiving the invoice. If the payment is not received within the prescribed 30 days, interest will be charged and added to the lessee's account. Lessees who do not pay the amount due are liable to legal proceedings.

9- SECURITY DEPOSIT

Community Services reserves the right to request a security deposit if it deems that the activity involves risks that could cause damage to the OPH and/or if the department has doubts as to the lessee's capacity to pay the entire invoice after the event. The security deposit will be deducted from the final invoice.

10- NON-PROFIT ORGANIZATIONS (NPO)

The City grants a preferential rate to all recognized NPOs on its territory. In order to obtain the list of recognized NPOs and all the details pertaining to the recognition of NPOs, please consult policy LOI2014-01. NPOs that use the Hall shall meet the following conditions:

10.1. L'OSBL doit fournir un minimum de 3 bénévoles avant et après l'activité afin d'aider l'employé de la Cité responsable de l'ouverture de la salle à remettre la salle en place.

10.2. L'OSBL doit reconnaître la Cité en tant que commanditaire de l'événement, et donc accorder à la Cité la visibilité qui lui revient.

11- RÈGLEMENT ANTI-TABAC – PROPRIÉTÉ SCOLAIRE

La salle de spectacle est située sur le terrain du CSDCEO. Par conséquent, il est interdit de fumer sur l'ensemble de la propriété scolaire. Le locataire est donc responsable d'informer le public de ce règlement avant l'activité et avant chaque entracte.

12- CONFLIT

Tout conflit qui survient concernant la SSO et qui n'est pas mentionné dans la présente politique sera résolu par la direction des Services communautaires.

13- EXEMPTION DES FRAIS DE LOCATION

Les groupes suivants ont droit à une exemption des frais de location :

13.1. Les associations qui organisent des activités de financement dont les recettes servent uniquement à l'amélioration de l'aménagement d'un parc municipal, l'achat d'équipement pour un parc municipal et la rénovation d'un édifice municipal ont droit à une exemption des frais de location. Les associations devront présenter une demande par écrit aux Services communautaires pour la location de la SSO ainsi qu'une description du projet visé par cette campagne de financement. Tous les frais associés à la location d'équipement supplémentaire et/ou aux services offerts par les techniciens seront défrayés par l'association.

10.1. The NPO shall provide at least 3 volunteers before and after the activity in order to help the key agent clear the Hall.

10.2. The NPO shall consider the City as an event sponsor and, therefore, grant the City appropriate recognition

11- ANTI-TOBACCO REGULATION – SCHOOL PROPERTY

The Performance Hall is located on the CSDCEO's grounds. As such, smoking is prohibited on the entire school property. All lessees are therefore responsible for informing the public of this regulation before each activity and at each intermission.

12- CONFLICT

Any conflict that arises with regard to the OPH and that is not addressed in this policy will be resolved by Community Services management.

13- RENTAL FEES EXEMPTION

The following groups are entitled to a rental fees exemption:

13.1. Associations that plan fundraising activities for which all profits are dedicated to improving the development of a municipal park, purchasing equipment for a municipal park and renovating a municipal building are entitled to a rental fees exemption. The associations shall submit a written request to Community Services for the OPH rental as well as a description of the project that the fundraiser will finance. All the costs associated with renting additional equipment and/or technician services will be paid by the association.

13.2. Le Club Optimiste de Rockland a droit à une exemption des frais de location par année. Si le Club Optimiste de Rockland n'utilise pas son exemption des frais de location dans l'année en cours, cette dernière pourra être utilisée dans les années subséquentes. Tous les frais associés à la location d'équipement supplémentaire et/ou aux services offerts par les techniciens seront défrayés par le Club Optimiste de Rockland.

14- PERMIS D'ALCOOL

Le locataire qui désire servir de l'alcool doit présenter une demande officielle au département des Services communautaires au moins six mois avant l'événement en vue d'obtenir un permis d'alcool. La Cité ne peut garantir que la demande sera traitée dans les délais requis si cette échéance n'est pas respectée. Une fois que le département aura reçu la demande écrite, elle se chargera de faire les suivis nécessaires auprès du CSDCEO.

15- SANTÉ-SÉCURITÉ

La Cité se réserve le droit d'annuler toute réservation si elle juge que la sécurité des participants ou des organisateurs est compromise (p.ex., décor dangereux, bris d'équipement de sécurité, etc.)

16- FRAIS SOCAN

La Société canadienne des auteurs, compositeurs et éditeurs de musique exige le versement de redevances pour l'exécution de pièces de musique devant public. Le locataire est responsable de se conformer aux exigences de la SOCAN. Pour obtenir plus de renseignements au sujet de la SOCAN et de ses tarifs, rendez-vous sur le site www.socan.ca.

17- ASSURANCE RESPONSABILITÉ CIVILE

Afin de se protéger contre des poursuites judiciaires, la Cité peut exiger que le locataire fournisse une preuve d'assurance responsabilité civile selon les termes suivants.

13.2. The Rockland Optimiste Club is entitled to a rental fees exemption per year. If the Rockland Optimist Club does not use its rental fees exemption in the current year, it can be used in subsequent years. All the costs associated with renting additional equipment and/or technician services will be paid by the Rockland Optimiste Club.

14- ALCOHOL PERMIT

The lessee who wishes to plan an activity with an alcoholic beverages permit shall submit an official request to Community Services 6 months prior to the event. If this deadline is not respected, the City cannot guarantee that the request will be processed in time for the activity. Once the Department has received the written request, it will carry out the necessary follow-ups with the CSDCEO.

15- HEALTH AND SAFETY

The City reserves the right to cancel any reservation if it deems that the safety of the participants or organizers is compromised (dangerous set, broken safety equipment, etc.).

16- SOCAN FEES

The Society of Composers, Authors and Music Publishers of Canada requires payment for royalties to perform music selections in public. The lessee is responsible for complying with SOCAN's requirements. For more information on SOCAN and its rates, go to www.socan.ca.

17- THIRD-PARTY LIABILITY INSURANCE

In order to protect itself against legal proceedings, the City may require that the lessee provide proof of third-party liability insurance according to the following terms.

17.1 ACTIVITÉS QUI REQUIÈRENT UNE ASSURANCE

Afin de se protéger contre des poursuites judiciaires, la Cité exige que le locataire fournisse une preuve d'assurance responsabilité civile pour les activités suivantes :

- Toutes les activités associées à un risque élevé de blessures.
- Toutes les activités pour lesquelles un permis d'alcool est délivré.
- Toutes les activités pour lesquelles plusieurs participants sur scène ou dans les estrades sont attendus.
- Toutes les activités pour lesquelles de l'équipement supplémentaire et inhabituel est utilisé.

17.2. CRITÈRES DE L'ASSURANCE

Le locataire doit présenter une preuve d'assurance qui englobe les critères suivants :

- 17.2.1 Assurance responsabilité civile.
- 17.2.2 Assurance dommages matériels.
- 17.2.3. Assurance pour un montant minimum d'un million de dollars (1 000 000 \$)
- 17.2.4. La Cité de Clarence-Rockland doit figurer à titre d'assuré additionnel sur le certificat d'assurance.
- 17.2.5. Le Conseil scolaire de district catholique de l'Est ontarien doit figurer à titre d'assuré additionnel sur le certificat d'assurance.

17.1 ACTIVITIES REQUIRING INSURANCE

In order to protect itself against legal proceedings, the City may require that the lessee provide proof of third-party liability insurance for the following activities:

- Any activity having a high risk of injuries.
- Any activity for which an alcoholic beverages permit is issued.
- Any activity for which many participants are expected on stage and in the stands.
- Any activity for which additional and unusual equipment is used.

17.2. INSURANCE CRITERIA

The lessee shall obtain insurance that respects the following criteria:

- 17.2.1 The insurance shall cover third party liability.
- 17.2.2 The insurance shall cover property damage.
- 17.2.3. The insurance shall be a minimum of one million dollars (\$1,000,000)
- 17.2.4. The City of Clarence-Rockland shall appear as additional insured on the insurance certificate.
- 17.2.5. Conseil scolaire de district catholique de l'Est ontarien shall appear as an additional insured party on the insurance certificate.

18- SURVEILLANCE

Le locataire est responsable de s'assurer que la SSO et les locaux adjacents sont sous surveillance en tout temps durant la période de location indiquée au contrat. La surveillance doit être assumée par une personne majeure et responsable.

18- SUPERVISION

The lessee is responsible for ensuring that the OPH and premises associated with the rental are supervised at all times during the rental period indicated in the contract. The supervision must be carried out by a responsible adult.



CONTRAT DE LOCATION/SALLE DE SPECTACLE OPTIMISTE

Section 1 : PROFIL DU LOCATAIRE

This form is also available in English

Nom de l'organisme ou locataire :			
Adresse (siège social ou lieu de résidence):		Ville:	Province: Code postal:
Personne-ressource / contact :		Titre (si applicable):	
Adresse courriel :		N° de téléphone :	N° de télécopieur :
Avez-vous déjà loué de la salle de spectacle : <input type="checkbox"/> Oui <input type="checkbox"/> Non		Dans l'affirmative, précisez en quelle année :	

Section 2 : RENSEIGNEMENTS SUR LA LOCATION DE LA SALLE

Nom de l'activité :		Date de l'activité: (AAAA/MM/JJ) De : À:	
<u>Date : (AAAA/MM/JJ)</u>	<u>Heure d'ouverture de la salle :</u> (ne peut pas être avant 16 h les jours de semaine pendant l'année scolaire)	<u>Heure de fermeture de la salle:</u>	<u>Besoin d'un technicien :</u>
			<input type="checkbox"/> OUI <input type="checkbox"/> NON
			<input type="checkbox"/> OUI <input type="checkbox"/> NON
			<input type="checkbox"/> OUI <input type="checkbox"/> NON
			<input type="checkbox"/> OUI <input type="checkbox"/> NON

Section 3 : RENSEIGNEMENTS POUR LES TECHNICIENS

Attention :

- Une discussion de vos besoins techniques avec l'un des techniciens est fortement suggérée afin de remplir la partie suivante.

<u>Date :</u> (AAAA/MM/JJ)	<u>Type de technicien</u> (Son vs Éclairage)	<u>Heure d'arriver du technicien :</u> (pas avant 16 h les jours de semaine pendant l'année scolaire)	<u>Heure de départ du technicien:</u>	<u>Classe du technicien :</u> (voir la description des différentes classes dans la politique de la salle de spectacle)
				<input type="checkbox"/> Classe A <input type="checkbox"/> Classe B <input type="checkbox"/> Classe C
				<input type="checkbox"/> Classe A <input type="checkbox"/> Classe B <input type="checkbox"/> Classe C
				<input type="checkbox"/> Classe A <input type="checkbox"/> Classe B <input type="checkbox"/> Classe C
				<input type="checkbox"/> Classe A <input type="checkbox"/> Classe B <input type="checkbox"/> Classe C

NOM :

Date(s) :

Section 4 : RÈGLEMENTS

- 1- Indemniser la Corporation de la Cité Clarence-Rockland ou ses agents contre toute dette ou autre obligation monétaire encourue par le locataire de l'installation avant, après ou durant l'utilisation de l'installation.
- 2- Indemniser la Corporation de la Cité Clarence-Rockland ou ses agents contre toute réclamation pour blessures corporelles ou mort de toute(s) personne(s) ou suite à un dommage à la propriété d'autrui causé par l'utilisation par le locataire de l'installation.
- 3- Seulement les installations identifiées au contrat doivent être utilisées par le locataire. Les permis ne sont pas transférables de personne à personne ou d'installation à installation sans obtenir l'autorisation du département des loisirs et des services communautaires.
- 4- Le demandeur doit se conformer à toutes les lois fédérales, provinciales et municipales sur les taxes, les permis, etc., qui peuvent régir l'utilisation pour laquelle le contrat est émis.
- 5- Le locataire est responsable du comportement et de la surveillance de toutes les personnes qui utilisent l'installation pour la durée de son occupation, et doit respecter tous les règlements affichés dans l'installation.
- 6- Le locataire doit observer toutes instructions du personnel sur les lieux.
- 7- Les décorations ou gadgets spéciaux qui ne se trouvent pas déjà dans l'installation doivent être conformes aux normes de sécurité publique, au règlement du Service des incendies et autorisés d'avance par la direction du service des loisirs et communautaires ou par son remplaçant.
- 8- Toute personne ou tout organisme à qui on a accordé les installations a la responsabilité de laisser l'endroit propre et comme il était avant la location.
- 9- La Corporation de la Cité Clarence-Rockland n'est pas responsable des objets apportés à l'installation à l'usage du locataire ou des personnes qui utilisent l'installation. Le locataire doit rapporter tous ses biens personnels à la fin de l'événement.
- 10- La direction du service (ou son remplaçant) peut annuler le contrat lorsque :
 - a. qu'il y a des actes de violence pendant les activités qui sont tolérées par le locataire.
 - b. le permis a été obtenu par fausse représentation ou transféré sans autorisation.
 - c. pour toute période pendant laquelle la condition de l'immeuble ou de l'équipement est jugée insatisfaisante.
 - d. l'installation n'est pas utilisée aux fins établies sur le contrat
 - e. qu'il y a eu infraction au règlement affiché à l'installation ou établi par la présente.
 - f. l'installation nécessite des réparations d'ordre technique ou urgentes qui ne peuvent pas être faites en d'autres temps.
 - g. qu'il survient des circonstances imprévues.
- 11- La consommation ou la vente de drogues illicites est interdite. La consommation ou la vente de boissons alcoolisées est interdite à moins qu'elle ne soit autorisée au contrat et que le locataire a obtenu le permis de circonstance.
- 12- Le locataire ne permettra pas que l'assistance dans l'installation dépasse le nombre indiqué au contrat.
- 13- Tout paiement sera fait à l'Hôtel de ville de Rockland, 1560, rue Laurier, Rockland K4K 1P7, ou par la poste au nom de : Cité Clarence-Rockland, location salle de spectacle Optimiste.
- 14- Si l'installation est endommagée ou laissée en désordre, les coûts de réparation, de remplacement ou de nettoyage seront l'entière responsabilité du locataire.
- 15- Tout permis émis pour une ou des installations ne constitue aucun engagement d'allocation au-delà des dates sur ce dit contrat.
- 16- Les tarifs sont en vigueur entre l'adoption du budget de l'année courante et l'adoption du budget de l'année suivante et peuvent changer sans préavis.
- 17- Toute autre information additionnelle qui se retrouve dans la politique officielle LOI2012-02 est également en vigueur.

Section 5 : DOCUMENT REQUIS

L'organisme doit fournir les documents suivants au moins une semaine avant le jour de la location :

☐ Preuve d'assurance responsabilité civile et d'assurance contre les dommages matériels d'un million de dollars (1 000 000\$). La Cité de Clarence-Rockland et le conseil scolaire de district catholique de l'Est ontarien doivent figurer à titre d'assuré additionnel sur le certificat d'assurance.

☐ Si nécessaire, le dépôt de garantie. Il vous sera déduit de la facture finale après l'utilisation de la salle de spectacle.

☐ L'organisme a la responsabilité de se procurer une licence SOCAN s'il y a lieu. Pour obtenir plus de renseignements au sujet de la SOCAN et de ses tarifs, rendez-vous sur le site www.socan.ca.

☐ Contrat dûment signé au minimum trois jours avant l'utilisation de la salle.

Pour les activités avec boisson :

☐ La permission du conseil scolaire du district de l'Est ontarien (C.S.D.C.E.O) afin d'obtenir un permis d'alcool.

☐ Permis d'alcool valide émis par la LCBO.

Section 6 : DÉCLARATION ET SIGNATURE

Attention : Les renseignements inscrits sur ce formulaire seront utilisés pour effectuer la réservation de la salle de spectacle. Si des changements doivent être apportés aux informations inscrites sur ce formulaire, le responsable de la salle de spectacle doit en être avisé le plus rapidement possible afin d'ajuster la réservation en conséquence.

Le locataire s'engage à :

- a) respecter la politique de la salle de spectacle;
- b) respecter les règlements qui sont associés à la salle de spectacle;
- c) soumettre tous les documents nécessaires, sans quoi la location pourrait être annulée;

Je confirme que les renseignements inscrits sur ce formulaire sont complets et exacts. Je confirme avoir lu et compris la politique de la salle de spectacle.

Signature :

X

Date :

Définition des Classes de technicien

Technicien Classe A – technicien de scène (son et lumière) – Performance

Technicien certifié ayant de l'expérience en événements musicaux auxquels assistent plus de 500 spectateurs.

i. Technicien en éclairage

Doit être compétent et fait preuve d'expérience quant à l'utilisation de la console d'éclairage Strand. Faire preuve d'expérience dans l'utilisation des systèmes d'éclairages DMX, incluant l'utilisation d'appareils automatisés. Faire preuve de compétences et d'expérience quant à l'utilisation et l'entretien d'appareils théâtraux conventionnels.

ii. Technicien en performance Audio

Compétent et fait preuve d'expérience dans la façon d'opérer des consoles analogue et de produire des effets externes. Fait preuve d'expérience dans la projection vidéo ainsi qu'en matière de concerts et de performances théâtrales. Connaissances approfondies des systèmes audio ainsi que de l'entretien d'équipement et l'entretien d'accessoires.

Technicien Classe B – Technicien de scène (son et lumière) - Corporatif

Technicien certifié ayant déjà travaillé dans le cadre d'événement comprenant moins de 500 spectateurs tel que des conférences de presses, et des ateliers.

i. Technicien audio :

Compétent et fait preuve d'expérience dans l'opération de consoles analogues. Doit faire preuve d'expérience en matière d'événements corporatifs et de projection vidéo. Devrait avoir des connaissances de base des systèmes audio et du traitement, et de l'entretien d'équipement et d'accessoires.

Technicien Classe C

Technicien apprenti – vient en aide aux techniciens de Classes A et B



GRILLES TARIFAIRES DE LA SALLE DE SPECTACLE OPTIMISTE

GRILLE TARIFAIRE – LOCATION DE SALLE

	nbre d'heure	Organisme sans but lucratif*	Organisme à fin commerciale
Tarif journalier	Max : 24 h	406 \$	812 \$
Tarif horaire	Min : 4 h	40 \$/h (min: 160\$)	100 \$/h (min : 400 \$)
Tarif spécial pour répétition (max de 2 répétitions par spectacle)	Max : 4 h	70 \$	70 \$
Activités répétitives / conférences / ateliers	Max : 4 h	70 \$	100 \$

* Les tarifs de location sont en vigueur pour la période du 1^{er} janvier au 31 décembre ou jusqu'à ce que des modifications soient apportées. Les tarifs seront révisés annuellement lors du processus budgétaire.

GRILLE TARIFAIRE – SERVICES DE TECHNICIENS

	Taux horaire	Taux journalier	Description
Classe A	40 \$/h (min : 140 \$)	350 \$ / jour (12 h max)	Technicien de scène qualifié (son et lumière) – (1 technicien de Classe A est obligatoire lors de l'utilisation du système de la salle).
Classe B	35 \$/h (min : 120 \$)	300 \$ / jour (12 h max)	Technicien possédant certaines qualifications en technique de son et lumière – (vient en aide au technicien de Classe A lors de spectacles de plus grande envergure).
Classe C	30 \$/h (min : 100 \$)	250 \$ / jour (12 h max)	Technicien apprenti – vient en aide aux techniciens de Classes A et B.

* Les tarifs pour les services de techniciens sont en vigueur pour la durée de l'entente entre le fournisseur des services de techniciens et la Cité de Clarence-Rockland. Les tarifs seront révisés à l'expiration de l'entente.

Salle de spectacle OPTIMISTE Performance Hall



Section 1: LESSEE PROFILE

Ce document est aussi disponible en français

Name of organization or lessee:			
Address (residence or organization headquarters):		City:	Province: Postal Code:
Contact person:		Title (if applicable):	
E-mail address:		Phone #:	Fax #:
Have you rented the performance hall before: <input type="checkbox"/> Yes <input type="checkbox"/> No		If so, please specify the year in which you rented the hall:	

Section 2: INFORMATION ON THE PERFORMANCE HALL RENTAL

Name of activity:		Date of activity: (YYYY/MM/DD) From : To:	
<u>Date: (YYYY/MM/DD)</u>	<u>Hall opening hour:</u> (cannot be before 4 p.m. on weekdays during the school year)	<u>Hall closing hour:</u>	<u>Technician required:</u>
			<input type="checkbox"/> YES <input type="checkbox"/> NO
			<input type="checkbox"/> YES <input type="checkbox"/> NO
			<input type="checkbox"/> YES <input type="checkbox"/> NO
			<input type="checkbox"/> YES <input type="checkbox"/> NO

Section 3: INFORMATION FOR TECHNICIANS

Attention :

We strongly recommend that you discuss your technical needs with a technician in order to complete this next section.

<u>Date:</u> (YYYY/MM/DD)	<u>Type of technician</u> (Sound vs. lighting)	<u>Technician's arrival time:</u> (cannot be before 4 p.m. on weekdays during the school year)	<u>Technician's departure time:</u>	<u>Class of technician :</u> (Please see the definition of each class of technician in the performance hall policy)
				<input type="checkbox"/> Class A <input type="checkbox"/> Class B <input type="checkbox"/> Class C
				<input type="checkbox"/> Class A <input type="checkbox"/> Class B <input type="checkbox"/> Class C
				<input type="checkbox"/> Class A <input type="checkbox"/> Class B <input type="checkbox"/> Class C
				<input type="checkbox"/> Class A <input type="checkbox"/> Class B <input type="checkbox"/> Class C

NAME:

Date(s):

Section 4: RULES

- 1- Indemnify the Corporation of the City of Clarence-Rockland or its agents against any debt or other monetary obligation incurred by the lessee of the facility before, after or during use of a facility.
- 2- Indemnify the Corporation of the City of Clarence-Rockland or its agents against all claims for bodily injury or death to any person or persons due to damage to the property of others caused by the use of the facility by the lessee.
- 3- Only the facilities identified on the contract shall be used by the lessee. Permits are non-transferable from person to person or from facility to facility without obtaining prior authorization from the Recreation and Community Services
- 4- The applicant shall comply with all federal, provincial and municipal laws on taxes, permits, etc., that may apply to the function for which this contract is issued.
- 5- The lessee shall be responsible for the conduct and supervision of all persons using the facility while occupied by the lessee and shall abide by the regulations posted in the facility.
- 6- The lessee shall comply with instructions of staff on premises.
- 7- Decorations or special gadgets not provided by the facility must comply with the standards of public safety, the fire department regulations and must be authorized in advance by the Recreation and Community Services or its substitute.
- 8- Any person or organization who leased the facilities shall be responsible for leaving the area litter free and as it was prior to rental.
- 9- The Corporation of the City of Clarence-Rockland is not responsible for items brought to the facility for the use of the lessee or persons using the facility. The lessee shall remove all such belongings at the end of the event.
- 10- The department's management (or its substitute) may cancel the contract where:
 - a. violent acts occur and are tolerated by the lessee during the activities;
 - b. the permit was secured by misrepresentation or transferred without authority;
 - c. there is any period during which the condition of the property or equipment is deemed unsatisfactory;
 - d. the facility is not being used for the purpose set out in the contract;
 - e. there has been a breach of the Regulations posted in the facility or set out herein;
 - f. the facility requires technical or emergency repairs which cannot be performed at any other time; or
 - g. unforeseen circumstances arise.
- 11- The use or sale of illegal drugs is prohibited. The use or sale of alcoholic beverages is prohibited unless authorized in the contract and the lessee has an alcohol permit.
- 12- The lessee shall not allow attendance in the facility to exceed the number shown on the contract.
- 13- All payments shall be made in person at the Rockland Town Hall, 1560 Laurier Street, Rockland, Ontario, K4K 1P7 or by mail to the City of Clarence-Rockland, Optimiste Performance Hall rental.
- 14- If the facility is damaged or left in disrepair, the costs of repairs, replacements or cleaning will be the sole responsibility of the lessee.
- 15- Any permit issued for a facility does not constitute a commitment of allocation beyond the dates indicated in the contract.
- 16- The rates are effective between the adoption of the current budget and the adoption of next year's budget and may change without prior notice.
- 17- All additional information in the LOI2012-02 official policy remains in effect.

Section 5: REQUIRED DOCUMENTS

The organization must provide the following documents at least one week prior to the date of the rental:

☐ Proof of third-party liability and property damage insurance of one million dollars (\$1,000,000). The City of Clarence-Rockland and Conseil scolaire de district catholique de l'Est ontarien must be listed as an additional insured party on the certificate of insurance.

☐ If necessary, a security deposit, which will be deducted from the final invoice after the use of the performance hall.

☐ If necessary, the organization is responsible for obtaining a SOCAN licence, if need be. For more information regarding SOCAN and its fees, please visit www.socan.ca.

☐ Contract duly signed a minimum of three days prior to the use of the performance hall.

For serving alcohol:

☐ The permission of Conseil scolaire de district catholique de l'Est ontarien (CSDCEO) in order to obtain an alcohol permit.

☐ A valid alcohol permit issued by the LCBO.

Section 6: DECLARATION AND SIGNATURE

Attention: The information on this form will be used to reserve the performance hall. If changes must be made to the information provided on this form, the person responsible for the performance hall must be made aware of these changes as soon as possible in order to modify the reservation accordingly.

The lessee agrees to:

1. respect the performance hall policy;
2. respect the rules associated with the performance hall; and
3. submit all necessary documents - failure to do so could result in the rental being cancelled.

I confirm that the information provided on this form is complete and accurate. I confirm that I have read and understood the Performance Hall policy.

Signature:

X

Date:

Definition of Technician Classes

Class A Technician – audio and lighting technician – performance

A certified technician who has experience working on musical events for more than 500 spectators.

i. Lighting technician

Skilled, experienced with the use of a strand lighting console, experience using DMX lighting systems, including the use of automated equipment skilled and experienced in the use and maintenance of conventional theatre equipment.

iii. Audio performance technician

Skilled, experienced in the use of analogue consoles and outboard effects, experienced in video projection and working on concerts and theatrical performances, in-depth understanding of audio systems and equipment and accessory maintenance.

Class B Technician – audio and lighting technician - corporate

A certified technician who has experience working on events that include less than 500 spectators such as press conferences, workshops, etc.

ii. Audio technician:

Skilled, experienced in the use of analogue consoles, experienced working on corporate events and video projection, basic understanding of audio systems and treatment, and basic understanding of equipment and accessory maintenance.

Class C Technician

Apprentice technician – assist Class A and B technicians



OPTIMISTE PERFORMANCE HALL RENTAL FEES

HALL RENTAL FEES			
	# of hours	Non-profit organizations*	Commercial organizations
Daily rate	Max.: 24 hours	\$406	\$812
Hourly rate	Min.: 4 hours	\$40/hour (min.: \$160)	\$100/hour (min.: \$400)
Special rate for practices before a show (max. of 2 practices per show)	Max.: 4 hours	\$70	\$70
Repetitive activities/conferences/workshops	Max.: 4 hours	\$70	\$100

*Rental rates are effective from January 1st to December 31st or until modifications are made. Rental rates will be reviewed annually during the budgetary process.

TECHNICIAN SERVICES FEES			
	Hourly rate	Daily rate	Description
Class A	\$40/hour (min.: \$140)	\$350/day (max. 12 hours)	Qualified sound and light technician – (1 Class A technician is required during the use of the Hall's system).
Class B	\$35/hour (min.: \$120)	\$300/day (max. 12 hours)	Technician with some technical qualifications in sound and light – (assists Class A technicians during larger scale performances).
Class C	\$30/hour (min.: \$100)	\$250/day (max. 12 hours)	Apprentice technician - assists Class A and B technicians

*The rates for technician services are effective for the duration of the agreement between the technician services provider and the City of Clarence-Rockland. The rates will be reviewed at the end of each agreement.



REPORT N° AMÉ-19-27-R

Date	19/02/2019
Submitted by	Claire Lemay
Subject	Site Plan Approval - 1529 Laurier Street
File N°	D-11-297

1) **NATURE/GOAL :**

The purpose of this report is to present an application for Site Plan Approval for a change of use from residential to commercial of an existing building located at 1529 Laurier Street.

2) **DIRECTIVE/PREVIOUS POLICY :**

N/A

3) **DEPARTMENT'S RECOMMENDATION :**

BE IT RESOLVED THAT Council approves the site plan submitted by Jean Thivierge for the conversion of the existing building at 1529 Laurier Street from residential to commercial use; and

BE IT RESOLVED THAT Council authorizes the Manager of Development to sign a letter of undertaking with the applicant for the implementation the approved site plan drawing.

QU'IL SOIT RÉSOLU QUE le Conseil approuve le plan de site soumis par Jean Thivierge pour la conversion du bâtiment existant au 1529 rue Laurier d'usage résidentiel à usage commercial; et

QU'IL SOIT RÉSOLU QUE le Conseil autorise la Gestionnaire du développement à signer une lettre d'engagement avec le demandeur pour la mise en œuvre du plan de site approuvé.

4) **BACKGROUND :**

Mr. Jean Thivierge submitted an application for Site Plan Approval on behalf of Ian Filion and Fabien Filion, owners of the property located at 1529 Laurier Street. The applicant intends to purchase the property from the current owners in order to convert the existing dwelling to be used for professional offices. The building and structure will remain intact, the first floor layout will be modified for two offices and a conference room, no changes are proposed to the second floor and basement. Lines for parking spaces will be painted on the existing asphalt parking area at the rear of the building.



Figure 1: Keymap

5) **DISCUSSION :**

Official Plan of the Urban Area of the City of Clarence-Rockland

The subject property is located in the Commercial Core Area according to Schedule A of the Official Plan of the Urban Area of the City of Clarence-Rockland. This land use designation is intended for street-oriented commercial and mixed commercial/residential uses. The proposed business office use is permitted.

Zoning By-law 2016-10

The property is located within the "Urban Core Area (CA) Zone" on Schedule B of the City of Clarence-Rockland Zoning By-law 2016-10. The list of permitted uses for this zone includes "business office". The property is currently used as a single detached dwelling, which is a legal non-conforming use for this property.

The proposed site plan includes a total of four parking spaces, located at the rear of the existing building. One of these spaces is proposed to be a Type A accessible parking space and the other three are regular parking spaces. The proposed parking layout conforms to the requirements of *Section 5.2 – Motor Vehicle Parking Spaces* and *Section 5.3 – Accessible Parking Spaces*. The existing setbacks of the building and driveway benefit from legal non-complying status.

Site Plan Control By-law 2018-22

A change of use from a residential use to a commercial use is subject to Site Plan Control as per City of Clarence-Rockland Site Plan Control By-law 2018-22. Due to the limited changes proposed for this property, a Letter of

Undertaking may be signed in place of a formal Site Plan Control Agreement, as provided for in section 19 of the By-law.

The Site Plan By-law requires that any applications for Site Plan Control for a proposed development within the Urban Core Area be approved by Council, whereas authority for the approval of Site Plan Control applications for all other areas within the City of Clarence-Rockland has been delegated to the Director of Infrastructure and Planning for Site Plan Agreements and to the Manager of Development for Letters of Undertaking.

6) **CONSULTATION:**

A technical circulation was sent out to internal city departments and external agencies on February 20th, 2019.

7) **RECOMMENDATIONS OR COMMENTS FROM COMMITTEE/ OTHER DEPARTMENTS :**

No comments/objections have been received.

8) **FINANCIAL IMPACT (expenses/material/etc.):**

N/A

9) **LEGAL IMPLICATIONS :**

N/A

10) **RISK MANAGEMENT :**

N/A

11) **STRATEGIC IMPLICATIONS :**

N/A

12) **SUPPORTING DOCUMENTS:**

Proposed Site Plan 1529 Laurier Street



CORPORATION OF THE CITY OF CLARENCE-ROCKLAND**BY-LAW 2019-25**

BEING A BY-LAW TO PROVIDE THAT SUB-SECTION 5 OF SECTION 50 OF THE PLANNING ACT, R.S.O. 1990, CHAPTER P-13, AS AMENDED, DOES NOT APPLY TO BLOCKS 39, 40 and 41 ON REGISTERED PLAN 50M-323, DESIGNATED AS PARTS 1 TO 12, BOTH INCLUSIVE, ON PLAN 50R-10614;

WHEREAS Sub-Section 5 of Section 50 of the *Planning Act*, R.S.O. 1990, Chapter P-13, as amended, provides that all lands within a Plan of Subdivision are subject to part-lot control;

AND WHEREAS the Council of a municipality may, under Sub-Section 7 of Section 50 of the *Planning Act*, R.S.O., 1990, Chapter P-13, as amended by by-law, provide that Sub-Section 5 of Section 50 of the *Planning Act*, R.S.O. 1990, Chapter P-13, as amended, does not apply to such lands as are designated in the By-Law;

AND WHEREAS nine (9) single detached dwellings are planned to be built on Blocks 39, 40 and 41 of Registered Plan 50M-323 where it is desired that individual ownerships be created and designated as Part 1, Part 2, Parts 3 and 4, Parts 5 and 6, Part 7, Part 8, Parts 9 and 10, Part 11, Part 12 on Plan 50R-10614;

NOW THEREFORE the Council of the Corporation of the City of Clarence-Rockland enacts the following:

- 1.** Subject to Section 2 hereof, Sub-Section 5 of Section 50 of the *Planning Act*, R.S.O. 1990, Chapter P-13, as amended, does not apply to those portions of Blocks 39, 40 and 41, plan 50M-323, designated as Part 1, Part 2, Parts 3 and 4, Parts 5 and 6, Part 7, Part 8, Parts 9 and 10, Part 11, Part 12 on Plan 50R-10614.
- 2.** This By-Law shall take effect on June 5th, 2019.
- 3.** This By-Law shall expire and be of no further force and effect, if not registered on title, as of the 5th day of June 2021.

READ, PASSED AND ADOPTED BY COUNCIL, THIS 4TH DAY OF MARCH, 2019.

Guy Desjardins, Mayor

Monique Ouellet, Clerk



REPORT N° AMÉ-19-29-R

Date	04/03/2019
Submitted by	Marie-Eve Bélanger
Subject	Part Lot Control – Block 39-41, Plan 50M-323
File N°	D-12-117

1) **NATURE/GOAL :**

Soloway Wright, agent for Riverlands of Rockland has submitted a request to the City of Clarence-Rockland to remove Part-Lot Control to allow for the creation of 9 lots, within single detached dwellings. These lots will front onto du Rivage Street.

2) **DIRECTIVE/PREVIOUS POLICY :**

n/a

3) **DEPARTMENT'S RECOMMENDATION :**

QUE le conseil municipal adopte le règlement 2019-25, étant un règlement relatif à la désignation de terrains non assujettis à la réglementation de parties de lots, applicable au blocs 39, 40 et 41 du Plan 50M-323, localisé à l'intérieur du projet résidentiel de Clarence Crossing, à Rockland.

THAT Council adopts By-Law 2019-25, being a by-law for the designation of lands not subject to part-lot control, for part of Blocks 39, 40 and 41 of Plan 50M-323, located within the residential project of Clarence Crossing, Rockland.

4) **BACKGROUND :**

On July 24th, 2015, a Subdivision Agreement was registered between the City and Riverlands of Rockland. In February 2017, Council approved a by-law to amend the Official Plan and the Zoning by-law to convert the townhouses into single detached dwellings. This application will divide the blocks into smaller parts in order to sell and be able to build single detached dwellings.

5) **DISCUSSION :**

The application is for the removal of part-lot control under Subsection 7, Section 50 of the *Planning Act*, R.S.O 1990. c. P. 13, as prescribed by Subsection 5 of Section 50 of the *Planning Act*. Subsection 7 states that:

“designation of lands not subject to part-lot control – Despite subsection (5), the council of a local municipality may by by-law provide that subsection (5) does not apply to land that is within such registered plan or

plans of subdivision or parts of them as are designated in the by-law.”

This allows Council, by passing a by-law, to approve the creation of 9 parcels on Block 39, 40 and 41, Plan 50M-323 as shown on Registered Plan 50R-10614, prepared by Annis, O’Sullivan, Vollebekk Ltd., dated May 16, 2017.

6) **CONSULTATION:**

n/a

7) **RECOMMENDATIONS OR COMMENTS FROM COMMITTEE/ OTHER DEPARTMENTS :**

No comments.

8) **FINANCIAL IMPACT (expenses/material/etc.):**

n/a

9) **LEGAL IMPLICATIONS :**

n/a

10) **RISK MANAGEMENT :**

n/a

11) **STRATEGIC IMPLICATIONS :**

n/a

12) **SUPPORTING DOCUMENTS:**

By-law 2019-25

CORPORATION OF THE CITY OF CLARENCE-ROCKLAND**BY-LAW NUMBER 2019-26****A BY-LAW TO APPOINT AN INTEGRITY COMMISSIONER FOR THE CORPORATION OF THE CITY OF CLARENCE-ROCKLAND AND ENTER INTO A SERVICE AGREEMENT FOR THE SERVICES OF THE INTEGRITY COMMISSIONER.**

WHEREAS section 223.3 of the *Municipal Act*, 2001, S.O. 2001, c. 25, as amended (the "*Municipal Act*"), authorizes a municipality to appoint an Integrity Commissioner who reports to Council and who is responsible for performing in an independent manner the functions assigned by the municipality with respect to any or all of the responsibilities set out in section 223.3 of the *Municipal Act*, including, but not limited to, the application of the Code of Conduct for Members of Council; and

WHEREAS the Code of Conduct for Members of Council of the City of Clarence-Rockland was adopted on January 27, 2014, through By-law 2013-116; and

AND WHEREAS Council deems it advisable to appoint an Integrity Commissioner and enter into a Service Agreement between the Corporation of the City of Clarence-Rockland and the Integrity Commissioner for the purposes of investigating formal complaints under the Code of Conduct for Members of Council.

NOW THEREFORE the Council of the Corporation of the City of Clarence-Rockland enacts as follows:

1. That John Saywell, Lawyer, be hereby appointed as the Integrity Commissioner for the Corporation of the City of Clarence-Rockland pursuant to section 223.3 of the *Municipal Act*.
2. That the Service Agreement between the Corporation of the City of Clarence-Rockland and John Saywell, Lawyer, with respect to the position of Integrity Commissioner be hereby adopted and forming part of this By-law as Schedule "A".
3. That the Mayor and the Clerk be authorized to execute the said Service Agreement annexed hereto as Schedule "A" on behalf of the Corporation

of the City of Clarence-Rockland.

4. That this By-law shall come into force and take effect on the day of its passing.

READ, PASSED AND ADOPTED IN OPEN COUNCIL THIS 4TH DAY OF MARCH 2019.

Guy Desjardins, Mayor

Monique Ouellet, Clerk

Schedule “A” to By-law 2019-26

This Service Agreement dated this ____ day of _____, 2019.

Between:

The Corporation of the City of Clarence-Rockland

(hereinafter referred to as “Clarence-Rockland”)

- and -

John Saywell, Lawyer

(hereinafter referred to as the “Integrity Commissioner”)

WHEREAS section 223.3 of the *Municipal Act, 2001*, S.O. 2001, c. 25, as amended (the “*Municipal Act*”) authorizes Clarence-Rockland to appoint an Integrity Commissioner who reports to Council and who is responsible for performing in an independent manner the functions assigned by the municipality with respect to any or all of the responsibilities set out in section 223.3 of the *Municipal Act*;

AND WHEREAS in the process of recruiting an Integrity Commissioner, Clarence-Rockland has had regard to, among other things:

- a. the investigator’s independence and impartiality;
- b. confidentiality with respect to the investigator’s activities;
- c. the credibility of the investigator’s proposed investigative process; and
- d. the benefit of uniformity in the Integrity Commissioner function across the local and regional levels.

AND WHEREAS Clarence-Rockland wishes to retain the services of an independent Integrity Commissioner for Clarence-Rockland;

AND WHEREAS Clarence-Rockland is satisfied that the Integrity Commissioner has the skills and abilities to perform the role of the Integrity Commissioner.

NOW THEREFORE in consideration of the covenants, terms and conditions contained herein, Clarence-Rockland and the Integrity Commissioner agree as follows:

1. Appointment

- 1.1. Clarence-Rockland hereby retains and appoints the Integrity Commissioner as the Integrity Commissioner for Clarence-Rockland and the latter accepts such appointment and agrees to carry out the functions and duties of the Integrity Commissioner in accordance with the *Municipal Act* and By-law 2019-26, as amended, during the term of this Agreement.

2. Functions and Duties

2.1. The functions and duties of the Integrity Commissioner shall be:

- a) conduct inquiries in response to a complaint regarding whether a Member of Council has contravened the Council Code of Conduct, Clarence-Rockland's policies, procedures, protocols and rules relating to the Code of Conduct, or sections 5, 5.1. or 5.2 of the *Municipal Conflict of Interest Act*, R.S.O. 1990, c. M.50;
- b) determine whether a Member of Council has violated any Clarence-Rockland procedures, rules or policies governing ethical behaviour, and report any violation with any recommendation for sanctions to Council;
- c) at least once per term of Council, prepare and provide oral and written educational information for Members of Council, Clarence-Rockland and the public regarding the role of the Integrity Commissioner and ethical obligations and responsibilities of Members of Council under the Council Code of Conduct and any other procedures, rules or policies governing their ethical behaviour;
- d) upon request, provide advice to individual Members of Council regarding their ethical obligations and responsibilities under their Code of Conduct and any other procedures, rules or policies governing their ethical behaviour. This advice can include recommendations on the appropriate course of action where Members of Council seek guidance based on specific factual circumstances;
- e) upon request, provide advice and recommendations to Council regarding amendments to the Code of Conduct and any other procedures, rules or policies governing their ethical behaviour; and
- f) prepare and deliver an annual report to Council containing a summary of activities, if any, during the previous calendar year.

3. Term and Renewal

- 3.1. The term of this Agreement shall commence on March 1, 2019, and shall continue until December 31, 2020, unless terminated prior thereto in accordance with the terms of this Agreement.
- 3.2. The Integrity Commissioner's appointment pursuant to this Agreement may be renewed for a further two (2) years at Clarence-Rockland's sole discretion and on the same terms of this Agreement.

4. Termination

- 4.1. Clarence-Rockland reserves the right to terminate this Agreement at its sole discretion upon providing the Integrity Commissioner with thirty (30) days' written notice.

5. Compensation

- 5.1. Clarence-Rockland agrees to pay the Integrity Commissioner an hourly fee of \$125 per hour, plus applicable taxes, during such time that the Integrity Commissioner is actively carrying out his duties pursuant to this Agreement.
- 5.2. Should the Integrity Commissioner require a meeting space at Clarence-Rockland's offices, Clarence-Rockland's Clerk or Chief Administrative Officer shall make arrangements to provide such space at Clarence-Rockland's offices on an as needed and as available basis. In arranging for such space, Clarence-Rockland will be mindful of the importance of confidentiality. The Integrity Commissioner may request space in an external facility if the space offered at Clarence-Rockland's offices could, in the opinion of the Integrity Commissioner, give rise to confidentiality concerns. If this is the case, the Integrity Commissioner shall make the necessary arrangements to find space in an external facility and obtain approval under section 5.5 of this Agreement before incurring any costs.
- 5.3. Clarence-Rockland shall reimburse the Integrity Commissioner for mileage at the following rate, subject to section 5.4:
 - a) \$0.52 per kilometre
- 5.4. Clarence-Rockland shall reimburse the Integrity Commissioner for mileage when he is required to travel in the course of his duties calculated on the following computation:
 - a) the distance which would have been travelled had the point of origin or departure been the offices of the United Counties of Prescott and Russell in L'Orignal, or
 - b) the actual distance travelled from one point of business to another if this distance is shorter than the distance in a).
- 5.5. The Integrity Commissioner shall not seek reimbursement from Clarence-Rockland for any costs incurred by him, which are not specifically set out in this Agreement, unless such costs are pre-authorized in writing by Clarence-Rockland's Clerk or Chief Administrative Officer.
- 5.6. The Integrity Commissioner shall provide Clarence-Rockland with a monthly invoice detailing the hours worked and expenses incurred for the period in question.
- 5.7. Clarence-Rockland shall pay the amount of any invoice submitted in accordance with this Agreement within thirty (30) days of the date of receipt.

6. Integrity Commissioner's Status

- 6.1. In performing his functions and duties as Integrity Commissioner pursuant to this Agreement, it is recognized that the Integrity Commissioner is independent of Clarence-Rockland's administration and shall report directly to the Council of Clarence-Rockland.
- 6.2. The Integrity Commissioner acknowledges that he is an independent contractor and shall not be deemed an employee of Clarence-Rockland, for any purpose. The Integrity Commissioner further acknowledges that, as an independent contractor, he will not be entitled to any employment-related benefits, including such benefits that are applicable to employees of Clarence-Rockland.
- 6.3. For purposes of the Ontario Municipal Employees' Retirement System (OMERS), the Parties acknowledge that, by virtue of the Integrity Commissioner's status as an independent contractor, he will not be enrolled in OMERS and Clarence-Rockland shall not be required to contribute to OMERS in accordance with the prevailing legislation.
- 6.4. In light of the Integrity Commissioner's status as an independent contractor, Clarence-Rockland shall have no responsibility whatsoever with regard to any income taxes or any other remittances which may be payable by the Integrity Commissioner on the fees paid under this Agreement. Clarence-Rockland assumes no obligation or liability as between the Parties to deduct or remit any statutory or government remittances.

7. Confidential Information

- 7.1. During the term of this Agreement, pursuant to subsection 223.4.1(11) of the *Municipal Act*, the Integrity Commissioner is entitled to have free access to all books, accounts, financial records, electronic data processing records, reports, files and all other papers, things or property belonging to or used by Clarence-Rockland that the Commissioner believes to be necessary for an inquiry.
- 7.2. The Integrity Commissioner and any delegate under section 9.2 of this Agreement shall preserve secrecy with respect to all matters that come to his or her knowledge in the course of carrying out any of the duties of the Integrity Commissioner under this Agreement, except as required by law in a criminal proceeding or in accordance with section 223.5 of the *Municipal Act*.
- 7.3. The Integrity Commissioner and any delegate under section 9.2 of this Agreement acknowledge that Clarence-Rockland is an institution for the purposes of the *Municipal Freedom of Information and Protection of Privacy Act*, R.S.O. 1990, c. M.5 (the "*MFIPPA*"). Accordingly, the Integrity Commissioner and any delegate under section 9.2 of this Agreement undertake not to disclose information subject to the *MFIPPA* except as may be necessary in the proper discharge of his functions and duties pursuant to the terms of this Agreement and in accordance with the *MFIPPA* and the *Municipal Act*.

- 7.4. Pursuant to subsection 223.5(3) of the *Municipal Act*, section 223.5 of the *Municipal Act* prevails over the *MFIPPA*.
- 7.5. The Integrity Commissioner and any delegate under section 9.2 of this Agreement shall comply with Clarence-Rockland's Procedure By-law in terms of personal or privileged information.
- 7.6. A disclosure to the Integrity Commissioner and any delegate under section 9.2 of this Agreement of legal advice:
 - a) shall be used only for the purpose of conducting an inquiry and not for any other purpose; and
 - b) the contents or substance of such legal advice shall not be disclosed in any public report prepared by the Integrity Commissioner or and any delegate under section 9.2 of this Agreement.
- 7.7. Section 7 of this Agreement shall survive the termination of this Agreement.

8. Subcontracting

- 8.1. Subject to any delegation authorized pursuant to section 9.2 of this Agreement, the Integrity Commissioner shall not assign or sublet any portion of his functions and duties as the Integrity Commissioner under this Agreement.

9. Conflicts and Delegation

- 9.1. The Integrity Commissioner shall not have any conflicts of interest that would interfere with carrying out the functions and duties under this Agreement. Without limiting the generality of the foregoing, the Integrity Commissioner specifically acknowledges that he:
 - a) is not an employee of Clarence-Rockland;
 - b) does not have a financial interest in any matters involving Clarence-Rockland;
 - c) does not have an interest in matters before the Council of Clarence-Rockland or in any work undertaken by Clarence-Rockland; and
 - d) does not have and never has had, any involvement in the municipal politics of the Council of Clarence-Rockland.
- 9.2. If the Integrity Commissioner becomes aware of a situation where a conflict of interest could arise, the Integrity Commissioner shall advise Clarence-Rockland's Clerk and Members of Council in writing and delegate in writing his functions and duties to conduct an inquiry, including the exercise of powers under the *Public Inquiries Act, 2009*, S.O. 2009, c. 33, Sched. 6, and the duty to report on an inquiry.

- 9.3. In making a delegation under section 9.2 of this Agreement, the Integrity Commissioner shall first satisfy himself that the person to whom the duties are to be delegated is fully capable of carrying out these functions and duties.

10. Indemnification and Insurance

- 10.1. Pursuant to subsection 223.3(6) of the *Municipal Act*, Clarence-Rockland agrees to indemnify and save harmless the Integrity Commissioner or any person acting under his instructions for costs reasonably incurred by either of them in connection with the defense of a proceeding if the proceeding relates to an act done in good faith in the performance or intended performance of a duty or authority under Part. V.1 – Accountability and Transparency of the *Municipal Act* or a by-law passed under it or an alleged neglect or default in the performance in good faith of the duty or authority.
- 10.2. Subject to the exception stipulated in section 10.1 of this Agreement, the Integrity Commissioner shall indemnify and hold Clarence-Rockland harmless from and against any liability, loss, claims, demands, costs and expenses, including reasonable legal fees, occasioned wholly or in part by any negligence or acts or omissions whether willful or otherwise by the Integrity Commissioner, its agents, officers, employees or other persons for whom the Integrity Commissioner is legally responsible.
- 10.3. The Integrity Commissioner shall, at his own expense within 10 days of notification of acceptance and prior to the commencement of work, obtain and maintain until the termination of this Agreement, and provide Clarence-Rockland with evidence of:
- a) *Commercial General Liability Insurance*
Commercial General Liability Insurance issued on an occurrence basis for an amount of not less than \$5,000,000 per occurrence / \$5,000,000, annual aggregate for any negligent acts or omissions by the Integrity Commissioner relating to its obligations under this Agreement. Such insurance shall include, but is not limited to, bodily injury and property damage including loss of use; personal injury and advertising injury; contractual liability; premises, property and operations; non-owned automobile; broad form property damage; owners and contractors protective; occurrence property damage; products and completed operations; employees as Additional Insured(s); contingent employers liability; tenants legal liability; cross liability and severability of interest clause.

Such insurance shall add Clarence-Rockland as Additional Insured subject to a waiver of subrogation with respect to the operations of the Integrity Commissioner. This insurance shall be non-contributing with and apply as primary and not as excess of any insurance available to Clarence-Rockland.
 - b) *Automobile Liability Insurance*
Automobile liability insurance with respect to owned or leased vehicles used directly or indirectly in the performance of the services under this Agreement

covering liability for bodily injury, death and damage to property with a limit of not less than \$2,000,000, inclusive for each and every loss.

c) *Professional Liability Insurance*

Professional liability (errors and omissions) insurance coverage shall be obtained for a limit of not less than \$2,000,000. If such insurance is issued on a claim made basis, coverage shall contain a 24 month extended reporting period or be maintained for a period of two (2) years subsequent to the conclusion of services provided under this Agreement.

10.4. The insurance as required under subsection 10.3 of this Agreement shall not be terminated, cancelled or materially altered unless written notice of such termination, cancellation or material is given by the insurers to Clarence-Rockland's Clerk at least thirty (30) clear days before the effective date thereof. Any revisions must be submitted to Clarence-Rockland's Clerk for approval.

10.5. The Integrity Commissioner shall provide evidence of WSIB or its equivalent.

10.6. Any and all deductibles applicable to the above insurance shall be the sole responsibility of the Integrity Commissioner and Clarence-Rockland shall bear no cost towards such deductible.

10.7. The Integrity Commissioner shall be responsible to keep their property / assets insured. Failure to do so shall not impose any liability on Clarence-Rockland.

10.8. Section 10 of this Agreement shall survive the termination of this Agreement.

11. General Provisions

11.1. This Agreement shall be governed by and construed in accordance with the laws of the Province of Ontario and the laws of Canada applicable therein, and as may be amended from time to time, and shall be treated in all respects as an Ontario contract.

11.2. If any provision of this Agreement is declared to be void or unenforceable, such provision shall be deemed to be separate from the remainder of this Agreement to the extent of the particular circumstances giving rise to such declaration, and such provision as it applies to other persons and circumstances and the remaining terms and conditions of this Agreement shall remain in full force and effect.

11.3. This Agreement constitutes the entire agreement between the Parties and supersedes all previous negotiations, understandings and agreement, whether verbal or written, with respect to any matters referred to in this Agreement.

11.4. This Agreement shall enure to the benefit of, and be binding on, the Parties and their successors and assigns.

11.5. This Agreement may only be changed or amended in writing duly executed by the duly authorized representatives of the Parties.

11.6. This Agreement may be signed in counterparts, each of which is an original, and all of which taken together constitute one single document.

IN WITNESS WHEREOF the Parties have executed this Agreement this ____ day of _____, 2019.

SIGNED, SEALED AND DELIVERED)

)

) Per:

)

I/We Have the Authority to Bind
the Corporation

)

) _____

) Name: Monique Ouellet, Clerk

)

)

) _____

) Name: Guy Desjardins, Mayor

)

)

)

INTEGRITY COMMISSIONER)

)

) _____

) Name: John Saywell, Lawyer

) Position: Integrity Commissioner

)

)

) _____

) Date signed

THE CORPORATION OF THE CITY OF CLARENCE-ROCKLAND

BY-LAW NUMBER 2019-27

BEING A BY-LAW TO PROVIDE STANDARDS FOR THE MAINTENANCE AND OCCUPANCY OF PROPERTY IN THE CITY OF CLARENCE-ROCKLAND.

WHEREAS Section 15.1(3) of the Building Code Act, S.O. 1992, c.23 and amendments thereto, provides that a Council of a municipality may pass By-laws to:

- (1) Prescribe standards for the maintenance and occupancy of property within the municipality or within any defined area or areas and for prohibiting the occupancy or use of such property that does not conform with the standards; and
- (2) Require property that does not conform with the standards to be repaired and maintained to conform with the standards or the site to be cleared of all buildings and structures; and

WHEREAS there are in effect in the City of Clarence-Rockland Official Plans which include provisions relating to property conditions; now

THEREFORE the Municipal Council of the Corporation of the City of Clarence-Rockland hereby enacts as follows.

SECTION 1 GENERAL

1.1 SHORT TITLE

This By-law may be cited as the "Property Standards By-law" of The City of Clarence-Rockland.

SECTION 2 DEFINITIONS

- 2.1 "Accessory Building"** means a detached building or structure, not used for human habitation that is subordinate to the primary use of the same property.
- 2.2 "Apartment Building"** means a building containing more than four dwelling units with individual access from an internal corridor system.
- 2.3 "Approved"** means acceptance by the Property Standards Officer.
- 2.4 "Basement"** means that space of a building that is partly below grade, which has half or more of its height, measured from floor to ceiling above the average exterior finished

grade.

- 2.5 **"Building"** as defined in the Ontario Building Code Act, as amended.
- 2.6 **"Cellar"** means that space of a building that is partly or entirely below grade, which has more than half of its height, measured from floor to ceiling below the average exterior finished grade.
- 2.7 **"Committee"** as defined in the Ontario Building Code Act, as amended.
- 2.8 **"Corporation"** shall mean the Corporation of the City of Clarence-Rockland.
- 2.9 **"Dwelling"** shall mean a building or structure or part of a building or structure used or intended to be used as a domicile by one or more persons usually containing cooking, eating, living, sleeping and sanitary facilities and includes the land and premises appurtenant thereto and all outbuildings, fences or erections thereon or therein.
- 2.10 **"Dwelling Unit"** means a room or a suite operated as a house-keeping unit, used or intended to be used as a domicile by one or more persons and supporting general living conditions usually including cooking, eating, sleeping and sanitary facilities.
- 2.11 **"First Storey"** means that part of a building having a floor area closest to grade with a ceiling height of more than 1.8 metres (6 ft.) above grade.
- 2.12 **"Guard"** means a protective barrier installed around openings in floor areas or on the open sides of a stairway, a landing, a balcony, a mezzanine, a gallery, a raised walkway and other locations as required to prevent accidental falls from one level to another. Such barriers may or may not have openings through it.
- 2.13 **"Habitable Room"** means any room in a dwelling unit used for or capable of being used for living, cooking, sleeping or eating purposes.
- 2.14 **"Land leased community"** means a community where buildings or portions of land is individually leased for living accommodation, but does not include mobile parks.
- 2.15 **"Maintenance"** shall mean the preservation and keeping in repair of a property.
- 2.16 **"Means of Egress"** means a continuous, unobstructed path of travel provided by a doorway, hallway, corridor, exterior passage way, balcony, lobby, stair, ramp or other exit facility used for the escape of persons from any point within a building, a floor area, a room or a contained open space to a public thoroughfare usually located outside the building.
- 2.17 **"Multiple Dwelling"** means a building containing three or more dwelling units.
- 2.18 **"Non-Habitable Room"** means any room in a dwelling or dwelling unit other than a

habitable room and includes a bathroom, a toilet room, laundry, pantry, lobby, corridor, stairway, closet, boiler room or other space for service and maintenance of the dwelling for public use and for access to and vertical travel between storeys and basement or part thereof which does not comply with the standards of fitness for occupancy set out in this by-law.

- 2.19 "Non-Residential Property"** means a building or structure or part of a building or structure not occupied in whole or in part for the purpose of human habitation, and includes the lands and premises appurtenant and all of the outbuildings, fences or erections thereon or therein.
- 2.20 "Occupant"** as defined in the Ontario Building Code Act, as amended.
- 2.21 "Officer"** shall mean a Property Standards Officer who has been assigned by Council with the responsibility of administering and enforcing this by-law.
- 2.22 "Owner"** as defined in the Ontario Building Code Act, as amended.
- 2.23 "Person"** shall mean an individual, firm, corporation, association or partnership.
- 2.24 "Property"** shall mean a building or structure or part of a building or structure, and includes the lands and premises appurtenant thereto.
- 2.25 "Repair"** as defined in the Ontario Building Code Act, as amended.
- 2.26 "Residential Property"** means any property that is used or designed for use as a domestic establishment in which one or more persons usually sleep and prepare and serve meals and includes any lands or buildings that are appurtenant to such establishment and all stairways, walkways, driveways, parking spaces and fences associated with the dwelling or its yard.
- 2.27 "Standards"** shall mean the standards of physical conditions and occupancy set out in the by-law.
- 2.28 "Toilet Room"** shall mean a room containing a water closet and a wash basin.
- 2.29 "Yard"** shall mean land other than publicly owned land, around and appurtenant to any property or any part of a building or structure and used or intended to be used or capable of being used in connection with said property and includes vacant land.

SECTION 3 STRUCTURAL SOUNDNESS AND MAINTENANCE OF ALL BUILDINGS

- 3.1.** Every part of a building or structure appurtenant to a building shall be maintained in a structurally sound condition so as to be capable of sustaining safely its own weight and any load to which it normally may be subject.

- 3.2** Materials or objects on the exterior of buildings which have been damaged or show evidence of decay or other deterioration shall be repaired or replaced.
- 3.3** Exterior walls and roof of a building and their components, including soffits and fascia, shall be maintained in good repair, weather tight condition, free from cracked, broken or loose materials, masonry units, stucco and other defective cladding or trim. Paint or some other suitable preservative or coating must be applied and maintained so as to prevent deterioration due to weather conditions, insects or other damage.
- 3.4** Inside and outside stairs, porches, balconies, landings and their guards/handrail shall be maintained so as to be free of holes, cracks and other defects which may constitute accident hazards. Existing stair treads or risers that show excessive wear or are broken, warped or loose and any supporting structural members that are rotted or deteriorated shall be repaired or replaced.
- 3.5** The foundations, walls, columns, beams, floors and roof of building shall be maintained in good repair.
- 3.6** Every building shall be:
- (a) Kept in good repair and free from health, fire and accident hazards;
 - (b) Maintained in a safe condition which includes the removal or securing of loose or insecure parts of the building or appurtenant parts thereof and
 - (c) Protected by weather-resistant materials.
- 3.7** Every building damaged by fire or other causes shall be:
- (a) Made secure to neighbours, persons and to other users of the property;
 - (b) boarded up by covering all opening through which entry may be with at least 12.7mm (1/2") weatherproof sheet plywood securely fastened to the building;
 - (c) made secure in order to prevent damage to property and chattels and
 - (d) repaired or completely demolished as required by the Property Standards Officer.

SECTION 4 RESIDENTIAL STANDARDS FOR RENTAL UNITS

- 4.1** Section 4 applies to any residential property of dwelling occupied by persons other than the property owner for which compensation is paid to the property owner or his or her agent. The other sections of this By-law also apply to rental residential buildings.

4.2 PEST PREVENTION

- 4.2.1** Dwellings shall be kept free of rodents, vermin and insects at all times. Methods used for exterminating such pests shall be in accordance with the provisions of the Pesticides Act.

- 4.2.2** Openings, including windows, that might permit the entry of rodents, insects,

vermin or other pests shall be appropriately screened or sealed.

4.3 FOUNDATIONS

- 4.3.1** Foundation walls of a dwelling shall be maintained so as to prevent the entrance of insects, rodents and moisture. Maintenance includes the shoring of the walls to prevent settling, installing sub soil drains, when necessary, at the footings, grouting masonry cracks, damp proofing and waterproofing walls, joints and floors.

4.4 WINDOWS AND DOORS

- 4.4.1** Windows, doors, skylights and basement or cellar hatchways shall be maintained in good repair, weather tight and draught-free, to prevent heat loss and infiltration by the elements. Maintenance includes painting, replacing damaged doors, frames and other components, window frames, sashes and casings, replacement of non-serviceable hardware and re-glazing where necessary. Where screening is provided on windows and doors it shall also be maintained in good repair.
- 4.4.2** All windows that are intended to be opened and all exterior doors shall have suitable hardware so as to allow locking or otherwise securing from inside the dwelling unit. At least, one entrance door to a dwelling unit shall have suitable hardware so as to permit locking or securing from either inside or outside the dwelling unit.
- 4.4.3** Solid core doors shall be provided for all entrances to dwellings and dwelling units.
- 4.4.4** In residential buildings where there is a voice communication unit working in conjunction with a security locking and release system controlling a particular entrance door and installed between individual dwelling units and a secured entrance area, the said system shall be maintained in good working order at all times.
- 4.4.5** Every window that is located above the first storey of a multiple dwelling shall be equipped with an approved safety device that would prevent any part of the window from opening greater than would permit the passage of a 100 mm diameter (3.9 inches) sphere. Such safety device shall not prevent the window from being fully opened during an emergency situation by an adult without the use of tools.

4.5 WALLS, CEILINGS AND FLOORS

- 4.5.1** Every wall, ceiling and floor in a dwelling shall be maintained so as to provide a continuous surface free of holes, cracks, loose coverings or other defects. Walls surrounding showers and bathtubs shall be impervious to water.

4.5.2 Every floor in a dwelling shall be reasonably smooth and level and maintained so as to be free of all loose, warped, protruding, broken or rotted boards or other material that might cause an accident or allow the entrance of rodents and other vermin or insects.

4.5.3 Every floor in a bathroom, toilet room, kitchen, shower room, laundry room and kitchen shall be maintained so as to be impervious to water and readily cleaned.

4.6 GUARDS & HANDRAILS

4.6.1 Guards and handrails shall be installed wherever they would be required for a newly constructed or renovated area under the Ontario Building Code made under the Building Code Act, 1992. Such guards shall be properly maintained and repaired.

4.7 KITCHENS

4.7.1 Every dwelling shall contain a kitchen area equipped with:

- a) A sink that is served with hot and cold running water and is surrounded by surfaces impervious to grease and water;
- b) Suitable storage area of not less than 0.23 cubic metres (8 cubic feet);
- c) A counter or work area at least 0.61 m (2 ft.) in width by 1.22 m (4 ft.) in length, exclusive of the sink, and covered with a material that is impervious to moisture and grease and is easily cleanable; and
- d) A space provided for cooking and refrigeration appliances including the suitable electrical or gas connections.

4.8 TOILET AND BATHROOM FACILITIES

4.8.1 Every dwelling unit shall contain a bathroom consisting of at least one fully operational water closet, wash basin and a bathtub or suitable shower unit. Every wash basin and bathtub or shower shall have an adequate supply of hot and cold running water.

4.8.2 Every required bathroom or toilet room shall be accessible from within the dwelling unit and shall be fully enclosed and provided with a door capable of being locked so as to allow privacy for the persons using said room.

4.8.3 Where toilet or bathroom facilities are shared by occupants or residential accommodation other than self-contained dwelling units, an appropriate entrance shall be provided from a common passageway, hallway, corridor or other common space to the room or rooms containing the said facilities.

4.9 PLUMBING

- 4.9.1** Each wash basin, bathtub or shower and kitchen sink shall be equipped with an adequate supply of hot and cold running water. Hot water shall be supplied at a temperature of not less than 43 degrees Celsius (110°F).
- 4.9.2** Every dwelling unit shall be provided with an adequate supply of potable running water from the water treatment plant of the Corporation or another source of potable water approved by the Medical Officer of Health.
- 4.9.3** All plumbing, including drains, water supply pipes, water closets and other plumbing fixtures shall be maintained in good working condition free of leaks and defects and all water pipes and appurtenances thereto shall be protected from freezing.
- 4.9.4** All plumbing fixtures shall be connected to the sewage system through water seal traps. All interior plumbing supply, drains and vents shall be maintained in a good state of repair.
- 4.9.5** Every fixture shall be of such materials, construction and design as will ensure that the exposed surface of all parts are hard, smooth, impervious to hot and cold water, readily accessible for cleansing and free from blemishes, cracks, stains or other defect that may harbour germs or impede thorough cleansing.

4.10 ELECTRICAL

- 4.10.1** Every dwelling and dwelling unit shall be wired for electricity and shall be connected to an approved electrical supply system as required under the Electrical Safety Code of Ontario.
- 4.10.2** The electrical wiring, fixtures, switches, receptacles and appliances located or used in dwellings, dwelling units and accessory buildings shall be installed and maintained in good working order to as not to cause fire or electrical shock hazards. All electrical services shall conform to the regulations established by the Power Corporations Act, as amended.
- 4.10.3** Every habitable room in a dwelling shall have at least one electrical duplex outlet for each 11.1 square metre (120 sq. ft.) of floor space, and for each additional 9.3 square metres (100 sq. ft.) of floor area a second duplex outlet shall be provided. Extension cords shall not be used on a permanent basis.
- 4.10.4** Every bedroom, bathroom, toilet room, kitchen, laundry room, furnace room, basement cellar and non-habitable work or storage room shall be provided with a permanent light fixture.
- 4.10.5** Lighting fixtures and appliances installed throughout a residential building, including dwelling units, stairways, hallway corridors, passage ways, garages and basements, shall provide sufficient illumination so as to avoid health or accident

hazards in normal use.

4.11 HEATING, HEATING SYSTEMS, CHIMNEYS AND VENTS

4.11.1 Every dwelling and building containing a residential dwelling unit shall be provided with suitable heating facilities capable of maintaining an indoor ambient temperature of 21 degrees Celsius (70°F) in the occupied dwelling units. The heating system shall be maintained in good working condition so as to be capable of safely heat the individual dwelling units to the required standard.

4.11.2 All fuel burning appliances, equipment and accessories in a dwelling shall be installed and maintained to the standards applicable legislation.

4.11.3 Where a heating system or part thereof requires solid or liquid fuel to operate a place or receptacle for such fuel, it shall be provided and maintained in a safe condition and in a convenient location so as to be free from fire or accident hazard.

4.11.4 Every dwelling shall be constructed or otherwise separated to prevent the passage of smoke, fumes and gases from that part of the dwelling which is not used, designed or intended to be used for human habitation into other parts of the dwelling used for habitation. Such separations shall conform to the Ontario Building Code.

4.11.5 All fuel burning appliances, equipment and accessories in a dwelling shall be properly vented to the outside air by means of a smoke-pipe, vent pipe, chimney flue or other approved method.

4.11.6 Every chimney, smoke-pipe, flue and vent shall be installed and maintained in good repair so as to prevent the escape of smoke, fumes or gases from entering a dwelling unit. Maintenance includes the removal of all obstructions, sealing open joints and the repair of loose or broken masonry units.

4.11.7 Every chimney, smoke-pipe, flue and vent shall be installed and maintained in good condition so as to prevent the heating of adjacent combustible material or structural members to unsafe temperatures.

4.12 SMOKE AND CARBON MONOXIDE ALARMS

4.12.1 Smoke alarms shall be installed and operational in all dwelling unit and installed as per Fire Code, as amended.

4.12.2 Carbon monoxide alarms shall be installed and operational in all dwelling unit where a fuel burning appliance is present and installed as per Fire Code, as amended.

4.13 EGRESS

4.13.1 Every dwelling and each dwelling unit contained therein shall have a safe, continuous and unobstructed passage from the interior of the dwelling and the dwelling unit to the outside at street or grade level.

4.13.2 Each dwelling containing more than one dwelling unit shall have a least two exists, both of which may be common or the one of which may be common and the other may be an exterior stair or fire escape. Access to the stairs or fire escape shall be from corridors through doors at floor level, except access from a dwelling unit may be through a window that provides an individual unobstructed open portion having a minimum area of 0.35m² with no dimension less than 380 mm. A single exit is permitted from a dwelling unit where the means of egress is through an exterior door located at or near ground level and access to such exit is not through a room not under the immediate control of the occupants of the dwelling unit.

4.14 NATURAL LIGHT

4.14.1 Every habitable room except a kitchen, bathroom or toilet room shall have a window or windows, skylights or translucent panels facing directly or indirectly to an outside space and admits as much natural light equal to not less than ten percent of the floor area for living and dining rooms and five percent of the floor area for bedrooms and other finished rooms.

4.15 VENTILATION

4.15.1 Every habitable room in a dwelling unit, including kitchens, bathrooms or toilet rooms, shall have openings for ventilation providing an unobstructed free flow of air of at least 0.28 square metres (3 sq. ft.) or an approved system of mechanical ventilation such that provide hourly air exchanges.

4.15.2 All systems of mechanical ventilation shall be maintained in good working order.

4.15.3 All enclosed areas including basements, cellars, crawl spaces and attics or roof spaces shall be adequately ventilated.

4.16 ELEVATING DEVICES

4.16.1 Elevators and other elevating devices including all mechanical and electrical equipment, lighting fixtures, lamps, control buttons, floor indicators, ventilation fans and emergency communication systems shall be operational and maintained in good condition.

4.17 OCCUPANCY STANDARDS

4.17.1 The number of occupants residing on a permanent basis in an individual dwelling

unit shall not exceed two persons per sleeping room or sleeping area in a dwelling unit or suite.

4.17.2 No room shall be used for sleeping purposes unless it has a minimum width of two metres and a floor area of at least seven square metres.

4.17.3 Any basement or portion thereof used as a dwelling unit shall conform to the following requirements:

- (a) Each habitable room shall comply with all the requirements set out in this By-law;
- (b) Floor and walls shall be constructed so as to be damp proof and impervious to water leakage;
- (c) Each habitable room shall be separated from service rooms by 12.7 mm gypsum board fire separation and approved under the Ontario Building Code;
- (d) Access to each habitable room shall be gained without passage through a service room.

SECTION 5 VACANT BUILDINGS

5.1 Vacant buildings shall have all water, electrical and gas services turned off except for those services that are required for the security and maintenance of the property.

5.2 The owner of a vacant building shall board up the building to the satisfaction of the Property Standards Officer by covering all openings through which entry may be obtained with at least 12.7 mm (0.5 inch) weatherproof sheet plywood.

SECTION 6 ADMINISTRATION

6.1 APPLICATION OF BY-LAW

6.1.1 This By-law shall apply to all property within the boundaries of the Corporation of the City of Clarence-Rockland.

6.1.2 Where a provision of this By-law conflicts with a provision of another By-law in force in the municipality, the provisions that establish the higher standards to protect the health, safety and welfare of the general public, shall prevail.

6.1.3 If any section, clause or provision of this By-law is for any reason held by a court of competent jurisdiction to be invalid, the validity of the remaining sections shall continue to be in effect until it is repealed.

6.2 PROPERTY STANDARDS OFFICER AND PROPERTY STANDARDS COMMITTEE

- 6.2.1** The Council of the municipality shall appoint Property Standards Officers to be responsible for the administration and enforcement of this By-law.
- 6.2.2** Council shall appoint at large, by resolution or by By-law of Council no fewer than three (3) persons of the municipality to the Property Standards Committee for the term of office concurrent with Council.
- 6.2.3.** Each member of the Property Standards Committee, appointed by Council, shall be entitled to an honorarium as per Schedule “A” for their attendance at the Committee meetings.
- 6.2.4.** Every person who initiates an appeal of an Order made under Section 15.2(2) of the Ontario Building Code Act, S.O. 1992, c23, shall submit a Notice of Appeal in the time frame and the manner as prescribed in section 15.3 (1) of the Act. All Notices of Appeal shall be accompanied by a non-refundable payment as per the current Fee Schedule of the city of Clarence-Rockland and amendments thereto.

6.3 INVESTIGATION

- 6.3.1** Investigation of infractions of standards set in this By-law shall be initiated upon receipt of a written complaint form from the person making the complaint or initiated by the Property Standard Officer. The written complaint shall be filled in such form as provided in Schedule “B”.

6.4 ISSUANCE OF CERTIFICATE OF COMPLIANCE

- 6.4.1** Following the inspection of a building, or on the request of the Owner, the Officer may issue to the Owner a Certificate of Compliance if, in his opinion, the property is in compliance with the standards of this By-law.
- 6.4.2** If a Certificate of Compliance is issued at the request of the Owner, the Owner shall pay a fee as per the current Fee Schedule of the city of Clarence-Rockland and amendments thereto.

6.5 PENALTY

- 6.5.1** An owner who fails to comply with an order that is final and binding under this By-law is guilty of an offence under Section 36(1) of the Building Code Act, S.O. 1992, c.23, and is liable to penalties as set out in Section 36 of that Act.

SECTION 7 COMPLIANCE

- 7.1** All owners or occupants of buildings shall comply with the standards prescribed in this By-law and any Property Standards Order as confirmed or modified.

- 7.2 All buildings within the municipality shall be repaired and maintained to conform with the standards as contained in this By-law.

SECTION 8 ENACTMENT

- 8.1 That By-law No. 1999-32 is hereby repealed.
- 8.2 This By-law shall come into force on the date it is passed by the Council of the Corporation of the City of Clarence-Rockland.

**READ A FIRST, SECOND AND DULY PASSED UPON THE THIRD READING, THIS
DAY OF FEBRUARY 2019.**

MAYOR

CLERK

SCHEDULE "A"

1. Committee Member Honorarium: \$100.00 (per case)

SCHEDULE "X"
FEE SCHEDULE

1. Appeal processing fee: \$300.00 (per order)
2. Certificate of compliance (for Property Standard By-law): \$80.00

**SCHEDULE "B"**

City of Clarence-Rockland
 Infrastructure and Planning
 1560 Laurier St.
 Rockland, Ontario, K4K 1P7
 Tel: 613-446-6022 ext. 2254
 Fax: 613-446-1497

Property Standard Complaint Form

Use this form if you believe the unit and/or building contravenes the Property Standard By-law. Please return the completed form to the address listed above.

Property information:		
Property address		Unit #
City, Town	Province	Postal code
Tenant/complainant information:		
Name of Tenant		
Mailing address if different from above		Unit #
City, Town	Province	Postal code
Daytime phone number	Evening phone number	E-mail
Landlord information: if applicable		
Name of Landlord		
Mailing address		Unit #

City, Town	Province	Postal code
Daytime phone number	Evening phone number	E-mail

Please indicate if you have informed your landlord about your maintenance problem?

- ☐ Landlord informed in writing; date _____
 ☐ Landlord informed verbally; date _____
☐ Landlord not informed; explain: _____

Where is your maintenance problems located?

- ☐ Living room
 ☐ Hallways
 ☐ Bedroom
 ☐ Bathroom
☐ Basement
 ☐ Kitchen
 ☐ Roof
 ☐ Other _____

In what type of building do you live?

- ☐ House
 ☐ Accessory apartment
 ☐ Land-lease Community
 ☐ Condominium
☐ Townhouse
 ☐ Mobile home
 ☐ Rooming home
 ☐ Other _____

Details about your maintenance complaint:

Please describe the maintenance problem you are having and where it is located, provide as much information as possible. You may attach additional pages, if required.

Personal information contained on this form will be kept confidential. It is understood that if required I, the complainant, will provide or present evidence in support of this complaint at any hearings of the Property Standards Committee or a Court of Law of Ontario.

- ☐ I agree
 ☐ I don't agree, explain: _____

Authorisation: (form must be completed)

Signature of complainant: _____ Date: _____



REPORT N° INF-2019-001

Date	15/01/2019
Submitted by	Chantal Bégin
Subject	Property Standard By-law
File N°	n/a

1) **NATURE/GOAL :**

The purpose of this report is to adopt a new and revised Property Standard By-law for the City of Clarence-Rockland.

DIRECTIVE/PREVIOUS POLICY :

The previous Property Standard By-law was adopted in September 1999, making this By-law 19 years old.

2) **DEPARTMENT'S RECOMMENDATION :**

THAT the Committee of the Whole recommends that Council adopts the revised Property Standard By-law, as presented in Report no. INF2019-001.

QUE le comité plénier recommande au Conseil municipal d'adopter le Règlement des normes de bien-fonds révisé, tel que présenté au rapport no. INF2019-001.

3) **BACKGROUND :**

For many years, the city of Clarence-Rockland's By-law department was responsible for the administration and enforcement of the Property Standards By-law. The Building department assisted the Property Standard Officers with building related issues in contravention of this By-law. Since June 2016, the City has moved away from appointing By-Law staff as Property Standards Officers and instead has appointed the Building department staff. A Property Standards Officer is required in order to legally enforce and administer the Property Standards By-law.

With that said, many sections of this By-law needed to be reviewed and improved. The Chief Building Official consulted with different related departments for the review of this By-law. It must be noted that the Building Services, relied heavily on the expertise of its staff, mainly on Alain Saumure, in order to review this By-law. Alain Saumure is a certified Property Standards Officer who has successfully completed several Property Standard courses from the Ontario Association of Property Standard Officers. Alain was assigned lead in the review of this By-law and with his expertise has been able to upgrade the By-Law to reflect today's issues and provide clear process and authority to the Property Standards Officer.

4) **DISCUSSION :**

The purpose of this report is to adopt a revised Property Standard By-law. We have reviewed the existing By-law by adding/correcting new definitions and wording to reflect different applicable laws and eliminated repeated sections and/or sections that are enforced in other By-laws. You can see in detail the additions in green and deletions in red in the Attachment 2. Of the deleted section are everything that has to do with non-building issues like trailers, mobile structures, fences, yards, rubble, sewage, vehicles, drainage, garbage, landscaping, safe passage, pools, air conditioners as they all pertain to other By-laws or are covered under other authorities. (Example, sewage is under the authority of South Nation Conservation Authority). Some sections like accessory buildings have been deleted because they are covered under all buildings in this By-law. We have proposed to the By-law department to add some of the deleted sections not covered under other By-laws to the yard maintenance By-law. The other deleted sections were revised to reflect the current Ontario building Code or Fire Code. All sections related to Fire safety was revised to reflect the comments by the Fire department.

Revisions to the administration part of the By-law were also completed, mainly to the honorarium fee of 50\$ was changed to 100\$ and the appeal processing fee was changed from 75\$ to 300\$. We also increased the Certificate of compliance fee from 25\$ to 80\$. As for the financial analysis, there would be less cost on the Building department for training purposes since the Officers are certified Building Officials and continue training relating to this as part of their profession within their duties as Building Inspectors.

In our reviewing process, we have consulted different Municipal Property Standards By-law from the Municipality of Russell, City of Ottawa and the Association of Property Standard Officers. They are all similar in the fact that the main purpose is the maintenance and safety of buildings and varies depending on all other municipal By-laws that enforce the above references. All other Municipalities in Prescott Russel have the By-law department enforce the Property Standard By-law.

In conclusion, the new By-law reflects current regulations and eliminates repeating or conflicting By-law sections found in other city regulations. The revised By-law also better equips the Department with clear authority regarding the application and interpretation of this By-law.

5) **CONSULTATION:**

N/A

6) **RECOMMENDATIONS OR COMMENTS FROM COMMITTEE/ OTHER DEPARTMENTS :**

The new proposed Property Standard By-law was circulated to The Clerk, the Director of Infrastructure and Planning, the Fire Chief, the Fire Prevention Officer, the Manager of By-law and the Manager of Planning. All of them approved the proposed version with minor comments from the Fire department on fire damaged buildings and the smoke alarm section. These sections were modified to their satisfaction.

7) **FINANCIAL IMPACT (expenses/material/etc.) :**

A review of the financial impact will be analysed this year and added to the next building budget to cover for the extra inspections, enforcement and occasional training for Building Inspector who now perform the duties of the Property Standard's Officers.

8) **LEGAL IMPLICATIONS :**

The new Property Standard By-law is being revised to reflect the current regulations and existing municipal By-laws to ensure owners maintain their buildings to the minimum standard. This minimum standard will help ensures the health and safety for the residents of the City of Clarence-Rockland.

9) **RISK MANAGEMENT:**

N/A

10) **STRATEGIC IMPLICATIONS:**

N/A

11) **SUPPORTING DOCUMENTS:**

Attachment 1: Original By-law No. 1999-32.doc

Attachment 2: Property Standard By-law highlighted version.doc

Attachment 3: Property Standard Bylaw final 2019.doc

THE CORPORATION OF THE CITY OF CLARENCE-ROCKLAND

BY-LAW NUMBER 1999-32

BEING A BY-LAW TO PROVIDE STANDARDS FOR THE MAINTENANCE AND OCCUPANCY OF PROPERTY IN THE CITY OF CLARENCE-ROCKLAND.

WHEREAS Section 15.1(3) of the Building Code Act, S.O. 1992, c.23 and amendments thereto, provides that a Council of a municipality may pass By-laws to:

- (1) Prescribe standards for the maintenance and occupancy of property within the municipality or within any defined area or areas and for prohibiting the occupancy or use of such property that does not conform with the standards; and
- (2) Require property that does not conform with the standards to be repaired and maintained to conform with the standards of the site to be cleared of all buildings, structures, debris or refuse and left in a graded and level condition; and

WHEREAS there are in effect in the City of Clarence-Rockland Official Plans which include provisions relating to property conditions; now

THEREFORE the Municipal Council of the Corporation of the City of Clarence-Rockland hereby enacts as follows.

SECTION 1 GENERAL

1.1 SHORT TITLE

This By-law may be cited as the "Property Standards By-law" of The City of Clarence-Rockland.

SECTION 2 DEFINITIONS

- 2.1 "Accessory Building"** means a detached building or structure, not used for human habitation, that is subordinate to the primary use of the same property.
- 2.2 "Apartment Building"** means a building containing more than four dwelling units with individual access from an internal corridor system.
- 2.3 "Approved"** means acceptance by the Property Standards Officer.

- 2.4 **"Basement"** means that space of a building that is partly below grade, which has half or more of its height, measured from floor to ceiling above the average exterior finished grade.
- 2.5 **"Cellar"** means that space of a building that is partly or entirely below grade, which has more than half of its height, measured from floor to ceiling below the average exterior finished grade.
- 2.6 **"Committee"** shall mean the Property Standards Committee as established under this by-law.
- 2.7 **"Corporation"** shall mean the Corporation of the City of Clarence-Rockland.
- 2.8 **"Dwelling"** shall mean a building or structure or part of a building or structure used or intended to be used as a domicile by one or more persons usually containing cooking, eating, living, sleeping and sanitary facilities and includes the land and premises appurtenant thereto and all outbuildings, fences or erections thereon or therein.
- 2.9 **"Dwelling Unit"** means a room or a suite operated as a house-keeping unit, used or intended to be used as a domicile by one or more persons and supporting general living conditions usually including cooking, eating, sleeping and sanitary facilities.
- 2.10 **"First Storey"** means that part of a building having a floor area closest to grade with a ceiling height of more than 1.8 metres (6 ft.) above grade.
- 2.11 **"Guard"** means a protective barrier installed around openings in floor areas or on the open sides of a stairway, a landing, a balcony, a mezzanine, a gallery, a raised walkway and other locations as required to prevent accidental falls from one level to another. Such barriers may or may not have openings through it.
- 2.12 **"Habitable Room"** means any room in a dwelling unit used for or capable of being used for living, cooking, sleeping or eating purposes.
- 2.13 **"Land leased community"** means a community where buildings or portions of land is individually leased for living accommodation, but does not include mobile parks.
- 2.14 **"Maintenance"** shall mean the preservation and keeping in repair of a property.
- 2.15 **"Means of Egress"** means a continuous, unobstructed path of travel provided by a doorway, hallway, corridor, exterior passage way, balcony, lobby, stair, ramp or other exit facility used for the escape of persons from any point within a building, a floor area, a room or a contained open space to a public thoroughfare usually located outside the building.
- 2.16 **"Multiple Dwelling"** means a building containing three or more dwelling units.

- 2.17 "Non-Habitable Room"** means any room in a dwelling or dwelling unit other than a habitable room and includes a bathroom, a toilet room, laundry, pantry, lobby, corridor, stairway, closet, boiler room or other space for service and maintenance of the dwelling for public use and for access to and vertical travel between storeys and basement or part thereof which does not comply with the standards of fitness for occupancy set out in this by-law.
- 2.18 "Non-Residential Property"** means a building or structure or part of a building or structure not occupied in whole or in part for the purpose of human habitation, and includes the lands and premises appurtenant and all of the outbuildings, fences or erections thereon or therein.
- 2.19 "Occupant"** shall mean any person or persons in possession of the property.
- 2.20 "Officer"** shall mean a Property Standards Officer who has been assigned by Council with the responsibility of administering and enforcing this by-law.
- 2.21 "Owner"** as defined in the Ontario Building Code Act, as amended.
- 2.22 "Person"** shall mean an individual, firm, corporation, association or partnership.
- 2.23 "Property"** shall mean a building or structure or part of a building or structure, and includes the lands and premises appurtenant thereto and all mobile buildings, mobile structures, outbuildings, fences and erections thereon whether heretofore on hereafter erected and includes vacant property.
- 2.24 "Repair"** shall mean the provision of such facilities and the making of additions or alterations or the taking of such actions as may be required so that the property shall conform to the standards established in the by-law. All repairs shall be made in conformity to the Ontario Building Code Act, the Ontario Water Resources Act, the Plumbing Regulations, the Regulations of Hydro Electric Power Commission of Ontario and Regulations made under the Public Health Act of Ontario.
- 2.25 "Residential Property"** means any property that is used or designed for use as a domestic establishment in which one or more persons usually sleep and prepare and serve meals and includes any lands or buildings that are appurtenant to such establishment and all stairways, walkways, driveways, parking spaces and fences associated with the dwelling or its yard.
- 2.26 "Rubble"** shall mean broken concrete, brick, broken asphalt, patio or sidewalk slabs
- 2.27 "Sewage"** shall mean any liquid waste containing animal, vegetable or mineral matter in suspension or solution but does not include roof water or other storm runoff.

- 4 -

- 2.28** "Standards" shall mean the standards of physical conditions and occupancy set out in the by-law.
- 2.29** "Toilet Room" shall mean a room containing a water closet and a wash basin.
- 2.30** "Vehicle" shall mean a motor vehicle, trailer, boat, motorized snow vehicle, mechanical equipment and any vehicle drawn, propelled or driven by any kind of power.
- 2.31** "Yard" shall mean land other than publicly owned land, around and appurtenant to any property or any part of a building or structure and used or intended to be used or capable of being used in connection with said property and includes vacant land.

SECTION 3 MAINTENANCE OF ACCESSORY BUILDINGS AND YARDS

3.1 ACCESSORY BUILDING

- 3.1.1** Every accessory buildings shall be kept in good repair and free from health, fire and accident hazards.
- 3.1.2** An accessory building or structure used or capable of being used as an out-house or outdoor pit privy is prohibited and shall be removed from any property unless used on a temporary basis and in conjunction with :
- (a) a construction site, or
 - (b) a public event.

3.2 DRAINAGE

- 3.2.1** Storm water shall be drained from the yard so as to prevent recurrent ponding or the entrance of water into a basement or cellar.
- 3.2.2** All owners or occupants shall prevent the erosion of the soil in the yard.
- 3.2.3** No roof drainage shall be discharged on sidewalks, stairs or neighbouring property.

3.2.4 No surface or ground water shall be discharged on neighbouring property

- 5 -

3.3 FENCES

Fences, barriers and retaining walls shall be kept in good repair and free from accident hazards.

3.4 GARBAGE DISPOSAL

3.4.1 Sufficient receptacles shall be provided to contain all garbage, rubbish, ashes and waste. The receptacles shall be made of metal or plastic, made of watertight construction, be provided with a tight fitting cover and be maintained in a clean state.

3.4.2 Every property shall be kept free of refuse or litter.

3.4.3 Every non-residential building shall provide sufficient receptacles to contain all refuse and litter as may be left by customers or other members of the public.

3.4.4 The occupant of a residential property may provide for a compost heap in accordance with the health regulations and by-laws of the corporation.

3.5 LANDSCAPING

3.5.1 Suitable ground cover shall be provided to prevent erosion of the soil. Where grass forms a part of the ground cover, and such grass has been killed, such dead areas shall be re-sodded or seeded as often as required so as to restore the grass to living condition.

3.5.2 Areas within the yard not covered by buildings or structures, sidewalks, driveways and parking areas shall be maintained to a standard at least compatible with the abutting and adjoining properties.

3.6 SAFE PASSAGE

3.6.1 Steps, walks, driveways parking spaces and similar uses of a yard shall be maintained so as to afford safe passage under normal use and weather conditions.

- 3.6.2** All areas used for vehicular traffic and parking shall have a surface covering of asphalt, concrete or compacted stone or gravel and shall be kept in good repair free of dirt and litter.

- 6 -

3.7 SEWAGE

Sewage of any kind shall not be discharged onto the surface of the ground, whether into a natural or artificial surface drainage system or otherwise. This section does not apply to applications of sewage under normal farming practices.

- 3.7.1** All signs permitted under by-laws of the Corporation shall be maintained in a good state of repair.
- 3.7.2** Signs which are damaged or broken or which are excessively weathered or faded or upon which the finish is worn, peeled or cracked, shall, with their fastenings and supporting members, be removed or refinished and put in a good state of repair.

3.8 YARDS

- 3.8.1** All yards shall be kept clean and free from rubbish, rubble or other debris and from objects or conditions that might create a health, fire or accident hazard, or an unsightly condition out of character with the surrounding environment.
- 3.8.2** Wrecked, dismantled, inoperative or unused vehicles or machinery or any part thereof or unlicensed vehicles where the said vehicle would require a licence under the Highway Traffic Act, shall not be parked, stored or left in any yard except in an establishment licenced or authorized to conduct and operate such a business, and then only in an arrangement such as to prevent an unsafe condition or an unsightly condition. This shall not prevent the occupant of any premises from repairing a vehicle for his own use but not for commercial purposes, while such repair is actively carried on.
- 3.8.3** All yards shall be kept free of weeds, and heavy undergrowth shall be eliminated.
- 3.8.4** Lawns shall be kept trimmed neatly and shall not be overgrown or unsightly.
- 3.8.5** Dilapidated or collapsed structures or partially constructed structures which are not currently under construction or erection and any unprotected well or unsafe condition or unsightly condition, shall be remedied or removed from yard.

- 3.8.6** Water in a swimming pool shall be kept and maintained in a condition which is not a health or safety hazard, or is malodorous, or is a breeding place for insects.
- 3.8.7** All yard shall be kept clean and free from any dead, decayed or damaged tree and branches or limbs thereof which create an unsafe or unsightly condition.

- 7 -

- 3.8.8** Any excavated hole in any yard shall be filled up unless enclosed by a temporary barrier at least 122 centimetres (48 inches) in height in such a manner as to prevent an unsafe condition.
- 3.8.9** Where a dwelling unit or accessory building has a solid fuel burning device, the storage in a yard of fire wood shall:
- (a) not be permitted in any front yard;
 - (b) be arranged in one area, neatly piled;
 - (c) not exceed a quantity which is placed in an area no greater than 16 feet in length, 8 feet in width and 4 feet in height.
 - (d) be at least (1) one metre from the property line.
- 3.8.10** A boat which exceeds an overall length of 18 feet shall not be stored or placed in any front yard;
- 3.8.11** A boat or boat and trailer combination which exceeds an overall height of 11½ feet as measured from the ground to the highest point of the boat shall not be stored or placed in any yard within fifteen (15) feet from the property line;
- 3.8.12** The provision of section 3.9.11 of this By-law shall not apply where the yard or land abuts a navigable body of water.
- 3.8.13** Bulk storage tank shall not be stored in any front yard and shall conform with the Ontario Gasoline Handling Act as amended.
- 3.8.14** Furnaces, water and fuel tanks, household furniture, refrigerators, freezers, stoves or similar appliances whether operable or inoperable or any part thereof shall not be stored or left in any yard except in an establishment licenced or authorized to conduct and operate such a business, and then only in an arrangement such as to prevent an unsafe condition or an unsightly condition.

3.9 AIR CONDITIONERS

All air conditioners shall be maintained in a safe mechanical and electrical condition and shall not adversely affect areas beyond the limits of the property by reason of noise or condensation drainage.

- 8 -

3.10 BURNT MATERIAL & DEMOLISHED MATERIAL

- 3.10.1** In the event of fire or explosion, damaged or partially burnt material, demolished material shall be forthwith removed from the premises, except that such material may be temporarily stored for a maximum period of thirty (30) days within the barricaded fire damaged building or unit.
- 3.10.2** Any foundation left after a fire, explosion or the demolition of a structure shall be filled up within thirty (30) days, in such a manner as to prevent an accident hazard.
- 3.10.3** For the purpose of any lawful investigation conducted by a recognised agency, section 3.11 of this by-law does not apply until the conclusion of the investigation.

SECTION 4 RESIDENTIAL STANDARDS FOR RENTAL UNITS

- 4.1** Sections 4.3 to 4.20 apply to any residential property or dwelling occupied by persons other than the property owner for which compensation is paid to the property owner or his or her agent. The other sections of this by-law also apply to rental residential property as described in Section 4.1.
- 4.2** Investigation of infractions of standards set in Sections 4.3 to 4.20 of this by-law shall be initiated upon receipt of a written complaint from one of the parties involved or another government agency or without any complaint received.

4.3 GENERAL CONDITIONS

- 4.3.1** Every tenant or occupant or lessee of a residential property shall maintain the property or part thereof and the land which they occupy or control, in a clean, sanitary and safe condition and shall dispose of garbage and debris on a regular basis, in

accordance with municipal by-laws.

- 4.3.2** Every tenant or occupant or lessee of a residential property shall maintain every floor, wall, ceiling and fixture under their control, including corridors, entrances, laundry rooms, utility rooms and other common areas, in a clean, sanitary and safe condition.
- 4.3.3** Accumulations or storage of garbage, refuse, appliances or furniture in means of egress shall not be permitted.

- 9 -

4.4 PEST PREVENTION

- 4.4.1** Dwellings shall be kept free of rodents, vermin and insects at all times. Methods used for exterminating such pests shall be in accordance with the provisions of the Pesticides Act.
- 4.4.2** Openings, including windows, that might permit the entry of rodents, insects, vermin or other pests shall be appropriately screened or sealed.

4.5 FOUNDATIONS

Foundation walls of a dwelling shall be maintained so as to prevent the entrance of insects, rodents and moisture. Maintenance includes the shoring of the walls to prevent settling, installing sub soil drains, when necessary, at the footings, grouting masonry cracks, damp proofing and waterproofing walls, joints and floors.

4.6 WINDOWS AND DOORS

- 4.6.1** Windows, doors, skylights and basement or cellar hatchways shall be maintained in good repair, weather tight and draught-free, to prevent heat loss and infiltration by the elements. Maintenance includes painting, replacing damaged doors, frames and other components, window frames, sashes and casings, replacement of non-serviceable hardware and reglazing where necessary. Where screening is provided on windows and doors it shall also be maintained in good repair.
- 4.6.2** In a rental dwelling unit, all windows that are intended to be opened and all exterior doors shall have suitable hardware so as to allow locking or otherwise securing from inside the dwelling unit. At least, one entrance door to a dwelling unit shall have suitable hardware so as to permit locking or securing from either inside or outside the dwelling unit.

- 4.6.3** Solid core doors shall be provided for all entrances to dwellings and dwelling units.
- 4.6.4** In residential buildings where there is a voice communication unit working in conjunction with a security locking and release system controlling a particular entrance door and installed between individual dwelling units and a secured entrance area, the said system shall be maintained in good working order at all times.

- 10 -

- 4.6.5** Every window in a leased or rented dwelling unit that is located above the first storey of a multiple dwelling shall be equipped with an approved safety device that would prevent any part of the window from opening greater than would permit the passage of a 100 mm diameter (3.9 inches) sphere. Such safety device shall not prevent the window from being fully opened during an emergency situation by an adult without the use of tools.

4.7 WALLS, CEILINGS AND FLOORS

- 4.7.1** Every wall, ceiling and floor in a dwelling shall be maintained so as to provide a continuous surface free of holes, cracks, loose coverings or other defects. Walls surrounding showers and bathtubs shall be impervious to water.
- 4.7.2** Every floor in a dwelling shall be reasonably smooth and level and maintained so as to be free of all loose, warped, protruding, broken or rotted boards or other material that might cause an accident or allow the entrance of rodents and other vermin or insects.
- 4.7.3** Every floor in a bathroom, toilet room, kitchen, shower room, laundry room and kitchen shall be maintained so as to be impervious to water and readily cleaned.

4.8 GUARDS

- 4.8.1** Guards shall be installed and maintained wherever,
- (a) there is a vertical drop of more than 600 millimetres (including along the open sides of stairs, ramps, balconies, mezzanines and landings; and
 - (b) they would be required for a newly constructed or renovated area under the Ontario Building Code made under the Building Code Act, 1992.
- 4.8.2** A guard required by Subsection 4.8.1 shall provide reasonable protection from

accidental falls for any person on the premises.

4.9 KITCHENS

Every dwelling shall contain a kitchen area equipped with:

- (a) a sink that is served with hot and cold running water and is surrounded by surfaces impervious to grease and water;

- 11 -

- (b) suitable storage area of not less than 0.23 cubic metres (8 cubic feet);
- (c) a counter or work area at least 0.61 m (2 ft.) in width by 1.22 m (4 ft.) in length, exclusive of the sink, and covered with a material that is impervious to moisture and grease and is easily cleanable; and
- (d) a space provided for cooking and refrigeration appliances including the suitable electrical or gas connections.

4.10 TOILET AND BATHROOM FACILITIES

4.10.1 Every dwelling unit shall contain a bathroom consisting of at least one fully operational water closet, wash basin and a bathtub or suitable shower unit. Every wash basin and bathtub or shower shall have an adequate supply of hot and cold running water. Every water closet shall have a suitable supply of running water.

4.10.2 Every required bathroom or toilet room shall be accessible from within the dwelling unit and shall be fully enclosed and provided with a door capable of being locked so as to allow privacy for the persons using said room.

4.10.3 Where toilet or bathroom facilities are shared by occupants or residential accommodation other than self-contained dwelling units, an appropriate entrance shall be provided from a common passageway, hallway, corridor or other common space to the room or rooms containing the said facilities.

4.11 PLUMBING

4.11.1 Each wash basin, bathtub or shower and kitchen sink shall be equipped with an adequate supply of hot and cold running water. Hot water shall be supplied at a temperature of not less than 43 degrees Celsius (110°F).

- 4.11.2** Every dwelling unit shall be provided with an adequate supply of potable running water from the water treatment plant of the Corporation or another source of potable water approved by the Medical Officer of Health.
- 4.11.3** All plumbing, including drains, water supply pipes, water closets and other plumbing fixtures shall be maintained in good working condition free of leaks and defects and all water pipes and appurtenances thereto shall be protected from freezing.

- 12 -

- 4.11.4** All plumbing fixtures shall be connected to the sewage system through water seal traps.
- 4.11.5** Every fixture shall be of such materials, construction and design as will ensure that the exposed surface of all parts are hard, smooth, impervious to hot and cold water, readily accessible for cleansing and free from blemishes, cracks, stains or other defect that may harbour germs or impede thorough cleansing.

4.12 ELECTRICAL SERVICE

- 4.12.1** Every dwelling and dwelling unit shall be wired for electricity and shall be connected to an approved electrical supply system as required under the Electrical Safety Code of Ontario.
- 4.12.2** The electrical wiring, fixtures, switches, receptacles and appliances located or used in dwellings, dwelling units and accessory buildings shall be installed and maintained in good working order to as not to cause fire or electrical shock hazards. All electrical services shall conform to the regulations established by the Power Corporations Act, as amended.
- 4.12.3** Every habitable room in a dwelling shall have at least one electrical duplex outlet for each 11.1 square metre (120 sq. ft.) of floor space, and for each additional 9.3 square metres (100 sq. ft.) of floor area a second duplex outlet shall be provided. Extension cords shall not be used on a permanent basis.
- 4.12.4** Every bathroom, toilet room, kitchen, laundry room, furnace room, basement cellar and non-habitable work or storage room shall be provided with a permanent light fixture.

- 4.12.5** Lighting fixtures and appliances installed throughout a residential building, including dwelling units, stairways, hallway corridors, passage ways, garages and basements, shall provide sufficient illumination so as to avoid health or accident hazards in normal use.
- 4.12.6** This section does not apply to a residential complex that has never been connected to an electrical power system.

- 13 -

4.13 HEATING, HEATING SYSTEMS, CHIMNEYS AND VENTS

- 4.13.1** Every dwelling and building containing a residential dwelling unit shall be provided with suitable heating facilities capable of maintaining an indoor ambient temperature of 21 degrees Celsius (70°F) in the occupied dwelling units. The heating system shall be maintained in good working condition so as to be capable of safely heat the individual dwelling units to the required standard.
- 4.13.2** All fuel burning appliances, equipment and accessories in a dwelling shall be installed and maintained to the standards provided by the Energy Act, as amended and, or other applicable legislation.
- 4.13.3** Where a heating system or part thereof requires solid or liquid fuel to operate a place or receptacle for such fuel, it shall be provided and maintained in a safe condition and in a convenient location so as to be free from fire or accident hazard.
- 4.13.4** Every dwelling shall be constructed or otherwise separated to prevent the passage of smoke, fumes and gases from that part of the dwelling which is not used, designed or intended to be used for human habitation into other parts of the dwelling used for habitation. Such separations shall conform to the Ontario Building Code.
- 4.13.5** All fuel burning appliances, equipment and accessories in a dwelling shall be properly vented to the outside air by means of a smoke-pipe, vent pipe, chimney flue or other approved method.
- 4.13.6** Every chimney, smoke-pipe, flue and vent shall be installed and maintained in good repair so as to prevent the escape of smoke, fumes or gases from entering a dwelling unit. Maintenance includes the removal of all obstructions, sealing open joints and the repair of loose or broken masonry units.

- 4.13.7** Every chimney, smoke-pipe, flue and vent shall be installed and maintained in good condition so as to prevent the heating of adjacent combustible material or structural members to unsafe temperatures.

4.14 FIRE ESCAPES, ALARMS AND DETECTORS

- 4.14.1** A listed fire alarm and a fire detection system, approved by the Canadian Standards Association or Underwriters Laboratories of Canada, shall be provided by the owners of buildings of residential occupancies where sleeping accommodations are provided for more than ten persons, except that such systems need not be provided where a public corridor or exit serves not more than four dwelling units or individual leased sleeping rooms.

- 14 -

- 4.14.2** In addition to the provisions of article 4.14.1 hereof, in every dwelling unit in a building, a listed smoke alarm, approved by the Canadian Standards Association or Underwriters Laboratories of Canada or detectors of the single station alarm type, audible within bedrooms when intervening doors are closed, shall be installed by the occupant between bedrooms or the sleeping area and the remainder of the dwelling unit, such as in a hallway or corridor serving such bedrooms or sleeping area. The products of combustion detector referred to shall;

- (a) be equipped with visual or audio indication that they are in operating condition;
- (b) be mounted on the ceiling or on the wall between 152.4 and 304.8 mm (6 to 12 inches) below the ceiling.

- 4.14.3** Buildings using a fire escape as secondary means of egress shall have the escape in good condition, free from obstructions and easily reached through an open able window or door.

4.15 EGRESS

- 4.15.1** Every dwelling and each dwelling unit contained therein shall have a safe, continuous and unobstructed passage from the interior of the dwelling and the dwelling unit to the outside at street or grade level.

- 4.15.2** Each dwelling containing more than one dwelling unit shall have a least two exists,

both of which may be common or the one of which may be common and the other may be an exterior stair or fire escape. Access to the stairs or fire escape shall be from corridors through doors at floor level, except access from a dwelling unit may be through a vertically mounted casement window having an unobstructed opening of not less than 1.067 by 0.558 metres, (42 x 22 inches) with a sill height of not more than 0.914 metres (36 inches), above the inside floor. A single exit is permitted from a dwelling unit where the means of egress is through an exterior door located at or near ground level and access to such exit is not through a room not under the immediate control of the occupants of the dwelling unit.

4.16 NATURAL LIGHT

Every habitable room except a kitchen, bathroom or toilet room shall have a window or windows, skylights or translucent panels facing directly or indirectly to an outside space and admits as much natural light equal to not less than ten percent of the floor area for living and dining rooms and five percent of the floor area for bedrooms and other finished rooms.

- 15 -

4.17 VENTILATION

4.17.1 Every habitable room in a dwelling unit, including kitchens, bathrooms or toilet rooms, shall have openings for ventilation providing an unobstructed free flow of air of at least 0.28 square metres (3 sq. ft.) or an approved system of mechanical ventilation such that provide hourly air exchanges.

4.17.2 All systems of mechanical ventilation shall be maintained in good working order.

4.17.3 All enclosed areas including basements, cellars, crawl spaces and attics or roof spaces shall be adequately ventilated.

4.18 ELEVATING DEVICES

Elevators and other elevating devices including all mechanical and electrical equipment, lighting fixtures, lamps, control buttons, floor indicators, ventilation fans and emergency communication systems shall be operational and maintained in good condition.

4.19 OCCUPANCY STANDARDS

4.19.1 The number of occupants residing on a permanent basis in an individual dwelling unit, shall not exceed one person for every nine square metres of habitable floor area. For the purpose of computing habitable floor area, any area with the minimum ceiling height less than 2.1 metres shall not be considered as habitable.

4.19.2 No room shall be used for sleeping purposes unless it has a minimum width of two metres and a floor area of at least seven square metres. A room used for sleeping purposes by two or more persons shall have a floor area of at least four square metres per person.

4.19.3 Any basement or portion thereof used as a dwelling unit shall conform to the following requirements:

- (a) each habitable room shall comply with all the requirements set out in this by-law;
- (b) floor and walls shall be constructed so as to be damp proof and impervious to water leakage;
- (c) each habitable room shall be separated from service rooms by a suitable fire separation and approved under the Ontario Building Code;

- 16 -

- (d) access to each habitable room shall be gained without passage through a service room.

SECTION 5 MOBILE HOME PARKS AND LAND LEASE COMMUNITIES

5.1 Sections 5.3 to 5.8 apply to mobile home parks and land lease communities.

5.2 The other sections of this by-law also apply to mobile home parks and land lease communities.

5.3 WATER

A supply of potable water and water pressure that are sufficient for normal household use shall be available for each rental unit in a mobile home park or land lease community.

5.4 PRIVATE ROADS

5.4.1 Private roads within a mobile home park or land lease community shall be;

- (a) kept free of holes and cleared of snow and obstructions;

- (b) maintained to control dust; and
- (c) kept passable for pedestrians and vehicular traffic.

5.4.2 Excavations made for repairs shall be filled in and the ground returned to its previous condition.

5.5 Mailboxes and the approaches to them shall be kept free of snow and other obstructions.

5.6 Where the distance between mobile homes is three metres or more, that distance shall not be reduced to less than three metres through the addition of a deck, ramp or by any other means, unless a lesser distance provides an adequate degree of fire safety.

5.7 SEWAGE

Sewage holding tanks in a mobile home park or land lease community shall be emptied whenever necessary.

- 17 -

5.8 ELECTRICAL

Electrical supply and connections in a mobile home park or land lease community supplied by the landlord shall be maintained free of conditions dangerous to persons or property.

SECTION 6 RESIDENTIAL STANDARDS

6.1 Sections 6.2 to 6.5 apply to all residential property.

6.2 ROOFS

6.2.1 Roofs of dwellings and their components shall be maintained in a weather tight condition, free from loose or unsecured objects or materials.

6.2.2 The roofs of dwellings and accessory buildings shall be kept clear of accumulations of ice or snow or both.

6.2.3 Where eaves trough and or, roof gutters are provided, it shall be kept in good repair,

free from obstructions and properly secured to the building.

6.3 STAIRS, PORCHES AND BALCONIES

Inside and outside stairs, porches, balconies and landings shall be maintained so as to be free of holes, cracks and other defects which may constitute accident hazards. Existing stair treads or risers that show excessive wear or are broken, warped or loose and any supporting structural members that are rotted or deteriorated shall be repaired or replaced.

6.4 STRUCTURAL SOUNDNESS

6.4.1 Every part of a dwelling shall be maintained in a structurally sound condition so as to be capable of safely sustaining its own weight load and any additional load to which it may be subjected through normal use, having a level of safety to that as required by the Ontario Building Code.

6.4.2 Walls, roofs and other exterior parts of a building shall be free from loose or improperly secured objects or materials.

- 18 -

6.5 EXTERIOR WALLS

6.5.1 Exterior walls of a dwelling and their components, including soffits and fascia, shall be maintained in good repair free from cracked, broken or loose masonry units, stucco and other defective cladding or trim. Paint or some other suitable preservative or coating must be applied and maintained so as to prevent deterioration due to weather conditions, insects or other damage.

6.5.2 Exterior walls of a dwelling and their components shall be free of unauthorized signs, painted slogans, graffiti and similar defacements.

SECTION 7 VACANT BUILDINGS AND LANDS

7.1 Vacant buildings shall be kept cleared of all garbage, rubbish and debris and shall have all water, electrical and gas services turned off except for those services that are required for the security and maintenance of the property.

7.2 The owner of a vacant building shall board up the building to the satisfaction of the Property Standards Officer by covering all openings through which entry may be obtained with at least

12.7 mm (0.5 inch) weatherproof sheet plywood painted a colour compatible with the surrounding walls and securely fastened.

- 7.3** Vacant land shall be maintained to the standards as described in Section 3 Article 3.9, of this By-law.
- 7.4** Vacant land shall be graded, filled or otherwise drained so as to prevent recurrent ponding of water.

SECTION 8 NON-RESIDENTIAL PROPERTY STANDARDS

8.1 YARDS

The warehousing or storage of material or operative equipment that is required for the continuing operation of the industrial or commercial aspect of the property shall be maintained in a neat and orderly fashion so as not to create a fire or accident hazard or any unsightly condition and shall provide unobstructed access for emergency vehicles. Where conditions are such that a neat and orderly fashion is achieved but is still offensive to view, the offensive area shall be suitably enclosed by a solid wall or a painted board or metal fence not less than 1.8 metres (6 ft.) in height and maintained in good repair.

- 19 -

8.2 PARKING AREAS AND DRIVEWAYS

- 8.2.1** All areas used for vehicular traffic and parking shall have a surface covering of asphalt, concrete or compacted stone or gravel and shall be kept in good repair free of dirt and litter.
- 8.2.2** All areas used for vehicular traffic, parking spaces and other similar areas shall be maintained so as to afford safe passage under normal use and weather conditions.

8.3 STRUCTURAL SOUNDNESS

- 8.3.1** Every part of a building structure shall be maintained in a sound condition so as to be capable of safely sustaining its own weight load and any additional load to which it may be subjected through normal use, having a level of safety required by the Ontario Building Code. Structural members or materials that have been damaged or indicate evidence of deterioration shall be repaired or replaced.

- 8.3.2** Walls, roofs and other exterior parts of a building or structure shall be free from loose or improperly secured objects or materials.

8.4 EXTERIOR WALLS

- 8.4.1** Exterior walls of a building or a structure and their components, including soffits, fascia, window and doors, shall be maintained in good repair free from cracked, broken or loose masonry units, stucco and other defective cladding or trim. Paint or some other suitable preservative or coating must be applied and maintained so as to prevent deterioration due to weather conditions, insects or other damage.
- 8.4.2** Exterior walls of a building or a structure and their components, shall be free of inappropriate signs, painted slogans, graffiti and similar defacements.

8.5 GUARDS

- 8.5.1** Guards shall be installed and maintained wherever;
- (a) there is a vertical drop of more than 600 millimetres (including along the open sides of stairs, ramps, balconies, mezzanines and landings; and
 - (b) they would be required for a newly constructed or renovated area under the Ontario Building Code made under the Ontario Building Code Act, 1992.

- 20 -

- 8.5.2** A guard required by Subsection 8.5.1 shall provide reasonable protection from accidental falls for any person on the premises.

8.6 LIGHTING

All non-residential establishments shall install and maintain sufficient windows, skylights and lighting fixtures necessary for the safety of all persons attending the premises or as may be required by the Occupational Health and Safety Act for industrial and commercial properties. However, lighting shall not be positioned so as to cause any impairment of use or enjoyment of neighbouring properties.

SECTION 9 ADMINISTRATION

9.1 APPLICATION OF BY-LAW

- 9.1.1** This by-law shall apply to all property within the boundaries of the Corporation of the City of Clarence-Rockland.
- 9.1.2** Where a provision of this by-law conflicts with a provision of another by-law in force in the municipality, the provisions that establish the higher standards to protect the health, safety and welfare of the general public, shall prevail.
- 9.1.3** If any section, clause or provision of this by-law is for any reason held by a court of competent jurisdiction to be invalid, the validity of the remaining sections shall continue to be in effect until repealed.

9.2 PROPERTY STANDARDS OFFICER AND PROPERTY STANDARDS COMMITTEE

- 9.2.1** The Council of the municipality shall appoint a Property Standards Officer(s) to be responsible for the administration and enforcement of this By-law.
- 9.2.2** Council shall appoint at large, by resolution or by By-law of Council no fewer than three (3) persons of the municipality to the Property Standards Committee for the term of office concurrent with Council.

- 21 -

- 9.2.3.** Each member of the Property Standards Committee, appointed by Council, shall be entitled to a honorarium of fifty dollars (\$50) per meeting for their attendance at the Committee meetings.
- 9.2.4.** Every person who initiates an appeal of an Order made under Section 15.2(2) of the Ontario Building Code Act, S.O. 1992, c23, shall submit a Notice of Appeal in the time frame and the manner as prescribed in section 15.3 (1) of the Act. All Notices of Appeal shall be accompanied by a non-refundable payment of seventy five dollars (\$75).

9.3 ISSUANCE OF CERTIFICATE OF COMPLIANCE

9.3.1 Following the inspection of a property, the Officer may, or on the request of the Owner, issue to the Owner a Certificate of Compliance if, in his opinion, the property is in compliance with the standards of this by-law.

9.3.2 If a Certificate of Compliance is issued at the request of the Owner, the Owner shall pay a fee of twenty-five dollars (\$25).

SECTION 10 COMPLIANCE

10.1 All owners or occupants of property shall comply with the standards prescribed in this by-law and any Property Standards Order as confirmed or modified.

10.2 All property within the municipality that does not conform with the standards contained in this by-law shall be repaired and maintained to conform with the standards of the site to be cleared of all buildings, structures, debris or refuse and left in a graded and levelled condition.

- 22 -

SECTION 11 AUTHORITY

11.1 That By-law 1981-16 (Town of Rockland) is hereby repealed.

11.2 This by-law shall come into force on the date it is passed by the Council of the Corporation of the City of Clarence-Rockland.

**READ A FIRST, SECOND AND DULY PASSED UPON THE THIRD READING, THIS
14 TH DAY OF SEPTEMBER 1999.**

(SIGNED) Jean Pierre Pierre

MAYOR

(SIGNED) Daniel Gatien

CLERK

THE CORPORATION OF THE CITY OF CLARENCE-ROCKLAND

BY-LAW NUMBER 1999-32

BEING A BY-LAW TO PROVIDE STANDARDS FOR THE MAINTENANCE AND OCCUPANCY OF PROPERTY IN THE CITY OF CLARENCE-ROCKLAND.

WHEREAS Section 15.1(3) of the Building Code Act, S.O. 1992, c.23 and amendments thereto, provides that a Council of a municipality may pass By-laws to:

- (1) Prescribe standards for the maintenance and occupancy of property within the municipality or within any defined area or areas and for prohibiting the occupancy or use of such property that does not conform with the standards; and
- (2) Require property that does not conform with the standards to be repaired and maintained to conform with the standards or the site to be cleared of all buildings and structures, debris or refuse and left in a graded and level condition; and

WHEREAS there are in effect in the City of Clarence-Rockland Official Plans which include provisions relating to property conditions; now

THEREFORE the Municipal Council of the Corporation of the City of Clarence-Rockland hereby enacts as follows.

SECTION 1 GENERAL

1.1 SHORT TITLE

This By-law may be cited as the "Property Standards By-law" of The City of Clarence-Rockland.

SECTION 2 DEFINITIONS

- 2.1 **"Accessory Building"** means a detached building or structure, not used for human habitation that is subordinate to the primary use of the same property.
- 2.2 **"Apartment Building"** means a building containing more than four dwelling units with individual access from an internal corridor system.
- 2.3 **"Approved"** means acceptance by the Property Standards Officer.
- 2.4 **"Basement"** means that space of a building that is partly below grade, which has half or

more of its height, measured from floor to ceiling above the average exterior finished grade.

- 2.5 **"Building"** as defined in the Ontario Building Code Act, as amended.
- 2.6 **"Cellar"** means that space of a building that is partly or entirely below grade, which has more than half of its height, measured from floor to ceiling below the average exterior finished grade.
- 2.7 **"Committee"** as defined in the Ontario Building Code Act, as amended.
- 2.8 **"Corporation"** shall mean the Corporation of the City of Clarence-Rockland.
- 2.9 **"Dwelling"** shall mean a building or structure or part of a building or structure used or intended to be used as a domicile by one or more persons usually containing cooking, eating, living, sleeping and sanitary facilities and includes the land and premises appurtenant thereto and all outbuildings, fences or erections thereon or therein.
- 2.10 **"Dwelling Unit"** means a room or a suite operated as a house-keeping unit, used or intended to be used as a domicile by one or more persons and supporting general living conditions usually including cooking, eating, sleeping and sanitary facilities.
- 2.11 **"First Storey"** means that part of a building having a floor area closest to grade with a ceiling height of more than 1.8 metres (6 ft.) above grade.
- 2.12 **"Guard"** means a protective barrier installed around openings in floor areas or on the open sides of a stairway, a landing, a balcony, a mezzanine, a gallery, a raised walkway and other locations as required to prevent accidental falls from one level to another. Such barriers may or may not have openings through it.
- 2.13 **"Habitable Room"** means any room in a dwelling unit used for or capable of being used for living, cooking, sleeping or eating purposes.
- 2.14 **"Land leased community"** means a community where buildings or portions of land is individually leased for living accommodation, but does not include mobile parks.
- 2.15 **"Maintenance"** shall mean the preservation and keeping in repair of a property.
- 2.16 **"Means of Egress"** means a continuous, unobstructed path of travel provided by a doorway, hallway, corridor, exterior passage way, balcony, lobby, stair, ramp or other exit facility used for the escape of persons from any point within a building, a floor area, a room or a contained open space to a public thoroughfare usually located outside the building.
- 2.17 **"Multiple Dwelling"** means a building containing three or more dwelling units.
- 2.18 **"Non-Habitable Room"** means any room in a dwelling or dwelling unit other than a

habitable room and includes a bathroom, a toilet room, laundry, pantry, lobby, corridor, stairway, closet, boiler room or other space for service and maintenance of the dwelling for public use and for access to and vertical travel between storeys and basement or part thereof which does not comply with the standards of fitness for occupancy set out in this by-law.

- 2.19 "Non-Residential Property"** means a building or structure or part of a building or structure not occupied in whole or in part for the purpose of human habitation, and includes the lands and premises appurtenant and all of the outbuildings, fences or erections thereon or therein.
- 2.20 "Occupant"** as defined in the Ontario Building Code Act, as amended.
- 2.21 "Officer"** shall mean a Property Standards Officer who has been assigned by Council with the responsibility of administering and enforcing this by-law.
- 2.22 "Owner"** as defined in the Ontario Building Code Act, as amended.
- 2.23 "Person"** shall mean an individual, firm, corporation, association or partnership.
- 2.24 "Property"** shall mean a building or structure or part of a building or structure, and includes the lands and premises appurtenant thereto and all mobile buildings, mobile structures, outbuildings, fences and erections thereon whether heretofore or hereafter erected and includes vacant property.
- 2.25 "Repair"** as defined in the Ontario Building Code Act, as amended.
- 2.26 "Residential Property"** means any property that is used or designed for use as a domestic establishment in which one or more persons usually sleep and prepare and serve meals and includes any lands or buildings that are appurtenant to such establishment and all stairways, walkways, driveways, parking spaces and fences associated with the dwelling or its yard.
- 2.27 "Rubble"** shall mean broken concrete, brick, broken asphalt, patio or sidewalk slabs
- 2.28 "Sewage"** shall mean any liquid waste containing animal, vegetable or mineral matter in suspension or solution but does not include roof water or other storm runoff.
- 2.29 "Standards"** shall mean the standards of physical conditions and occupancy set out in the by-law.
- 2.30 "Toilet Room"** shall mean a room containing a water closet and a wash basin.
- 2.31 "Vehicle"** shall mean a motor vehicle, trailer, boat, motorized snow vehicle, mechanical equipment and any vehicle drawn, propelled or driven by any kind of power.
- 2.32 "Yard"** shall mean land other than publicly owned land, around and appurtenant to any property or any part of a building or structure and used or intended to be used or capable of

being used in connection with said property and includes vacant land.

AND YARDS

SECTION 3 STRUCTURAL SOUNDNESS AND MAINTENANCE ALL OF BUILDINGS

3.1.1 Every part of a building or structure appurtenant to a building shall be maintained in a structurally sound condition so as to be capable of sustaining safely its own weight and any load to which it normally may be subject.

3.1.2 Materials or objects on the exterior of buildings which have been damaged or show evidence of decay or other deterioration shall be repaired or replaced.

3.1.3 Exterior walls and roof of a building and their components, including soffits and fascia, shall be maintained in good repair, weather tight condition, free from cracked, broken or loose materials, masonry units, stucco and other defective cladding or trim. Paint or some other suitable preservative or coating must be applied and maintained so as to prevent deterioration due to weather conditions, insects or other damage.

3.1.4 Inside and outside stairs, porches, balconies, landings and their guards/handrail shall be maintained so as to be free of holes, cracks and other defects which may constitute accident hazards. Existing stair treads or risers that show excessive wear or are broken, warped or loose and any supporting structural members that are rotted or deteriorated shall be repaired or replaced.

3.1.5 The foundations, walls, columns, beams, floors and roof of building shall be maintained in good repair.

3.1.6 Every building shall be:
 (a) kept in good repair and free from health, fire and accident hazards;
 (b) maintained in a safe condition which includes the removal or securing of loose or insecure parts of the building or appurtenant parts thereof and
 (c) protected by weather-resistant materials.

3.1.7 Every building damaged by fire or other causes shall be:
 (a) made secure to neighbours, persons and to other users of the property;
 (b) boarded up by covering all opening through which entry may be with at least 12.7 mm (1/2") weatherproof sheet plywood securely fastened to the building;
 (c) made secure in order to prevent damage to property and chattels and
 (d) repaired or completely demolished as required by the Property Standards Officer.

3.1 ACCESSORY BUILDING

3.1.8 Every accessory buildings shall be kept in good repair and free from health, fire and

accident hazards.

3.1.9 An accessory building or structure used or capable of being used as an out-house or outdoor pit privy is prohibited and shall be removed from any property unless used on a temporary basis and in conjunction with :

- (a) a construction site, or
- (b) a public event.

3.2 DRAINAGE

3.2.1 Storm water shall be drained from the yard so as to prevent recurrent ponding or the entrance of water into a basement or cellar.

3.2.2 All owners or occupants shall prevent the erosion of the soil in the yard.

3.2.3 No roof drainage shall be discharged on sidewalks, stairs or neighbouring property.

3.2.4 No surface or ground water shall be discharged on neighbouring property

3.3 FENCES

Fences, barriers and retaining walls shall be kept in good repair and free from accident hazards.

3.4 GARBAGE DISPOSAL

3.4.1 Sufficient receptacles shall be provided to contain all garbage, rubbish, ashes and waste. The receptacles shall be made of metal or plastic, made of watertight construction, be provided with a tight fitting cover and be maintained in a clean state.

3.4.2 Every property shall be kept free of refuse or litter.

3.4.3 Every non-residential building shall provide sufficient receptacles to contain all refuse and litter as may be left by customers or other members of the public.

3.4.4 The occupant of a residential property may provide for a compost heap in accordance with the health regulations and by-laws of the corporation.

3.5 LANDSCAPING

3.5.1 Suitable ground cover shall be provided to prevent erosion of the soil. Where grass forms a part of the ground cover, and such grass has been killed, such dead areas shall be re-sodded or seeded as often as required so as to restore the grass to living condition.

3.5.2 Areas within the yard not covered by buildings or structures, sidewalks, driveways

and parking areas shall be maintained to a standard at least compatible with the abutting and adjoining properties.

3.6 SAFE PASSAGE

3.6.1 Steps, walks, driveways parking spaces and similar uses of a yard shall be maintained so as to afford safe passage under normal use and weather conditions.

3.6.2 All areas used for vehicular traffic and parking shall have a surface covering of asphalt, concrete or compacted stone or gravel and shall be kept in good repair free of dirt and litter.

3.7 SEWAGE

Sewage of any kind shall not be discharged onto the surface of the ground, whether into a natural or artificial surface drainage system or otherwise. This section does not apply to applications of sewage under normal farming practices.

3.7.1 All signs permitted under by-laws of the Corporation shall be maintained in a good state of repair.

3.7.2 Signs which are damaged or broken or which are excessively weathered or faded or upon which the finish is worn, peeled or cracked, shall, with their fastenings and supporting members, be removed or refinished and put in a good state of repair.

3.8 YARDS

3.8.1 All yards shall be kept clean and free from rubbish, rubble or other debris and from objects or conditions that might create a health, fire or accident hazard, or an unsightly condition out of character with the surrounding environment.

3.8.2 Wrecked, dismantled, inoperative or unused vehicles or machinery or any part thereof or unlicensed vehicles where the said vehicle would require a licence under the Highway Traffic Act, shall not be parked, stored or left in any yard except in an establishment licenced or authorized to conduct and operate such a business, and then only in an arrangement such as to prevent an unsafe condition or an unsightly condition. This shall not prevent the occupant of any premises from repairing a vehicle for his own use but not for commercial purposes, while such repair is actively carried on.

3.8.3 All yards shall be kept free of weeds, and heavy undergrowth shall be eliminated.

3.8.4 Lawns shall be kept trimmed neatly and shall not be overgrown or unsightly.

3.8.5 Dilapidated or collapsed structures or partially constructed structures which are

not currently under construction or erection and any unprotected well or unsafe condition or unsightly condition, shall be remedied or removed from yard.

3.8.6 Water in a swimming pool shall be kept and maintained in a condition which is not a health or safety hazard, or is malodorous, or is a breeding place for insects.

3.8.7 All yard shall be kept clean and free from any dead, decayed or damaged tree and branches or limbs thereof which create an unsafe or unsightly condition.

3.8.8 Any excavated hole in any yard shall be filled up unless enclosed by a temporary barrier at least 122 centimetres (48 inches) in height in such a manner as to prevent an unsafe condition.

3.8.9 Where a dwelling unit or accessory building has a solid fuel burning device, the storage in a yard of fire wood shall:

- (a) not be permitted in any front yard;
- (b) be arranged in one area, neatly piled;
- (c) not exceed a quantity which is placed in an area no greater than 16 feet in length, 8 feet in width and 4 feet in height.
- (d) be at least (1) one metre from the property line.
length, 8 feet in width and 4 feet in height.

3.8.10 A boat which exceeds an overall length of 18 feet shall not be stored or placed in any front yard;

3.8.11 A boat or boat and trailer combination which exceeds an overall height of 11½ feet as measured from the ground to the highest point of the boat shall not be stored or placed in any yard within fifteen (15) feet from the property line;

3.8.12 The provision of section 3.9.11 of this By-law shall not apply where the yard or land abuts a navigable body of water.

3.8.13 Bulk storage tank shall not be stored in any front yard and shall conform with the Ontario Gasoline Handling Act as amended.

3.8.14 Furnaces, water and fuel tanks, household furniture, refrigerators, freezers, stoves or similar appliances whether operable or inoperable or any part thereof shall not be stored or left in any yard except in an establishment licenced or authorized to conduct and operate such a business, and then only in an arrangement such as to prevent an unsafe condition or an unsightly condition.

3.9 AIR CONDITIONERS

All air conditioners shall be maintained in a safe mechanical and electrical condition and shall not adversely affect areas beyond the limits of the property by reason of noise or condensation drainage.

3.10 BURNT MATERIAL & DEMOLISHED MATERIAL

3.10.1 In the event of fire or explosion, damaged or partially burnt material, demolished material shall be forthwith removed from the premises, except that such material may be temporarily stored for a maximum period of thirty (30) days within the barricaded fire damaged building or unit.

3.10.2 Any foundation left after a fire, explosion or the demolition of a structure shall be filled up within thirty (30) days, in such a manner as to prevent an accident hazard.

3.10.3 For the purpose of any lawful investigation conducted by a recognised agency, section 3.11 of this by-law does not apply until the conclusion of the investigation.

SECTION 4 RESIDENTIAL STANDARDS FOR RENTAL UNITS

4.1 Sections 4 applies to any residential property or dwelling occupied by persons other than the property owner for which compensation is paid to the property owner or his or her agent. The other sections of this by-law also apply to rental residential buildings.

4.2 Investigation of infractions of standards set in Sections 4.3 to 4.19 of this by-law shall be initiated upon receipt of a written complaint from one of the parties involved or another government agency or without any complaint received. the person occupying said unit. Such written complaint shall be filled in such form as provided in schedule "B".

4.3 GENERAL CONDITIONS

4.3.1 Every tenant or occupant or lessee of a residential property shall maintain the property or part thereof and the land which they occupy or control, in a clean, sanitary and safe condition. and shall dispose or garbage and debris on a regular basis, in accordance with municipal by-laws.

4.3.2 Every tenant or occupant or lessee of a residential property shall maintain every floor, wall, ceiling and fixture under their control, including corridors, entrances, laundry rooms, utility rooms and other common areas, in a clean, sanitary and safe condition.

4.3.3 Accumulations or storage of garbage, refuse, appliances or furniture in means of egress shall not be permitted.

4.4 PEST PREVENTION

- 4.4.1** Dwellings shall be kept free of rodents, vermin and insects at all times. Methods used for exterminating such pests shall be in accordance with the provisions of the Pesticides Act.
- 4.4.2** Openings, including windows, that might permit the entry of rodents, insects, vermin or other pests shall be appropriately screened or sealed.

4.5 FOUNDATIONS

Foundation walls of a dwelling shall be maintained so as to prevent the entrance of insects, rodents and moisture. Maintenance includes the shoring of the walls to prevent settling, installing sub soil drains, when necessary, at the footings, grouting masonry cracks, damp proofing and waterproofing walls, joints and floors.

4.6 WINDOWS AND DOORS

- 4.6.1** Windows, doors, skylights and basement or cellar hatchways shall be maintained in good repair, weather tight and draught-free, to prevent heat loss and infiltration by the elements. Maintenance includes painting, replacing damaged doors, frames and other components, window frames, sashes and casings, replacement of non-serviceable hardware and reglazing where necessary. Where screening is provided on windows and doors it shall also be maintained in good repair.
- 4.6.2** **In a rental dwelling unit**, all windows that are intended to be opened and all exterior doors shall have suitable hardware so as to allow locking or otherwise securing from inside the dwelling unit. At least, one entrance door to a dwelling unit shall have suitable hardware so as to permit locking or securing from either inside or outside the dwelling unit.
- 4.6.3** Solid core doors shall be provided for all entrances to dwellings and dwelling units.
- 4.6.4** In residential buildings where there is a voice communication unit working in conjunction with a security locking and release system controlling a particular entrance door and installed between individual dwelling units and a secured entrance area, the said system shall be maintained in good working order at all times.
- 4.6.5** Every window **in a leased or rented dwelling unit** that is located above the first storey of a multiple dwelling shall be equipped with an approved safety device that would prevent any part of the window from opening greater than would permit the passage of a 100 mm diameter (3.9 inches) sphere. Such safety device shall not prevent the window from being fully opened during an emergency situation by an adult without the use of tools.

4.7 WALLS, CEILINGS AND FLOORS

- 4.7.1** Every wall, ceiling and floor in a dwelling shall be maintained so as to provide a continuous surface free of holes, cracks, loose coverings or other defects. Walls surrounding showers and bathtubs shall be impervious to water.
- 4.7.2** Every floor in a dwelling shall be reasonably smooth and level and maintained so as to be free of all loose, warped, protruding, broken or rotted boards or other material that might cause an accident or allow the entrance of rodents and other vermin or insects.
- 4.7.3** Every floor in a bathroom, toilet room, kitchen, shower room, laundry room and kitchen shall be maintained so as to be impervious to water and readily cleaned.

4.8 GUARDS & HANDRAILS

- 4.8.1** Guards and handrails shall be installed and maintained wherever,

- (a) there is a vertical drop of more than 600 millimetres (including along the open sides of stairs, ramps, balconies, mezzanines and landings; and
- (b) they would be required for a newly constructed or renovated area under the Ontario Building Code made under the Building Code Act, 1992. Such guards shall be properly maintained and repaired.

- 4.8.2** A guard required by Subsection 4.8.1 shall provide reasonable protection from accidental falls for any person on the premises.

4.9 KITCHENS

Every dwelling shall contain a kitchen area equipped with:

- (a) a sink that is served with hot and cold running water and is surrounded by surfaces impervious to grease and water;
- (b) suitable storage area of not less than 0.23 cubic metres (8 cubic feet);
- (c) a counter or work area at least 0.61 m (2 ft.) in width by 1.22 m (4 ft.) in length, exclusive of the sink, and covered with a material that is impervious to moisture and grease and is easily cleanable; and
- (d) a space provided for cooking and refrigeration appliances including the suitable electrical or gas connections.

4.10 TOILET AND BATHROOM FACILITIES

4.10.1 Every dwelling unit shall contain a bathroom consisting of at least one fully operational water closet, wash basin and a bathtub or suitable shower unit. Every wash basin and bathtub or shower shall have an adequate supply of hot and cold running water. **Every water closet shall have a suitable supply of running water.**

4.10.2 Every required bathroom or toilet room shall be accessible from within the dwelling unit and shall be fully enclosed and provided with a door capable of being locked so as to allow privacy for the persons using said room.

4.10.3 Where toilet or bathroom facilities are shared by occupants or residential accommodation other than self-contained dwelling units, an appropriate entrance shall be provided from a common passageway, hallway, corridor or other common space to the room or rooms containing the said facilities.

4.11 PLUMBING

4.11.1 Each wash basin, bathtub or shower and kitchen sink shall be equipped with an adequate supply of hot and cold running water. Hot water shall be supplied at a temperature of not less than 43 degrees Celsius (110°F).

4.11.2 Every dwelling unit shall be provided with an adequate supply of potable running water from the water treatment plant of the Corporation or another source of potable water approved by the Medical Officer of Health.

4.11.3 All plumbing, including drains, water supply pipes, water closets and other plumbing fixtures shall be maintained in good working condition free of leaks and defects and all water pipes and appurtenances thereto shall be protected from freezing.

4.11.4 All plumbing fixtures shall be connected to the sewage system through water seal traps. **Such sewage system shall be maintained in a good state repair. All interior plumbing supply, drains and vents shall be maintained in a good state of repair.**

4.11.5 Every fixture shall be of such materials, construction and design as will ensure that the exposed surface of all parts are hard, smooth, impervious to hot and cold water, readily accessible for cleansing and free from blemishes, cracks, stains or other defect that may harbour germs or impede thorough cleansing.

4.12 ELECTRICAL AND LIGHTING

4.12.1 Every dwelling and dwelling unit shall be wired for electricity and shall be connected to an approved electrical supply system as required under the Electrical Safety Code of Ontario.

4.12.2 The electrical wiring, fixtures, switches, receptacles and appliances located or used in dwellings, dwelling units and accessory buildings shall be installed and maintained in

good working order to as not to cause fire or electrical shock hazards. All electrical services shall conform to the regulations established by the Power Corporations Act, as amended.

4.12.3 Every habitable room in a dwelling shall have at least one electrical duplex outlet for each 11.1 square metre (120 sq. ft.) of floor space, and for each additional 9.3 square metres (100 sq. ft.) of floor area a second duplex outlet shall be provided. Extension cords shall not be used on a permanent basis.

4.12.4 Every bathroom, toilet room, kitchen, laundry room, furnace room, basement cellar and non-habitable work or storage room shall be provided with a permanent light fixture.

4.12.5 Lighting fixtures and appliances installed throughout a residential building, including dwelling units, stairways, hallway corridors, passage ways, garages and basements, shall provide sufficient illumination so as to avoid health or accident hazards in normal use.

4.12.6 This section does not apply to a residential complex that has never been connected to an electrical power system.

4.13 HEATING, HEATING SYSTEMS, CHIMNEYS AND VENTS

4.13.1 Every dwelling and building containing a residential dwelling unit shall be provided with suitable heating facilities capable of maintaining an indoor ambient temperature of 21 degrees Celsius (70°F) in the occupied dwelling units. The heating system shall be maintained in good working condition so as to be capable of safely heat the individual dwelling units to the required standard.

4.13.2 All fuel burning appliances, equipment and accessories in a dwelling shall be installed and maintained to the standards provided by the Energy Act, as amended and, or other applicable legislation.

4.13.3 Where a heating system or part thereof requires solid or liquid fuel to operate a place or receptacle for such fuel, it shall be provided and maintained in a safe condition and in a convenient location so as to be free from fire or accident hazard.

4.13.4 Every dwelling shall be constructed or otherwise separated to prevent the passage of smoke, fumes and gases from that part of the dwelling which is not used, designed or intended to be used for human habitation into other parts of the dwelling used for habitation. Such separations shall conform to the Ontario Building Code.

4.13.5 All fuel burning appliances, equipment and accessories in a dwelling shall be properly vented to the outside air by means of a smoke-pipe, vent pipe, chimney flue or other approved method.

4.13.6 Every chimney, smoke-pipe, flue and vent shall be installed and maintained in good repair so as to prevent the escape of smoke, fumes or gases from entering a dwelling unit. Maintenance includes the removal of all obstructions, sealing open joints and the repair of loose or broken masonry units.

4.13.7 Every chimney, smoke-pipe, flue and vent shall be installed and maintained in good condition so as to prevent the heating of adjacent combustible material or structural members to unsafe temperatures.

4.14 FIRE ESCAPES, ALARMS AND DETECTORS

4.14.1 A listed fire alarm and a fire detection system, approved by the Canadian Standards Association or Underwriters Laboratories of Canada, shall be provided by the owners of buildings of residential occupancies where sleeping accommodations are provided for more than ten persons, except that such systems need not be provided where a public corridor or exit serves not more than four dwelling units or individual leased sleeping rooms.

4.14.2 In addition to the provisions of article 4.14.1 hereof, in every dwelling unit in a building, a listed smoke alarm, approved by the Canadian Standards Association or Underwriters Laboratories of Canada or detectors of the single station alarm type, audible within bedrooms when intervening doors are closed, shall be installed by the occupant between bedrooms or the sleeping area and the remainder of the dwelling unit, such as in a hallway or corridor serving such bedrooms or sleeping area. The products of combustion detector referred to shall:

- (a) be equipped with visual or audio indication that they are in operating condition;
- (b) be mounted on the ceiling or on the wall between 152.4 and 304.8 mm (6 to 12 inches) below the ceiling.

4.14 SMOKE AND CARBON MONOXIDE ALARMS

4.14.1 Smoke alarms shall be installed and operational in all dwelling unit and installed as per Fire Code, as amended.

4.14.2 Carbon monoxide alarms shall be installed and operational in all dwelling unit where a fuel burning appliance is present and installed as per Fire Code, as amended.

4.15 EGRESS

4.15.1 Every dwelling and each dwelling unit contained therein shall have a safe, continuous and unobstructed passage from the interior of the dwelling and the dwelling unit to the outside at street or grade level.

4.15.2 Each dwelling containing more than one dwelling unit shall have a least two exists, both of which may be common or the one of which may be common and the other may be an exterior stair or fire escape. Access to the stairs or fire escape shall be from corridors through doors at floor level, except access from a dwelling unit may be through a window that provides an individual unobstructed open portion having a minimum area of 0.35m² with no dimension less than 380 mm. A single exit is permitted from a dwelling unit where the means of egress is through an exterior door located at or near ground level and access to such exit is not through a room not under the immediate control of the occupants of the dwelling unit.

4.15.3 Buildings using a fire escape as secondary means of egress shall have the escape in good condition, free from obstructions and easily reached through an open able window or door.

4.16 NATURAL LIGHT

Every habitable room except a kitchen, bathroom or toilet room shall have a window or windows, skylights or translucent panels facing directly or indirectly to an outside space and admits as much natural light equal to not less than ten percent of the floor area for living and dining rooms and five percent of the floor area for bedrooms and other finished rooms.

4.17 VENTILATION

4.17.1 Every habitable room in a dwelling unit, including kitchens, bathrooms or toilet rooms, shall have openings for ventilation providing an unobstructed free flow of air of at least 0.28 square metres (3 sq. ft.) or an approved system of mechanical ventilation such that provide hourly air exchanges.

4.17.2 All systems of mechanical ventilation shall be maintained in good working order.

4.17.3 All enclosed areas including basements, cellars, crawl spaces and attics or roof spaces shall be adequately ventilated.

4.18 ELEVATING DEVICES

Elevators and other elevating devices including all mechanical and electrical equipment, lighting fixtures, lamps, control buttons, floor indicators, ventilation fans and emergency communication systems shall be operational and maintained in good condition.

4.19 OCCUPANCY STANDARDS

- 4.19.1** The number of occupants residing on a permanent basis in an individual dwelling unit, shall not exceed two persons per sleeping room or sleeping area in a dwelling unit or suite, one person for every nine square metres of habitable floor area. For the purpose of computing habitable floor area, any area with the minimum ceiling height less than 2.1 metres shall not be considered as habitable.
- 4.19.2** No room shall be used for sleeping purposes unless it has a minimum width of two metres and a floor area of at least seven square metres. A room used for sleeping purposes by two or more persons shall have a floor area of at least four square metres per person.
- 4.19.3** Any basement or portion thereof used as a dwelling unit shall conform to the following requirements:
- (a) each habitable room shall comply with all the requirements set out in this by-law;
 - (b) floor and walls shall be constructed so as to be damp proof and impervious to water leakage;
 - (c) each habitable room shall be separated from service rooms by 12.7 mm gypsum board by a suitable fire separation and approved under the Ontario Building Code;
 - (d) access to each habitable room shall be gained without passage through a service room.

SECTION 5 MOBILE HOME PARKS AND LAND LEASE COMMUNITIES

5.1 Sections 5.3 to 5.8 apply to mobile home parks and land lease communities.

5.2 The other sections of this by-law also apply to mobile home parks and land lease communities.

5.3 WATER

A supply of potable water and water pressure that are sufficient for normal household use shall be available for each rental unit in a mobile home park or land lease community.

5.4 PRIVATE ROADS

5.4.1 Private roads within a mobile home park or land lease community shall be:

- (a) kept free of holes and cleared of snow and obstructions;

(b) maintained to control dust; and

(c) kept passable for pedestrians and vehicular traffic.

5.4.2 Excavations made for repairs shall be filled in and the ground returned to its previous condition.

5.5 Mailboxes and the approaches to them shall be kept free of snow and other obstructions.

5.6 Where the distance between mobile homes is three metres or more, that distance shall not be reduced to less than three metres through the addition of a deck, ramp or by any other means, unless a lesser distance provides an adequate degree of fire safety.

5.7 SEWAGE

Sewage holding tanks in a mobile home park or land lease community shall be emptied whenever necessary.

5.8 ELECTRICAL

Electrical supply and connections in a mobile home park or land lease community supplied by the landlord shall be maintained free of conditions dangerous to persons or property.

SECTION 6 RESIDENTIAL STANDARDS

6.1 Sections 6.2 to 6.5 apply to all residential property.

6.2 ROOFS

6.2.1 Roofs of dwellings and their components shall be maintained in a weather tight condition, free from loose or unsecured objects or materials.

6.2.2 The roofs of dwellings and accessory buildings shall be kept clear of accumulations of ice or snow or both.

6.2.3 Where eaves trough and or, roof gutters are provided, it shall be kept in good repair, free from obstructions and properly secured to the building.

6.3 STAIRS, PORCHES AND BALCONIES

Inside and outside stairs, porches, balconies and landings shall be maintained so as to be free of holes, cracks and other defects which may constitute accident hazards. Existing stair treads or risers that show excessive wear or are broken, warped or loose and any supporting structural members that

are rotted or deteriorated shall be repaired or replaced.

6.4 STRUCTURAL SOUNDNESS

6.4.1 Every part of a dwelling shall be maintained in a structurally sound condition so as to be capable of safely sustaining its own weight load and any additional load to which it may be subjected through normal use, having a level of safety to that as required by the Ontario Building Code.

6.4.2 Walls, roofs and other exterior parts of a building shall be free from loose or improperly secured objects or materials.

6.5 EXTERIOR WALLS

6.5.1 Exterior walls of a dwelling and their components, including soffits and fascia, shall be maintained in good repair free from cracked, broken or loose masonry units, stucco and other defective cladding or trim. Paint or some other suitable preservative or coating must be applied and maintained so as to prevent deterioration due to weather conditions, insects or other damage.

6.5.2 Exterior walls of a dwelling and their components shall be free of unauthorized signs, painted slogans, graffiti and similar defacements.

SECTION 7 VACANT BUILDINGS AND LANDS

7.1 Vacant buildings shall be kept cleared of all garbage, rubbish and debris and shall have all water, electrical and gas services turned off except for those services that are required for the security and maintenance of the property.

7.2 The owner of a vacant building shall board up the building to the satisfaction of the Property Standards Officer by covering all openings through which entry may be obtained with at least 12.7 mm (0.5 inch) weatherproof sheet plywood, painted a colour compatible with the surrounding walls and securely fastened.

7.3 Vacant land shall be maintained to the standards as described in Section 3 Article 3.9, of this By-law.

7.4 Vacant land shall be graded, filled or otherwise drained so as to prevent recurrent ponding of water.

SECTION 8 NON-RESIDENTIAL PROPERTY STANDARDS

8.1 YARDS

The warehousing or storage of material or operative equipment that is required for the continuing operation of the industrial or commercial aspect of the property shall be maintained in a neat and orderly fashion so as not to create a fire or accident hazard or any unsightly condition and shall provide unobstructed access for emergency vehicles. Where conditions are such that a neat and orderly fashion is achieved but is still offensive to view, the offensive area shall be suitably enclosed by a solid wall or a painted board or metal fence not less than 1.8 metres (6 ft.) in height and maintained in good repair.

8.2 PARKING AREAS AND DRIVEWAYS

8.2.1 All areas used for vehicular traffic and parking shall have a surface covering of asphalt, concrete or compacted stone or gravel and shall be kept in good repair free of dirt and litter.

8.2.2 All areas used for vehicular traffic, parking spaces and other similar areas shall be maintained so as to afford safe passage under normal use and weather conditions.

8.3 STRUCTURAL SOUNDNESS

8.3.1 Every part of a building structure shall be maintained in a sound condition so as to be capable of safely sustaining its own weight load and any additional load to which it may be subjected through normal use, having a level of safety required by the Ontario Building Code. Structural members or materials that have been damaged or indicate evidence of deterioration shall be repaired or replaced.

8.3.2 Walls, roofs and other exterior parts of a building or structure shall be free from loose or improperly secured objects or materials.

8.4 EXTERIOR WALLS

8.4.1 Exterior walls of a building or a structure and their components, including soffits, fascia, window and doors, shall be maintained in good repair free from cracked, broken or loose masonry units, stucco and other defective cladding or trim. Paint or some other suitable preservative or coating must be applied and maintained so as to prevent deterioration due to weather conditions, insects or other damage.

8.4.2 Exterior walls of a building or a structure and their components, shall be free of inappropriate signs, painted slogans, graffiti and similar defacements.

8.5 GUARDS

8.5.1 Guards shall be installed and maintained wherever:

(a) there is a vertical drop of more than 600 millimetres (including along the open sides of stairs, ramps, balconies, mezzanines and landings; and

(b) they would be required for a newly constructed or renovated area under the Ontario Building Code made under the Ontario Building Code Act, 1992.

8.5.2 A guard required by Subsection 8.5.1 shall provide reasonable protection from accidental falls for any person on the premises.

8.6 LIGHTING

All non-residential establishments shall install and maintain sufficient windows, skylights and lighting fixtures necessary for the safety of all persons attending the premises or as may be required by the Occupational Health and Safety Act for industrial and commercial properties. However, lighting shall not be positioned so as to cause any impairment of use or enjoyment of neighbouring properties.

SECTION 9 ADMINISTRATION

9.1 APPLICATION OF BY-LAW

9.1.1 This by-law shall apply to all property within the boundaries of the Corporation of the City of Clarence-Rockland.

9.1.2 Where a provision of this by-law conflicts with a provision of another by-law in force in the municipality, the provisions that establish the higher standards to protect the health, safety and welfare of the general public, shall prevail.

9.1.3 If any section, clause or provision of this by-law is for any reason held by a court of competent jurisdiction to be invalid, the validity of the remaining sections shall continue to be in effect until it is repealed.

9.2 PROPERTY STANDARDS OFFICER AND PROPERTY STANDARDS COMMITTEE

9.2.1 The Council of the municipality shall appoint Property Standards Officers to be responsible for the administration and enforcement of this By-law.

9.2.2 Council shall appoint at large, by resolution or by By-law of Council no fewer than three (3) persons of the municipality to the Property Standards Committee for the term of office concurrent with Council.

9.2.3. Each member of the Property Standards Committee, appointed by Council, shall be entitled to an honorarium as per Schedule "A" for their attendance at the Committee

meetings.

- 9.2.4.** Every person who initiates an appeal of an Order made under Section 15.2(2) of the Ontario Building Code Act, S.O. 1992, c23, shall submit a Notice of Appeal in the time frame and the manner as prescribed in section 15.3 (1) of the Act. All Notices of Appeal shall be accompanied by a non-refundable payment as per the current fee schedule of the city of Clarence-Rockland and amendments thereto.

X.X INVESTIGATION

Investigation of infractions of standards set in this by-law shall be initiated upon receipt of a written complaint from the person making the complaint or by the Property Standard Officer. Such written complaint shall be filled in such form as provided in schedule "B"

9.3 ISSUANCE OF CERTIFICATE OF COMPLIANCE

- 9.3.1** Following the inspection of a property, the Officer may, or on the request of the Owner, issue to the Owner a Certificate of Compliance if, in his opinion, the property is in compliance with the standards of this by-law.
- 9.3.2** If a Certificate of Compliance is issued at the request of the Owner, the Owner shall pay a fee as per the current Fee schedule of the city of Clarence-Rockland and amendments thereto.

X.X PENALTY

An owner who fails to comply with an order that is final and binding under this By-law is guilty of an offence under Section 36(1) of the Building Code Act, S.O. 1992, c.23, and is liable to penalties as set out in Section 36 of that Act.

SECTION 10 COMPLIANCE

- 10.1** All owners or occupants of buildings shall comply with the standards prescribed in this by-law and any Property Standards Order as confirmed or modified.
- 10.2** All buildings property within the municipality that do not conform with the standards contained in this by-law shall be repaired and maintained to conform with the standards of the site to be cleared of all buildings, structures, debris or refuse and left in a graded and levelled condition, as contained in this by-law.

SECTION 11 ENACTMENT

11.1 That By-law 1981-16 (Town of Rockland) No. 1999-32 is hereby repealed.

11.2 This by-law shall come into force on the date it is passed by the Council of the Corporation of the City of Clarence-Rockland.

**READ A FIRST, SECOND AND DULY PASSED UPON THE THIRD READING, THIS
DAY OF 2019.**

MAYOR

CLERK

SCHEDULE "A"

1.	Committee Member Honorarium:	\$100.00 (per case)
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SCHEDULE "X"
FEE SCHEDULE

- | | | |
|----|---|----------------------|
| 1. | Appeal processing fee: | \$300.00 (per order) |
| 2. | Certificate of compliance (for Property Standard By-law): | \$80.00 |



SCHEDULE "B"

City of Clarence-Rockland
Infrastructure and Planning
1560 Laurier St.
Rockland, Ontario, K4K 1P7
Tel: 613-446-6022 ext. 2254
Fax: 613-446-1497

Property Standard Complaint Form

Use this form if you believe the unit and/or building contravenes the Property Standard By-law. Please return the completed form to the address listed above.

Property information:		
Property address		Unit #
City, Town	Province	Postal code
Tenant/complainant information:		
Name of Tenant		
Mailing address if different from above		Unit #
City, Town	Province	Postal code
Daytime phone number	Evening phone number	E-mail
Landlord information: if applicable		
Name of Landlord		
Mailing address		Unit #
City, Town	Province	Postal code
Daytime phone number	Evening phone number	E-mail

Please indicate if you have informed your landlord about your maintenance problem?

- ☐ Landlord informed in writing; date _____
 ☐ Landlord informed verbally; date _____
- ☐ Landlord not informed; explain: _____

Where is your maintenance problems located?

- ☐ Living room ☐ Hallways ☐ Bedroom ☐ Bathroom
☐ Basement ☐ Kitchen ☐ Roof ☐ Other_____

In what type of building do you live?

- ☐ House ☐ Accessory apartment ☐ Land-lease Community ☐ Condominium
☐ Townhouse ☐ Mobile home ☐ Rooming home ☐ Other_____

Details about your maintenance complaint:

Please describe the maintenance problem you are having and where it is located, provide as much information as possible. You may attach additional pages, if required.

Personal information contained on this form will be kept confidential. It is understood that if required I, the complainant, will provide or present evidence in support of this complaint at any hearings of the Property Standards Committee or a Court of Law of Ontario.

- ☐ I agree ☐ I don't agree, explain: _____

Authorization: *(form must be complete)*

Signature of Complainant: _____ Date: _____

CORPORATION OF THE CITY OF CLARENCE-ROCKLAND**BY-LAW 2019-29****BEING A BY-LAW TO AMEND BY-LAW 2019-16, BEING A BY-LAW TO ACTUALIZE CERTAIN USER FEES AND CHARGES FOR THE CITY OF CLARENCE-ROCKLAND.**

WHEREAS the Council of the Corporation of the City of Clarence-Rockland deems it expedient to amend By-Law 2019-29, being the user fees by-law, to address the user fees update for recreation further to the adoption of the 2019 Budget;

NOW THEREFORE the Council of the City of Clarence-Rockland enacts as follows:

1. **THAT** the user fees established as per Schedule 'J' to By-Law 2019-16 be repealed and replaced by the Schedule 'J' – Recreation, attached hereto;
2. **THAT** this by-law shall come in force and effect as of the date of its adoption.

READ AND ADOPTED IN OPEN COUNCIL THIS 4TH DAY OF MARCH 2019.

GUY DESJARDINS, MAYOR

MONIQUE OUELLET, CLERK

Schedule J - Recreation and Facilities

ITEM	2019 APPROVED FEE
Baseball Fields	
Regular rental rate (maximum 3hrs)	\$40.80
Tournament - regular daily rate (full day, including evening)	\$163.20
Tournament - regular evening rate (evening only- after 6:00 pm)	\$40.80
Clarence-Rockland Minor Sports Associations rental rate (max.3hrs)	\$30.60
Tournament - Clarence-Rockland Minor Sports Associations (full day, including evening)	\$76.50
Tournament - Clarence-Rockland Minor Sports Associations (evening only - after 6:00 pm)	\$20.40
Soccer Fields	
Regular rental rate (maximum 3hrs)	\$45.90
Seasonals (reduced rate upon written agreement)	\$40.80
Tournament - regular daily rate (full day, including evening)	\$163.20
Tournament - regular evening rate (evening only - after 6:00 pm)	\$51.00
Clarence-Rockland Minor Sports Associations rental rate (max.3hrs)	\$30.60
Tournament - Clarence-Rockland Minor Sports Associations (full day, including evening)	\$76.50
Tournament - Clarence-Rockland Minor Sports Associations (evening only - after 6:00 pm)	\$20.40
Rink Surface Rental - Ice	
Prime Time - regular rate	\$239.70
Prime Time - Clarence-Rockland Minor Sports Associations	\$210.12
Down Time - regular rate	\$204.00

Down Time - Clarence-Rockland Minor Sports Associations	\$183.90
Last Minute Ice Rental	\$158.10
Sport Education Program Rate	\$150.00
Rink Surface Rental - No ice	
Prime Time - regular rate	\$61.20
Prime Time - Clarence-Rockland Minor Sports Associations	\$47.59
Down Time - regular rate	\$51.00
Down Time - Clarence-Rockland Minor Sports Associations	\$40.80
Special event with alcohol licence (daily rate)	\$624.00
Special event - no alcohol (daily rate)	\$520.00
Special event - set up fee	\$36.40
Boat Ramps	
Regular use	no fee
Fishing Tournaments or other special activities	\$10.40/boat
Facility Rentals	
Jean-Marc Lalonde Arena & Clarence Creek Arena Community Halls - without alcohol (hourly rate)	\$40.00
Jean-Marc Lalonde Arena & Clarence Creek Arena Community Halls - with alcohol (hourly rate)	\$60.00
Jean-Marc Lalonde Arena & Clarence Creek Arena Community Halls - funerals (per event rate)	\$120.00
Jean-Marc Lalonde Arena & Clarence Creek Arena Community Halls - Non-profit organizations (meeting/breakfast)	\$30.00
Jean-Marc Lalonde Arena & Clarence Creek Arena Community Halls - Carnival activities (daily rate)	\$120.00
Ronald Lalonde & Alphone Carrière Community Centres - without alcohol (hourly rate)	\$30.00

Ronald Lalonde & Alphone Carrière Community Centres - with alcohol (hourly rate)	\$35.00
Ronald Lalonde & Alphone Carrière Community Centres - funerals (per event rate)	\$110.00
Ronald Lalonde & Alphone Carrière Community Centres - Non-profit organizations (meetings - maximum 3hrs)	\$30.00
Ronald Lalonde & Alphone Carrière Community Centres - Non-profit organizations (breakfast/dinner)	\$35.00
Chamberland Centre & St-Pascal Optimist Hall (daily rate)	\$80.00
Chamberland Centre & St-Pascal Optimist Hall - Non-profit organizations (meetings - maximum 3hrs)	\$30.00

**CORPORATION OF THE CITY OF CLARENCE-ROCKLAND
BY-LAW 2019-28**

BEING A BY-LAW OF THE CITY OF CLARENCE-ROCKLAND TO CONFIRM PROCEEDINGS OF THE COUNCIL OF THE CITY OF CLARENCE-ROCKLAND AT ITS REGULAR MEETING HELD ON MARCH 4, 2019.

WHEREAS Sub-section 5(1) of the Municipal Act, 2001, as amended, provides that the powers of a municipal corporation are to be exercised by its Council;

AND WHEREAS Sub-section 5(3) of the said Municipal Act provides that the powers of every council are to be exercised by By-law;

AND WHEREAS it is deemed expedient that the proceedings of the Council of the City of Clarence-Rockland at this meeting be confirmed and adopted by By-law;

THEREFORE the Council of the City of Clarence-Rockland enacts as follows:

1. **THE** action of the Council of the City of Clarence-Rockland in respect of each recommendation contained in any reports of committees and of local boards and commissions and each motion and resolution passed and other action taken by the Council of the City of Clarence-Rockland at this meeting is hereby adopted and confirmed as if all such proceedings were expressly embodied in this by-law.
2. **THE** Mayor and the appropriate officials of the City of Clarence-Rockland are hereby authorized and directed to do all things necessary to give effect to the action of the Council of the City of Clarence-Rockland referred to in the proceeding section.
3. **THE** Mayor and the Clerk, are authorized and directed to execute all documents necessary in that behalf and to affix thereto the corporate seal of the City of Clarence-Rockland.

READ, PASSED AND ADOPTED IN OPEN COUNCIL THIS 4TH DAY OF MARCH, 2019.

Guy Desjardins, Mayor

Monique Ouellet, Clerk