

Corporation of the Municipality of Calvin

January 14, 2022

NOTICE OF REGULAR MEETING

To: Mayor and Council

The Regular Meeting of Council will be held <u>electronically</u> at 7 p.m. on Tuesday, January 25, 2022.

If you are unable to be in attendance it is greatly appreciated that you notify the undersigned in advance.

Thank you.

Best regards;

Cindy Pigeau Clerk-Treasurer

CORPORATION OF THE MUNICIPALITY OF CALVIN

AGENDA REGULAR COUNCIL MEETING Tuesday January 25, 2022 at 7:00 p.m. ELECTRONICALLY

1. CALL TO ORDER

2.	WRITTEN DISCLOSURE OF PECUNIARY/CONFLICT OF INTEREST						
3. 4. 5.	PETITIONS AND DELEGATIONS REPORTS FROM MUNICIPAL OFFICERS REPORTS FROM COMMITTEES	None None None					
6.	ACTION LETTERS						
A)	Minutes of Council Meeting	Adopt Minutes of Tuesday, January 11. 2022					
В)	Minutes of Council Meeting	Adopt Minutes of Monday, January 17, 2022					
C)	Municipality of Calvin – Administration	Statement from Clerk-Treasurer					
D)	Municipality of Calvin – Building Dept	Suggested changes to the Fee Schedule					
E)	Municipality of Calvin – Administration	Trial Balance as of January 20, 2022					
F)	By-Law No. 2022-007	By-Law To Codify Human Resource Recruitment and Management Policies					
G)	Report from Clerk-Treasurer	2022CT03 – Improved Hydro Rates from Ontario Wholesale Energy					
H)	Cassellholme – East Nipissing District Home for the Aged	Support for Cassellholme becoming a Municipal Home					
I)	Cassellholme – East Nipissing District Home for the Aged	Support for Mayorl to attend Mayor's Sessions RE: Cassellholme Redevelopment Project					
J)	Report from Clerk-Treasurer	2022CT04 - Policy to Regulate the Use of Herbicides and Pesticides on Municipal Property					
K)	Report from Clerk-Treasurer	2022CT05 - Property Standards By-Law					
L)	Report from Clerk-Treasurer	2022CT06 - Zoning By-Law – Potentially More Amendments					
M)	Township of South Frontenac	Support for Daylight Savings Time					
N)	East Nipissing Planning Board	Consent Application – 2021-20 – Maxwell					
O)	Report from Clerk-Treasurer	2022CT02 - Budget Policy					
P)	Municipality of Calvin – Fire Dept	Annual SCBA Float Testing and Servicing					

Q)	Municipality of Calvin – Roads Dept	Annual Mechanical Brushing and Transfer of Surplus to 2022
R)	Municipality of Calvin – Educational	Municipal World Insider – Getting things done – 4 tips to achieve action-oriented local leadership
	https://www.municipalworld.com/feature-stor	y/getting-things-done/
S)	Municipality of Calvin – Educational	Municipal World Podcast – Are municipalities locked in a feudal relationship with their provincial overlords? – Sen. Paula Simons
	-	ula- mpaign=8afa12e68d-mwshares-SenatorPaulaSimons-Jan19- l1d6fe3-8afa12e68d-67368358&ct=t(mwshares-
7.	INFORMATION LETTERS	
A)	Ministry of Municipal Affairs and Housing	Bill 13, Supporting People and Businesses Act, 2021, Bill 276, Supporting Recovery and Competitiveness Act, 2021
B)	Ministry of Municipal Affairs and Housing	Omicron Variant of COVID 19, Testing and Isolation Guidelines, and Emergency Work Deployment Order O.Reg 157/20
C)	Ministry of Northern Development, Mines, Natural Resources and Forestry	Proposed regulatory changes under the Aggregate Resources Act
D)	Municipality of East Ferris	North Bay/French River Algonquins
E)	Town of Mattawa	Stop-Arm Camera System for School Buses
F)	Township of Chisholm	Support for Cassellholme becoming a Municipal Home for the City of North Bay
G)	Ministry of Heritage, Sport, Tourism and Culture Industries	Covid 19 Proof of Vaccination
H)	Ministry of Health	Covid 19 Integrated Testing & Case Contact and Outbreak Management Interim Guidance: Omicron Surge
I)	Ministry of the Environment, Conservation and Parks	Environmental Assessment Requirements for advanced recycling facilities
J)	Office of MPP Kinga Surma – Etobicoke Centre	Electricity Prices have been lowered as of January 18, 2022
K)	Town of Bracebridge	Muskoka Parry Sound Sexual Assault Services and Provincial Funding
L)	Ministry of Finance	Important Property Tax Decisions for the 2022 Taxation Year
M)	Canadian Nuclear Laboratories	Notice of 2-Part Hearing for a Proposed Nuclear Facility

Homes

Ontario-Municipal Summit Seeks Solutions to Build More

N)

Association of Municipalities of Ontario

P)	Office of MPP Kinga Surma – Etobicoke Centre	Update on Covid 19 Restrictions
Q)	Ontario Municipal Partnership Fund (OMPF)	2022 Payment Schedule
8.	INFORMATION LETTERS AVAILABLE	
0.	INFORMATION LETTERS AVAILABLE	
9	OLD AND NEW BUSINESS	
10.	ACCOUNTS APPROVAL REPORT	
11.	CLOSED PORTION	
12.	BUSINESS ARISING FROM CLOSED SESSION	
13.	NOTICE OF MOTION	
14.	NEW - CONFIRMATORY BY-LAW	By-Law #2022-006- Confirmatory By-Law
15.	ADJOURNMENT	

Addressing POA Court Backlog

O)

Towns of Mono, Town of Caledon

CORPORATION OF THE MUNICIPALITY OF CALVIN MINUTES OF THE REGULAR COUNCIL MEETING TUESDAY, JANUARY 11, 2022

The regular meeting of Council was held this date by Zoom electronic meetings (due to Covid-19 pandemic). Present were Mayor Ian Pennell, Deputy Mayor Sandy Cross, Councillor Christine Shippam, Councillor Kim Brooker, Councillor Bart Castelijn, Fire Chief Dean Maxwell, Landfill & Recreation Manager Jacob Grove and Clerk-Treasurer Cindy Pigeau.

Regrets: - Chris Whalley; Roads Superintendent Guests: - Jennifer Shainline - Ontario Wholesale Energy

The meeting was called to order at 7:02 p.m. by Mayor Ian Pennell

PECUNIARY/CONFLICT OF INTEREST: None

PRESENTATIONS/DELEGATIONS: Jennifer Shainline – Ontario Wholesale Energy – Potential better rates

REPORTS FROM MUNICIPAL OFFICERS: Dean Maxwell, Fire Chief

Jacob Grove Landfill and Recreation Manager

Shane Conrad, Chief Building Official – Written Report Only

2022-001 ADOPT MNIUTES OF TUESDAY, DECEMBER 14, 2021 COUNCIL MEETING

Moved by Coun Cross and seconded by Coun Shippam That the minutes of the regular meeting of Council held on Tuesday, December 14th, 2021 be hereby adopted and signed as circulated.

Recorded Vote as per Electronic Meeting Best Practices

Councillor Brooker Yea
Councillor Cross Yea
Councillor Castelijn Yea
Councillor Shippam Yea
Mayor Pennell Yea

Carried

ADOPT MINUTES OF WEDNESDAY, DECEMBER 22, 2021 SPECIAL COUNCIL MEETING
Moved by Coun Castelijn and seconded by Coun Brooker That the minutes of the special meeting of Council held on Wednesday, December 22nd, 2021 be hereby adopted and signed as circulated.

Recorded Vote as per Electronic Meeting Best Practices

Councillor Brooker Yea
Councillor Cross Yea
Councillor Castelijn Yea
Councillor Shippam Yea
Mayor Pennell Yea

Carried

BY-LAW NO. 2021-037 BEING A BY-LAW TO ADOPT A STRATEGIC PLAN FOR THE YEARS 2022 TO 2026 Moved by Coun Shippam and seconded by Coun Castelijn that being a by-law to adopt a strategic plan for the years 2022 to 2026. This by-law received third and final reading on Tuesday, January 11, 2021 and finally passed before an open Council on this date.

Recorded Vote as per Electronic Meeting Best Practices

Councillor Brooker Yea
Councillor Cross Yea
Councillor Castelijn Yea
Councillor Shippam Yea
Mayor Pennell Yea

Carried

2021-305 BY-LAW NO. 2021-038 BEING A BY-LAW TO APPOINT A MUNICIPAL ADMINISTRATOR FOR THE MUNICIPALITY OF CALVIN

Moved by Coun Cross and seconded by Coun Brooker that being a by-law to appoint a municipal administrator for the Municiaplity of Calvin. This by-law received third and final reading on Tuesday, January 11, 2021 and finally passed before an open Council on this date.

Recorded Vote as per Electronic Meeting Best Practices

Councillor Brooker Yea
Councillor Cross Yea
Councillor Castelijn Yea
Councillor Shippam Yea
Mayor Pennell Yea

Carried

2022-003 BY-LAW #2022-001 THAT BEING A BY-LAW TO AUTHORIZE THE BORROWING OF FUNDS, IF NECESSARY, TO MEET CURRENT EXPENDITURES UNTIL TAXES ARE COLLECTED AND THE OTHER REVENUES ARE

RECEIVED AND COMMONLY CALLED THE ANNUAL BORROWING BY-LAW.

Moved by Coun Brooker and seconded by Coun Cross (First Reading), Moved by Coun Castelijn and seconded by Coun Shippam, (Second Reading), Moved by Coun Shippam and seconded by Coun Brooker (Third and Final Reading) that being a by-law to authorize the borrowing of funds, if necessary, to meet current expenditures until taxes are collected and other revenues are received and commonly called the annual borrowing by-law. This by-law received first, second, third and final reading on Tuesday, January 11, 2022 and finally passed before an open Council on this date.

Recorded Vote as per Electronic Meeting Best Practices

First Reading

Councillor Brooker Yea
Councillor Cross Yea
Councillor Castelijn Yea
Councillor Shippam Yea
Mayor Pennell Yea

Carried

Recorded Vote as per Electronic Meeting Best Practices

Second Reading

Councillor Brooker Yea
Councillor Cross Yea
Councillor Castelijn Yea
Councillor Shippam Yea
Mayor Pennell Yea

Carried

Recorded Vote as per Electronic Meeting Best Practices

Third Reading

Councillor Brooker Yea
Councillor Cross Yea
Councillor Castelijn Yea
Councillor Shippam Yea
Mayor Pennell Yea

Carried

2022-004 BY-LAW #2022-002 THAT BEING A BY-LAW TO AUTHORIZE THE SECURITY AGREEMENT FOR THE

BORROWING OF FUNDS, IF NECESSARY, TO MEET CURRENT EXPENDITURES UNTIL TAXES ARE

COLLECTED AND OTHER REVENUES ARE RECEIVED.

Moved by Coun Castelijn and seconded by Coun Cross (First Reading), Moved by Coun Brooker and seconded by Coun Shippam, (Second Reading), Moved by Coun Cross and seconded by Coun Castelijn (Third and Final Reading) that being a by-law to authorize the security agreement for the borrowing of funds, if necessary, to meet current expenditures until taxes are collected and other revenues are received. This by-law received first, second, third and final reading on Tuesday, January 11, 2022 and finally passed before an open Council on this date.

Recorded Vote as per Electronic Meeting Best Practices

First Reading

Councillor Brooker Yea
Councillor Cross Yea
Councillor Castelijn Yea
Councillor Shippam Yea
Mayor Pennell Yea

Carried

Recorded Vote as per Electronic Meeting Best Practices

Second Reading

Councillor Brooker Yea
Councillor Cross Yea
Councillor Castelijn Yea
Councillor Shippam Yea
Mayor Pennell Yea

Carried

Recorded Vote as per Electronic Meeting Best Practices

Third Reading

Councillor Brooker Yea
Councillor Cross Yea
Councillor Castelijn Yea
Councillor Shippam Yea
Mayor Pennell Yea

Carried

2022-005

BY-LAW #2022-003 BEING A BY-LAW TO PROVIDE FOR AN INTERIM TAX LEVY AND TO PROVIDE FOR THE PAYMENT OF TAXES AND TO FURTHER PROVIDE FOR PENALTY AND INTEREST IN DEFAULT OF PAYMENT THEREOF FOR 2022.

Moved by Coun Castelijn and seconded by Coun Shippam (First Reading), Moved by Coun Brooker and seconded by Coun Cross, (Second Reading), Moved by Coun Cross and seconded by Coun Castelijn (Third and Final Reading) that being a by-law to provide for an interim tax levy and to provide for the payment of taxes and to further provide for penalty and interest in default of payment thereof for 2022. This by-law received first, second, third and final reading on Tuesday, January 11, 2022 and finally passed before an open Council on this date.

Recorded Vote as per Electronic Meeting Best Practices

First Reading

Councillor Brooker Yea
Councillor Cross Yea
Councillor Castelijn Yea
Councillor Shippam Yea
Mayor Pennell Yea

Carried

Recorded Vote as per Electronic Meeting Best Practices

Second Reading

Councillor Brooker Yea
Councillor Cross Yea
Councillor Castelijn Yea
Councillor Shippam Yea
Mayor Pennell Yea

Carried

Recorded Vote as per Electronic Meeting Best Practices

Third Reading

Councillor Brooker Yea
Councillor Cross Yea
Councillor Castelijn Yea
Councillor Shippam Yea
Mayor Pennell Yea

Carried

2022-006 RESOLUTION TO CONFIRM NO IDENTIFIED CONTAMINATED SITES

Moved by Coun Shippam and seconded by Coun Brooker that as of April 1, 2014 the accounting standards, to be applied by municipalities for the preparation of their financial statements, must include a new section, under Section PS 3260 of the Liability for Contaminated Sites, to recognize liability for contaminated sites; And further that in November 2014 the Clerk-Treasurer met with staff and Council to discuss and identify any known potentially contaminated sites within the Municipality of Calvin; And further that from 2015 to 2020 the contaminated site question was revisited, and resolutions passed confirming the absence of potentially contaminated sites; And further, that in support of the 2021 year, this was again added as an agenda item for the January 11, 2022 Council meeting, and resolution passed confirming the absence of potentially contaminated sites, And further that no potentially contaminated sites have been identified since 2014 and to date no contaminated sites have been identified, Therefore no further action is currently planned or required.

Recorded Vote as per Electronic Meeting Best Practices

Councillor Brooker Yea
Councillor Cross Yea
Councillor Castelijn Yea
Councillor Shippam Yea
Mayor Pennell Yea

Carried

2022-007 RECOMMENDATIONS TO COUNCIL FOR AWARD OF CONTRACT CAL2021-03

Moved by Coun Brooker and seconded by Coun Castelijn that Council acknowledges and accepts the recommendation of the Landfill Manager to award the Request for Quotation CAL2021-03 for the 2022-2023 Well Monitoring and Report Contract to Knight Piesold and requests the Clerk-Treasurer proceed in the process of having the contract signed with Knight Piesold.

Recorded Vote as per Electronic Meeting Best Practices

Councillor Brooker Yea
Councillor Cross Yea
Councillor Castelijn Yea
Councillor Shippam Yea
Mayor Pennell Yea

Carried

2022-008 CONSENT NO. 2021-24 -- DRUMM

Moved by Coun Cross and seconded by Coun Shippam that whereas an application for Consent No. 2021-24 in the name of Drumm has been filed with the East Nipissing Planning Board on land know as Concession 09 Part Lots 19 and 20, Municipality of Calvin along Hwy 17 East, to sever 25 acres on lot 19 from the 50 acres of lot 20 and provide a right of way on the east side of lot 19 in the Municipality of Calvin, where Highway 17 is owned and maintained by the Province of Ontario; Now therefore the Council of the Municipality of Calvin resolves that: 1. It is recommended that the East Nipissing Planning Board give provisional consent to this application and; 2. A copy of the completed survey for the new lots and right of way shall be provided to the municipality, in both digital format and hard copy, and; 3. That the 5% Cash In Lieu shall apply to the newly created lots and is payable in full to the municipality as a requirement of consent.

Recorded Vote as per Electronic Meeting Best Practices

Councillor Brooker Yea
Councillor Cross Yea
Councillor Castelijn Yea
Councillor Shippam Yea
Mayor Pennell Yea

Carried

2022-009 CONSENT NO. 2021-25 -- DRUMM

Moved by Coun Castelijn and seconded by Coun Cross that whereas an application for Consent No. 2021-25 in the name of Drumm has been filed with the East Nipissing Planning Board on land know as Concession 09 Part Lots 19 and 20, Municipality of Calvin along Hwy 17 East, to sever 100 acres for lot 20, 50 acres for part lot 21 and retain 100 acres for lot 19 to put them back in their natural state, in the Municipality of Calvin, where Highway 17 is owned and maintained by the Province of Ontario; Now therefore the Council of the Municipality of Calvin resolves that: 1. It is recommended that the East Nipissing Planning Board give provisional consent to this application and; 2. A copy of the completed survey for the new lots and right of way shall be provided to the municipality, in both digital format and hard copy.

Recorded Vote as per Electronic Meeting Best Practices

Councillor Brooker Yea
Councillor Cross Yea
Councillor Castelijn Yea
Councillor Shippam Yea
Mayor Pennell Yea

Carried

2022-010 SUPPORT FOR PHYSICIAN, NURSE AND HEALTH CARE PROFESSIONALS SHORTAGE IN NORTHERN COMMUNITIES

Moved by Coun Shippam and seconded by Coun Brooker that now therefore be it resolved that The Corporation of the Municipality of Calvin fully supports the Federation of Northern Ontario Municipalities Media Release concerning the status of the Physician, Nurse and Health Care Professionals shortage in Northern Communities.

Recorded Vote as per Electronic Meeting Best Practices

Councillor Brooker Yea
Councillor Cross Yea
Councillor Castelijn Yea
Councillor Shippam Yea
Mayor Pennell Yea

Carried

2022-011 SUPPORT FOR JANUARY AS CRIME STOPPERS MONTH

Moved by Coun Cross and seconded by Coun Brooker that now therefore be it resolved that The Corporation of the Municipality of Calvin fully supports the Near North Crime Stoppers in recognizing that "January 2022 is Crime Stoppers Month" and directs staff to post messaging on our social media platforms and website as such to inform our community.

Recorded Vote as per Electronic Meeting Best Practices

Councillor Brooker Yea
Councillor Cross Yea
Councillor Castelijn Yea
Councillor Shippam Yea
Mayor Pennell Yea

Carried

2022-012 CLOSED PORTION

Moved by Coun Shippam and seconded by Coun Castelijn that this portion of the meeting be now closed under the Municipal Act, 2001, as per Section 239 (2)(b) personal matters about an identifiable individual, including a municipal or local board employee and (2)(d) labour relations or employee negotiations RE: to discuss performance expectations, wages and the negotiation of an employment contract for the Clerk-Treasurer.

Recorded Vote as per Electronic Meeting Best Practices

Councillor Brooker Yea
Councillor Cross Yea
Councillor Castelijn Yea
Councillor Shippam Yea
Mayor Pennell Yea

Carried

2022-013 OUT OF CLOSED

Moved by Coun Cross and seconded by Coun Castelijn that be it resolved that the Council for the Corporation of the Municipality of Calvin arise from Closed Session at <u>10:41</u> p.m. and report as follows: That Council discussed performance expectations, wages and the negotiation of an employment contract with Ms. Cindy Pigeau.

Recorded Vote as per Electronic Meeting Best Practices

Councillor Brooker Yea
Councillor Cross Yea
Councillor Castelijn Yea
Councillor Shippam Yea
Mayor Pennell Yea

Carried

2022-014 BY-LAW #2022-004 BEING A BY-LAW TO CONFIRM THE PROCEEDINGS OF COUNCIL (JANUARY 11, 2022 – REGULAR MEETING OF COUNCIL)

Moved by Coun Shippam and seconded by Coun Brooker (First Reading), Moved by Coun Shippam and seconded by Coun Brooker, (Second Reading), Moved by Coun Cross and seconded by Coun Castelijn (Third and Final Reading) that being a by-law to confirm the proceedings of council (January 11, 2022 – Regular Meeting of Council). This by-law received first, second, third and final reading on Tuesday, January 11, 2022 and finally passed before an open Council on this date.

Recorded Vote as per Electronic Meeting Best Practices

First Reading

Councillor Brooker Yea
Councillor Cross Yea
Councillor Castelijn Yea
Councillor Shippam Yea
Mayor Pennell Yea

Carried

Recorded Vote as per Electronic Meeting Best Practices

Second Reading

Councillor Brooker Yea
Councillor Cross Yea
Councillor Castelijn Yea
Councillor Shippam Yea
Mayor Pennell Yea

Carried

Recorded Vote as per Electronic Meeting Best Practices

Third Reading

Councillor Brooker Yea
Councillor Cross Yea
Councillor Castelijn Yea
Councillor Shippam Yea
Mayor Pennell Yea

Carried

Moved by Coun Cross Council now be adjour	and seconded by Coun Castelijn that now therefore be it resolved that this regular meeting of rned at 10:49 p.m.
Recorded Vote as per	Electronic Meeting Best Practices
Councillor Brooker	Yea
Councillor Cross	Yea
Councillor Castelijn	Yea
Councillor Shippam	Yea
Mayor Pennell	Yea
Carried	

Clerk

2022-015

Mayor

ADJOURNMENT

CORPORATION OF THE MUNICIPALITY OF CALVIN MINUTES OF THE SPEICAL MEETING OF COUNCIL MONDAY, JANUARY 17, 2022

The special meeting of Council was held this date by Zoom electronic meetings (due to Covid-19 pandemic). Present were Mayor Ian Pennell, Deputy Mayor Sandy Cross, Coun Christine Shippam, Coun Kim Brooker, Coun Bart Castelijn and Clerk-Treasurer; Cindy Pigeau.

Regrets: 0 Guests: - Peggy Young-Lovelace, E4M

The meeting was called to order at 6:00 p.m. by Mayor Ian Pennell

PECUNIARY/CONFLICT OF INTEREST: None PRESENTATIONS/DELEGATIONS: None

2022-016 CLOSED PORTION

Move by Coun Shippam and seconded by Coun Castelijn that this portion of the meeting now be closed under the Municipal Act, 2001, ch. 25, as per Section 239 (2)(b) personal matters about an identifiable individual, including a municipal or local board employee and (2)(d) labour relations or employee negotiations RE: to discuss employment contract for the Clerk-Treasurer; Section 239 (2)(e) litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board, RE: Cassellholme Redevelopment Project and MFIPPA Request.

Recorded Vote as per Electronic Meeting Best Practices

Councillor Brooker Yea
Councillor Cross Yea
Councillor Castelijn Yea
Councillor Shippam Yea
Mayor Pennell Yea

Carried

2022-017 OUT OF CLOSED

Moved by Coun Castelijn and seconded by Coun Shippam that now therefor be it resolved that The Council for the Corporation of the Municipality of Calvin arise from Closed Session at <u>8:03</u> p.m. and report as follows: That Council discussed the employment contract for the Clerk-Treasurer, actions plans for moving forward and the MFIPPA Requests regarding the Cassellholme Redevelopment Project.

Recorded Vote as per Electronic Meeting Best Practices

Councillor Brooker Yea
Councillor Cross Yea
Councillor Castelijn Yea
Councillor Shippam Yea
Mayor Pennell Yea

Carried

2022-018 BY-LAW #2022-005 THAT BEING A BY-LAW TO CONFIRM THE PROCEEDING OF COUNCIL JANUARY 17, 2022 – SPECIAL MEETING OF COUNCIL

Moved by Coun Cross and seconded by Coun Brooker (First Reading), Moved by Coun Brooker and seconded by Coun Shippam, (Second Reading), Moved by Coun Castelijn and seconded by Coun Cross (Third and Final Reading) that being a by-law to confirm the proceeding of Council January 17, 2022 – Special Meeting of Council. This by-law received first, second, third and final reading on Monday, January 17, 2022 and finally passed before an open Council on this date.

·	lectronic Meeting Best Practices	
First Reading		
Councillor Brooker	Yea	
Councillor Cross	Yea	
Councillor Castelijn	Yea	
Councillor Shippam	Yea	
Mayor Pennell	Yea	
Carried		
Recorded Vote as per E	Electronic Meeting Best Practices	
Second Reading		
Councillor Brooker	Yea	
Councillor Cross	Yea	
Councillor Castelijn	Yea	
Councillor Shippam	Yea	
Mayor Pennell	Yea	
Carried		
Recorded Vote as per E	Electronic Meeting Best Practices	
Third Reading	Ğ	
Councillor Brooker	Yea	
Councillor Cross	Yea	
Councillor Castelijn	Yea	
Councillor Shippam	Yea	
Mayor Pennell	Yea	
Carried		
2022-019 ADJOU	RNMENT	
Moved by Coun Cross a	and seconded by Coun Shippam t	hat now therefore be it resolved that this special meeting of
Council now be adjourn	ned at 8:11p.m.	
Recorded Vote as per E	Electronic Meeting Best Practices	
Councillor Brooker	Yea	
Councillor Cross	Yea	
Councillor Castelijn	Yea	
Councillor Shippam	Yea	
Mayor Pennell	Yea	
Carried		
Mayor		Clerk



Corporation of the Municipality of Calvin Council Resolution

Date: January 25, 20	022							
Resolution Number:	Click or tap her	e to enter text.						
Moved By:	Choose a name	2.						
Seconded By:	Choose a name	2.						
Now Therefore Be it R	ESOLVED THAT:							
"That Council hereby requests Staff to amend the Fees and Charges By-Law No. 2020-023 with amendment No. 2020-025 to incorporate the addition of a fee for "building without a permit" of \$500.00 as well as include the \$75.00 occupancy permit fee in the initial building permit cost therefore eliminating the need for property owners to return to apply for an occupancy permit.								
Result Options.								
Recorded Vote:								
Member of Council		<u>In Favour</u>	<u>Opposed</u>					
Mayor Pennell Councillor Brooker Councillor Castelijn Councillor Cross Councillor Shippam								

Fiscal Year: 2022

Account Code

Account: 1-1-0101-100 To 1-5-1200-321

CC1

CC2

CC3

Period: 1 To 12



Account Name

GL5030 (T) Page: 1 **Date**: Jan 20, 2022 **Time**: 12:57 pm

Balance

FUND	1		
CLASS	1	ASSET	
CATEGORY	101	CASH ON HAND AND IN BANKS	
1-1-0101-100		CASH ON HAND	0.00
1-1-0101-120		PETTY CASH	0.00
1-1-0101-121		PETTY CASH REC. COMMITTE	0.00
1-1-0101-130		GENERAL BANK ACCOUNT	-63,632.50
1-1-0101-150		BANK/RESERVE RECREATION	0.00
1-1-0101-151		BANK/RESERVE GENERAL	0.00
1-1-0101-153		BANK/RESERVE FIRE AUXILIAI	0.00
1-1-0101-154		BANK PARKLAND SAVINGS AC	0.00
1-1-0101-155		BANK/RESERVE GAS TAX	0.00
1-1-0101-160		TERM DEPOSIT	0.00
		Category Total	-63,632.50
CATEGORY	102	ACCOUNTS RECEIVABLE	
1-1-0102-210		ACCOUNTS RECEIVABLE-TAX	0.00
1-1-0102-211		HST REFUND	1,080.59
1-1-0102-220		ACCOUNTS RECEIVABLE-FED/	0.00
1-1-0102-280		ACCOUNTS RECEIVABLE-SUN	0.00
1-1-0102-290		PREPAID EXPENSES	0.00
		Category Total	1,080.59
CATEGORY	103	TAXES RECEIVABLE	
1-1-0103-511		CURRENT TAXES	-701.69
1-1-0103-512		TAX ARREARS PREVIOUS	-4,342.76
1-1-0103-513		TAXES RECEIVABLE PRIOR	-580.71
1-1-0103-570		PENALTIES & INTEREST	-352.66
1-1-0103-590		DOUBTFUL ACCOUNTS	0.00
1-1-0103-999		SUSPENSE ACCT	0.00
		Category Total	-5,977.82
CATEGORY	104	CAPITAL ASSETS	
1-1-0104-470		CAPITAL WORKS IN PROGRES	0.00
1-1-0104-471		LAND	0.00
1-1-0104-472		BUILDINGS	0.00
1-1-0104-473		VEHICLES	0.00
1-1-0104-474		MACH, EQUIP & FURNITURE	0.00
1-1-0104-475		ROADS	0.00
1-1-0104-476		LAND IMPROVEMENTS	0.00
1-1-0104-477		LAND-LANDFILL	0.00
1-1-0104-478		LANDFILL CLOSURE AMOUNT	0.00
1-1-0104-479		COMP.HARD & SOFTWARE	0.00
1-1-0104-480		BRIDGES	0.00
		Category Total	0.00
CATEGORY	105	ACCUM. AMORTIZATION CAPITAL A	
1-1-0105-472		BUILDINGS ACCUM. AMORTIZ/	0.00

2022 Fiscal Year :

1-1-0101-100 To 1-5-1200-321 Account :

То Period: 1 12

GL5030 (T) Page: **Date:** Jan 20, 2022 **Time**: 12:57 pm

2

Period :	1 To 12			
Account Code	CC1	CC2 CC3	Account Name	Balance
FUND	1			
CLASS	1		ASSET	
CATEGORY	105		ACCUM. AMORTIZATION CAPITAL ASSETS	
1-1-0105-473			VEHICLES ACCUM. AMORTIZA	0.00
1-1-0105-474			MACH, EQUIP & FURNITURE A	0.00
1-1-0105-475			ROADS ACCUM. AMORTIZATIO	0.00
1-1-0105-476			LAND IMPROVEMENTS ACCUM	0.00
1-1-0105-477			LAND-LANDFILL ACCUM. AMOF	0.00
1-1-0105-478			LANDFILL CLOSURE ACCUM. A	0.00
1-1-0105-479			COMP HARD & SOFTWARE AC	0.00
1-1-0105-480			BRIDGES ACCUM. AMORTIZAT	0.00
	С	ategory Total		0.00
CATEGORY	106		INVENTORY	
1-1-0106-301			SALEABLE INVENTORY	0.00
1-1-0106-302			INVENTORY FOR OWN USE	0.00
	С	ategory Total		0.00
	ASSET	 Total		-68,529.73 **
CLASS	2		LIABILITIES	
CATEGORY	101		LIABILITIES	
1-2-0101-134			INTERNAL FUNDS TO TRUST 8	0.00
1-2-0101-230			PAYABLE TO GOVT	0.00
1-2-0101-231			COLLECTED HST (payable)	0.00
1-2-0101-240			DUE TO FROM ENGLISH PUBL	0.00
1-2-0101-241			DUE TO FROM FRENCH PUBLI	0.00
1-2-0101-242			DUE TO FROM ENGLISH SEPA	0.00
1-2-0101-243			DUE TO FROM FRENCH SEPAF	0.00
1-2-0101-244			DUE TO FROM NO SUPPORT/S	0.00
1-2-0101-310			TRADE ACCOUNTS PAYABLE	10,398.13
1-2-0101-311			DEFERRED REVENUE OTHER	0.00
1-2-0101-312			GENERAL LIABILITY CLEARING	0.00
1-2-0101-313			Accrued Interest	0.00
1-2-0101-320			EMPLOYEE PENSION PAYABLE	-901.62
1-2-0101-321			SICK LEAVE LIABILITY	0.00
1-2-0101-322			EMPL. BENE.(WSIB & EHT) PAY	-1,552.26
1-2-0101-323			LANDFILL CLOSE LIABILITY	0.00
1-2-0101-324			ANTOINE MOUNTAIN COMMITM	0.00
1-2-0101-325			MATTAWA HOSP STAFF RECRU	0.00
1-2-0101-326			FIRE SAFETY APPARATUS BA'S	0.00
1-2-0101-327			PHOTOCOPIER LEASE	0.00
1-2-0101-331			RECEIVER GENERAL DEDUCT	-7,789.69
1-2-0101-332			WAGES PAYABLE LIABILITY	13,207.82
1-2-0101-333			ACCRUAL VACATION PAY	0.00
1-2-0101-335			GARNISHEE PAYABLE	0.00
1-2-0101-336			PREPAID TAXES	0.00
1-2-0101-399			TILE DRAINAGE LOAN #2 (GRO	0.00
			1 -	

Fiscal Year: 2022

Account : 1-1-0101-100 To 1-5-1200-321

Period: 1 To 12



GL5030 (T) Page: 3

Date: Jan 20, 2022 Time: 12:57 pm

Account Code	CC1	CC2	CC3	Account Name	Balance
FUND	1				
CLASS	2			LIABILITIES	
CATEGORY	101			LIABILITIES	
1-2-0101-400				I/O LOAN FIRE TRUCK	0.00
1-2-0101-401				BACKHOE LEASE	0.00
1-2-0101-404				GRADER LOAN	0.00
1-2-0101-500				INTERIM TAXATION	0.00
1-2-0101-700				CLEARING/PENNY SUSPENSE	0.00
1-2-0101-999				SUSPENSE - CR ROUNDING	0.00
		Category	/ Total		13,362.38
CATEGORY	 104			TRUST ACCOUNTS AND DEFERRED RE	·
1-2-0104-751	101			LOT AND PARKLAND LEVIES	0.00
1-2-0104-752				OCIF Obligatory Reserve	0.00
1-2-0104-753				CARE & MAINTENANCE TRUST	0.00
1-2-0104-758				CEMETERY 30 DAY COOL OFF	0.00
1-2-0104-759				DEFERRED REVENUE	0.00
		Category	/ Total		0.00
	 I IAI I	BILITIES TO			 13,362.38 **
CLASS	3	SILITILO IC	, tui	EQUITY	10,002.00
CATEGORY	101			EQUITY	
1-3-0101-310				RESERVES FEDERAL GAS TAX	0.00
1-3-0101-311				RESERVE FOR WORKING FUN	0.00
1-3-0101-312				RESERVE GENERAL SAVINGS	0.00
1-3-0101-313				RESERVE MUSEUM	0.00
1-3-0101-314				RESERVE FIRE DEPARTMENT	0.00
1-3-0101-315				RESERVE FIRE AUXILIARY	0.00
1-3-0101-316				RESERVE SICK LEAVE	0.00
1-3-0101-317				RESERVE FIRE PUMPER	0.00
1-3-0101-318				RESERVE N.BAY HOSPITAL	0.00
1-3-0101-319				RESERVE MATTAWA SENIORS	0.00
1-3-0101-322				RESERVE ROAD DEPT.	0.00
1-3-0101-323				RESERVES LANDFILL	0.00
1-3-0101-324				RESERVES BUILDING DEPART	0.00
1-3-0101-325				RESERVES COMM. EMERG. M	0.00
1-3-0101-330				MUNICIPAL EQUITY RESERVE	0.00
1-3-0101-331				RESERVES RECREATION	0.00
1-3-0101-342				UNEXPENDED CAPITAL FINAN	0.00
1-3-0101-343				CAPITAL ASSET SURPLUS	0.00
		Category	/ Total		0.00
CATEGORY	102			AMOUNTS TO BE RECOVERED	
1-3-0102-338				2B RECOVERED (B/S) I/O LOAN	0.00
1-3-0102-339				2B RECOV (B/S) BACKHOE LE/	0.00
1-3-0102-340				2B RECOV (B/S) EMPLOYEE BE	0.00
1-3-0102-341				2B RECOV (B/S) LANDFILL CLC	0.00

2022 Fiscal Year :

1-1-0101-100 To 1-5-1200-321 Account :

То Period: 1 12



GL5030 (T) Page: **Date:** Jan 20, 2022 **Time**: 12:57 pm

						_
Account Code	CC1	CC2	CC3	Account Name	Balance	
FUND	1			FOURTY		
CLASS	3			EQUITY		
CATEGORY	102			AMOUNTS TO BE RECOVERED		
1-3-0102-400				2B RECOV (B/S) ANTOINE MOL	0.00	
1-3-0102-401				2B RECOV (B/S) MATTAWA HOS	0.00	
1-3-0102-402				2BRECOV(B/S) FIRE DEPT BA'S	0.00	
1-3-0102-403				2B RECOV (B/S) PHOTOCOPIE	0.00	
1-3-0102-404				2B RECOV (B/S) GRADER	0.00	
		Category	Total		0.00	
	EQU	JITY Total			0.00	
CLASS	4			REVENUE		
CATEGORY	101			TAXATION REVENUE		
1-4-0101-110				TAXATION-GENERAL LEVY	0.00	
1-4-0101-111				SUPPLEMENTARY/OMIT	0.00	
1-4-0101-112				MUNICIPAL DRAINAGE PAYMEI	0.00	
1-4-0101-113				RAILWAY TAXATION	0.00	
1-4-0101-115				PAYMENTS-IN-LIEU	0.00	
		Category	Total		0.00	
CATEGORY	103			ONTARIO UNCONDITIONAL GRANTS		
1-4-0103-117				OMPF Ont Mun Funding Progran	0.00	
1-4-0103-118				COURT SECURITY& DETACHM	0.00	
		Category	Total		0.00	
CATEGORY	104			ONTARIO CONDITIONAL GRANTS		
1-4-0104-120				FIRE GRANT PROVINCIAL	0.00	
1-4-0104-121				LIVESTOCK GRANT PROVINCIA	0.00	
1-4-0104-122				LIBRARY GRANT PROVINCIAL	0.00	
1-4-0104-123				OTHER PROV/FED GRANTS	0.00	
1-4-0104-124				INFRASTRUCTURE GRANTS	0.00	
1-4-0104-125				DRAINAGE PROVINCIAL GRAN	0.00	
		Category	Total		0.00	
 CATEGORY	105			POA REVENUE		
1-4-0105-126				CEMC REVENUE-OTHER MUNI	-50.00	
1-4-0105-127				PROVINCIAL OFFENCES ACT	0.00	
		Category	Total		-50.00	
CATEGORY	106			USER FEES AND SERVICE CHARGES		
1-4-0106-130				CEMETERY REVENUE	0.00	
1-4-0106-131				RECREATION REVENUE	-175.00	
		Category	Total		-175.00	
CATEGORY	107			LICENCES, PERMITS, FEES		
1-4-0107-140				BUILDING DEPT. REVENUES	-75.00	
1-4-0107-141				DOG LICENSES	0.00	
1-4-0107-142				LOTTERY LICENCES/FEES	0.00	

Fiscal Year: 2022

Account: 1-1-0101-100 To 1-5-1200-321

Period: 1 To 12



 GL5030 (T)
 Page:
 5

 Date:
 Jan 20, 2022
 Time:
 12:57 pm

Account Code	CC1	CC2	CC3	Account Name	Balance
FUND	1				
CLASS	4			REVENUE	
CATEGORY	107			LICENCES, PERMITS, FEES	
1-4-0107-143				GENERAL GOVERNMENT REV	0.00
1-4-0107-144				ELECTION REVENUE	0.00
1-4-0107-145				911 REVENUE	0.00
1-4-0107-146				FIRE DEPARTMENT REVENUE	-330.00
1-4-0107-147				FIRE DEPARTMENT AUXILIARY	0.00
1-4-0107-148				FIRE DEPARTMENT AGREEME	0.00
1-4-0107-149				NEVADA REVENUES	0.00
1-4-0107-150				DO NOT USE	0.00
1-4-0107-151				ROAD VEHICLE TRUCK CREDI	0.00
1-4-0107-152				ROAD VEHICLE GRADER CREI	0.00
1-4-0107-153				ROAD VEHICLE LOADER/HOE	-180.00
1-4-0107-154				ROAD VEHICLE STEAMER CRE	0.00
1-4-0107-155				AGGREGATES REVENUE	0.00
1-4-0107-156				ROAD NON MACH REVENUE	0.00
1-4-0107-160				LANDFILL REVENUE	-460.00
1-4-0107-161				BLUE BOX RECYCLING REVEN	-2,910.72
1-4-0107-162				INDUSTRIAL WASTE REVENUE	0.00
1-4-0107-170				RECREATION COMMITTEE RE'	0.00
1-4-0107-171				LOT AND PARKLAND REVENUE	0.00
1-4-0107-172				TAX CERT., MAPS AND COPIES	-45.00
1-4-0107-175				PLANNING/ZONING FEES	0.00
		Category	Total		-4,000.72
CATEGORY	108			PENALTIES AND INTEREST	
1-4-0108-180				PENALTIES AND INTEREST	0.00
		Category	Total		0.00
CATEGORY	109			OTHER REVENUE	
1-4-0109-184				HST COLLECTED	0.00
1-4-0109-185				INVESTMENT INCOME	0.00
1-4-0109-186				CONTRA PROCEEDS OF DISPO	0.00
1-4-0109-187				GAIN/LOSS ON DISPOSALS TC	0.00
		Category	Total		0.00
CATEGORY	110			OTHER	
1-4-0110-190				TILE DRAINAGE PAYMENTS	0.00
1-4-0110-191				BANK LOAN PROCEEDS	0.00
1-4-0110-192				TRANSFERS FROM RESERVES	0.00
1-4-0110-193				TRANSFERS FROM RESERVES	0.00
1-4-0110-194				TRANSFERS FROM RESERVES	0.00
1-4-0110-195				TRANSFERS FROM RESERVES	0.00
1-4-0110-196				TRANSFERS FROM RESERVES	0.00
1-4-0110-197				TRANSFERS FROM RESERVES	0.00
1-4-0110-198				TRANSFERS FROM RESERVES	0.00
1-4-0110-199				SURPLUS FROM PREVIOUS YE	0.00
1-4-0110-191 1-4-0110-192 1-4-0110-193 1-4-0110-194 1-4-0110-195 1-4-0110-196 1-4-0110-197 1-4-0110-198				BANK LOAN PROCEEDS TRANSFERS FROM RESERVES TRANSFERS FROM RESERVES	0.00 0.00 0.00 0.00 0.00 0.00 0.00

Fiscal Year : 2022

Account Code

CC1

CC2

CC3

Account : 1-1-0101-100 To 1-5-1200-321

1 То 12 Period:



Account Name

GL5030 (T) Page: 6 **Date:** Jan 20, 2022 **Time**: 12:57 pm

Balance

FUND	1			
CLASS	4	REVENUE		
CATEGORY	110	OTHER		
1-4-0110-203		TRANSF. FROM WORKING FUN	0.00	
1-4-0110-204		TRANSFER FROM UNEXPENDI	0.00	
		Category Total	0.00	
CATEGORY	111	TRANSFER AND TAXATION SCHOOL B		
1-4-0111-650		TAXATION ENGLISH PUBLIC	0.00	
1-4-0111-651		TAXATION FRENCH PUBLIC	0.00	
1-4-0111-652		TAXATION ENGLISH SEPARATE	0.00	
1-4-0111-653		TAXATION FRENCH SEPARATE	0.00	
1-4-0111-654		TAXATION NO SUPPORT	0.00	
1-4-0111-655		TRANSFER TO ENGLISH PUBL	0.00	
1-4-0111-656		TRANSFER TO FRENCH PUBLI	0.00	
1-4-0111-657		TRANSFER TO ENGLISH SEPA	0.00	
1-4-0111-658		TRANSFER TO FRENCH SEPAF	0.00	
		Category Total	0.00	
	REVE	NUE Total	-4,225.72	**
CLASS	5	EXPENDITURES		
CATEGORY	100	COUNCIL		
1-5-0100-100		SALARIES AND BENEFITS-COL	3,550.00	
1-5-0100-102		MILEAGE AND MISC EXPENSE	0.00	
1-5-0100-104		WSIB & EHT - COUNCIL	69.25	
1-5-0100-106		INTEGRITY COMMISSIONER	0.00	
1-5-0100-113		CPP - COUNCIL	98.81	
		Category Total	3,718.06	
CATEGORY	101	ADMINISTRATION		
1-5-0101-100		SALARIES AND BENEFITS - AD	4,001.47	
1-5-0101-101		MATERIALS AND SUPPLIES - A	296.38	
1-5-0101-102		MILEAGE EXPENSE - ADMIN	0.00	
1-5-0101-103		TELEPHONE, FAX, CELL PHON	202.76	
1-5-0101-104		WSIB & EHT - ADMIN	444.15	
1-5-0101-105		SEMINARS, WORKSHOPS- ADI	0.00	
1-5-0101-106		MISCELLANEOUS & MEMBERS	684.85	
1-5-0101-110		SERVICES	0.00	
1-5-0101-113		CPP & UIC - ADMIN	605.56	
1-5-0101-114		GROUP INSURANCE/GENERAL	584.17	
1-5-0101-115		COMPUTER EXPENSES	405.46	
1-5-0101-116		AUDITOR	0.00	
1-5-0101-117		COPIER EXPENSES	0.00	
1-5-0101-118		OFFICE REPAIRS	0.00	
1-5-0101-119		DONATIONS	0.00	
1-5-0101-120		LAWYER FEES	0.00	
1-5-0101-121		ELECTIONS	0.00	

Fiscal Year: 2022

1-5-0200-140

Account: 1-1-0101-100 To 1-5-1200-321

Period: 1 To 12



GL5030 (T) Page: 7

Date: Jan 20, 2022 Time: 12:57 pm

0.00

Account Code	CC1	CC2	CC3	Account Name	Balance
FUND	1				
CLASS	5			EXPENDITURES	
CATEGORY	101			ADMINISTRATION	
1-5-0101-122				ELECTION REFUNDS	0.00
I-5-0101-123				BANK SERVICE CHG, INTERES	0.00
1-5-0101-125				TAX REGISTRATION	0.00
1-5-0101-126				TAXATION WRITE OFF'S	0.00
1-5-0101-128				PAYROLL CLEARING ACCOUNT	0.00
-5-0101-129				INTERIM PAYROLL ACCOUNT	0.00
-5-0101-130				EDUCATION TAX/LANDFILL	0.00
-5-0101-131				TRANSFER FUNDS	0.00
-5-0101-132				CAPITAL EXPENDITURES - ADI	0.00
-5-0101-133				TRANSFER TO RESERVES-wor	0.00
-5-0101-152				EMPLOYER HEALTH TAX - ADN	0.00
-5-0101-169				INSURANCE-ADMIN	0.00
-5-0101-171				POSTAGE	0.00
-5-0101-172				TRANSFER TO RESERVES-GA	0.00
-5-0101-174				HEALTH AND SAFETY	0.00
-5-0101-187				EMPLOYEE PENSION EXPENS	739.62
-5-0101-188				FCM-MAMP PROJECT	6,522.82
-5-0101-189				INTEREST PHOTOCOPIER LEA	0.00
-5-0101-250				GENERAL GOVT AMORTIZATIC	0.00
-5-0101-251				GEN GOVT CONTRA CAPITAL	0.00
-5-0101-700				PENNY ROUNDING	0.00
		Category	/ Total		14,487.24
ATEGORY	200			FIRE PROTECTION	
I-5-0200-100				SALARIES AND BENEFITS - FIF	613.85
-5-0200-101				MATERIALS & SUPPLIES-FIRE	0.00
-5-0200-102				VEHICLE/MILEAGE EXPENSE -	814.08
-5-0200-104				WSIB & EHT - FIRE	68.26
-5-0200-106				MISCELLANEOUS-FIRE	0.00
-5-0200-107				HYDRO - FIRE	0.00
-5-0200-108				HEATING FUEL - FIRE	0.00
-5-0200-109				EQUIPMENT CHARGES - FIRE	0.00
-5-0200-110				SERVICES - FIRE	0.00
-5-0200-113				CPP & UIC - FIRE	80.23
1-5-0200-114				GROUP INSURANCE-FIRE	0.00
-5-0200-132				CAPITAL EXPENDITURES - FIR	0.00
-5-0200-133				TRANSFER TO RESERVES - FI	0.00
-5-0200-134				MEMBERSHIPS - FIRE	257.73
-5-0200-135				BUILDING MAINTENANCE - FIR	91.58
-5-0200-136				BREATHING AIR & OXYGEN	0.00
1-5-0200-137				COMMUNICATIONS - FIRE	32.76
-5-0200-138				TRAINING - FIRE	0.00
-5-0200-139				FIRE PREVENTION	0.00

PAYMENTS TO OTHER FIRE DE

Fiscal Year: 2022

Account: 1-1-0101-100 To 1-5-1200-321

Period: 1 To 12



GL5030 (T) Page: 8

Date: Jan 20, 2022 Time: 12:57 pm

Account Code	CC1	CC2	CC3	Account Name	Balance
FUND	1				
CLASS	5			EXPENDITURES	
CATEGORY	200		· · · · · · · · · · · · · · · · · · ·	FIRE PROTECTION	
1-5-0200-142				FOREST FIRE EXPENSE	0.00
1-5-0200-152				EMPLOYER HEALTH TAX - FIRE	0.00
1-5-0200-169				INSURANCE-FIRE	0.00
1-5-0200-185				TRANSFER TO CAP FUND BAL	0.00
1-5-0200-187				FIRE PENSION EXPENSE	0.00
1-5-0200-250				FIRE AMORTIZATION	0.00
1-5-0200-251				FIRE CONTRA CAPITAL	0.00
1-5-0200-402				FIRE TRUCK LOAN PAYMENT	0.00
1-5-0200-404				FIRE TRUCK LOAN INTEREST	0.00
		Category	Total		1,958.49
CATEGORY	210			COMMUNITY EMERGENCY MEASURES	
1-5-0210-100				SALARIES & BENEFITS - CEMC	213.20
1-5-0210-101				MATERIALS & SUPPLIES - CEN	0.00
1-5-0210-104				WSIB & EHT- CEMC	11.26
1-5-0210-110				SERVICES - CEMC	0.00
1-5-0210-113				CPP & UIC - CEMC	9.20
1-5-0210-133				TRANSFERS TO RESERVES - (0.00
1-5-0210-138				CEMC TRAINING	0.00
		Category	Total		233.66
CATEGORY	220			NEVADA TICKETS	
1-5-0220-100				NEVADA TICKETS	0.00
1-5-0220-170				TRANSFER NEVADAS	0.00
		Category	Total		0.00
CATEGORY	300			ROADS	
1-5-0300-100				SALARIES AND BENEFITS - RC	1,034.35
1-5-0300-101				MATERIALS AND SUPPLIES - R	0.00
1-5-0300-102				MILEAGE EXPENSE - ROADS	0.00
1-5-0300-103				TELEPHONE, CELL PHONE - R	43.56
1-5-0300-104				WSIB & EHT- ROADS	188.85
1-5-0300-105				SEMINARS, WORKSHOPS, MEI	0.00
1-5-0300-106				MISCELLANEOUS - ROADS	0.00
1-5-0300-107				HYDRO - ROADS	0.00
1-5-0300-108				HEATING FUEL - ROADS	0.00
				SERVICES - ROADS	0.00
1-5-0300-110				CPP & UIC - ROADS	256.03
				GROUP INSURANCE-ROADS	1,155.42
1-5-0300-113					,
1-5-0300-113 1-5-0300-114				LAWYER FEES - ROADS	•
1-5-0300-110 1-5-0300-113 1-5-0300-114 1-5-0300-120 1-5-0300-132				LAWYER FEES - ROADS CAPITAL EXPENDITURES - RO,	0.00
1-5-0300-113 1-5-0300-114 1-5-0300-120					0.00
1-5-0300-113 1-5-0300-114 1-5-0300-120 1-5-0300-132				CAPITAL EXPENDITURES - RO.	0.00 0.00 0.00
1-5-0300-113 1-5-0300-114 1-5-0300-120 1-5-0300-132 1-5-0300-133				CAPITAL EXPENDITURES - RO, TRANSFER TO RESERVES - R(0.00 0.00 0.00 0.00 0.00

Fiscal Year: 2022

Account : 1-1-0101-100 To 1-5-1200-321

Period: 1 To 12



 GL5030 (T)
 Page:
 9

 Date:
 Jan 20, 2022
 Time:
 12:57 pm

Period :	1 10	12			
Account Code	CC1	CC2	ССЗ	Account Name	Balance
FUND	1				
CLASS	5			EXPENDITURES	
CATEGORY	300			ROADS	
1-5-0300-151				LOAN INTEREST - ROADS	0.00
1-5-0300-152				EMPLOYER HEALTH TAX - ROA	0.00
1-5-0300-166				VAC. PAY/SICK LEAVE - ROADS	0.00
1-5-0300-169				INSURANCE-ROADS	0.00
1-5-0300-173				BUILDING CAN FUND -PROJEC	0.00
1-5-0300-182				WATER SYSTEM 39%	0.00
1-5-0300-184				TO UNEXPENDED CAPITAL	0.00
1-5-0300-187				ROADS PENSION EXPENSE	0.00
1-5-0300-250				GENERAL ROADS AMORTIZAT	0.00
1-5-0300-251				ROADS CONTRA CAPITAL	0.00
1-5-0300-402				GRADER INTEREST	0.00
1-5-0300-404				LOAN PAYMENT - GRADER	0.00
		Category Tot	tal		3,531.89
CATEGORY	310			HARDTOP MAINTENENCE	
1-5-0310-100				SALARIES AND BENEFITS - HA	0.00
1-5-0310-101				MATERIALS AND SUPPLIES - H	0.00
1-5-0310-104				WSIB & EHT - HARDTOP MAINT	0.00
1-5-0310-106				MISCELLANEOUS - HARDTOP	0.00
1-5-0310-109				EQUIPMENT CHARGES - HARE	0.00
1-5-0310-110				SERVICES - HARDTOP	0.00
1-5-0310-113				CPP & UIC - HARDTOP MAINTE	0.00
1-5-0310-250				ROADS AMORTIZATION	0.00
		Category Tot	tal		0.00
CATEGORY	311			DITCHING	
1-5-0311-100				SALARIES AND BENEFITS - DIT	0.00
1-5-0311-101				MATERIALS AND SUPPLIES - D	0.00
1-5-0311-104				WSIB & EHT - DITCHING	0.00
1-5-0311-106				MISCELLANEOUS - DITCHING	0.00
1-5-0311-109				EQUIPMENT CHARGES - DITCI	0.00
1-5-0311-110				SERVICES - DITCHING	0.00
1-5-0311-113				CPP & UIC - DITCHING	0.00
		Category Tot	tal		0.00
CATEGORY	312			GRAVEL PATCHING	
1-5-0312-100				SALARIES AND BENEFITS - GR	0.00
1-5-0312-101				MATERIALS AND SUPPLIES - G	0.00
1-5-0312-104				WSIB & EHT - GRAVEL PATCHII	0.00
1-5-0312-106				MISCELLANEOUS - GRAVEL PA	0.00
1-5-0312-109				EQUIPMENT CHARGES - GRAV	0.00
1-5-0312-110				SERVICES - GRAVEL PATCHING	0.00
1-5-0312-113				CPP & UIC - GRAVEL PATCHIN(0.00
1-5-0312-250				UNPAVED ROADS AMORTIZATI	0.00

Fiscal Year: 2022

Account : 1-1-0101-100 To 1-5-1200-321

Period: 1 To 12



GL5030 (T) Page: 10 **Date**: Jan 20, 2022 **Time**: 12:57 pm

Account Code	CC1	CC2	CC3	Account Name	Balance
FUND	1				
CLASS	5			EXPENDITURES	
CATEGORY	312			GRAVEL PATCHING	
		Category	Total		0.00
CATEGORY	313			GRADING	
1-5-0313-100				SALARIES AND BENEFITS - GF	0.00
1-5-0313-101				MATERIALS AND SUPPLIES - G	0.00
1-5-0313-104				WSIB & EHT - GRADING	0.00
1-5-0313-106				MISCELLANEOUS - GRADING	0.00
1-5-0313-109				EQUIPMENT CHARGES - GRAL	0.00
1-5-0313-110				SERVICES - GRADING	0.00
1-5-0313-113				CPP & UIC - GRADING	0.00
		Category	Total		0.00
CATEGORY	314			DUST LAYER/CALCIUM	
1-5-0314-100				SALARIES AND BENEFITS - DU	0.00
1-5-0314-101				MATERIALS AND SUPPLIES - D	0.00
1-5-0314-104				WSIB & EHT - DUST LAYER/CA	0.00
1-5-0314-106				MISCELLANEOUS - DUST LAYE	0.00
1-5-0314-109				EQUIPMENT CHARGES - DUST	0.00
1-5-0314-110				SERVICES - DUST LAYER	0.00
1-5-0314-113				CPP & UIC - DUST LAYER/CAL(0.00
		Category	Total		0.00
CATEGORY	315			GRAVEL RESURFACING	
1-5-0315-100				SALARIES AND BENEFITS - GR	0.00
1-5-0315-101				MATERIALS AND SUPPLIES - G	0.00
1-5-0315-104				WSIB & EHT - GRAVEL RESURI	0.00
1-5-0315-106				MISCELLANEOUS - GRAVEL RE	0.00
1-5-0315-109				EQUIPMENT CHARGES - GRAV	0.00
1-5-0315-110				SERVICES - GRAVEL RESURF.	0.00
1-5-0315-113				CPP & UIC - GRAVEL RESURFA	0.00
		Category	Total		0.00
CATEGORY	316			SAFETY DEVICES	
1-5-0316-100				SALARIES AND BENEFITS - SA	0.00
1-5-0316-101				MATERIALS AND SUPPLIES - S	0.00
1-5-0316-104				WSIB & EHT - SAFETY DEVICE	0.00
1-5-0316-106				MISCELLANEOUS - SAFETY DE	0.00
1-5-0316-109				EQUIPMENT CHARGES - SAFE	0.00
1-5-0316-110				SERVICES - SAFETY DEVICES	0.00
1-5-0316-113				CPP & UIC - SAFETY DEVICES	0.00
		Category	Total		0.00
CATEGORY	317	-		BRIDGES & CULVERTS	
1-5-0317-100				SALARIES AND BENEFITS - BR	0.00
1-5-0317-101				MATERIALS AND SUPPLIES - B	0.00

Fiscal Year : 2022

Account : 1-1-0101-100 To 1-5-1200-321

Period: 1 То 12

GL5030 (T) Page: 11 **Date:** Jan 20, 2022 **Time**: 12:57 pm

Account Code	CC1	CC2	CC3	Account Name	Balance
FUND	1				
CLASS	5			EXPENDITURES	
CATEGORY	317	·	·	BRIDGES & CULVERTS	
1-5-0317-104				WSIB & EHT - BRIDGES & CUL\	0.00
1-5-0317-106				MISCELLANEOUS - BRIDG/CUL	0.00
1-5-0317-109				EQUIPMENT CHARGES - BRIDG	0.00
1-5-0317-110				SERVICES - BRIDG/CULV	0.00
1-5-0317-113				CPP & UIC - BRIDGES & CULVE	0.00
I-5-0317-250				ROAD STRUCTURES AMORTIZ	0.00
		Category	Total		0.00
CATEGORY	318			ROADSIDE MAINTENANCE	
1-5-0318-100				SALARIES AND BENEFITS - RD	165.10
1-5-0318-101				REPAIRS & MAINT.	0.00
1-5-0318-104				WSIB & EHT - ROADSIDE MAIN	8.72
1-5-0318-106				MATERIALS & SUPPLIES - RDS	0.00
1-5-0318-109				EQUIPMENT CHARGES - RDSII	0.00
1-5-0318-110				SERVICES - RDSIDE MAIN.	0.00
1-5-0318-113				CPP & UIC - ROADSIDE MAINT	12.70
		Category	/ Total		186.52
CATEGORY	319			SNOWPLOWING	
I-5-0319-100				SALARIES AND BENEFITS - SN	629.45
-5-0319-101				MATERIALS ANS SUPPLIES - S	0.00
I-5-0319-104				WSIB & EHT - SNOWPLOWING	74.85
I-5-0319-106				MISCELLANEOUS - SNOWPLO'	0.00
-5-0319-109				EQUIPMENT CHARGES - SNOV	0.00
1-5-0319-110				SERVICES - SNOWPLOW	0.00
1-5-0319-113				CPP & UIC - SNOWPLOWING	101.01
		Category	Total		805.31
CATEGORY	320			SANDING	
I-5-0320-100				SALARIES AND BENEFITS - SA	1,841.89
-5-0320-101				MATERIALS AND SUPPLIES - S	0.00
1-5-0320-104				WSIB & EHT - SANDING	182.57
1-5-0320-106				MISCELLANEOUS - SANDING	0.00
I-5-0320-109				EQUIPMENT CHARGES - SAND	0.00
I-5-0320-110				SERVICES - SANDING	0.00
1-5-0320-113				CPP & UIC - SANDING	246.61
1-5-0320-250				WINTER CONTROL AMORTIZAT	0.00
		Category	Total		2,271.07
CATEGORY	321			ICE BLADING	
1-5-0321-100				SALARIES AND BENEFITS - ICE	676.91
I-5-0321-101				MATERIALS AND SUPPLIES - IC	0.00
1-5-0321-104				WSIB & EHT - ICE BLADING	35.74
1-5-0321-106				MISCELLANEOUS - ICE BLADIN	0.00

Fiscal Year: 2022

Account : 1-1-0101-100 To 1-5-1200-321

Period: 1 To 12



GL5030 (T) Page: 12

Date: Jan 20, 2022 Time: 12:57 pm

Account Code	CC1	CC2	CC3	Account Name	Balance
FUND	1				
CLASS	5			EXPENDITURES	
CATEGORY	321			ICE BLADING	
1-5-0321-110				SERVICES - ICE BLADING	0.00
1-5-0321-113				CPP & UIC - ICE BLADING	52.07
		Category 1	Γotal		764.72
 CATEGORY	322			THAW CULVERTS	
1-5-0322-100				SALARIES AND BENEFITS - TH	0.00
1-5-0322-101				MATERIALS AND SUPPLIES - T	0.00
1-5-0322-104				WSIB & EHT - THAW CULVERTS	0.00
1-5-0322-106				MISCELLANEOUS - THAW CUL'	0.00
1-5-0322-109				EQUIPMENT CHARGES - THAW	0.00
1-5-0322-110				SERVICES - THAW CULVERTS	0.00
1-5-0322-113				CPP & UIC - THAW CULVERTS	0.00
		Category 1	Total		0.00
CATEGORY	323			STAND BY WAGES	
1-5-0323-100				SALARIES AND BENEFITS - ST.	331.00
1-5-0323-104				WSIB & EHT - STAND BY WAGE	27.48
1-5-0323-113				CPP & UIC - STAND BY WAGES	30.75
		Category 1	Γotal		389.23
CATEGORY	324			MAIN ROAD EXPENDITURES	
1-5-0324-100				SALARIES AND BENEFITS - MA	0.00
1-5-0324-101				MATERIALS AND SUPPLIES - N	0.00
1-5-0324-104				WSIB & EHT - MAIN ROAD EXP	0.00
1-5-0324-106				MISCELLANEOUS - MAIN ROAI	0.00
1-5-0324-109				EQUIPMENT CHARGES - MAIN	0.00
1-5-0324-110				SERVICES - MAIN ROAD	0.00
1-5-0324-113				CPP & UIC - MAIN ROAD EXPE	0.00
		Category 1	Γotal		0.00
CATEGORY	325			TRUCK EXPENDITURES	
1-5-0325-100				SALARIES AND BENEFITS - TR	186.56
1-5-0325-101				REPAIRS AND MAINTENANCE-	0.00
1-5-0325-104				WSIB & EHT - TRUCK EXPEND	15.28
1-5-0325-106				FUEL & OIL - TRUCK EXPEND.	-261.60
1-5-0325-109				EQUIPMENT CHARGES - TRUC	0.00
1-5-0325-110				SERVICES - TRUCK EXPEND.	0.00
1-5-0325-113				CPP & UIC - TRUCK EXPENDIT	21.22
		Category 1	Total		-38.54
CATEGORY	326			GRADER EXPENDITURES	
1-5-0326-100				SALARIES AND BENEFITS - GR	0.00
1-5-0326-101				REPAIRS AND MAINTENANCE-	0.00
1-5-0326-104				WSIB & EHT - GRADER EXPEN	0.00
1-5-0326-106				FUEL & OIL - GRADER EXPEND	0.00

Fiscal Year : 2022

Account : 1-1-0101-100 To 1-5-1200-321



GL5030 (T) Page: 13 **Date:** Jan 20, 2022 **Time**: 12:57 pm

Period: 1	То	12		Phorated	
Account Code	CC1	CC2	CC3	Account Name	Balance
FUND	1				
CLASS	5			EXPENDITURES	
CATEGORY	326			GRADER EXPENDITURES	
1-5-0326-109				EQUIPMENT CHARGES - GRAE	0.00
1-5-0326-110				SERVICES - GRADER EXPEND	0.00
1-5-0326-113				CPP & UIC - GRADER EXPEND	0.00
		Category	/ Total		0.00
CATEGORY	327			LOADER/HOE EXPENDITURES	
1-5-0327-100				SALARIES AND BENEFITS - LO	23.32
1-5-0327-101				REPAIRS AND MAINTENANCE-	0.00
-5-0327-104				WSIB & EHT - LOADER/HOE EX	1.23
-5-0327-106				FUEL & OIL - LOADER/HOE EXF	0.00
-5-0327-109				EQUIPMENT CHARGES - LOAD	0.00
-5-0327-110				SERVICES - LOADER/HOE EXP	0.00
-5-0327-113				CPP & UIC - LOADER/HOE EXP	1.77
		Category	/ Total		26.32
CATEGORY	328			STEAMER EXPENDITURES	
-5-0328-100				SALARIES AND BENEFITS - ST	0.00
-5-0328-101				REPAIRS AND MAINTENANCE-	0.00
-5-0328-104				WSIB & EHT - STEAMER EXPEI	0.00
-5-0328-106				FUEL & OIL - STEAMER EXP.	0.00
-5-0328-109				EQUIPMENT CHARGES - STEA	0.00
-5-0328-110				SERVICES - STEAMER EXP.	0.00
-5-0328-113				CPP & UIC - STEAMER EXPENI	0.00
		Category	/ Total		0.00
 CATEGORY	329			PROJECTS AND ROAD IMPROVEMENTS	
1-5-0329-100				SALARIES AND BENEFITS - RC	0.00
-5-0329-101				MATERIALS & SUPPLIES - ROA	0.00
-5-0329-104				WSIB & EHT - PROJECTS & RO	0.00
-5-0329-106				MISCELLANEOUS - ROAD PRO	0.00
-5-0329-109				EQUIPMENT CHARGE - ROAD	0.00
1-5-0329-110				SERVICES - ROAD PROJECTS	0.00
-5-0329-113				CPP & UIC - PROJECTS & ROA	0.00
		Category	/ Total		0.00
CATEGORY	400			ENVIRONMENTAL	
-5-0400-100				SALARIES AND BENEFITS - EN	1,460.19
-5-0400-101				MATERIALS AND SUPPLIES - E	0.00
-5-0400-102				MILEAGE EXPENSE - ENVIRON	0.00
-5-0400-103				COMMUNICATION-ENVIRONME	0.00
-5-0400-104				WSIB & EHT- ENVIRONMENT	150.42
I-5-0400-105				SEMINARS AND WORKSHOPS	0.00
I-5-0400-106				MISCELLANEOUS - ENVIRONM	0.00
-5-0400-107				LINGERO ENDURACIONE	0.00
				HYDRO-ENVIRONMENT	0.00

Fiscal Year: 2022

Account: 1-1-0101-100 To 1-5-1200-321

Period: 1 To 12



GL5030 (T) Page: 14 **Date**: Jan 20, 2022 **Time**: 12:57 pm

Account Code	CC1	CC2	ССЗ	Account Name	Balance
FUND	1				
CLASS	5			EXPENDITURES	
CATEGORY	400			ENVIRONMENTAL	
1-5-0400-109				INTERNAL EQUIP CHARGES - I	180.00
1-5-0400-110				OUTSIDE SERVICES - ENVIRO	0.00
1-5-0400-113				CPP & UIC - ENVIRONMENT	160.49
1-5-0400-114				GROUP INSURANCE LANDFILL	0.00
1-5-0400-126				TAX WRITE OFF FOR LANDFILI	0.00
1-5-0400-132				CAPITAL EXPENDITURES - EN\	0.00
1-5-0400-133				TRANSFER TO RESERVES - EN	0.00
1-5-0400-146				MONITORING OF WELLS	0.00
1-5-0400-147				RECYCLING	0.00
1-5-0400-148				LANDFILL CLOSURE EXPENSE	0.00
1-5-0400-152				EMPLOYER HEALTH TAX - ENV	0.00
1-5-0400-169				INSURANCE-ENVIRONMENT	0.00
1-5-0400-175				BLUE BOX RECYCLING COSTS	0.00
1-5-0400-183				COMPACTION	0.00
1-5-0400-187				LANDFILL PENSION EXPENSE	0.00
1-5-0400-250				WASTE DISPOSAL AMORTIZAT	0.00
1-5-0400-251				WASTE DISPOSAL CONTRA CA	0.00
		Category	Total		1,951.10
CATEGORY	500			HEALTH SERVICES	
1-5-0500-100				SALARIES & BENEFITS - CEME	263.75
1-5-0500-101				MATERIALS & SUPPLIES - CEN	0.00
1-5-0500-102				MILEAGE EXPENSE - CEMETE	0.00
1-5-0500-104				WSIB & EHT - CEMETERY	22.07
1-5-0500-108				HEALTH UNIT	1,427.81
1-5-0500-109				EQUIPMENT CHARGES-CEME ⁻	0.00
1-5-0500-110				OUTSIDE SERVICES-CEMETEF	0.00
1-5-0500-113				CPP & UIC - CEMETERY	30.42
1-5-0500-169				INSURANCE-HEALTH SERVICE	0.00
1-5-0500-250				CEMETERY AMORTIZATION	0.00
1-5-0500-251				CEMETERY CONTRA CAPITAL	0.00
		Category	Total		1,744.05
CATEGORY	600			SOCIAL SERVICES	
1-5-0600-110				COMMUNITY & SOCIAL SERVIC	20,204.95
1-5-0600-111				MATTAWA SENIORS HOME	0.00
1-5-0600-112				CASSELLHOLME	0.00
1-5-0600-168				MATTAWA HOSP STAFF RECRU	0.00
1-5-0600-180				TRANSFER TO RESERVES N.B	0.00
1-5-0600-181				TRANSFER TO RESERVES MA	0.00
		Category	Total		20,204.95
CATEGORY	700			RECREATION	
1-5-0700-100				SALARIES AND BENEFITS - RE	2,019.97
1 0 0100 100				ONE WILE THE BEITEING IN	2,010.01

Fiscal Year: 2022

Account Code

Account : 1-1-0101-100 To 1-5-1200-321

CC1

CC2

CC3

Period: 1 To 12



Account Name

 GL5030 (T)
 Page:
 15

 Date:
 Jan 20, 2022
 Time:
 12:57 pm

Balance

Account code	001 00	2 003	Account Name	Balance
FUND CLASS	1 5		EXPENDITURES	
CATEGORY	700		RECREATION	
1-5-0700-102			MILEAGE EXPENSE - RECREA	0.00
1-5-0700-104			WSIB & EHT -REC.	246.95
1-5-0700-105			SEMINARS AND WORKSHOPS	0.00
1-5-0700-106			MISCELLANEOUS - RECREATION	0.00
1-5-0700-107			HYDRO - RECREATION	0.00
1-5-0700-108			HEATING FUEL-HALL	0.00
1-5-0700-109			EQUIPMENT CHARGES - RECF	0.00
1-5-0700-110			SERVICES - RECREATION	0.00
1-5-0700-113			CPP & UIC - REC	332.54
1-5-0700-114			GROUP INSURANCE	1,111.74
1-5-0700-124			HERITAGE FUND PROJECT	0.00
1-5-0700-132			CAPITAL EXPENDITURES - RE(0.00
1-5-0700-133			TRANSFER TO RESERVES - RI	0.00
1-5-0700-135			BUILDING MAINTENANCE	104.23
1-5-0700-152			EMPLOYER HEALTH TAX - REC	0.00
1-5-0700-153			RINK & SPORTSCENTRE	0.00
1-5-0700-154			MATTAWA USER FEE AGREEM	0.00
1-5-0700-155			SMITH LK. BOAT LAUNCH	0.00
1-5-0700-156			LIBRARY	0.00
1-5-0700-157			RECREATION RESERVES	0.00
1-5-0700-169			INSURANCE-RECREATION	0.00
1-5-0700-171			POSTAGE-CRC	0.00
1-5-0700-182			WATER SYSTEM MAINTENANC	0.00
1-5-0700-186			REC. COMMITTEE EXPENDITU	0.00
1-5-0700-187			RECREATION PENSION EXPEN	0.00
1-5-0700-250			RECREATION FACILITIES AMO	0.00
1-5-0700-251			REC FACILITIES CONTRA CAPI	0.00
	Cate	gory Total		3,740.36
			DI ANNUNG AND DEVEL CONSTIT	
CATEGORY	800		PLANNING AND DEVELOPMENT	
1-5-0800-100			SALARIES AND BENEFITS - PL	0.00
1-5-0800-101			MATERIALS AND SUPPLIES - P	0.00
1-5-0800-102			MILEAGE EXPENSE - PLANNIN	0.00
1-5-0800-104			WSIB & EHT - PLANNING	0.00
1-5-0800-105			SEMINARS AND WORKSHOPS	0.00
1-5-0800-110			SERVICES - PLANNING	0.00
1-5-0800-113			CPP & UIC - PLANNING	0.00
			ZONING	0.00
			OFFICIAL PLAN	0.00
1-5-0800-159			EAST NIPISSING PLANNING BO	0.00
1-5-0800-159 1-5-0800-160				
1-5-0800-159 1-5-0800-160 1-5-0800-161			EAST NIPISSING PLANNING BO	0.00
1-5-0800-158 1-5-0800-159 1-5-0800-160 1-5-0800-161 1-5-0800-162 1-5-0800-163			EAST NIPISSING PLANNING BOUNDING AMENDMENTS	0.00 0.00

2022 Fiscal Year :

1-1-0101-100 To 1-5-1200-321 Account :

То Period: 1 12



GL5030 (T) Page: 16 **Date:** Jan 20, 2022 **Time**: 12:57 pm

CC1	CC2	ССЗ	Account Name	Balance	
1					
5			EXPENDITURES		
800			PLANNING AND DEVELOPMENT		
			TILE LOAN/GROVE #2	0.00	
			PLANNING & DEVELOPMENT A	0.00	
			PLAN & DEV CONTRA CAPITAL	0.00	
	Category	Total		3,359.76	
900			BUILDING		
			SALARIES AND BENEFITS - BU	0.00	
			MATERIALS AND SUPPLIES - B	0.00	
			MILEAGE EXPENSE - BUILDING	0.00	
			WSIB & EHT - BUILDING	0.00	
			SEMINARS AND WORKSHOPS	0.00	
			MISCELLANEOUS - BUILDING	0.00	
			CBO/INSPECTION SERVICES -	0.00	
			CPP & UIC - BUILDING	0.00	
			LAWYER FEES - BUILDING	0.00	
			TRANSFER TO RESERVES-BUI	0.00	
			EMPLOYER HEALTH TAX - BUIL	0.00	
			INSURANCE-BUILDING	0.00	
	Category	Total		0.00	
950			ENFORCEMENT		
			SALARIES AND BENEFITS -ENI	46.64	
			VALUER/FENCEVIEWER/CANIN	0.00	
			MILEAGE EXPENSES-ENFORC	0.00	
			WSIB & EHT - ENFORCEMENT	5.18	
			SEMINARS&TRAINING-ENFOR	0.00	
			MISCELLANEOUS-ENFORCEM	0.00	
			CPP & UIC - ENFORCEMENT	7.06	
			POLICING SERVICES	0.00	
			911 MAINTENANCE	0.00	
			CONSERVATION AUTHORITY	0.00	
			ANIMAL CONTROL	0.00	
			INSURANCE - ENFORCEMENT	0.00	
	Category	Total		58.88	
1200			AMOUNT TO BE RECOVERED (I/S)		
			2B RECOV (I/S) - BACKHOE LE	0.00	
	Category	Total		0.00	
EXP	ENDITURE	S Total		59,393.07	**
	GENERA	L OPERA	TING Total	0.00	****
	900	Category 900 Category 1200 Category EXPENDITURE	Category Total 900 Category Total 950 Category Total 1200 Category Total 1200 Category Total	1 5 EXPENDITURES 800 PLANNING AND DEVELOPMENT TILE LOAN/GROVE #2 PLANNING & DEVELOPMENT A PLAN & DEV CONTRA CAPITAL Category Total 900 BUILDING SALARIES AND BENEFITS - BU MATERIALS AND SUPPLIES - B MILEAGE EXPENSE - BUILDING WSIB & EHT - BUILDING SEMINARS AND WORKSHOPS MISCELLANEOUS - BUILDING CBO/INSPECTION SERVICES - CPP & UIC - BUILDING TRANSFER TO RESERVES-BUIL EMPLOYER HEALTH TAX - BUIL INSURANCE-BUILDING Category Total 950 ENFORCEMENT SALARIES AND BENEFITS - ENI VALUER/FENCEVIEWER/CANIN MILEAGE EXPENSES-ENFORC WSIB & EHT - ENFORCEMENT SEMINARS&TRAINING-ENFORI MISCELLANEOUS-ENFORCEM CPP & UIC - ENFORCEMENT POLICING SERVICES 911 MAINTENANCE CONSERVATION AUTHORITY ANIMAL CONTROL INSURANCE - ENFORCEMENT Category Total 1200 AMOUNT TO BE RECOVERED (I/S) 2B RECOV (I/S) - BACKHOE LE.	1 5 EXPENDITURES

THE CORPORATION OF THE MUNICIPALITY OF CALVIN

BYLAW NUMBER 2022-007

BEING A BYLAW TO CODIFY HUMAN RESOURCE RECRUITMENT AND MANAGEMENT POLICIES

Legal Authority

Scope of Powers

Section 8(1) of the *Municipal Act*, 2001, S.O. 2001, c.25, ("*Municipal Act*") as amended, provides that the powers of a municipality shall be interpreted broadly so as to confer broad authority on municipalities to enable them to govern their affairs as they consider appropriate, and to enhance their ability to respond to municipal issues.

Powers of a Natural Person

Section 9 of the *Municipal Act* provides that a municipality has the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority under this or any other Act.

Powers Exercised by Council

Section 5 (1) of the *Municipal Act* provides that the powers of a municipality shall be exercised by its Council

Powers Exercised by By-law

Section 5(3) of the *Municipal Act* provides that a municipal power, including a municipality's capacity, rights, powers and privileges under section 9, shall be exercised by bylaw unless the municipality is specifically authorized to do otherwise.

Municipal Administration

Section 227 of the *Municipal Act* provides it is the role of the officers and employees of the municipality to implement Council's decisions and establish administrative practices and procedures to carry out Council's decisions.

Adoption of Policies

Section 270 of the *Municipal Act* requires the council of a municipality to adopt and maintain policies with respect to, among other things, its hiring of employees and the relationship between members of Council and the officers and employees of the municipality.

Health Benefits

Section 281 and 282 of the *Municipal Act* provide that the council of a municipality may establish a sick leave and benefit program for the municipality.

Employment Standards & Workplace Safety

Municipalities must comply with the *Employment Standards Act* R.S.O 1990 (the "*Employment Standards Act*"), as amended and the *Occupational Health and Safety Act* R.S.O. 1990 (the "*OHSA*") as amended.

Related Municipal Policy

By-Law No. 2019-001 - Council Staff Relations Policy By-Law No. 2010-020 - Workplace Harassment and Violence Policy

Preamble

Council for the Corporation of The Municipality of Calvin has adopted the following mission and vision statements for the Municipality.

VISION - Calvin is a rural, family-based community that embraces change while respecting the rich heritage and culture of our area. With the participation of our residents and ongoing partnerships with our neighbouring communities, we will continue to develop the Municipality of Calvin as an affordable, accessible and safe place to live, work and play.

MISSION - To build a strong rural and safe community dedicated to the preservation of our heritage and culture as well as the development of our natural and human resources. To promote and cultivate our forward-thinking community and to grow our partnerships through collaboration and resource sharing with our neighbouring communities.

Council has adopted an organizational structure in which all officers and employees of the Municipality of Calvin report to the Municipal Administrator, and it is the responsibility of this position to ensure that all officers and employees of the Municipality of Calvin perform their work in a manner that exhibits the fundamental values or principles established by Council and facilitates the achievement of Council's Vision and Mission.

Council is committed to building a workplace in which employees can feel safe, engaged and productive.

Council will do this by adopting policies that relate to all aspects of the Employee Life Cycle.

Council further acknowledges that this Bylaw and the attached schedules have been prepared by Expertise for Municipalities Non-profit Association ("E4m") and legally reviewed by Wishart Municipal Law Group/Wishart Law Firm LLP

(WMG) for compliance with all applicable legislation and E4m or WMG are not responsible for the results of any edit to this policy other than as expressly authorized or directed by E4m and WMG.

Council acknowledges and agrees that all rights are reserved by E4m, and no part of this Bylaw may be reproduced or copied in any form or by any means (graphic, electronic or mechanical, including photocopying, recording, taping or information and retrieval systems) without the written permission of E4m.

Council acknowledges that E4m has given license to the Municipality to print, copy, save, or post on its official website for its own use only and the Municipality may not repurpose or resell this Bylaw in any way.

Decision

Council of the Corporation of the Municipality of Calvin decides it in the best interest of the Corporation to establish certain policies related to the recruitment and management of Officers and Employees of the Municipality.

Direction

NOW THEREFORE the Council of the Corporation of the Municipality of Calvin directs as follows:

- That the Municipal Administrator adopt administrative practices and procedures that are compliant with the ESA, the OHSA, case law and any other applicable Act or Regulation or such successor Acts or Regulations to carry out the direction of Council as expressed in this Bylaw (hereinafter referred to as guidelines).
- 2. That these guidelines be submitted to Council for information within ninety (90) days from the passing of this Bylaw.
- 3. That the Municipal Administrator cannot unilaterally amend, change, or fail to follow the established guidelines without notification to Council prior to any amendment, change or decision not to follow an established guideline.
- 4. That the guidelines be reviewed on a bi-annual basis and a report be delivered to Council by June 30, of any given year in which a report is required, regarding adequacy of each of the Schedules attached to this Bylaw and if there are any recommended changes.
- 5. That Municipal Administrator be responsible to keep up to date on changes in law affecting the guidelines and that changes in law which require amendments to the guidelines and/or this Bylaw be delivered to Council in a report within

- thirty (30) days of the Municipal Administrator becoming aware of the changes.
- 6. That the direction outlined in the schedules attached to this Bylaw applies to all fulltime and part-time officers and employees of the Municipality ("Officers and Employees"; "Officers or Employees"). It does not apply to the Municipal Administrator, volunteers, volunteer firefighters or short-term contract positions.
- 7. That the following schedules attached hereto form part of this bylaw:
 - a. Schedule "A" Attraction
 - b. Schedule "B" Recruitment
 - c. Schedule "C" Onboarding
 - d. Schedule "D" Development
 - e. Schedule "E" Retention
 - f. Schedule "F" Separation

Read a first time this

- g. Schedule "G" Officer & Employee Code of Expected Behavior
- 8. That any changes to the Schedules may be adopted by resolution.
- 9. That this Bylaw supersedes any Bylaw previously passed that is contrary to this Bylaw.
- 10. That this Bylaw repeals By-Law No. 2011-005 Hiring, Employment and Progressive Discipline Policy.

2022

11. This by-law takes effect on the day of its final passing.

day of

read a mot time this day or	, 2022.
Read a second time this day of	, 2022.
Read a third time and finally passed in open, 2022.	council this day of
MAYOR	CLERK-TREASURER

Schedule "A" - Attraction

PREAMBLE

Council acknowledges that a successful public service requires individuals with the appropriate skillset and personal/professional attributes to provide services and achieve the vision/mission/goals/priorities of Council. Council also recognizes that to attract and retain these individuals they must ensure that they support a workplace culture where Officers and Employees feel valued and respected; are included and consistently engaged; and can perform at their best and be successful as a public servant.

Council is committed to fostering inclusive employment and employee management practices. Council is also committed to a workplace culture that is focused on continuous and proactive improvement to ensure Officer and Employee success in the workplace as well as within role professional development.

Diversity, Equity, and Inclusion

The Municipality of Calvin will aim to foster, cultivate, and preserve a culture of diversity, equity and inclusion.

Council recognizes that human capital is the most valuable asset the Municipality of Calvin has. The collective sum of the individual differences, life experiences, knowledge, inventiveness, innovation, self-expression, unique capabilities, and talent that our Officers and Employees invest in their work represents a significant part of not only the workplace culture, but also the effective and efficient delivery of Municipal services.

Council will support a workplace that embraces and encourages differences in age, color, disability, ethnicity, family or marital status, gender identity or expression, language, national origin, physical and mental ability, political affiliation, race, religion, sexual orientation, socio-economic status, veteran status, and other characteristics that make Officers and Employees unique.

All Officers and Employees have a responsibility to always treat others with dignity and respect and are expected to conduct themselves in a manner that reflects inclusion in the workplace and at work-related functions.

The Municipal Administrator will promote a positive working environment where Officers and Employees collaborate to achieve the Municipality of Calvin's goals while cultivating a culture of diversity, equity, and inclusion.

Safe Workplace

Physical Safety

The Municipal Administrator will promote a positive working environment where management and employees collaborate to achieve the Municipality of Calvin's goals while promoting the physical health and safety of all employees.

Officers and Employees will:

- Fully comply with the *Occupational Health and Safety Act* and all related legislation.
- Prevent risk of injury and illness arising from the workplace environment.
- Ensure the physical health of all employees is protected.
- Encourage the co-operation of all employees, in complying with the Health & Safety Policy and Procedures.
- Establish and maintain a Health & Safety program in co-operation with the Joint Health & Safety Committee or Health and Safety Representative (Where applicable)

Psychological Safety

Council considers the mental health and psychological safety of its employees to be as important as other aspects of health and safety and is committed to supporting a mentally healthy workplace through appropriate policies, programs, and services which will be developed in accordance with the National Standard of Canada for Psychological health and safety in the workplace.

Council recognizes that workplace factors can contribute to psychological health. While it is understood that a certain amount of stress is inherent in work, the Municipality of Calvin aspires to a work environment where continuous improvement in work practices and processes address psychological safety and support mental health.

Further, Council acknowledges that psychologically healthy and safe workplaces:

- Support individuals and departments in creating a respectful, healthy and engaging work and learning environment
- Acknowledge psychological risk factors where they exist
- Provide the tools to positively, effectively and efficiently address any identified issues

The Municipal Administrator will promote a positive working environment where Officers and Employees collaborate to achieve the Municipality of Calvin's goals while promoting a psychologically healthy and safe workplace.

Compensation & Benefits

The Municipal Administrator will establish an equitable, comprehensive, and competitive compensation and benefits program to attract, retain and motivate qualified

Officers and Employees. Compensation and benefit entitlements and practices and procedures will be compliant with the *Employment Standards Act, 2000* ("*ESA"*); *Pay Equity Act, 2018*; and other applicable legislation.

Compensation

The Municipality of Calvin will attempt to be competitive in its salary schedule/wage grid ("Pay Grid") for each position and/or classification of similar positions ("Classification") in the municipal organization. The Pay Grid will cover a period of not less than five (5) and not more than seven (7) years. Council shall review and consider the Pay Grid every five (5) years.

The Pay Grid will be adopted by Bylaw and shall:

- 1. Establish base pay rates for each Classification based on the *ESA*, Pay Equity Plan, market comparison and/or survey of municipalities of similar size and structure, internal equity, and the municipal budget;
- 2. Provide merit-based step increases for all Classifications; and
- 3. Be presented to Council for consideration prior to the adoption of the municipal budget with a report that addresses:
 - a. The rationale for the rates established for each Classification;
 - b. How the proposed Payroll Grid meets pay equity obligations and follows *ESA* and case law.
 - c. The overall impact to the municipal budget.

New employees will start at a Classification and Pay Grid level that has been agreed upon in their employment contract, or employment offer and in accordance with the Municipal Administrator's guidelines.

Merit-based increases shall be determined by the Municipal Administrator based on Officer and Employee performance. Employee performance will be assessed on an annual basis in accordance with the direction of Council adopted in Schedule D of this Bylaw. Upon receiving a satisfactory performance review, Officers and Employees may be moved to a higher level of pay within their position's Classification by the Municipal Administrator upon receiving a recommendation from the individual's supervisor/manager and if the increase can be supported by the Municipality of Calvin's budget.

Cost of Living: Council shall consider wage increases or cost-of-living increases for individuals who have reached the top level for their Classification in the Pay Grid or, for the entirety of the pay rates in the Pay Grid upon request of Municipal Administrator prior to the adopting of the Municipality of Calvin's budget.

Acting Pay: The Municipal Administrator may offer an Officer or Employee a temporary Acting assignment during the course of their employment. A regular full-time or part-time employee is in an Acting assignment when they are filling a position whose duties are outside of those tasked in the employee's regular position. For the duration of an approved Acting assignment, the employee shall be paid Acting pay, which shall be in accordance with the guidelines established by the Municipal Administrator.

Benefits

The Municipality of Calvin will offer a competitive group insurance plan to its eligible full-time Officers and Employees in the following categories:

- i. Regular, Full-Time Employees (under 65 years): (working a minimum of 24 hours per week)
 - Extended health coverage
 - Dental coverage
 - Long-term disability
 - Life insurance
 - Accidental death and dismemberment insurance
- ii. Regular, Full-Time Employee (65) years or older):
 - Extended health coverage
 - Dental coverage
 - Life insurance (drops to 50% at age 65 and terminates at age 71)

Pension: All full-time municipal employees will participate in the Group Pension Plan, in accordance with the administration guidelines. All municipal employees will also concurrently contribute to the Canada Pension Plan (CPP).

Employee Wellness/Employee Assistance Program

Council is committed to providing a healthy and psychologically safe work environment for its Officers and Employees at all municipal work sites.

A healthy and psychologically safe workplace leads to improved workplace satisfaction, higher level of employee morale, and generally a more effective/productive workplace. The Municipality of Calvin will encourage, support, and offer health related programs that will assist Officers and Employees in improving their own physical, mental, and emotional wellbeing.

The Municipal Administrator will provide Council with an annual or multi-year wellness initiative that at a minimum will include:

- Organizing or permitting time for Officers and Employees to participate or watch wellness education sessions relating to mental, physical, and emotional wellness:
- Improving employee access to healthy snack options in the workplace by

- providing heathy food options during events, meeting, etc.; and
- Encouraging and organizing friendly fitness and wellness competitions.

At the request of the Municipal Administrator, Council may approve paid wellness days or alternative working hours or remote work opportunities or other measures that support a healthy and psychologically safe work environment.

Voluntary Participation

We encourage employees to participate in our wellness program, but their participation is completely voluntary. Any employee who chooses not to participate in the wellness initiatives will not be subject to punishment or adverse action.

Council will implement an Employee Assistance Program negotiating services with a benefit provider.

Vacation

The Municipality recognizes the importance for officers and employees to take time off from their regular work duties to spend time with family and friends to escape the daily pressures and stresses of work. It has been proven that employers who provide their employees with time away from work with pay, are rewarded with more productive and dedicated employees, which benefits the employer in more ways than one.

The Municipality shall provide vacation time and pay entitlements up to a maximum of four (4) weeks and in accordance with guidelines established by the Municipal Administrator.

Vacation entitlements will be prorated for the first year for any Officer and Employee hired based on their start date and documented in the employment contract.

Officers and employees are required to take their vacation time during the calendar year. Only under exceptional circumstances and with the express approval of Council will vacation time be carried over to the next calendar year or paid to an employee in full prior to the 31st of December of the year in which the vacation time was earned and not taken.

Seasonal and part-time employees shall receive vacation pay in accordance with the *Employment Standards Act.*

In December of any given year, the Treasurer will provide the Municipal Administrator the number of vacation days each Officer and Employee is entitled to during the next year. The Municipal Administrator will ensure that all Officers and Employees are aware of their vacation entitlement.

Officers and Employees will advise their supervisor of the days they would prefer to take their annual vacation entitlement by a set date of any given year. The Municipal Administrator will establish a system/guideline to approve vacation leave for Officers

and Employees that ensures:

- a) Levels of service are not interrupted;
- b) Any Officer or Employee is not on vacation leave for more than three (3) weeks in a row unless exceptional circumstances arise; and
- c) How requests for the same vacation leave period will be considered and resolved including when seniority may not be the determining factor.

Statutory Holidays

The following are paid statutory holidays:

Public Holidays

- New Year's Day
- Good Friday
- Victoria Day
- Canada Day
- Labour Day
- Thanksgiving Day
- Christmas Day
- Boxing Day

Civic Holidays

- Family Day
- First Monday of August
- Truth and Reconciliation Day

Municipal Holidays

Easter Monday

From time-to-time others may be approved by resolution of Council.

An Officer or Employee who fails to work their scheduled regular day of work preceding or following a paid holiday, will not be entitled to the paid statutory holiday except where the Officer or Employee has taken scheduled vacation time.

Leaves of Absence

From time-to-time Officers and Employees may need to take leaves of absence from the workplace for various reasons that may be paid or unpaid based on the nature of the leave.

The Municipal Administrator shall establish guidelines for Officers and Employees to give notice for statutory leaves and be approved for non-statutory leaves.

Statutory leaves include:

- Bereavement Leave
- Domestic or Sexual Violence leave

- Emergency Leave
- Family Responsibility
- Parental Leave
- Pregnancy Leave
- Short- and Long-term Sick Leave

Non-statutory leaves include:

- Temporary Leave of Absence Without Pay
- To Vote in an Election
- For Jury Duty

The Municipal Administrator will also establish guidelines for how non-statutory leaves will be approved and how Officers and Employees may seek workplace accommodations.

Overtime

Council encourages Officers and Employees to carry out their work during normal working hours. However, Council recognizes that from time-to-time Officers and Employees may be required to work beyond their normal work hours. Salaried Officers and Employees will be required to track all overtime and will be compensated in accordance with the terms established in their employment contract. All other Officers and Employees will receive payment, or time-in-lieu of financial compensation, for approved overtime worked and amounts owed will be calculated in accordance with *ESA* standards.

Supervisors are required to approve all overtime prior to an Officer or Employee working the overtime. Overtime will not be approved in those circumstances in which an Officer or Employee can negotiate with their supervisor to manage their workload more effectively or the purpose is not urgent/necessary.

Every effort should be made for supervisors to allow Officers and Employees to work flexible hours to avoid overtime when possible.

The Municipal Administrator will establish a system for documenting overtime worked by Officers and Employees and provide an annual report to Council in preparation for the budget process which outlines the total number of hours worked and the overall cost to the Municipality of Calvin.

Flexible Work Arrangements/Remote Work

Council recognizes that Officers and Employees may require flexible work arrangements from time-to-time to effectively manage work and competing personal priorities. Council further recognizes the importance of Officer and Employee health and wellness and supports flexibility in Officer and Employee work arrangements and scheduled hours of work whenever it is possible and practical to do so without compromising the efficiency or effectiveness of the Municipal corporation or overall service delivery.

Flexible work arrangements are any working arrangements or schedules that differ from the Officer's or Employee's standard hours or days of work, and may include, but are not limited to, any of the following types or combinations of working arrangements:

- Compressed Work Week
- Flex Time
- Reduced Work Week
- Telecommuting/Remote Work
- Job Sharing
- Gradual Retirement
- Leaves and Sabbaticals
- Flexible Paid Leave
- Child Care/Elder Care Requirements
- Banking of Hours/Annualized Hours

The Municipal Administrator may authorize flexible work arrangements and will establish guidelines to implement flexible work arrangements.

Schedule "B" - Recruitment

PREAMBLE

Council acknowledges that a successful public service requires individuals with the appropriate skillset and personal/professional attributes to provide services and achieve the vision/mission/goals/priorities of Council. Additionally, Council acknowledges that recruitment processes may vary depending upon the position needing to be filled.

Council directs the Municipal Administrator to ensure that all recruitment processes adhere to the requirements of this Bylaw.

Position Vacancy

When an employee's position becomes vacant, the Municipal Administrator shall conduct a position needs assessment and report the result to Council prior to starting the process to fill the position. At a minimum the position needs assessment will consider:

- a) The job profile/job description to determine if it is adequate and still meets the needs of the municipal corporation;
- The communication and other internal relationships impacted by the position within the organizational structure and propose changes to the overall organizational structure if necessary;
- c) If there is still a need for the position or if the position needs to be modified or realigned or changed completely; and
- d) The most appropriate recruitment strategy to fill the position expediently and with an individual that is the best fit for the workplace.

New Position

From time to time, it may be necessary to create a new position within the municipal organization to achieve a level of service set by Council. The position may be permanent full/part time or a short-term, non-permanent or contract, position.

All new permanent positions shall be approved by Council prior to recruiting for/filling the position internally when:

- a) the position is being created to comply with law;
- b) the position has not been included in the salaries/wages established by the budget;
- c) the payroll grid needs to be modified to accommodate the new position;
- d) the position is being created by external funding; and/or

e) the position is best filled by an individual currently employed by the Municipality.

In the circumstances noted above, the Municipal Administrator] will submit to Council a business case that outlines:

- a) The name of the position and the expected duties;
- b) The value of the position and need for the position to the municipal operation/the level of service defined by Council;
- The communication and other internal relationships impacted by the position within the organizational structure and propose changes to the overall organizational structure if necessary;
- d) The qualifications and personality type/communication style necessary to be successful in the position; and
- e) The most appropriate recruitment strategy to fill the position expediently and with an individual that is the best fit for the position, the department and the overall workplace if the position is not being filled from within.

Position Profile

All Officers and Employees of the Municipality will have a Position Profile which at a minimum clearly describes and/or explains:

- a) The title of the position;
- b) The requirement for professional designations or certifications;
- c) The preferred education, skills and professional attributes required to successfully fulfill the obligations of the position;
- d) How the position fits within the operating structure of the Municipality;
- e) Who the position reports to within the municipal operating structure;
- f) The permitted channels of communication (i.e. interdepartmental, committees, external stakeholders etc.:
- g) The internal and external relationships that directly affect the position;
- h) General performance expectations for the position;
- i) Day to day duties and responsibilities; and
- j) Hours of work/work schedule.

Position Profiles will be attached to the employment contract.

Hiring and Selection

The hiring of Officers and Employees shall be carried out in an objective and impartial manner. The relatives of elected officials and Officers and Employees of the Municipality of Calvin may be considered for employment.

Relatives of existing employees or elected officials may apply for and secure employment with the Municipality of Calvin provided that:

- 1. They have made application for employment or promotion in accordance with established recruitment and selection policies and procedures.
- 2. They possess the necessary qualifications.
- 3. They are considered to be the most qualified and the most suitable candidate.
- 4. That the decision to hire was free from any real or perceived improper influence by the elected official, Officer or Employee who is the relative of the candidate.
- 5. The individual being hired will not be directly supervised by their relative.

All vacant, soon to be vacant or new positions with the Municipality of Calvin will be filled in accordance with this Bylaw.

The hiring and selection of Officers and Employees is the responsibility of the Municipal Administrator] who will provide Council with a recruitment strategy ("Recruitment Strategy Report") for the position being filled that will include at a minimum:

- a) How and where the position will be advertised;
- b) The timeframe for recruiting and hiring;
- c) Who will be part of the selection group/committee;
- d) The selection criteria;
- e) How the evaluations of the candidates will be conducted;
- f) Potential obstacles to filling the position; and
- g) Alternatives to ensure adequate service delivery if the position cannot be filled within the expected timeframe.

For clarity, Council will not be part of a hiring committee for Officers and Employees who do not report directly to Council unless requested by the Municipal Administrator and approved by resolution of Council.

When the following positions are being recruited for, the Municipal Administrator shall ensure that the top Candidate be introduced to and interviewed by Council prior to a formal offer being made:

Municipal Clerk;

- Municipal Treasurer;
- Fire Prevention Officer/Chief;
- Chief Building Official; and
- Community Emergency Management Coordinator.

Reference and Internet Checks

All Candidates will be subject to reference and Internet checks. Candidates are required to provide a minimum of three (3) employment related witnesses and sign a form acknowledging that their listed references may be contacted along with other individuals who they have not listed and that they will be subject to an Internet search that will include social media sites.

Reference and Internet checks will be conducted prior to any offer being made to a Candidate. The Municipal Administrator will ensure that all refences checks conducted internally are done by two (2) individuals one of whom should be trained in how to conduct reference checks. A minimum of two (2) past employers will be contacted.

The Municipal Administrator shall establish guidelines and applicable forms to be used.

Criminal Records Check

Many positions at the Municipality of Calvin are safety or security sensitive or are otherwise assumed by the Municipality of Calvin by placing a high degree of trust in the integrity of its Officers and Employees.

As a provider of public services, it is incumbent on the Municipality of Calvin to exercise due diligence by ensuring, to the extent reasonably possible, that Officers and Employees who provide such services do not pose a risk to vulnerable individuals or to the Municipality's interest.

To minimize risk to the Municipality of Calvin, Council directs the Municipal Administrator to ensure that police background checks are conducted prior to the hiring of an Officer or Employee. Dependent upon the nature of the position and identified risks associated with the position, the Officer or Employee will be required to provide either a criminal record check or a vulnerable sector screening check before commencement of employment, or being permitted to volunteer for the Municipality.

Employees may be required to provide a renewed police background check if required by law at designated intervals. Additionally, any individual being being assigned or promoted into a position requiring vulnerable sector screening check where it was not required or submitted at the start of their employment will be required to provide such prior to starting their new position.

Letter of and Employment Contracts

A successful Candidate will be given a Letter of Offer that gives them a minimum of five (5) business days to consider the offer of employment and any terms and conditions set out in the Employment Contract. The number of days for consideration should take into account enough time to allow the Candidate time to have the Employment Contract reviewed by their legal counsel. To be clear, the Letter of Offer and Employment Contract will be given to the Candidate at the same time.

Employment Contracts

All Officers and Employees of the Municipality will be required to enter into an Employment Contract that:

- a) Identifies the position;
- b) The performance requirements of the position;
- c) Initial wage rate, any increase after successful completion of the probationary period, benefit entitlements and vacation entitlements as may be negotiated/prorated;
- d) The length of the probation period;
- e) The requirement to adhere to Council polices as may be amended from time to time;
- f) Identifies how the employment relationship may be terminated;
- g) Progressive discipline guidelines;
- h) Circumstances in which may result in layoff; and
- i) An acknowledgement that they receive legal advice related to the contract.

Employment contracts for management or supervisory positions shall be drafted by an Employment Lawyer. Employment contracts for non-management/supervisory positions may be drafted internally and subject to a legal review.

Schedule "C" - Onboarding

PREAMBLE

The Municipality of Calvin is an exciting place to work and offers numerous opportunities to grow and develop future careers. Orientation for new Officers and Employees begins with onboarding. Officer and Employee onboarding is critical to learning job responsibilities, becoming familiar with performance expectations, and building positive working relationships. As such the Municipality of Calvin will provide an Officer and Employee onboarding program.

Definitions

Onboarding: Onboarding is a one-year process focusing on integrating a new employee into the organization to facilitate the acquisition of skills, knowledge, and behaviors necessary to be successful in their position. Onboarding begins the moment a candidate is interviewed and ends when a new employee is fully integrated and performing as expected.

<u>Orientation</u>: Orientation is a stage of onboarding where a new employee learns about the Municipality of Calvin and their job responsibilities. This typically occurs on their first day but could span over their first week.

Onboarding Program

The Onboarding Program will provide key information needed by Officers and Employees when commencing employment with the Municipality. The Onboarding Program will set out roles and responsibilities to ensure all new employees feel welcome at the Municipality of Calvin.

It will include the provision of key information Officers and employees will need immediately on topics such as:

- Pay
- Pensions and Benefits
- Occupational Health and Safety
- Municipal Policies
- Standards of Conduct
- Learning and Development Opportunities

It will also include:

- Orientation; and
- An "onboarding buddy" for the first (3) months. An Onboarding Buddy is a
 peer coach who assists the new hire to navigate the Municipality of Calvin's
 systems. An Onboarding Buddy partners with a new Officer or Employee
 for the first few months of their employment to assist them by:
 - Offering encouragement and resources to help introduce

them to the Municipality of Calvin's culture;

- Explaining basic operational issues;
- Supporting their immediate productivity on the job;
- Helping them build confidence; and
- Exemplifying the Municipality of Calvin's values.

The Municipal Administrator is responsible to establish an onboarding program and guidelines that will support the success of any new Officer and Employee.

Schedule "D" - Development

PREAMBLE

Officers and Employees of the Municipality of Calvin are our most important asset. They are responsible to deliver the programs and services of the Municipality of Calvin which often requires them to have a professional designation, a special licence, and/or specific technical knowledge all of which require continuous learning. Additionally, it requires Officers and Employees who are committed to their work and professional improvement.

- Learning & Professional Development
- Performance Management
- Succession Planning

Learning and Professional Development

Council is committed to supporting a continuous learning workplace by investing in Officer and Employee professional development opportunities that improve the performance of both the individual and the Municipality of Calvin. Moreover, Council will:

- a) Invest in Officer and Employee development to ensure that employees maintain their acquired skills and job qualifications;
- b) Provide opportunities for Officers and Employees to add to and improve their skills to support future advancement with the Municipality of Calvin;
- Promote shared accountability between the Officers and Employees and the Municipality of Calvin for the Officer's and Employee's professional development; and
- d) Ensure fairness and equity in the application of employee professional development opportunities.

Council will commit a minimum of (5% of the total annual wage amount, a minimum of X amount per person etc.) in the Municipality of Calvin's budget for Officer and Employee professional development. Additionally, a reserve fund and applicable reserve fund policy shall be established for any portion of the budgeted amount not spent during the fiscal year to be used in the future. To be clear, any amount in the reserve fund is for future professional development opportunities over and above annual budget allocations.

Annually Council will adopt an Officer and Employee Professional Development Plan prior to the adoption of the Municipality of Calvin's budget.

The Municipal Administrator will provide Council with a report by July 31st of any given year that outlines:

- All Mandatory professional development required to be budgeted for in the next fiscal year;
- All professional development identified as necessary during the performance evaluation process that will need to be part of the Officer and Employee Professional Development Plan for the next fiscal year including expected outcomes (i.e. improved performance, increased knowledge etc.);
- A proposal for any additional professional development which must include:
 - The nature of the professional development and how the investment will benefit the individual and the Municipality of Calvin;
 - Measurable expected outcomes;
 - Timeframe for completion (can be multi-year); and
 - Cost
- Planned internal development opportunities:
 - Mentoring/Coaching
 - Knowledge sharing
 - Special or temporary work assignments
 - Cross training
- How the Officer and Employee Professional Development Plan fits within the Municipality of Calvin's Succession Plan.

The Municipal Administrator will provide Council with a report by November 30th of any given year that outlines:

- The success of the Officer and Employee Professional Development Plan which at a minimum will include:
 - What were the expected outcomes of the planned opportunities;
 - Who participated in each of the opportunities;
 - An analysis of whether the expected outcomes were achieved.

- What was the total investment in professional development opportunities to date and if there is a projected surplus that should be reallocated to the reserve fund; and
- A report of how the training developed knowledge, skill and/or job proficiency as well as how what has been learned impacts the Municipality of Calvin.

Performance Management

The work of Officers and Employees is critical to the Municipality of Calvin being able to provide the desired levels of service and to the achievement of Council's Vision. Council is committed to effective and efficient service delivery which requires the appropriate alignment of human capital, resources, and workplace systems. The most effective way to achieve this is through appropriate human capital management practices.

The Municipal Administrator will adopt a practice of Officer and Employee performance management that includes:

- a) Officer and Employee engagement;
- b) On-going feedback related to work performance;
 - Informal ongoing communication between supervisor and worker which is not documented
 - Formal communication between supervisor and worker that is documented i.e. annual performance evaluation, progressive discipline
- c) Learning and professional development opportunities;

Officer and Employee Engagement

Key to a healthy and resilient workplace culture is having engaged employees. Engaged employees care about the work that they do, their workplace generally and the success of their employer. Most importantly, employees who feel engaged also feel that their efforts make a difference. Council is committed to a workplace where Officers and Employees are engaged.

On an annual basis, the Municipal Administrator will carry out a workplace satisfaction survey for all Officers and Employees to complete. The survey will provide feedback on how satisfied the Officers and Employees are with the workplace. The survey will be anonymous, and each Officer and Employee will be required to confirm that they did complete the survey. A report on the findings will be submitted to Council by August 31 of any given year. The report will contain at a minimum:

- The questions asked:
- The response summaries;
- Analysis of the results; and

• Recommendations for policy changes, if any.

Once per term of Council, the workplace satisfaction survey will be conducted by a qualified external party.

Work Performance Feedback

Foundational to Officer and Employee success is work performance feedback. Feedback, whether formal or informal, must be respectful and constructive and for the purpose of improving the individual's ability to be successful in the workplace.

Feedback Principles:

- The supervisor and the employee work together to plan, monitor and review an employee's work objectives. This includes clear deliverables, deadlines, and feedback
- Employee feedback is a continuous process of setting goals and assessing progress, not something limited to an annual performance review meeting
- Employees are encouraged to actively participate in the planning, evaluating, and improving their performance
- Honesty and openness, with effective two-way communication are essential elements of the supervisor/employee relationship

Informal Feedback refers to routine communication and may be noted but not documented.

Formal Feedback refers to any feedback that is documented and placed in the personnel file.

Performance Evaluation

Council recognizes the importance of providing job performance related feedback to municipal employees in a clear and respectful manner. The Municipality is committed to providing an environment wherein performance is measured in a fair and equitable manner and further that Officers and Employees are aware of why, how, and when their performance will be evaluated.

Performance management is both a system and a process. It requires a consistent method of implementation [system] as well as a clear set of action steps [process]. It provides the necessary framework for each Officer and Employee to be successful in their position and for the overall success of the Municipality. This is accomplished by aligning the performance expectations of each employee with the overall goals of Council/the Municipality. Performance management itself is a continuous process.

The Municipal Administrator will ensure that all Officers and Employees receive a formal annual performance evaluation using a standardized process which includes:

- Establishing clear objective performance measures and performance expectations actual tasks to be completed.
- Setting subjective performance measures feedback on task performance (competency) based on preset standards and will include a 360 evaluation for all managers/supervisors. At no time will the subjective measures account for more than thirty-five percent (35%) of the overall performance score.
- Self-assessment conducted by the Officer or Employee
- An Annual Performance Assessment report that outlines how performance was evaluated (including an overall performance score/rating) and reviewed with the individual. The Annual Performance Assessment Report will become part of the individual's personnel record.
- A Success Plan with key learning objectives.
- Semi annually progress review meetings to go over the established performance expectations and consider performance to date.

From time to time, work improvement plans, and progressive discipline may be required to support an employee in achieving satisfactory performance.

Performance management information shall be used for decisions related to:

- Selection (promotion or transfer)
- Organizational goal setting and budgeting
- Salary adjustments
- Succession planning
- Training and development requirements
- Restructuring
- Recognition

The Municipal Administrator will adopt guidelines for when work improvement plans or progressive discipline may be required.

Schedule "E" - Retention

PREAMBLE

The Municipality of Calvin relies on the individuals they employ to deliver programs and services as adopted by Council. Officer and Employee retention is important to the effectiveness and efficiency of the municipal operation. It is the responsibility of Council and the Municipal Administrator to create a working environment where Officers and Employees feel valued and remain committed to their position/role in the municipal corporation.

To do so, requires a workplace:

- Where Officers and Employees are hired for competency and cultural fit;
- Where the Employer ends the work relationship with Officers and Employees that do not fit the workplace culture;
- That considers the personal wellbeing of Officers and Employees;
- That is open to providing flexible work options;
- Where good performance is rewarded and opportunities for improvement/success are offered to those Officers or Employees whose performance does not meet the expected level;
- Where communication is open and transparent; and
- Where those in a position of leadership actively listen.

Officer and Employee Retention

Council recognizes that to retain Officers and Employees a commitment to a healthy and resilient workplace culture is required. In addition, an innovative retention strategy needs to be adopted. Council acknowledges that this strategy needs to:

- Be based on the overall vision and mission of the Municipality of Calvin;
- Respect the professionalism and loyalty of Officers and Employees;
- Recognize that Officers and Employees are required to provide their professional opinion, and not what Council wants to hear;
- Ensures that Officers and Employees are actively engaged;
- Prioritize Officer and Employee wellbeing; and
- Provide opportunities for professional growth and development.

The Municipal Administrator will adopt guidelines and processes that:

- a) Ensures new hires fit the workplace culture;
- b) Continuously monitors workplace culture as well as Officer and Employee job satisfaction/fit;
- c) Fosters inclusivity and professional growth;
- d) Looks at succession planning and internal advancement; and
- e) Allows for continued workplace flexibility and innovation.

Schedule "F" - Separation

PREAMBLE

Council is committed to the retention of valued Officers and Employees until their retirement. However, Council recognizes that from time-to-time Officers and Employees choose to leave the workplace or may be involuntarily required to leave. Of utmost importance is that any time there is a departure of an Officer or Employee from the workplace that the focus should be on helping the exiting Officer or Employee to depart with as much grace, pride, and confidence as possible. This is of the utmost importance when the individual is not an optimal fit for the position or within the workplace culture.

Voluntary Departure

Any Officer or Employee will be considered to have voluntarily left the employment of the Municipality of Calvin if they:

- 1. Have given notice two (2) weeks (unless more notice is required in their employment contract) that they are leaving their employment with the Municipality of Calvin;
- 2. Have given notice eight (8) weeks (unless more or less notice is provided for in their employment contract) that they are retiring from their employment with the Municipality of Calvin;
- 3. Have failed to attend work without notice or approved leave for a period of more than three (3) consecutive days (with legal advice); and
- 4. Have failed to attend work without notice or approved leave for a period of more than three (3) consecutive days after a statutory or non-statutory leave (with legal advice).

The Municipal Administrator will adopt guidelines related to who an Officer or Employee is required to provide notice to in event that they plan to voluntarily leave the employment of the Municipality of Calvin. Additionally, the guidelines will include circumstances when an Officer or Employee may be excused from the full notice provision required.

Involuntary Departure

Temporary Layoffs

The Municipality of Calvin may need to layoff some or all Officers or Employees without notice. The Municipal Administrator will give as much notice as possible or practical that such a layoff will occur and will advise the potential length of the layoff and the reasons for the layoff.

Terminations

The Municipality of Calvin may need to end the employment relationship with an Officer or Employee with or without cause. Every effort will be made to alleviate the negative experience of such an action by helping the individual take the next steps of their employment career. The Municipal Administrator will notify Council prior to any Officer or Employee termination. The Municipal Administrator will adopt procedures for with cause and without cause terminations which at a minimum will include that:

- Letters of termination will be given to the Officer or Employee in person and generally not on a Friday;
- The individual will be treated with respect when they are advised of the ending of the employment relationship;
- Upon termination of employment, an Officer or Employee shall promptly deliver to the Municipality of Calvin any and all property, technology, data, manuals, notes, records, plans, or other documents, including any such documents stored on any video or software related medium, held by the Officer or Employee concerning the Municipality's services and programs, developments, and equipment. This includes intellectual or other property made or prepared by the Officer or Employee. An Officer or Employee may with written permission, retain samples of their work if such work is already in the public domain; and
- These considerations may be included in all employment contracts if agreed to by the Employment Lawyer drafting or reviewing the Employment Contract.

PREAMBLE

The Municipality of Calvin is a responsible level of government. Improving the quality of municipal governance and administration can best be achieved by encouraging high standards of conduct on the part of all Officers and Employees. In particular, the public is entitled to expect the highest standards of conduct from the Officers and Employees of its local government.

Officers and Employees are expected to:

- Perform their duties in a manner that maintains public confidence and trust;
- Not engage in actions which would result in personal gain as a result of their employment with the Municipality of Calvin;
- Not engage in actions that would be in conflict with their duties and obligations as an employee with the Municipality of Calvin; and
- Use good judgment regarding personal and professional conduct.

Officers and Employees shall comply with Federal, Provincial legislation and all law/rules/policies adopted by Council including but not limited to:

- By-Law No. 2019-001 Council Staff Relations Policy
- By-Law No. 2010-020 Workplace Harassment and Violence Policy
- By-Law No. 2004-022 Purchasing and Procurement Policy
- By-Law No. 2008-008 Procedural By-Law

Definitions

Confidential Information

Confidential information includes information an Officer or Employee may have access to through their position with the Municipality of Calvin that is not available to the public. This includes but is not limited to:

- Documents, records or other information concerning the Municipality's operation, finances, plans or strategies;
- Documents, records or other information concerning taxpayers, employees, vendors and contractors of the Municipality of Calvin including personal information, employment status, vendor status, contractor status, personnel records, performance information, information related to rates of pay and job history;
- Privileged information including advice received from legal counsel and other advisors; and
- All work related information that is not generally available to the public.

Confidential information also includes but is not limited to information in the possession of the Municipality of Calvin that the Municipality of Calvin is either prohibited from

disclosing, is required to refuse to disclose or exercises its discretion to refuse under the *Municipal Freedom of Information and Protection of Privacy Act, Personal Health Information Protection Act* or other legislation, and information concerning matters that are considered in a "closed session" meeting under section 239 of the *Municipal Act,* 2001.

Conflict of Interest

A "Conflict of Interest" refers to a situation in which an Officer or Employee has personal or private interests that may compete with the public interests of the Municipality of Calvin and make to fulfill one's duties impartially. A Conflict of Interest can create an appearance of impropriety or a perception of bias that can undermine confidence in the person and in the Municipality of Calvin generally. A conflict exists even if no unethical or improper act results from it. A Conflict of Interest can either be an apparent conflict or a real conflict.

Apparent Conflict

An apparent conflict exists where an informed and reasonable person reviewing the matter and having thought the matter through could conclude that a Conflict of Interest exists, even if, in reality, it may not.

Real Conflict

A real conflict exists where a personal interest exists and that interest:

- a) Is known to the Officer or Employee; and
- b) Has a connection to the Officer's or Employee's duties that is sufficient to influence or interfere with the performance of those duties

Dishonesty or Deceit

Dishonesty or deceit includes any array of acts characterized by intentional deception. Dishonest, illegal or fraudulent activities include, but are not limited to:

- forgery or alteration of documents (cheques, time sheets, independent contractor agreements, purchase orders, etc.);
- misrepresentation of information by an individual;
- misrepresentation of information on documents;
- misappropriation of funds, securities, supplies or any other asset;
- unauthorized use, disappearance, or destruction of Municipal property, equipment, materials or records;
- improper handling or reporting of money transactions;
- authorization or receipt of payments for goods not received or services not performed;
- authorization or receipt of payments for hours not worked;
- any inappropriate expense claim made, which is unrelated or related to the business of the Municipality of Calvin or the Officer's or Employee's job responsibilities; and
- any apparent violation of Federal, Provincial or local laws.

Interests

Direct Interests: Direct interests are those interests in which the Officer or Employee, by virtue of a significant social or financial relationship, is likely to gain benefits or losses, advantages, or disadvantages.

Indirect Interests: Indirect interests are those interests in which the Officer or Employee, by virtue of a significant social relationship or a financial relationship, may reasonably appear to gain benefits or losses, advantages, or disadvantages, even though the employee may never have a direct interest.

Personal Information:

As defined in s. 2(1) of the *Municipal Freedom of Information and Protection of Privacy Act*, R.S.O. 1990, c. M.56, ("*MFIPPA*"), is recorded information about an identifiable individual, and includes,

- a) information relating to the race, national or ethnic origin, colour, religion, age, sex, sexual orientation or marital or family status of the individual;
- b) information relating to the education or the medical, psychiatric, psychological, criminal or employment history of the individual or information relating to financial transactions in which the individual has been involved;
- c) any identifying number, symbol or other particular assigned to the individual;
- d) the address, telephone number, fingerprints or blood type of the individual;
- e) the personal opinions or views of the individual except if they relate to another individual;
- f) correspondence sent to an institution by the individual that is implicitly or explicitly of a private or confidential nature, and replies to that correspondence that would reveal the contents of the original correspondence:
- g) the views or opinions of another individual about the individual; and
- h) the individual's name if it appears with other personal information relating to the individual or where the disclosure of the name would reveal other personal information about the individual.

Expectations

Professionalism

All Officers and Employees are representatives of the Municipality and at all times expected to reflect a professional image. To be clear, Officers and Employees are expected to appear professional and act in a professional, courteous and objective manner when interacting with the public who they serve, and with all external stakeholders who may include:

- Provincial and Federal government representatives;
- Agencies and organizations;
- Contractors, suppliers, etc.

Officers and Employees of other municipal corporations

Officers and Employees must also be professional and courteous with members of Council and their co-workers. They must comply with the Council Staff Relations Policy and the Respect in the Workplace Policy.

Personal Interests

Officers and Employees shall not seek to advance a personal interest, directly or indirectly, during the course of their duties.

Examples of advancing a personal interest include but are not limited to:

- a) Influencing or attempting to influence the Municipality of Calvin to contract with a person, partnership or corporation for any purpose in which the Officer or Employee has a personal interest, or for which the Officer or Employee has received or reasonably anticipates receiving some profit, payment, or compensation.
- b) Soliciting or accepting from any person or corporation any profit, commissions or other payments or favours in the way of price or other advantages, such as loans or services, when:
 - i. the person or corporation has had, or may reasonably be expected to have, any business, commerce or trade dealings with the Municipality of Calvin; or
 - ii. the person or corporation is seeking any decision, act, advice, comment, endorsement or anything whatsoever from the Municipality of Calvin.

Financial Integrity

Officers and Employees who maintain the Municipality of Calvin's financial and accounting records shall do so with the utmost integrity. They must show accurately and punctually all transactions, assets and liabilities of the Municipality of Calvin. All financial records, expense accounts, invoices, vouchers, bills, payroll and employee records and other reports are to be prepared with care and honesty. False or misleading entries, other false or misleading information, or omissions of entries in the financial records or reports of the Municipality of Calvin, or any unrecorded bank accounts, are strictly prohibited.

No Officer or Employee shall undertake any fraudulent activities. This includes misrepresenting information on documents, authorizing payment for goods and services not received, unauthorized use, destruction, or disappearance of municipal assets and information, and forgery or alteration of documents.

No employee shall establish or maintain secret or unrecorded cash funds or other assets of the Municipality of Calvin for any purpose or conceal any transaction from the auditors.

No employee shall use the Municipality of Calvin's funds for any personal use at any

time.

Public Criticism of Council and/or the Municipality of Calvin

Officers and Employees are expected to respect and support all decisions of Council and not publicly criticize the Municipality of Calvin or Council as a body or individual members of Council such that the public's perception is adversely affected.

Officers and Employees have a general right to freely express opinions on matters of public policy; however, this right is limited by their employment relationship with the Municipality of Calvin.

Public criticism may include but is not limited to:

- letters to the editor:
- interviews with the media;
- · negative statements to the public; and
- posts on social media sites.

Public Speaking/Appearances & Media Relations

No Officer or Employee will speak as a representative of the Municipality of Calvin unless expressly authorized to do so by Council, by the Municipal Administrator, or by policy. To be clear, Officers of Employees may not:

- speak to members of the press
- post on social media
- cause to have an article/letter to the Editor published related to the Municipality of Calvin

Officers or Employees asked to speak at a professional conference or meeting and are not representing the Municipality of Calvin must clearly state so in their presentation. Additionally, they must inform the Municipal Administrator prior to the event.

External Activities:

Officers and Employees by the nature of their employment relationship with the Municipality of Calvin may be seen to represent their employer even when participating in activities separate from the workplace. Officers and Employees are required to take steps to ensure their participation in these activities does not negatively affect the Municipality of Calvin.

- Additional Employment
 Officers and Employees may not engage in outside work or business activity
 which:
 - requires the use of knowledge or information uniquely related to their employment with the Municipality of Calvin resulting in a conflict of interest;
 - may negatively influence or affect them in carrying out duties

- related to their employment with the Municipality of Calvin;
- · takes place while on duty with the Municipality of Calvin;
- is performed in a way as to appear to be representative of Municipality of Calvin;
- interferes with the delivery of the Municipality of Calvin's duties;
- involves the use of Municipality of Calvin resources; or
- conflicts or competes with services provided by the Municipality of Calvin.

An Officer or Employee who is considering becoming involved in additional employment, must notify the Municipal Administrator in writing, outlining the nature of such work and be approved prior to the accepting of the additional employment.

b) Political Activity

- Officers and Employees may exercise their civic right to run for public office, in accordance with legislative requirements. Should an Officer or Employee wish to run for a political office, they must first seek a leave of absence for the period between the day of nomination and ending on voting day, pursuant to the Municipal Elections Act. If the employee is elected, they must resign their employment with the Municipality of Calvin prior to assuming their new duties.
- Officers and Employees are entitled to support or be involved in the
 political campaign of a Municipal, Provincial or Federal candidate or party,
 provided they do so on personal time and do not present themselves as a
 representative of the Municipality of Calvin.
- At all times while conducting their employment duties, Officers and Employees must appear to be politically neutral and are to avoid expressing personal views on matters of public controversy, Municipal policy, or the Municipal administration if the comment will negatively affect public opinion of the Municipality of Calvin.
- Where an Officer or Employee is uncertain whether their actions or comments are appropriate, they should seek guidance from their immediate supervisor and if that individual is unavailable, the Municipal Administrator.
- c) Memberships on Boards or Committees Officers and Employees may be allowed to participate on an external board, commission, or agency if such participation does not interfere with their employment duties and otherwise complies with the Expected Behaviour set out herein. Should an Officer or Employee consider such participation, they shall seek approval from the Municipal Administrator.

Use of Municipal Resources

No Officer or Employee shall use, or permit the use of, Municipal equipment, land,

•

facilities, supplies, services, staff, or other resource, including any municipally owned information, website, or municipal funds for any purpose or activity other than the lawful business of the municipal corporation.

No Officer or Employee shall seek or acquire any personal financial gain from the use or sale of Confidential Information, or of any municipally owned intellectual property including any invention, creative writing or drawing, computer program, technical innovation, or any other information or item capable of being patented or copyrighted, for which property remains exclusively that of the Municipality of Calvin.

Municipal Vehicles and Equipment

Municipal vehicles and equipment are valuable assets. Every operator of municipal vehicles or mobile equipment shall do so safely, responsibility and within the parameters set by legislation and workplace procedures.

Operators' responsibilities

- 1. Operators share responsibility for vehicle and equipment maintenance and shall ensure maintenance standards are upheld and deficiencies reported.
- 2. Operators shall at all times lock unattended vehicles and equipment and put the keys in their designated location.

Use of municipal vehicles and mobile equipment

- 1. Municipal vehicles and mobile equipment are not available for personal use.
- 2. Municipal vehicles are not available for use by non-profit organizations.
- 3. Municipal equipment may be used to assist local non-profit organizations by authorization of the Supervisor, Manager or other most senior member of the municipality responsible for such equipment. All such use shall be recorded and reported in the operational reports given to Council.
- 4. Those employees who require municipal vehicles to carry out their duties and who are called upon to work outside of their scheduled hours of work as part of their normal workplace responsibilities, may park their municipal vehicle at their residence outside of working hours.

Disclosure of Confidential or Personal Information

No Officer or Employee shall disclose, release, sell or publish by any means directly or indirectly, to any person or to the public generally, any Confidential Information acquired during their employment with the Municipality of Calvin, in any form including, but not limited to, written notes, reports, oral and video recording, pictures, electronic correspondence, and any form of social media except when required or authorized by Council or otherwise by law to do so.

No Officer or Employee shall use Confidential Information for personal or private gain or benefit, or to disadvantage any other person or body.

Unless required by law, no Officer or Employee shall disclose the substance of deliberations of meetings held *in-camera* and that are authorized to be held *in-camera* under the *Municipal Act*, 2001 or any other legislation unless or until Council discloses

such information at a meeting that is open to the public or otherwise releases such information to the public.

An Officer or Employee will not disclose or make personal use of any of the following types of Confidential Information unless required by law:

- a) Information concerning litigation, negotiation or personnel or labour matters;
- b) Information the publication of which may infringe on the rights of any person (e.g. source of a complaint where the identity of a complainant is given in confidence);
- c) Price schedules in any contract, tender or proposal document while such remains Confidential Information;
- d) Information deemed to be "personal information" under the *Municipal Freedom of Information and Protection of Privacy Act*; and
- e) Any other information or statistical data required by law not to be released.

Receipt/Acceptance of Gifts, Hospitality or Other Benefits

Officers and Employees shall not accept Gifts, Benefits and Hospitality connected directly or indirectly with the performance of their employment duties, unless permitted under one or more of the exceptions listed below:

- a) compensation authorized by law;
- b) Gifts, Benefits and Hospitality of the kind that normally is received as a token of appreciation, has a nominal financial value (less than \$100) and is provided as a common courtesy;
- c) for volunteer work that is normally not otherwise compensated;
- d) a suitable memento of a function honouring the Member;
- e) food and beverage consumed at a banquet reception or similar event, if:
 - i. attendance is for a legitimate municipal purpose;
 - ii. the Person extending the invitation, or a representative of the organization holding the event, is in attendance; and
 - iii. the value is reasonable; and
- f) a sponsorship or donation for a community event organized that has been authorized by Council or any applicable municipal policy.

Gifts, Benefits and Hospitality provided, with an Officer's or Employee's knowledge, to their spouse, child or parent, that is connected directly or indirectly to the performance of their duties, are considered the same as Gifts, Benefits and Hospitality provided directly to that Officer or Employee.

No Officer or Employee shall accept a gift from an anonymous sender. Where an Officer or Employee receives a gift from an anonymous sender, they will turn the gift in to the Clerk who will donate the gift to a charity/organization on the Municipality's approved donation list.

Reporting and Compliance

Officers and Employees aware of any action not compliant with the Officer and Employee Code of Expected Behaviour shall report their concern promptly. Any violation may result in disciplinary action up to and including termination of employment.

The Municipal Administrator shall adopt guidelines related to:

- how to report a non-compliant act;
- how and by whom an investigation into the matter will be carried out;
- the responsibilities of Officers and Employees during an investigation;
- the requirement of confidentiality during and after the investigation;
- how and when the parties will be given notice of the outcome; and
- when Council will be advised of the matter.



Corporation of the Municipality of Calvin Council Resolution

Date : January 25,	2022				
Resolution Number	: Click or tap he	re to enter text	·.		
Moved By:	Choose a nam	e.			
Seconded By:	Choose a name.				
Now Therefore Be it	RESOLVED THAT:				
"That Council hereb learning and profess	=		f d	ollars per employee for	
Result Options.					
Recorded Vote:					
Member of Council		<u>In Favour</u>	Opposed		
Mayor Pennell					
Councillor Brooker					
Councillor Castelijn					
Councillor Cross					
Councillor Shinnam					



2022CT03 REPORT TO COUNCIL

REPORT DATE: January 20, 2022

ORIGINATOR: Cindy Pigeau – Clerk-Treasurer

SUBJECT: Improved Hydro Rates from Ontario Wholesale Energy

RECOMMENDATION:

That Council acknowledge receipt of report 2022CT03 Improved Hydro Rates from Ontario Wholesale Energy, and direct staff to request references from their representative Jennifer Shainline, and if the references are positive then enter into a contract with Ontario Wholesale Energy for improved Hydro Rates.

EXECUTIVE SUMMARY:

Ms. Jennifer Shainline from Ontario Wholesale Energy presented at the January 11, 2022 Council meeting on how her company could help us improve our Hydro rates by signing a contract with their company to have the same rate all day. There would be no changes in the rate based on time of day.

FINANCIAL/STAFFING CONSIDERATIONS:

It is estimated that this will provide cost savings to the Municipality.

Based on information provided by Ms. J. Shainline the following is an example taken from our October 2021 billing cycle:

- 1. 1355 Peddlers Dr., you paid \$306.48 for electricity but if it had been on wholesale rates would have been more like \$220-230
- 2. Fire hall at 1238 Peddlers Dr., you paid \$36.25 for electricity but if it had been on wholesale rates would have been more like \$25-30
- 3. Ice Rink at 1331 Peddlers Dr., you paid \$22.19 for electricity but if it had been on wholesale rates would have been around \$15

There would be no changes to the way in which staff processed the invoices.

ANALYSIS/RATIONALE FOR RECOMMENDATION:

As this appears that it will provide cost savings to the Municipality of Calvin, it would be in the best interest of the Municipality to enter into a contract with Ontario Wholesale Energy. However, it is cautioned that we do not know much about this company and therefore requesting references and contacting the references would be in the best interest to ascertain the authenticity of Ontario Wholesale Energy. If positive feedback

is provided then it would be recommended to move forward with signing a contract with Ontario Wholesale Energy.

ALTERNATIVES FOR CONSIDERATION:

Council could decide not to move forward with this company and leave things the way they are.

NEXT STEPS:

Council should decide whether they would like to move forward with contacting references and if positive feedback is provided then move forward with a contract with Ontario Wholesale Energy.

APPENDICES/SCHEDULES:

None.

Respectfully submitted; Cindy Pigeau Clerk-Treasurer



Corporation of the Municipality of Calvin Council Resolution

Date : January 25, 2022						
Resolution Number:	Click or tap here	to enter text.				
Moved By:	Choose a name.					
Seconded By:	Choose a name.					
Now Therefore Be it R	ESOLVED THAT:					
"That Council acknowledge receipt of report 2022CT03 Improved Hydro Rates from Ontario Wholesale Energy, and direct staff to request references from their representative Jennifer Shainline, and if the references are positive then enter into a contract with Ontario Wholesale Energy for improved Hydro Rates. "						
Result Options.						
Recorded Vote:						
Member of Council	<u>In</u>	ı Favour	<u>Opposed</u>			
Mayor Pennell]				
Councillor Brooker]				
Councillor Castelijn]				
Councillor Cross]				
Councillor Shippam]				



Corporation of the Municipality of Calvin Council Resolution

Date: January 25, 2	022		
Resolution Number:	Click or tap here to ent	er text.	
Moved By:	Choose a name.		
Seconded By:	Choose a name.		
Now Therefore Be it R	ESOLVED THAT Council for	the Corporation of the	Municipality of Calvin
of transitioning Casse	of North Bay's initiative to Ilholme from a District I Inome as soon as possible	Board of Management	
Municipality of Calvin Government regardin Management Home t	nd Clerk-Treasurer to co with the Member Mun og the transitioning of Ca o a Municipal Home for of the transition, if four	icipalities and Member assellholme from a Dist the purpose of gatheri	rs of Provincial crict Board of ing information
• •	rt the redevelopment of ome to the City of North	• •	lel with the possible
4. This resolution be f	forwarded to all the me	mber municipalities.	
Result Options.			
Recorded Vote:			
Member of Council	<u>In Favou</u>	<u>Opposed</u>	<u>I</u>
Mayor Pennell Councillor Brooker Councillor Castelijn Councillor Cross Councillor Shippam			



Councillor Shippam

Corporation of the Municipality of Calvin Council Resolution

Date: January 25, 2	022		
Resolution Number:	Click or tap he	re to enter text.	
Moved By:	Choose a nam	e.	
Seconded By:	Choose a nam	e.	
-			is one of nine (9) municipalities ast as set out in Schedule 4 of Ontario
And Whereas the East direction of the board		_	ed ("Cassellholme") is under the
municipalities repres	ented on the be	oard of Management uding but not necessa	rings with the Mayors of the other for Nipissing East to discuss issues arily limited to issues relating to
And Whereas Counci Meetings;	l is aware of th	e Mayor's participation	on in the Cassellholme Member
Calvin confirms that	the Mayor was	authorized to partici	poration of the Municipality of pate in the Cassellholme Member ue such participation.
Result Options.			
Recorded Vote:			
Member of Council		<u>In Favour</u>	<u>Opposed</u>
Mayor Pennell Councillor Brooker Councillor Castelijn Councillor Cross			



Corporation of the Municipality of Calvin Council Resolution

Date: January 25, 20	022		
Resolution Number:	Click or tap her	e to enter text.	
Moved By:	Choose a name	2.	
Seconded By:	Choose a name	2.	
Now Therefore Be it R	ESOLVED THAT:		
Pesticides on Municipa herbicides and pesticid	ll Property, and d les to the Ministr nt's Public Inform	lirect staff to refer any y of Environment, Cons nation Centre: 1-800-56	to Regulate the Use of Herbicides and complaints regarding the use of servation and Parks at the Ontario 55-4923 or 416-325-4000 pertaining t
Result Options.			
Recorded Vote:			
Member of Council		<u>In Favour</u>	<u>Opposed</u>
Mayor Pennell Councillor Brooker Councillor Castelijn Councillor Cross Councillor Shippam			



2022CT04 REPORT TO COUNCIL

REPORT DATE: January 20, 2022

ORIGINATOR: Cindy Pigeau – Clerk-Treasurer

SUBJECT: Policy to Regulate the Use of Herbicides and Pesticides on Municipal

Property

RECOMMENDATION:

That Council acknowledge receipt of report 2022CT04 Policy to Regulate the Use of Herbicides and Pesticides on Municipal Property, and direct staff to refer any complaints regarding the use of herbicides and pesticides to the Ministry of Environment, Conservation and Parks at the Ontario Ministry of Environment's Public Information Centre: 1-800-565-4923 or 416-325-4000 pertaining to the province of Ontario's Cosmetic Pesticides Ban Act.

EXECUTIVE SUMMARY:

On July 27, 2021, Resolution No. 2021-174, Council requested that the Clerk-Treasurer proceed with the research and development of a policy to regulate the use of herbicides and pesticides on all Municipal property.

FINANCIAL/STAFFING CONSIDERATIONS:

There will be little to no financial or staffing considerations if the recommendation is accepted as all complaints of this nature will be referred to the Ministry of the Environment, Conservation and Parks.

ANALYSIS/RATIONALE FOR RECOMMENDATION:

Through the course of researching a DRAFT policy to regulate the use of herbicides and pesticides on all Municipal property, it was determined that most municipalities who had herbicide and pesticide policies have not repealed these policies with the passing of Provincial Bill 64: The Cosmetic Pesticides Ban Act which is an Act to amend the Pesticides Act to prohibit the use and sale of pesticides that may be used for cosmetic purposes. This Bill received Royal Assent on June 18, 2008 and was proclaimed to come into effect on April 22, 2009.

ALTERNATIVES FOR CONSIDERATION:

Council could request that Staff develop a policy on Herbicide and Pesticide Use on all Municipal property in spite of the Provincial regulation.

NEXT STEPS:

Council to decide whether they would like Staff to proceed with the development of a policy to regulate the use of Herbicides and Pesticides on Municipal property.

APPENDICES/SCHEDULES:

None

Respectfully submitted; Cindy Pigeau Clerk-Treasurer

CORPORATION OF THE MUNICIPALITY OF CALVIN

Resolution

DATE: July 27, 2021	NO. <u>2021-1</u>	74
MOVED BYDan Maxwell		
SECONDED BY Christine Shippam		
"That the Council of the Corporation	of the Munici	pality of Calvin hereby requests
the Clerk-Treasurer proceed with the regulate the use of herbicides and pest	research and d	development of a policy to
regulate the use of herbicides and pesi	deluciones off and f	wumerpar property.
Man Same Ci		
CARRIED		
<u>DIVISION VOTE</u>		
NAME OF MEMBER OF COUNCIL	YEAS	<u>NAYS</u>
Coun Cross Coun Maxwell Coun Olmstead Coun Shippam Mayor Pennell	_X _X _X _X	X

MUNICIPALITY OF CALVIN

2021CT53 - REPORT TO COUNCIL

REPORT DATE:

October 12, 2021

ORIGINATOR:

Cindy Pigeau; Clerk-Treasurer

SUBJECT:

Consolidation of Council Ideas for Property Standards By-Law

BACKGROUND

The following is the consolidation of the thoughts and ideas of Members of Council:

Chisholm By-Law;

- 3.1.2 Is 20 tires enough for them to have for the covering of the hay?
- 3.1.3 Believe this is only landscaped yard around the house garage and out buildings.
- 3.5.1 Could be removed as it is covered in 3.6.1 under structural Soundness
- 4.4 & 4.5 Could be removed as that should be covered in the building permits and zoning by laws?
- 5.1.2 The sentence "The warehousing or storage...of the industrial or commercial aspect...should have farming in there. Remove the last sentence "Where conditions...
- 5.4 If we do not use item 3.5 should be removed from this sentence
- 5.5 I do not think we need to have it enclosed in a dumpster or hidden by trees etc.
- 6.2.2 How long is the time for a building considered to be considered vacant? The camp people and cottage people should not have to board up house nor should it have to be painted. Whether it is a cottage, camp or not
- The administration and enforcement on both looks good but in the Chisholm version spelled out what is going to happen in an appeal.

Papineau-Cameron;

- 2.0 Outdoor storage should have something in there regarding farming equipment/tires
- 2.S Sewage System should have Septic approved by somewhere in there as we have not township system
- 3.1 3.1.1 & 3.1.5 are the only ones we should use
- 3.3 Remove 3.32 & 3.3.3
- 3.3.6 Should incorporate into ours for our farmers
- 3.6.1 Remove 2. Remove the second sentence up to "shall be maintained" and keep up to "noxious plants." And remove the rest of the paragraph.
- Section 5 should be covered in the building code and zoning by-law.
- 6.2.2 Again how long a time frame before a building is considered vacant?
- 7.1.1 Remove
- The by law officer can do this enforcement and that we do not need to have a different person for this job. Unless it is just a title adjustment not a person.
- 2.C Committee Assuming we will need to form this committee of three ratepayers?
- 2.D Discard Motor Vehicle. Would like to see an addition at the very end saying "or being used for parts"
- 2.0 Assuming we will need to appoint the officer. This could be a difficult position and not sure if we should even think of assigning it to By-Law Officer.
- 2.P Public Building Would this include a church or other place of worship?

- 2.S Sewage System Remove everything except "Individual on-site sewage system approved under the Building Code Act or the Environmental Protection Act
- 2.W Waste Material
- c) Add broken to patio/sidewalk slabs, bricks, interlocking bricks and damaged prior to unused building materials, pallets and railroad ties.
- 3.1.3 As long as it is the owner who determines the aesthetic qualities or desired outcome
- 3.4.2 Remove complete item
- 3.6.1-3 Remove in a trimmed, mowed or cut condition with a height not to exceed 20.2 cm (8 inches). For hedges and bushes remove everything after a suitable height
- 5.1 Change twelve to eighteen
- 6.1.2 Needs clarification. Vacant land could have been vacant for years and years
- 8.3.1 Remove "any person acting under his instructions may"
- 8.3.4.4 Does this mean the building inspector?
- Feel that this maybe more than needed considering our rural area.
- If all the Ontario Building codes, Ontario Water Resources Act, Electrical Safety codes,
 Fire codes and environmental Protection Act is followed, believe these cover most of what is in this By-law
- Will a committee need to be formed? Any By-law we create needs to be enforced and we will need to make sure we do it.
- I would omit: 3.3.2, 3.3.3 and 3.3.6
- 3.5.2 Need more clarification. Is this human sewage or animal? I believe we have farmers who fertilize there fields
- 3.5.3 should maybe say as needed (what does regular basis mean)
- 3.6.1 8 inches should be residential areas for grass cutting; maybe it should say trees
 and shrubs and grass kept cut close to road and driveways so that it does not impair
 driving
- 3.6.2 What does this mean?
- Section 4 Is there a time expectancy on this section? Need to consider insurance claims take time and what if they have no insurance?
- Should we proceed with a property standards bylaw at this time? Is our time and energy better spent on other issues?
- Discussion on 3.3.1, 3.3.2, 3.3.3, 3.3.4, 3.3.6, 3.4.2, 3.6.1, paragraphs 3&6, 5.1, 5.3, 5.4, 6.1.2, 7.1.1

Respectfully submitted; Cindy Pigeau Clerk Treasurer



2022CT05 REPORT TO COUNCIL

REPORT DATE: January 21, 2022

ORIGINATOR: Cindy Pigeau – Clerk-Treasurer
SUBJECT: Property Standards By-Law

RECOMMENDATION:

That Council acknowledge receipt of report 2022CT05 Property Standards By-Law, and direct staff to develop a simple Property Standards By-Law to regulate residential properties, non-residential properties, vacant buildings and lands.

EXECUTIVE SUMMARY:

In 2021, there was a situation that occurred in which a Property Standards By-Law would have been useful for the Municipality to have in order to regulate and protect neighbouring properties and the residents of the Municipality of Calvin. Council began discussing the potential of developing a Property Standards By-Law to help manage those types of situations in the future.

FINANCIAL/STAFFING CONSIDERATIONS:

There will be Staff time associated with developing a Property Standards By-law.

BACKGROUND:

Attached is Report from Clerk-Treasurer 2021CT53 — Consolidation of Council Ideas for Property Standards By-Law. Also included are the two example By-Laws that were provided to Council to indicate what type of Property Standards By-Law that they would be prefer to base our By-Law on.

ANALYSIS/RATIONALE FOR RECOMMENDATION:

The development of a simple property standards by-law would provide another tool for the Municipality of Calvin to help build a strong rural and safe community dedicated to the preservation of our heritage and culture as well as the development of our natural and human resources (excerpt from our Mission Statement).

ALTERNATIVES FOR CONSIDERATION:

Council could decide not to develop a Property Standards By-law. This is not recommended, as the By-Law provides direction to staff specifically our By-Law officer on how to proceed with situations as they occurs.

NEXT STEPS:

Council should decide whether they would like to proceed with the development of a Property Standards By-Law.

APPENDICES/SCHEDULES:

Attachment #1: Report from Clerk-Treasurer 2021CT53 – Consolidation of Council Ideas

for Property Standards By-Law

Attachment #2: Property Standards By-Law from Township of Papineau-Cameron

Attachment #3: Property Standards By-Law from Township of Chisholm

Attachment #4: Feedback from resident

Respectfully submitted; Cindy Pigeau Clerk-Treasurer

BY-LAW 2017-29

PROPERTY STANDARDS BY-LAW

Being a By-Law to prescribe standards for the maintenance and occupancy of buildings and property.

WHEREAS the Council of the Corporation of the Township of Chisholm is empowered under Section 15 of the *Ontario Building Code Act S.O. 1992, c. 23 as amended*, to pass a by-law;

- (a) Prescribing standards for the maintenance and occupancy of property within any defined area or areas and for prohibiting the occupancy or use of such property that does not conform with the standards,
- (b) Requiring property that does not conform with the standards to be repaired and maintained to conform with the standards or for the site to be cleared of all buildings, structures, debris or refuse and left in a graded and neat condition.

NOW THEREFORE the Council of the Corporation of the Township of Chisholm enacts as follows:

SECTION 1: GENERAL

1.1 Short Title

This By-law may be cited as the "Property Standards By-law".

1.2 Defined Area

This By-law applies to all property within the boundaries of the Township of Chisholm.

1.3 Scope

No property shall be used and no building or structure or part thereof, shall be erected, altered, enlarged, maintained, used, or occupied for any purpose within the Township of Chisholm except in conformity with the provisions of this By-law.

1.4 General Obligations

- 1.4.1 No person shall use, permit the use of, rent or offer to rent any property that does not conform to the standards of this By-Law.
- 1.4.2 Where a notice or order has been issued by the Property Standards Officer pursuant to this By-Law, the owner or occupant thereof shall:
 - (a) repair and maintain the property in accordance with the standards, or
 - (b) remove or demolish and remove, the whole or the offending part of the property that is not in accordance with the standards;
- 1.4.3 Where an Officer has placed or caused the placing of a placard containing the terms of a notice or order upon the premises under the authority of Section 15.2(3) of the *Ontario Building Code Act, S.O. 1992, as amended*, no one shall remove the said placard except with the consent of an Officer.

SECTION 2: DEFINITIONS

2.1 "Accessory Building" means

- (a) a detached building or structure that is not used for human habitation, but the use of which is naturally and normally incidental to, subordinate to or exclusively devoted to a principal use or building and located on the same lot therewith, and
- (b) includes a detached private garage, detached carport, boathouse or detached deck.

- **2.2** "Agricultural Use" means any agricultural use or uses, structures or buildings accessory thereto, including field crops, animal husbandry, tree nurseries and any other use customarily carried on in the field of general agriculture, including the sale on the premises, or produce grown or raised on the premises.
- **2.3** "Approved" means as applied to grade, material device or method of construction, approved by the Municipal Law Enforcement Officer under the provisions of this By-Law; approved by the Building Inspector under the provisions of the Building Code; approved by the Fire Chief under the provisions of the Fire Code, or approved by other authority designated by law to give approval to the matter at question.

2.4 "Basement" means

- (a) that portion of a building or structure within which 50% or more of the interior wall height from finished floor to finished ceiling is below the average finished grade level adjacent to one or more of the exterior walls of the building or structure, but
- (b) does not mean or include a storey or part of a storey.
- **2.5 "Bathroom"** means a room consisting of at least one fully operational water closet, washbasin, and a bathtub or suitable shower unit. Every washbasin, bathtub and shower shall have an adequate supply of hot and cold running water and every water closet shall have a suitable supply of running water.
- **2.6 "Building"** means any structure consisting of walls and a roof, which is used or intended to be used for the shelter, accommodation or enclosure of persons, animals or chattels, and includes any structure defined as a building in the *Ontario Building Code Act S.O.* 1992, as amended, but does not include any vehicle as defined herein.
- **2.7** "Cabin" means a 'cottage' as defined in this By-law.
- **2.8** "C.B.O." means Chief Building Official appointed by The Council and charged with the duty of enforcing the provisions of the *Ontario Building Code Act S.O. 1992*, as amended or any successors thereto, together with any Regulations made thereunder.
- **2.9 "Committee"** means the Property Standards Committee, as established in accordance with Section 15 of the *Ontario Building Code Act S.O. 1992, as amended.*
- **2.10** "Complainant" means the party being a resident and/or ratepayer of the Township of Chisholm who submits a confidential complaint in writing to the Municipal Office on the prescribed form, or has a complaint recorded by the office staff.
- **2.11** "Corporation" means the Corporation of the Township of Chisholm.
- 2.12 "Cottage" means a detached building used as an occasional and seasonal residential dwelling for recreation, rest or relaxation by one household, but not occupied continuously or as a principal residence or as a year-round permanent dwelling.
- **2.13** "Derelict Vehicle" means a motorized vehicle that by reason of its age, appearance, mechanical condition or lack of current license plates is inoperative.
- 2.14 "Dwelling" means a building or structure or part of a building or structure occupied or capable of being occupied for human habitation, and includes a building that would or could be intended to be used for such purposes except for its state of disrepair, but shall not include a mobile home having less than eighty (80) square metres in area.

2.15 "Dwelling Unit" means

- (a) one room or a group of rooms in a building used or designed or intended to be used by only one household as a single, independent and separate housekeeping establishment,
 - (i) in which food preparation and sanitary facilities are provided for the exclusive use of such and household, and

- (ii) which has a private entrance from outside the building or from a common hallway or stairway inside the building, but
- (b) does not mean or include a tent, trailer, or a room or suite of rooms in a hotel, motel, motor hotel or bed and breakfast business.
- **2.16** "Exit" means that part of a means of egress including doorways, that leads from the floor area it serves to a separate building, an open public thoroughfare, or an exterior open space protected from fire exposure from the building and having access to an open public thoroughfare.
- 2.17 "Exterior Property Area" means the property excluding the buildings.
- **2.18** "First Storey" means the floor area of the lowest story of a building approximately at or just above the finished grade level excluding any basement, which area is measured between the exterior faces of the exterior walls at the floor level of such storey.
- **2.19 "Foundation"** means a structure of a building through which the loads from the building are transferred to supporting soil or rock such as a footing, pile or pier, as per the Ontario Building Code.
- 2.20 "Garbage means (1) the animal or vegetable waste and related waste products resulting from the handling, preparation, cooking and consumption of food and drink, as well as other solid waste materials and goods resulting from residential, commercial, institutional and industrial operations, and (2) does not include hazardous waste.
- **2.21 "Good Repair"** means that a building, structure or appurtenance thereof including mechanical equipment shall be maintained in such a condition as to be free from accident or fire hazards, not unsightly by reason of deterioration, damage or defacement.

2.22 "Grade" means

- (a) when used in reference to a building, the average elevation of the finished surface of the ground adjoining the base of the longest exterior wall of such building or, where there are two or more such walls, the exterior wall having the lowest average elevation, or
- (b) when used in reference to any other structure, the average elevation of the finished surface of the ground at the base of such structure, exclusive of any artificial embankment at the base of such building or structure.
- **2.23** "Guest Sleeping Cabin" means a separate building of not more than 23 square-metres (250 square feet) in floor area and not more than 4.5 metres (15 feet) in height which contains no kitchen facilities or bathrooms or any water or sewage treatment system and is not to be used for year-round human habitation.

2.24 "Habitable Room" means a room which

- (a) is located within a dwelling unit;
- (b) is designed for living, sleeping or eating, and contains sanitary or food preparation facilities, and
- (c) can be used at all times throughout the year but does not include any room specifically defined herein as a non-habitable room.
- **2.25** "Hazardous Waste" mean any toxic material as defined by Reg. 347.
- 2.26 "Insect" means any of numerous invertebrate animals (as spiders, centipedes, cockroaches, termites, ticks, etc.

2.27 "Landscaped Open Space" means

- (a) an area not built upon and not used for any purpose other than as a landscaped area which may include grass, shrubs, flowers, trees and similar types of vegetation and paths, walks, patios, fences and similar appurtenances, but
- (b) does not include parking areas, parking lots, driveways or ramps.

- **2.28** "Maintenance" or "Maintained" means the preservation and keeping in good repair of a property and building.
- 2.29 "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 or an approved area of refuge usually located outside the building.
- **2.30** "Motor Vehicle" means automobile, including a motorcycle and including any other vehicle propelled or driven otherwise than by muscular power such as a snow vehicle and each motor vehicle must be in running order and carry a valid license sticker.
- 2.31 "Multiple Dwelling" means a building containing two or more dwelling units.
- **2.32** "Municipal Law Enforcement Officer" means an Officer appointed by Council and charged with the duty of enforcing the provisions of this By-law, other related By-laws and any amendments thereto.
- 2.33 "Municipality" means the Corporation of the Township of Chisholm.
- 2.34 "Non-residential Property" means a building or structure or part thereof, not occupied nor capable of being occupied in whole or in part, for the purpose of human habitation and without limiting the generality of the foregoing, includes the land and premises appurtenant thereto and all accessory buildings, out-buildings, fences, structures or erections on or in such land and premises.
- **2.35** "Noxious Weeds" means any weeds classed as noxious by the *Weed Control Act*, *R.S.O. 1990* or the latest amendment(s).
- **2.36** "Occupant" means any person or persons over the age of eighteen years in ownership or possession of the property.
- **2.37 "Occupancy"** means the use or intended use of a building or part thereof for the shelter or support of persons, animals and property.
- 2.38 "Owner" means:
 - (a) the person who, for the time being, managing or receiving the rent of or paying the municipal taxes on the land or premises, whether on their own account or as an agent or trustee of any other person, who would so receive the rent if such land or premises were let.
 - (b) the person for the time being receiving installments of the purchase price of the land or premises in connection with which the word "owner" is used, sold under an agreement for sale whether on his own account or as an agent or trustee for any other person or who would so receive the installments of the purchase price if such land premises were sold under agreement for sale; and
 - (c) a lessee or occupant of the property who, under the terms of a lease, is required to repair and maintain the property in accordance with the standards for the maintenance and occupancy of property.
- **2.39** "Person" means any human being, association, firm, partnership, incorporated company, corporation, agent, trustee, and the heirs, executors or other legal representatives of a person to whom the context can apply according to law.
- **2.40 "Property"** means a building or structure or part thereof, including the lands and premises appurtenant thereto and all accessory buildings, mobile homes, mobile structures, trailers, out-buildings, fences and erections thereon whether heretofore or hereafter erected, and includes vacant land.

- **2.41** Property Standards Officer" means an inspector/officer appointed under Section 3(1) of the Ontario Building Code Act S.O. 1992, c. 23, as amended by the Council of the Township of Chisholm for the purpose of enforcing the Property Standards By-Law.
- **2.42** "Repair" means the making of additions or alterations or the taking of such action as maybe required so that the property shall conform to the standards established in the Bylaw, and in conformity with all other legislation.
- **2.43** "Residential Property" means any land, buildings or structures used for human habitation, and includes all stairways, walkways, driveways, parking spaces, and fences associated with the dwelling or its yard.
- **2.44** "Rodents" means any of an order (Rodentia) of relatively small gnawing mammals as a mouse, a squirrel or a rat, etc.
- **2.45** "Rubbish" means any combustible or noncombustible, discarded or waste material, except garbage and hazardous waste.
- **2.46** "Service Room" means any area within a dwelling that is not a habitable room ie. washroom, laundry.
- **2.47** "Sewage" means sanitary sewage or storm sewage.
 - (a) Sanitary sewage means liquid or water borne waste of industrial or commercial origin, or of domestic origin, including human body waste, toilet or other bathroom waste, and shower, tub, culinary, sink and laundry waste.
 - (b) Storm sewage means water that is discharged from a surface as a result of rainfall, snow melt or snowfall.
- 2.48 "Sewage System" means a properly maintained and functioning private sewage system.
- **2.49** "Standards" means the standards of physical condition and of occupancy prescribed for the property in this By-law.
- **2.50** "Store or Stored" means to accumulate or put away for future use.
- **2.51** "Structurally Sound" means construction capable of withstanding the forces placed upon the structure under normal use.
- 2.52 "Structure" means anything constructed or erected, the use of which requires location on or in the ground, or attached to something located on or in the ground.
- 2.53 "Trailer" means any vehicle, excluding a mobile home or park model home, so constructed that it is suitable for being attached to a motor vehicle for the purpose of being drawn or propelled by the motor vehicle, notwithstanding that such vehicle is jacked-up or that its running gear is removed, but not including any vehicles unless it is used or intended for the living, sleeping or eating accommodation of persons therein; and shall be deemed to include a tent.
- **2.54** "Unsafe Condition" means any condition that could be hazardous to the health or safety of persons in the normal use of the premises or, persons whose access to the premises has not been reasonably prevented.
- **2.55** "Unsightly Condition" means clutter, a disordered state or collection, litter, heap or pile in a confused manner.
- 2.56 "Vacated" means a structure or property no longer occupied.
- **2.57 "Vehicle"** includes a motor vehicle, trailer, utility trailer, farm tractor, motorcycle, motorized snow vehicle and any vehicle drawn, propelled or driven by any kind of power, including muscular power.

- **2.58** "Vermin" means small common harmful or objectionable animals that are difficult to control.
- 2.59 "Waste or Waste Material" means any article or thing that appears to have been cast aside, discarded, or abandoned, or appears to be worthless, useless, or of no particular value, or appears to be used up in whole or in part or expended or worn out and shall include but is not limited to:
 - (a) accumulations or deposits of litter, rubbish, garbage, trash;
 - (b) refrigerators, freezers or other appliances or parts thereof;
 - (c) furnaces, furnace parts, pipes, fittings to pipes, water, fuel or propane tanks;
 - (d) inoperative or derelict motor vehicles;
 - (e) paper, cartons, fabrics or carpets;
 - (f) furniture;
 - (g) piping, tubing, conduits, cable and fittings or other accessories, or adjuncts to the piping, tubing, conduits or cable;
 - (h) containers or pallets of any size, type or construction;
 - (i) material resulting from, or as part of, construction or demolition of projects; and
 - (j) rubble, inert fill except loose soil, sand, or gravel.
- **2.60** "Yard" means an open, uncovered space on a lot appurtenant to a building or structure and used or intended to be used or capable of being used in connection therewith.

SECTION 3: GENERAL STANDARDS FOR ALL PROPERTY

All repairs and maintenance of property shall be carried out with suitable and sufficient materials and in a manner accepted as good workmanship within the trades concerned. All new construction or repairs shall conform to the *Ontario Building Code Act S.O. 1992, c. 23 as amended, the Ontario Fire Code and the Fire Prevention and Protection Act, S.O. 1997, c. 4* where applicable.

3.1 Yards

- 3.1.1 Every person shall keep all yards visible to the public, including vacant lots, clean and free from:
 - (a) garbage, rubble, waste, construction material, brush or other debris arranged or stored in an unsafe condition, that constitutes an unsightly or unsafe condition as per definitions outlined in Sections 2.54 and 2.55;
 - (b) rubbish or debris and objects or conditions that may create a health, fire, or accident hazard;
 - (c) holes, pits, excavations, or trenches constituting an unsafe condition;
 - (d) wrecked, dismantled, discarded or abandoned machinery, vehicles, trailers, snowmobiles or boats unless it is necessary for the operation of a business enterprise lawfully situated on the property;
 - (e) conditions which would attract rodents or injurious insects;
 - (f) dilapidated, collapsed or partially constructed structures which are not currently under construction.
- 3.1.2 No person shall store tires on any lot, other than four seasonal tires per vehicle permitted on the property, as per Section 3.1.5 of this By-law. Those actively engaged in farming may store a maximum of twenty (20) tires for their use.
- 3.1.3 Every landscaped open space shall be kept clean and free from all items in Section 3.1.1 and excessive growth of grass, brush, undergrowth and noxious weeds, and dead, decayed or damaged trees or other natural growth.
- 3.1.4 All vehicles or trailers parked on a residential lot must be in running order and carry a valid license sticker. This shall not prevent the occupant from storing operable unlicensed vehicles or trailers strictly for the use of off road operation for his/her own personal use and not for commercial purposes on any lot. This also shall not prevent an occupant of any premises from repairing a vehicle or trailer for his or her own use and not for commercial purposes while such a repair is carried on.

- 3.1.5 All permitted vehicles, trailers, machinery, implements strictly intended for agricultural use, and material stored on a property shall be stored in a neat, orderly manner preferably in an enclosed structure and in such a way that it does not create a negative impact on adjacent properties.
- 3.1.6 Every person shall cap all wells with a structurally secure material and such caps shall be maintained in good repair.

3.2 Surface Conditions

Surface conditions of yards shall be maintained so as to:

- (a) prevent ponding of storm water;
- (b) not exhibit an unsightly appearance;
- (c) be kept free of garbage and refuse;
- (d) provide for safe passage under normal use and weather conditions, day or night; and
- (e) not to create a nuisance to other property.

3.3 Drainage and Sewage

- 3.3.1 Sewage or organic waste, excluding floor drains, shall be discharged into a sewage system as per the Ontario Building Code. Where a sewage system does not exist, sewage or organic waste shall be disposed of in accordance with the *Environmental Protection Act*.
- 3.3.2 Storm water shall be drained from the property in a manner designed to prevent excessive ponding, prevent the entrance of water into a building, and in such manner as to not affect adjacent properties.
- 3.3.3 Exterior property areas where new work has been undertaken shall be graded and maintained to prevent ponding of water creating an unsafe condition, or encouraging mosquito breeding grounds. Catch basins and swales shall be installed and maintained where necessary to facilitate drainage and so as not to impede natural flow of water. Natural ponds or swamps exclusive, as they are protected by various environmental legislation.

3.4 Parking Areas, Walks and Driveways

3.4.1 Steps, walks, driveways, parking spaces and other similar areas shall be maintained so as to afford safe passage under normal use and weather conditions day or night.

3.5 Exterior Walls

- 3.5.1 Exterior walls of a building or structure 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.
- 3.5.2 Exterior walls of a building or structure and their components shall be free of unauthorized signs, painted slogans, graffiti and similar defacements.

3.6 Structural Soundness

3.6.1 Every building and every structural member of a building shall be maintained in a structurally sound condition so as to be capable of sustaining safely its own weight and any additional weight that may be put on it through normal use, having a factor of the safety required by the Ontario Building Code. Structural members or materials which have been damaged or show evidence of rot or other deterioration shall be repaired or replaced.

- 3.6.2 Every exterior wall, roof, porch, chimney or exterior portion of a building shall be maintained in a manner so as to prevent the collapse of same or injury to the occupants of the dwelling or to the public in general.
- 3.6.3 Wall, roofs, and other exterior parts of a building shall be free from loose or improperly secured objects or materials.

3.7 Fire Damage

3.7.1 In the event of fire, measures shall be taken as soon as possible, to make the damaged building safe, and/or to prevent entry into unsafe conditions.

3.8 Guardrails

3.8.1 A guard shall be installed and maintained in good repair on the open side of any stairway or ramp containing three (3) or more risers including the landing or a height of 600 mm (24 inches) between adjacent levels. A handrail shall be installed and maintained in good repair in all stairwells. Guardrails shall be installed and maintained in good repair around all landings, porches and balconies. Guardrails, balustrades and handrails shall be constructed and maintained in a rigid nature, as defined in the *Ontario Building Code S.O. 1992,c.* 23 as amended.

3.9 Accessory Buildings, Fences, and Other Structures

3.9.1 Accessory Buildings, fences and other structures appurtenant to the property shall be maintained in structurally sound condition, in good repair, and free from fire, health or safety hazards.

3.10 Garbage Disposal

- 3.10.1 Every building, dwelling, and dwelling unit shall be provided by the owner of the property with suitable receptacles to contain all recyclable materials, garbage, refuse in a sanitary manner.
- 3.10.2 Notwithstanding Section 3.10.1, no person shall allow domestic or household garbage, refuse, appliances or furniture to accumulate or be stored on a property.
- 3.10.3 Garbage storage areas shall be screened from public view and the garbage stored in such a fashion that access by predators is controlled.

SECTION 4: RESIDENTIAL STANDARDS

4.1 General Conditions

- 4.1.1 Every owner, tenant, 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.
- 4.1.2 No person shall use or occupy, or permit the use or occupancy of any property that does not conform to the standards set out in Sections 3.6 and 3.7 of this Bylaw.
- 4.1.3 The owner of any property which does not conform to the standards in this by-law shall repair and maintain the property to conform to such standards or the property shall be cleared of all buildings, structures, debris or refuse and left in a graded, leveled condition.

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 *Pesticide Act R.S.O. 1990, c. P.11*.

4.3 Roofs

4.3.1 Every person shall maintain roofs of dwellings and their components in a weather tight condition, free from loose or unsecured objects or materials.

4.4 Kitchens

4.4.1 Every owner of a dwelling unit shall ensure that it contains a kitchen area equipped with a sink, serviced with hot and cold water, and include storage facilities, a counter top work area, and space for a stove and refrigerator.

4.5 Toilet and Bathroom Facilities

- 4.5.1 Every owner of a dwelling unit shall ensure that it contains a bathroom consisting of at least one fully operational water closet, wash basin and a bathtub or suitable shower unit.
- 4.5.2 Every bathroom shall be equipped with running water, and all plumbing fixtures shall be connected to the sewage system.

4.6 Electrical Service

- 4.6.1 Every owner of a dwelling unit shall ensure that 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 so as not to cause fire or electrical shock hazards. All electrical services shall conform to the regulations established by the *Ontario Electrical Safety Authority*.
- 4.6.2 Such dwellings shall have electrical outlets as provided for in the *Ontario Building Code Act R.S.O. 1992, c. 23*, as amended and shall conform to the regulations established by the *Ontario Electrical Safety Authority*. Extension cords shall not be used on a permanent basis.

4.7 Heating, Heating Systems, Chimneys and Vents

- 4.7.1 Every owner of a dwelling unit shall ensure that every dwelling and building containing a residential dwelling unit or units shall be provided with suitable heating facilities capable of maintaining an indoor ambient temperature of 21 degrees Celsius (70 degrees Fahrenheit) in the occupied dwelling unit. The heating system shall be maintained in good working condition so as to be capable of safely heating the individual dwelling unit to the required standard.
- 4.7.2 All fuel burning appliances, equipment and accessories in a dwelling shall be installed and maintained to CSA standards.

4.8 Exception

Exceptions to Sections 4.4; 4.5 and 4.7 are cabins and hunting lodges. These dwellings will be evaluated on a case by case basis.

4.9 Fire Escapes, Alarms and Detectors

4.9.1 In every dwelling unit in a building, a listed smoke alarm approved by the Canadian Standards Assoc. or Underwriters Laboratories of Canada, or detectors of the single station alarm type, audible within bedrooms when intervening doors are closed, shall be installed on each level and maintained in working condition

by the owner 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 be:

- (a) equipped with visual or audio indications that they are in operating condition; and
- (b) mounted on the ceiling a minimum of 100 mm (4 inches) from the wall or on a wall between 100 and 300 mm (4 to 12 inches) below the ceiling.
- 4.9.2 Every owner shall install or cause to be installed a minimum of one (1) Carbon Monoxide Alarm in each dwelling unit which contains a fuel burning appliance; and in the case of a two family dwelling, in each dwelling unit located on the same floor level as a fuel burning appliance as well as in each dwelling unit or two family dwelling which contains an attached garage. This carbon monoxide alarm shall be installed in accordance with the manufacturer's instructions and shall be maintained in good operating condition at all times and in accordance with the manufacturer's maintenance instructions.
- 4.9.3 Buildings using a fire escape as a secondary means of egress shall have and maintain the escape in good condition, free from obstructions and easily be reached through an openable window or door.

4.10 Egress

- 4.10.1 Every owner of a dwelling shall ensure that every dwelling 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.
- 4.10.2 Every owner of a dwelling containing more than one dwelling unit shall ensure that there are at least two (2) exits, both of which may be common of the one of which may be the stairs or fire escape shall be provided to *Ontario Building Code* standards. A single exit is permitted from a dwelling unit where the path 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.

4.11 Ventilation

- 4.11.1 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 at least 0.3 square metres (3 square feet), or an approved system of mechanical ventilation that provides adequate air exchanges.
- 4.11.2 All systems of mechanical ventilation shall be maintained in good working order.
- 4.11.3 All enclosed areas including basements, cellars, crawl spaces and attics or roof spaces shall be adequately vented.

4.12 Disconnected Utilities

Owners of residential buildings or any person or persons acting on behalf of such owner shall not disconnect or cause to be disconnected any service or utility supplying heat, electricity, gas, refrigeration or water to any residential unit or building occupied by a tenant or lessee, except for such reasonable period of time as may be necessary for the purpose of repairing, replacing, or otherwise altering said service or utility and only by an agent of the appropriate utility.

4.13 Occupancy Standards

- 4.13.1 No person shall use or permit the use of a non-habitable room in a building for a habitable purpose.
- 4.13.2 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) floors 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;
- (d) access to each habitable room shall be gained without passage through a service room; and
- (e) every basement and crawlspace shall be adequately drained and adequately ventilated to the outside air.

SECTION 5: NON-RESIDENTIAL STANDARDS

5.1 Yards

- 5.1.1 The yards of non-residential property shall be maintained to the standards as described in Sections 3.1, 3.2 and 3.3 of this By-law.
- 5.1.2 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 or continuing non-residential use 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, as determined by the Property Standards Officer, the offensive area shall be suitably enclosed by a solid wall or a painted board or metal fence not less than 1.8 meters (6 feet) in height and maintained in good repair.

5.2 Parking Areas and Driveways

The parking areas and driveways of non-residential property shall be maintained to the standards as described in Section 3.4 of this By-law.

5.3 Lighting

All non-residential establishments shall install and maintain sufficient windows, skylights, and/or 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. Lighting shall not be positioned so as to cause any impairment of use of enjoyment of neighboring properties.

5.4 Structures

All structures shall be maintained to the standards as described in Sections 3.5; 3.6; 3.8 and 3.9 of this By-law.

5.5 Garbage Disposal

A central refuse storage collection area must be provided for any garbage generated by the non-residential use and maintained with all refuse enclosed in a dumpster or in a location screened with growing trees, hedges, fences, walls or a combination thereof in such manner as may be approved by the Municipality.

SECTION 6: STANDARDS FOR VACATED LANDS AND BUILDINGS

6.1 Vacated Lands

Vacated land shall be maintained to the standards described in Section 3.1; 3.2; 3.3 and 3.4 of this By-law.

6.2 Vacated Buildings

- 6.2.1 Every owner of a vacant building shall keep it cleared of all garbage, rubbish and debris and shall have water, electrical, heating services turned off except for those services that are required for the security and maintenance of the property.
- 6.2.2 The owner or agent 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 securely fastened to the building and painted a colour compatible with the surrounding walls.
- 6.2.3 Vacated buildings shall be maintained to the standards described in Sections 3.5; 3.6; 3.7; 3.8; and 3.9 of this By-law.

SECTION 7: ADMINISTRATION AND ENFORCEMENT

This section prescribes the procedure for the enforcement of the standards and shall be carried out according to the *Ontario Building Code Act R.S.O. 1992, c. 23, as amended.*

7.1 Application

This By-law shall apply to all property within the boundaries of the Corporation of the Township of Chisholm.

7.2 Property Standards Committee

A Property Standards Committee shall be established as set out in the Reference, attached as Schedule "F" to this By-law.

7.3 By-law Enforcement Officer

The Council shall, by By-law, appoint a Property Standards Officer who shall be responsible for the administration and enforcement of this By-law.

7.4 Non-Conformance

- 7.4.1 If, after an initial inspection, the officer is satisfied that in some respect the property does not conform to the standards prescribed in the By-law, he or she shall serve or cause to be served by personal service upon or sent by prepaid registered mail to the owner of the property and all who have interest therein, a Notice of Non-Conformance, attached as Schedule B to this By-law, containing particulars of the non-conformity.
- 7.4.2 The notice shall be sent to the last known address of the owner and shall state:
 - (a) That the property does not comply with the standards prescribed by this By-law and shall specify the standards with which the property does not comply.
 - (b) That after a certain date to be specified in the notice of non-conformance by the Officer, the property will be subject to re-inspection at which time the Officer may issue an Order to Remedy under Section 7.5 of this By-law.
- 7.4.3 The owner of any property which does not conform to the standards as set out in this By-law shall repair and/or maintain said property to comply with the standards or the owners of the property shall clear all buildings, structures, debris or refuse and leave the property in good condition, to be determined at the discretion of the Property Standards Officer

7.5 Order to Remedy Violation

- 7.5.1 At any reasonable time, on or after the date specified in the Notice of Non-Conformance given under section 7.4 where an Officer finds that the property does not conform with any of the standards prescribed in this By-law, the Officer may issue an Order to Remedy Violation, attached as Schedule C to this By-law:
 - (1) stating the municipal address or the legal description of such property;
 - giving reasonable particulars of the repairs to be made or stating that the site is to be cleared of all buildings, structures, debris or refuse and left in a graded and leveled condition;
 - (3) indicating the time for complying with the terms and conditions of the order and giving notice, that if the repair or clearance is not carried out within that time, the municipality may carry out the repair or clearance at the owner's expense; and
 - (4) indicating the final date for giving notice of appeal from the order.
- 7.5.2 An order issued in accordance with article 7.5.1 shall be served on the owner of the property and such other persons affected by it as the officer determines and it shall be served personally or by registered mail, sent to the last known address of the person to whom the order is being given.
- 7.5.3 If the Officer is unable to effect service under article 7.5.2, he/she shall place a placard containing the terms of the Order, attached as Schedule D to this By-law, in a conspicuous place on the property and the placing of the placard shall be deemed as sufficient service of the notice or order on the owner or other persons.

7.6 Registration of Order

7.6.1 An order made under article 7.5.1 may be registered in the proper Land Registry Office and, upon such registration, any person acquiring an interest in the land subsequent to the registration of the Order shall be deemed to have been served under article 7.5.1 and, when the requirements of the Order have been satisfied, the Clerk of the Municipality shall forthwith register in the proper Land Registry Office, a certificate that such requirements have been satisfied, which shall operate as a discharge of the Order.

7.7 Appeal of Order

- 7.7.1 When the owner or occupant upon whom an Order has been served in accordance with article 7.5.1 is not satisfied with the terms or conditions of the Order, he/she may appeal to the Committee by sending a Notice of Appeal by registered mail to the Secretary of the Committee, within fourteen (14) days after service of the Order and in the event that no appeal is taken, the Order shall be deemed to have been confirmed.
- 7.7.2 Where an appeal has been taken, the Committee shall hear the appeal and shall have all the authority functions of the officer and may confirm, modify or quash the Order or may extend the time period for compliance provided that, in the opinion of the Committee, the general intent of the by-law and of the Official Plan or policy statement are maintained.
- 7.7.3 If any party is dissatisfied with the decision of the Property Standards Committee, an appeal can be made to the Court of Appeal for Ontario, as per section 15.3, (4), (5), (6) and (7) of the Building Code Act.

SECTION 8: ENFORCEMENT

8.1 Enforced on a Complaint Basis:

This By-law shall be enforced on a complaint basis and pursuant to the provisions of Section 15 of the Ontario Building Code Act S.O. 1992, c. 23, as amended.

8.1.1 Each complaint must be in writing and shall be on the complaint form which is set out in "Schedule A" and shall provide:

- (a) the address of the non-compliant property
- (b) the nature of the non-compliance and
- (c) the name, address and phone number of the complainant.

8.1.2 Complainants shall be kept confidential: The Complainant's name, address and phone number shall be kept confidential.

8.1.3 Exception to confidentiality of Complainant:

Should the complainant be required as a witness in court it shall be necessary to reveal the complainant's name for the purpose of giving the defendant disclosure.

8.2 Power of Corporation to repair or demolish

If the owner or occupant of the property fails to repair, clean-up or demolish the property in accordance with an Order as confirmed or modified, the Municipality in addition to all other remedies:

- (a) shall have the right to repair, clean up or demolish the property accordingly and for this purpose with its servants and agents from time to time to enter in and upon the property;
- (b) shall not be liable to compensate such owner, occupant or any other person having an interest in the property by reason of anything done by or on behalf of the Municipality under the provisions of the Section: and
- (c) shall have a lien for any amount expended by or on behalf of the municipality under the authority of this Section together with interest thereon, upon the property in respect of which such amount was expended and the certificate of the Clerk of the Municipality as to such amount shall be final and such amount shall be deemed to be taxes and may be added to the Collector's Roll to be collected in the same manner as Municipal Realty Taxes. There shall be an administration fee.

SECTION 9: PENALTIES

Any person who contravenes any provisions of this By-law or any part thereof shall be guilty of an offence and, upon conviction, be liable to a penalty recoverable under the *Provincial Offences Act*.

SECTION 10: RECOVERY OF EXPENSE

In addition to any other remedy and to any other penalty imposed under this by By-law or under the *Ontario Building Code Act R.S.O. 1992, c. 23, as amended*, where any person is in default in doing any matter or thing directed or ordered to be done pursuant to this By-law, such matter or thing may be done by the Corporation at the expense of such person and the Corporation may recover the expense incurred in doing it by action, or the same may be recovered in like manner as municipal taxes.

SECTION 11: CERTIFICATE OF COMPLIANCE

11.1 Issuance

Following the inspection of a property, the Officer may, or on the request of an owner, shall, issue to the owner a certificate of compliance if, in his opinion, the property is in compliance with the standards of this By-law.

11.2 Fees

Where a certificate of compliance referred to in Section 15 of the *Ontario Building Code Act.S.O. 1992, c. 23, as amended,* is issued at the request of the owner, the owner shall be required to pay a fee to the Corporation of the Township of Chisholm as set out in the fees by-law of the municipality.

SECTION 12: OTHER REMEDIES PROTECTED

The imposition of a penalty under this By-law shall not be a bar to further prosecution under this By-law and shall not preclude any other proceeding or remedy against a person or a building, which does not conform to the standards of this By-law.

SECTION 13: VALIDITY

- 13.1 If an article of this By-law is for any reason held to be invalid, the remaining articles shall remain in effect until repealed.
- 13.2 If a provision of this By-law conflicts with a provision of another By-law of the Corporation the provision that established the higher standard to protect the health, safety and welfare of the occupants and of the general public shall prevail.

SECTION 14: ENACTMENT

This by-law shall come into full force and effect upon the final passing thereof.

SECTION 15: REPEAL

By-law 2013-01 is hereby repealed in its entirety.

READ A FIRST, OCTOBER, 2017.	SECOND	AND	THIRD	TIME	AND	PASSED	THIS	10 TH	DAY	OF
Mayor, Leo Jobin										
Clerk-Treasurer Lit	nda Ringler	<u></u>								

SCHEDULE "A" TO BY-LAW 2017-29



Rank
Rank
Rank
Kank
Nalik
IXALIK
Temmir
T. COMMERCE

THE CORPORATION OF THE TOWNSHIP OF CHISHOLM

OCCURRENCE NO.:		
DATE:	TIME:	
Taken by:		
Informant Name:	Update requested	l: Yes/No
Contact Telephone Number:		
TYPE OF OCCURRENCE (cir	rcle)	
Property Standards	Fire	Landfill
Municipal By-laws	Building Code	Recycling
Other:	Animal Control	Roads
DETAILS OF OCCURRENCE	,	
Property Owner:		
Legal Description of Property:		
Mailing Address:		
	ENCE	
DETAILS OF THE OCCURRE		
Date:		

SCHEDULE "B" TO BY-LAW 2017-29



Corporation of the Township of Chisholm 2847 Chiswick Line Powassan, ON P0H 1Z0 Tel: (705) 724-3526

REGISTERED & ORDINARY MAIL

THE CORPORATION OF THE TOWNSHIP OF CHISHOLM NOTICE OF NON-CONFORMANCE

Please be informed that the following i	tems at	
are deemed to be a violation of Propert	y Standards By-Law	as amended:
	•	
		•
	<u> </u>	
Please be advised that failure to complissuance of an Order to Remedy Violat Upon issuance of the Order to Reme payable by the Owner to the Townsh	ion made under the Budy Violation, a \$100.0	nilding Code Act.
In the event that you do not comply, the have the items corrected at your expension you. A copy of the By-law is available.	se and collect the cost	in like manner as municipal taxes
Please conduct yourself accordingly.		
Dated at Chisholm Township this	day of	, in the year
		Property Standards Officer

Telephone: (705) 724-3526

SCHEDULE "C" TO BY-LAW 2017-29



Corporation of the Township of Chisholm 2847 Chiswick Line Powassan, ON P0H 1Z0 Tel: (705) 724-3526

ORDER TO REMEDY VIOLATION OF STANDARDS OF MAINTENANCE AND OCCUPANCY

Pursuant to Section 15.2 (2) of the Ontario Building Code Act

Dear Sir/Madam: RE:	Owner(s) Name & Address:	REGISTERED & ORDINARY MAII
WHEREAS on		
WHEREAS on	Dear Sir/Madam:	
AND WHEREAS you have failed to remedy the noted violation(s) as set out in the Notice of Non-Conformance attached hereto and which forms part of this Order. THEREFORE, IT IS HEREBY CHARGED THAT the violation(s) as set out in said Notice be remedied and the property brought into a condition of conformance with the prescribed standards set out in the Property Standards By law No. 2006-16, as amended, on or before, an administrative charge of \$100.00 is payable by the property owner to the Township of Chisholm upon the issuance of this Order to Remedy Violation. In the event the property owner refuses to pay the administrative charge, the fee will be added to the tax roll and collected in like manner as taxes. TAKE NOTICE that if such violation(s) are not remedied within the time specified in this Order, the municipality may correct such violations at the expense of the owner and/or charges may be laid under the Provincial Offences Act. APPEAL TO PROPERTY STANDARDS COMMITTEE An owner or occupant who has been served with an Order who is not satisfied with the terms or conditions of the Order may appeal to the committee by sending a Notice of Appeal by registered mail to the secretary of the committee within 14 days after being served the Order. FINAL DATE FOR APPEAL:	RE:	
THEREFORE, IT IS HEREBY CHARGED THAT the violation(s) as set out in said Notice be remedied and the property brought into a condition of conformance with the prescribed standards set out in the Property Standards By law No. 2006-16, as amended, on or before, an administrative charge of \$100.00 is payable by the property owner to the Township of Chisholm upon the issuance of this Order to Remedy Violation. In the event the property owner refuses to pay the administrative charge, the fee will be added to the tax roll and collected in like manner as taxes. TAKE NOTICE that if such violation(s) are not remedied within the time specified in this Order, the municipality may correct such violations at the expense of the owner and/or charges may be laid under the Provincial Offences Act. APPEAL TO PROPERTY STANDARDS COMMITTEE An owner or occupant who has been served with an Order who is not satisfied with the terms or conditions of the Order may appeal to the committee by sending a Notice of Appeal by registered mail to the secretary of the committee within 14 days after being served the Order. FINAL DATE FOR APPEAL:		you were served with a Notice of Non-Conformance that standards of maintenance and occupancy of your property, described
property brought into a condition of conformance with the prescribed standards set out in the Property Standards By law No. 2006-16, as amended, on or before	AND WHEREAS you have failed to remedy attached hereto and which forms part of this	the noted violation(s) as set out in the Notice of Non-Conformance Order.
event the property owner refuses to pay the administrative charge, the fee will be added to the tax roll and collected in like manner as taxes. TAKE NOTICE that if such violation(s) are not remedied within the time specified in this Order, the municipality may correct such violations at the expense of the owner and/or charges may be laid under the Provincial Offences Act. APPEAL TO PROPERTY STANDARDS COMMITTEE An owner or occupant who has been served with an Order who is not satisfied with the terms or conditions of the Order may appeal to the committee by sending a Notice of Appeal by registered mail to the secretary of the committee within 14 days after being served the Order. FINAL DATE FOR APPEAL: ISSUED BY:	property brought into a condition of conform	ance with the prescribed standards set out in the Property Standards By
may correct such violations at the expense of the owner and/or charges may be laid under the Provincial Offences Act. APPEAL TO PROPERTY STANDARDS COMMITTEE An owner or occupant who has been served with an Order who is not satisfied with the terms or conditions of the Order may appeal to the committee by sending a Notice of Appeal by registered mail to the secretary of the committee within 14 days after being served the Order. FINAL DATE FOR APPEAL: DATE: ISSUED BY:	event the property owner refuses to pay th	, an administrative charge of \$100.00 is payable by the olm upon the issuance of this Order to Remedy Violation. In the ne administrative charge, the fee will be added to the tax roll and
An owner or occupant who has been served with an Order who is not satisfied with the terms or conditions of the Order may appeal to the committee by sending a Notice of Appeal by registered mail to the secretary of the committee within 14 days after being served the Order. FINAL DATE FOR APPEAL: DATE: ISSUED BY:	may correct such violations at the expense of	
Order may appeal to the committee by sending a Notice of Appeal by registered mail to the secretary of the committee within 14 days after being served the Order. FINAL DATE FOR APPEAL: DATE: ISSUED BY:	APPEAL TO PROPERTY STANDARDS	COMMITTEE
DATE: ISSUED BY:	Order may appeal to the committee by sending	ng a Notice of Appeal by registered mail to the secretary of the
DATE: ISSUED BY:	FINAL DATE FOR APPEAL:	
	DATE:	ISSUED BY: Property Standards Officer

SCHEDULE "D" TO BY-LAW 2017-29

CORPORATION OF THE TOWNSHIP OF CHISHOLM

SUBSTANDARD PROPERTY

Section 15 of the Ontario Building Code Act S.O. 1992, c.23 as amended

NOTICE OF VIOLATION

ORDER TO COMPLY

Re: Description and Location of Property in Violation

Township of Chisholm

THIS PROPERTY has been found NOT to be in conformity with the Standards of Maintenance and Occupancy established by this Municipality and as set out in the Property Standards By-Law

SCHEDULE "A", attached hereto, sets out the work required to remedy such violation(s) and to bring the property into compliance with the By-Law.

BE ADVISED THAT THIS PROPERTY MUST BE MADE TO CONFORM WITH THE BY-LAW ON OR BEFORE THE DAY OF .

Further information may be obtained at the Property Standards Office located at 2847 Chiswick Line.

Dated this	day of		,	·
NOTE: Any perso to exceed \$500.00.	on who removes or de	efaces this Plac	ard is liable to	a penalty not
·				
Property Standards	Officer			
(705 724-3526)				

SCHEDULE "E" TO BY-LAW 2017-29



PROPERTY STANDARDS COMMITTEE OF CHISHOLM TOWNSHIP

NOTICE OF APPEAL

(Pursuant to S. 15.3(1) of the BUILDING CODE ACT of Ontario And Section 6.7.3 of By-Law ______ of the Corporation of the Township of Chisholm)

IN THE MATTER OF

APPELLANT

And

The CORPORATION OF THE TOWNSHIP OF CHISHOLM

RESPONDENT

TO: THE PROPERTY STANDARDS COMMITTEE OF CHISHOLM TOWNSHIP c/o Secretary to the Property Standards Committee of Chisholm Township 2847 Chiswick Line Powassan, ON P0H 1Z0

APPEAL OF THE ORDER TO REMEDY VIOLATION OD STANDARDS AND

Address for Service:

Page 2 - Schedule "E"

4.	1	Address of the Corporation of the Township of Chisholm (Respondent):
		2847 Chiswick Line, Powassan, ON P0H 1Z0 Telephone Number: (705) 724-3526 Fax Number: (705) 724-5099
5.		Counsel for Respondent: Jack Wallace
6.		Order of the Property Standards Officer being appealed:
a)	
_		
Ъ)	
c)	
7.]	Date of Order:
8.	-	The grounds of appeal are:
a)	
b)	
c)	
9.		Date:
10.	-	SIGNATURE OF APPELLANT OR COUNSEL OR AGENT:
N T-4		This Nation of Annual or any other annual decompositives about to use about the filed with
Note:		a) This Notice of Appeal or any other appeal document you choose to use should be filed with
		b) Note: Pursuant to Section of By-law, a Notice of Appeal should be sent "by registered mail" to the Secretary of the Committee within fourteen (14) days after service of the Order and in the event that no appeal is taken, the Order shall be deemed to have been confirmed.

SCHEDULE "F" TO BY-LAW 2017-29

TERMS OF REFERENCES

PROPERTY STANDARDS COMMITTEE

Established:

This Committee shall be established pursuant to section 15.6 of the Ontario Building Code Act S.O. 1992, c. 23 as amended.

The Property Standards Committee shall hear the Appeal of a Property Standards ORDER, given under the Township of Chisholm Property Standards By-law, and have all the powers and functions of the Officer who made the ORDER.

Membership:

- 1. The Committee shall be composed of a minimum of at least three (3) persons and not more than five (5) members, as the Council deems advisable.
- 2. The Property Standards Committee shall hold Office during the term of Council of the Corporation of the Township of Chisholm and shall have the powers and perform the duties of The Property Standards Committee for the Municipality as prescribed in Section 15.3 (3.1) *The Ontario Building Code Act, S.O. 1992, c. 23.*
- 3. The committee, from its members, shall elect a chairperson, at a meeting, arranged by the secretary, shortly thereafter their appointment to said committee by council.
- 4. When the chairperson is absent through illness or otherwise, the committee may appoint another member to act as chairperson.
- 5. Two (2) members of the committee shall constitute a quorum if the committee consists of three persons and three (3) members of the committee shall constitute a quorum if the committee consists of four to five persons.
- 6. The Council of the Township of Chisholm will appoint the staff member who will serve as the Secretary for the Committee. The Secretary shall not have voting powers. The Secretary shall be paid the meeting fee as set out in the current Collective Agreement for the municipality.
- 7. The Committee members will receive \$60.00 for each Appeal heard.

Responsibility of the Committee Members:

Chairperson

- 1. The Chairperson shall insure oaths are administered.
- 2. The Chairperson is responsible to ensure that the corporation and the appellant are provided equal opportunity to give evidence in said Appeal.
- 3. The Chairperson shall ensure that the evidence is presented in accordance to procedures outlined in this document.
- 4. The Chairperson is responsible for the conduct of the meeting/appeals.

Secretary

- 1. The secretary of the Committee, upon receipt of the Notice of Appeal shall:
 - (a) determine the date, place and time of the hearing of the appeal which shall take place not less than seven (7) days and not more than thirty (30) days from the date of receipt of the aforesaid notice; and
 - (b) give notice in writing of the date, place and time of the hearing to:
 - (i) the appellant;
 - (ii) the officer who issued the order, and
 - (iii) any others as the Committee may consider advisable
- 2. The secretary of the Committee shall notify:
 - (a) the appellant;
 - (b) the officer who issued the order; and
 - (c) any other person who appeared at the hearing of the appeal, of the decision, by causing a copy to be served personally or by registered mail.

Duties of the Committee:

- 1. A duty arises when an Officer issues an ORDER pursuant to section 15.2.2 or 15.7 of the *Ontario Building Code Act*, 1992, c. 23, and
- 2. When the owner or occupant upon whom an ORDER has been issued is not satisfied with the ORDER or the terms or conditions thereof, the owner or occupant may appeal to the Committee by sending a Notice of Appeal, by registered mail, to the Secretary of the Committee, within fourteen (14) days after service of the ORDER and, in the event that no appeal is taken, the Order shall be deemed to have been confirmed.
- 3. The Committee shall hold the hearing at the date, place and time set out in the notice and shall have all the powers and functions of an Officer.
- 4. The Committee shall hear all evidence from the Corporation of the Township of Chisholm and the Appellant in accordance with the rules of evidence.

Procedure for an Appeal:

- ➤ The Committee will be given copies of the following:
 - Property Standards By-Law
 - Copy of the ORDER and Notice of Non-Conformance

- > The Corporation will present its evidence to the Committee first witness testimony and documentary evidence.
 - The chairperson prior to allowing any witness to give testimony will have the witness make OATH. The witness will take an oath swearing that he will tell the truth or he will affirm that he will tell the truth.
 - The appellant and the Committee will have the opportunity to question any Corporation witness, when the Corporation is finished with their line of questioning for that particular witness.(Cross examination)
 - The Corporation will have the opportunity to clarify any evidence brought out in cross-examination meaning address the witness again by asking questions. (re-examination)
- ➤ Once the Corporation has completed its evidence, the Appellant may present its evidence.
 - The parallel procedure applies as above.
- ➤ Upon completion of the Appellant's evidence the Corporation has the opportunity to give Reply Evidence. Meaning, if during the course of the defense, the appellant or witnesses have raised an issue not previously raised by the Corporation then as Reply Evidence the Corporation may call evidence on the point, which had not been previously raised.
- > Once the evidence for the appellant and the Corporation is completed, they will have the opportunity to summarize their evidence to persuade the Committee as to what conclusions he or she should draw from the evidence.
- 5. The Property Standards Committee may:
 - a) confirm the ORDER;
 - b) modify or rescind the ORDER; or
 - extend the time for complying with the ORDER provided that the general intent and purpose of the By-law is maintained.
- 6. The Committee shall give its decision in writing within 10 working days.
- 7. The Corporation or any owner or occupant or person affected by the Committee's decision may appeal to a judge of the Ontario Court (General Division) by notifying the clerk of the corporation in writing and by applying to the Ontario Court (General Division) for an appointment within 14 days after the sending of a copy of the decision.

Cindy Pigeau

Subject:

FW: Feedback from a resident

----- Forwarded message -----

From: Manson, John

Date: Wed, Oct 27, 2021 at 8:32 AM Subject: Feedback from a resident

Good Day Mayor Pennell and Council,

My family moved to Calvin about a year ago. We live here full time and work in Mattawa and North Bay.

We also watch all the council meetings on YouTube to keep abreast of local issues and look forward to being able to attend in person when they are open.

Thank you for your hard work, I can imagine it is an extremely challenging role, but a very important one none the less.

Given it's such a small (and lovely) community I thought I would provide direct feedback as I assume you are looking for community voice in guiding your decisions.

Specifically I have two concerns:

- 1, The cost of the current complaint process seems to be disturbingly high. I was already surprised at the level of property tax I had to pay when I moved here, and the idea of having it increase because of a cycle of complaints seems like a poor use of my hard earned after tax dollars.
- 2, The property standards bylaw that is being worked on is not something I have any appetite for. This is consistent with discussions I have had with other residents and neighbours. I don't see a benefit in further regulating what residents can do on their property. I don't see how this benefits the community more than it restricts it's residents.

Thank you for your continued hard work on the Council representing the community.

Have a wonderful day.

John Manson

BY-LAW 2006-01

PROPERTY STANDARDS

THE CORPORATION OF THE TOWNSHIP OF
PAPINEAU-CAMERON

THE CORPORATION OF THE TOWNSHIP OF PAPINEAU-CAMERON

BY-LAW NO. 2006-01

Being a by-law to provide standards for the Maintenance and Occupancy of Property in the Township of Papineau-Cameron

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

- (1) Prescribing 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 to the standards;
- (2) Requiring property that does not conform to the standards to be repaired and maintained to conform with the standards or the site to be cleared of all buildings, structures, debris or refuse and left in a graded and leveled condition.

AND WHEREAS the Official Plan Amendment # 1 of the East Nipissing Planning Board, Section 2.7, includes provisions relating to property conditions, and such Official Plan applies to the Township of Papineau-Cameron;

NOW THEREFORE the municipal council of the Corporation of the Township of Papineau-Cameron hereby enacts as follows.

Township of Papineau-Cameron

PROPERTY STANDARDS BY-LAW

	4 6	neral
SECIION	1 – Gie	neral
SECTION 2	- Defi	nitions
SECTION 3	- Mai	ntenance of Accessory Buildings and Yards8
	3.1 3.2 3.3 3.4 3.5 3.6	Accessory Building, Fences and other Structures
SECTION 4	- Fire	Damage & Demolition11
SECTION 5	- Occi	pancy Standards for Dwelling
SECTION 6	- Vaca	nt Lands13
	6.1 6.2	Vacant Lands
SECTION 7	- Signs	
SECTION 8	- Adm	inistration13
	8.1 8.2 8.3 8.4 8.5 8.6	Application of By-law
SECTION 9.	. Anth	ority

SECTION 1 - GENERAL

1.1 Short Title

This By-law may be cited as the "Property Standards By-law".

SECTION 2 - DEFINITIONS

2.A

Accessory Building

Shall mean a building naturally or normally incidental, subordinate and exclusively devoted to a main use, building or structure and located on the same lot therewith.

2.B

Balustrade

Shall mean a protective barrier that acts as a guard around openings in floors or at the open sides of stairs, landings, balconies, mezzanines, galleries, raised walkways, or other locations to prevent accidental falls from one level to another; such barrier may or may not have openings through it.

Basement

Shall mean that portion of a building between two floor levels which is partly underground but which has at least one-half of its height from finished floor to finished ceiling above the average level of ground adjacent to the exterior walls of the building.

Bathroom

Shall mean a room containing at least a washbasin and toilet and bathtub or shower, or two rooms which contain in total at least one washbasin and one toilet and one bathtub or shower.

Boarding or Lodging House

Shall mean a building in which the owner or lessee provides not more than four (4) guest rooms for accommodation, with or without meals, for monetary gain.

Building

Shall mean any structure used or intended for sheltering any use or occupancy. The word "building" shall include the whole of such structure or part thereof and shall include any building types as regulated by the *Ontario Building Code*.

Cellar

Shall mean that portion of a building between two floor levels which is partly or wholly underground but which has more than one-half of its height from finished floor to finished ceiling below the average level of ground adjacent to the exterior walls of the building.

Chief of Fire Department - means the Chief of the Volunteer Fire Department of the Corporation of the Township of Papineau-Cameron

Commercial Property

Shall mean a property used for the sale of goods and/or services for the purposes of this By-law shall include office buildings, public halls, licensed premises and private clubs, and any building that is used in conjunction with these.

Committee

Shall mean the Property Standards Committee as established under this By-law.

Corporation

Shall mean the Corporation of the Township of Papineau-Cameron.

2.D

Dwelling

Shall mean a building occupied or capable of being occupied as the home or residence of one or more persons, which shall not include a boarding house, hotel, motel or similar commercial use of a private or semi-private institution.

Dwelling Unit

Shall mean one room or a group of rooms in one (1) building, used for residential occupancy, housing food preparation and sanitary facilities and a private entrance from the outside of the building or from a common hallway or stairway inside the building.

Discarded Motor Vehicle means a vehicle which is unlicenced and/or a vehicle which is in disrepair, having missing parts, including tires or damaged or missing glass or deteriorated or removed metal adjunctions which make its normal use impossible, save and except for any vehicles actively being restored.

2.F

Fire Resistance Rating

Shall mean the time in hours that a material construction or assembly will withstand the passage of flame and transmission of heat when exposed to fire under specified conditions of test and performance criteria as stated in the *Ontario*

2.G

Graffiti

Shall mean one or more letters, symbols or marks, howsoever made, that disfigure or deface a property or object, but does not include an authorized sign.

2.H

Habitable Room

Shall mean a room commonly used for living purposes, including a bedroom and a kitchen but not including any space in a dwelling used as a lobby, hallway, closed, or bathroom or any room having floor space of less than 4.6 m² [49.5 ft.²].

2.I

Industrial Property

Shall mean a property used for the manufacturing and/or processing of goods or used for the storage of goods or raw materials and any property that is used in conjunction with these uses.

2L Land shall mean the land around or appurtenant to the whole or any part of a premises and used or intended to be used, or capable of being used in connection with the building.

2.M

Maintenance

Shall mean the preservation and keeping in repair of a property.

Means of Egress

Shall mean a continuous path of travel provided by a doorway, hallway, corridor, exterior passageway, balcony, lobby, stair, ramp, window, or other egress facility for the escape of persons from any point within a building, floor area, room or contained open space to a public thoroughfare or approved open space and includes exits or access to exists.

Multiple Dwelling

Shall mean a building containing two or more dwelling units, other than a semidetached dwelling.

Multiple Use Building

Shall mean a building containing both a dwelling unit and a non-residential use.

2.N

Non-Habitable Space

Shall mean any space in a dwelling or dwelling unit other than a habitable room, and includes any bathroom, toilet room, laundry, pantry, lobby, communicating corridor, stairway, closet, boiler room or other space for service and maintenance or common use, and for access to and vertical travel between storeys; and any unfinished basement.

Non-Residential Property - a building or structure not occupied or capable of being occupied in whole or in part for the purposed of human habitation and includes those lands and premises appurtenant thereto.

2.0

Occupant

Shall mean any person or persons over the age of eighteen years in possession of the property.

Occupancy

Shall mean the use or intended use of a building or part thereof for the shelter or support of persons, animals or property.

Officer

Shall mean a property standards officer as may from time to time by Council be assigned the responsibility of administering and enforcing this By-law.

Outdoor Storage shall mean the land used for the purposes of storing builder's supplies or materials salvaged from any demolition of a building either for storage or salvage for reuse or sale or the storing of any other industrial commercial goods, wares or merchandise.

Owner

Shall mean the person for the time being paying the municipal taxes or managing or receiving the rent of the land or premises in connection with which the word is used whether on his own account or as agent or trustee of any other person or who would so receive the rent if such land and premises were let, and shall also include a lessee or occupant of the property who, under the terms of a lease, is required to repair and maintain the property in accordance with the standards for the maintenance and occupancy of the property.

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 homes, mobile buildings, mobile structures, outbuildings, fences and erections thereon whether heretofore or hereafter erected and includes vacant property.

Public Building

Shall mean a building which is staffed by government personnel for the purpose of servicing the public.

2.R

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 this By-law. All repairs shall be made in conformity to the *Ontario Building Code*, the *Ontario Water Resources Act*, the Electrical Safety Code, the Fire Code the *Environmental Protection Act*, the *Elevating Devices Act* and similar legislation.

Residential Property

Shall mean 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 land or buildings that are appurtenant to such an establishment.

Roomer or Lodger

Shall mean a person harboured, received or lodged, in a lodging house or boarding house in return for compensation.

2.S

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.

Sewage System

Shall mean the Township's sanitary sewerage disposal system approved by the Medical Officer's of Health and/or the Ministry of the Environment or an individual on-site sewage system approved under the *Building Code Act* or the *Environmental Protection Act*.

Standards

Shall mean the standards of physical conditions and occupancy set out in this Bylaw.

2.T

Toilet Room

Shall mean a room containing a water closet and washbasin.

2U Unlicenced means the lack of a currently validated permit for the vehicle affixed to a number plate displayed on a motor vehicle within the meaning of the Highway Traffic Act, as amended.

2.W

Wall

Shall mean the solid vertical structure forming any one of the sides of a building and/or a partition forming the side of a room.

Waste Material means any garbage, refuse, debris, litter, domestic waste and, for greater certainty but not so as to restrict the generality of the forgoing, includes, whether of any value or not, the following:

- a) weighty or bulky materials such as stoves, refrigerators and other such appliances, furniture, furnace parts, pipes, water or fuel tanks;
- b) discarded motor vehicles, automotive parts, vehicle parts and accessories, mechanical equipment, mechanical parts, unmounted tires, tires mounted on rims and mechanical equipment.
- c) broken concrete, broken asphalt, patio/sidewalk slabs, bricks, interlocking bricks, unused building materials, pallets, rail road ties;

2. V

Yard

Shall mean an open, uncovered space 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.

SECTION 3 - MAINTENANCE OF ACCESSORY BUILDINGS AND YARDS

3.1 Accessory Buildings, Fences and Other Structures

- 3.1.1 Accessory buildings, fences and other structures, including retaining walls appurtenant to the property shall be maintained in a structurally sound condition and in good repair and free from health, fire and accident hazards.
- 3.1.2 Accessory buildings, fences and other structures shall be protected from deterioration by the application and maintenance of weather resistant materials (i.e. paint or other suitable preservative) or through the use of maintenance free construction materials.
- 3.1.3 Despite Section 3.1.2, preservatives may be exempted where the aesthetic characteristics of the building are specifically designed to be enhanced by the lack of such materials and the standards in Section 3.1.1 are upheld.
- 3.1.4 Fences, approved enclosures and retaining walls around or on a property shall be kept free from posters, signs, notices, advertising materials or defacement or disfigurement. Fences and gates around swimming pools shall also be maintained in accordance with Zoning By-law 2000-11. The height and materials used in the construction or installation of fences shall be in accordance with Zoning By-law 2000-11.
- 3.1.5 Accessory buildings, fences or structures shall be repaired or removed or demolished in part or in whole where the offending part of the building is not in accordance with the prescribed standards.

3.2 Drainage

- 3.2.1 No person shall maintain or change the grade, swales, open ditches or other drainage features on a property so as to cause recurrent or excessive ponding or the entrance of water into a basement or cellar.
- 3.2.2 All stormwater facilities on a property or serving a property shall be maintained in working order and free of blockages that might impede drainage.
- 3.2.3 No natural soil, topsoil, road gravel, salt or other fill material shall be permitted to erode by the action of wind or stormwater runoff if such material is being carried onto adjacent property or into a lake, stream, ditch or water course.

3.2.4 No roof drainage or sump pump shall be discharged on sidewalks, stairs of the premises or onto neighbouring property.

3.3 Garbage Disposal

- **3.3.1** Garbage, rubbish and other debris from a property shall be promptly stored in receptacles and made available for removal.
- 3.3.2 Every garbage and refuse receptacle shall be constructed of watertight material, provided with a tight fitting cover and shall be maintained in a clean and odour free condition at all times. Where an exterior bulk or roll-off container refuse system is used, it shall be equipped with covers or similar devises which shall be readily openable, but not left open when actively being loaded or emptied, shall be large enough for the containment of all refuse generated between collections by the occupants served and shall not be loaded beyond the top of the container. Despite this provision, the temporary storage of waste materials from the demolition, repair or alteration of a building or part thereof may be placed on the property or in a designated dumpster, provided it is remove frequently and in its entirety from the property and provided it does not cause a risk to public health or safety.
- 3.3.3 Where private containerized garbage pickup is provided, such containers shall be placed behind the building line and kept in a neat and tidy condition.
- 3.3.4 Garbage of an inflamable, toxic or hazardous nature shall be stored safely or removed immediately from the property unless otherwise authorized under a valid Certificate of Approval issued by the Ministry of the Environment.
- 3.3.5 Every residential property shall be maintained in a clean, sanitary and safe condition and shall dispose of garbage and debris on a regular basis.
- 3.3.6 The occupant of a residential property may provide for a compost pile, provided that the compost pile is no larger than 1 m² [10.76 ft.²] in area and no higher than 1.8 m [5.9 ft.] in height and is enclosed on all sides by concrete block or lumber or other suitable materials or stored within a commercially manufactured plastic container designed for composting, either of which is maintained in a condition to prevent undue odours or vermin.

3.4 Safe Passage for Parking Areas, Walks and Driveways

- 3.4.1 Steps, walks, walkways and driveways shall be maintained so as to afford safe passage under normal use and weather conditions be it in any season or during the day or night
- 3.4.2 All areas used for vehicular traffic and parking shall have a surface of asphalt, concrete, interlocking stone or compacted stone or gravel and shall be kept in a safe condition for vehicular or pedestrian traffic.

3.5 Sewage

- **3.5.1** Sewage or organic waste shall only be discharged into a sewage system approved under the *Building Code Act* or the *Environmental Protection Act*.
- 3.5.2 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.
- 3.5.3 All septic tanks shall be maintained in proper working order and shall be pumped out on a regular basis in accordance with the occupancy of the building or dwelling.

3.6 Yards and Vegetation

- 3.6.1 All yards, including vacant lots, shall be kept clean and free from:
 - 1. Garbage, rubble, litter, waste, construction materials or other debris that constitutes an unsafe condition or public health concern.
 - 2. Noxious plants as defined in the *Weed Control Act* such as ragweed, poison ivy, poison oak, poison sumac or similar noxious vegetation.
 - 3. Heavy growth or undergrowth and excessive growth of grass or weeds. Within the Township of Papineau-Cameron, grass on lawns or boulevards or landscaped areas on any lot including a vacant lot shall be maintained in a trimmed, mowed or cut condition with a height not to exceed of 20.2 cm [8 inches] and shall be kept free of weeds and noxious plants. Hedges and bushes shall be kept trimmed to a suitable height and shall not be overgrown or unsightly. A yard which is cultivated to permit natural uncut grasses (i.e. vetch) and alternative gardening or landscaping methods may be permitted at the discretion of the Chief Property Standards Officer.

- 4. Dead, decaying or damaged trees or other natural growth which create an unsafe condition, fire hazard or public health concern.
- 5. Holes, pits or trenches, ditches which create an unsafe condition. Holes and excavations which are necessary for or part of a use lawfully situated on private property shall be kept in a safe condition and where necessary for safety reasons, shall be barricaded or fenced.
- 6. Any vehicle, including a trailer, boat, snowmobile, recreational vehicle, machinery or part thereof or junk which is in a wrecked, discarded, dismantled, inoperative or abandoned condition, except:
 - A. in an establishment licensed or authorized to conduct and operate such a repair or restoration or resale business;
 - B. for an occupant of any premises who is repairing or restoring a vehicle or equipment for personal use provided such repair or restoration is actively carried on;
 - C. for a farmer who is actively trying to sell or dispose of farm vehicles or equipment; or
 - D. for historic vehicles or other vehicles or equipment which are stored inside an enclosed building and are being repaired, restored or conserved for personal use.
- 7. Dilapidated, collapsed or partially constructed structures where not covered by a currently valid building or demolition permit.
- 3.6.2 Section 3.6.1.3 shall not apply to any property in the Agricultural (A)

 Zone, Rural (R) Zone, Open Space (OS) Zone or Environmental

 Protection (EP) Zone as provided for in By-law.

 unless the property is used exclusively for residential purposes.

SECTION 4 Fire Damage and Demolition

- 4.1.1 In the event of a fire, measures shall be taken as soon as possible to make the damaged building safe and compatible with the surrounding environment through such measures as:
 - 1. Cleaning any smoke or water damaged surfaces exposed to view
 - 2. Refinishing such exposed surfaces so that they are in harmony with adjoining undamaged surfaces and the general environment.
 - 3. Repairing of fire damaged surfaces.

In the event a building is destroyed beyond the point of repair or restoration, as a measure of public safety, the building shall be demolished and removed forthwith from the site and the site shall be graded and leveled. In the interim of any authorized repair or, restoration of a fire

- damage building or in the interim of the demolition and/or removal, the site and/or building shall be secured to prevent access by the general public.
- 4.2.2 Where a building or structure is being demolished, every precaution shall be taken to protect any adjoining property and members of the public from accident hazards. Such precautions shall include the erection of fences or barricades and all other means of protection necessary in respect thereto.
- **4.3.3** No building shall be reoccupied which is deemed to be unsafe for human occupancy.

SECTION 5 - OCCUPANCY STANDARDS FOR DWELLINGS

- No person shall use or permit the use of a non-habitable room in a dwelling for a habitable room purpose.
- 5.2 The maximum number of occupants in a dwelling or dwelling unit shall not exceed one person per 9.4 m² [101.1 ft.²] of habitable room floor area.
- For the purpose of computing the maximum number of occupants in subsection 6.2 any child under twelve years of age shall be deemed one-half person.
- For the purpose of computing the habitable room floor area in subsection 6.2 the floor area under a ceiling which is less than 2.1 m [6.88 ft.] high shall not be counted. If a finished ceiling is not applied to the underside of the joists, then the area shall not be deemed as habitable room space.
- No room in any dwelling shall be used for sleeping purposes unless there is a minimum width of 2 m[6.56 ft.] and a minimum floor area of 7 m² [75.3 ft.²]. At least one-half of the required minimum floor area shall have a ceiling height of 2.1 m [6.88 ft.] and no floor area with a ceiling height of less than 1.37 m [4.49 ft.] shall be counted.
- Any basement, or portion thereof, used as a dwelling unit shall conform to the following requirements:
 - 1. Each habitable room shall comply with all the requirements set out in this By-law.
 - 2. Floors and walls shall be constructed so as to be dampproofed and impervious to water leakage.
 - 3. Each habitable room shall be separated from the fuel fired heating unit or other similarly hazardous equipment by a suitable fire separation and

approved under the Ontario Building Code.

4. Access to each habitable room shall be gained without passage through a furnace room, boiler room or storage room.

SECTION 6 - VACANT LANDS AND BUILDINGS

6.1 Vacant Lands

- 6.1.1 Vacant land shall be maintained to the standards as described in Section 3.6 of this By-law.
- 6.1.2 Vacant land shall be graded, filled or otherwise drained so as to prevent recurrent or excessive ponding of water.

6.2 Vacant Buildings

- 6.2.1 Vacant buildings shall be kept cleared of garbage, rubble 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 building.
- 6.2.2 Every vacant building shall be boarded up 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 in a color compatible with the surrounding walls and which is securely fastened.

SECTION 7 SIGNS

7.1.1 All signs and billboards shall be maintained in good repair and any signs which are excessively weathered or faded, or those upon which the paint has excessively peeled or cracked shall, with their supporting members, be removed or put into a good state of repair.

SECTION 8 - ADMINISTRATION

8.1 Application of By-law

- 8.1.1 This By-law shall apply to all property within the Township of Papineau-Cameron and shall be enforced upon written and signed complaints, only.
- 8.1.2 Where a provision of this By-law conflicts with a provision of another By-law in force in the Township, the provisions that establish the higher standards to protect the health, safety and welfare of the general public shall

prevail.

8.1.3 If any section of this By-law is for any reason held to be invalid, the remaining sections shall remain in effect until repealed.

8.2 Property Standards Officer and Property Standards Committee

- 8.2.1 This By-law shall be administered by a Property Standards Officer and a Property Standards Committee of three ratepayers of the Township of Papineau-Cameron appointed by Council who shall hold office for three years provided that on the first appointment the members shall hold office occurrent to the term of Council.
- **8.2.2** The Committee shall appoint one of its members as Chairman and shall appoint a secretary.

8.3 Inspection

- 8.3.1 The Property Standards Officer or any person acting under his instructions may, at all reasonable times and upon producing proper identification, enter and inspect any property to determine whether the property conforms with the standards prescribed in this By-law, or whether an order has been complied with.
- **8.3.2** The Property Standards Officer or any person acting under his instructions shall not enter any room or place actually used as a dwelling unless:
 - 1. The consent of the occupier is obtained, the occupier first having been informed that he right of entry may be refused and entry made only under the authority of a warrant issued under the *Building Code Act*; a warrant issued under the *Act* is obtained;
 - 2. The delay necessary to obtain a warrant or the consent of the occupier would result in an immediate danger to the health or safety of any person;
 - 3. The entry is necessary to terminate a danger as determined under the *Building Code Act* (Section 15.7(3));
 - 4. The requirements for giving notice under Section 16.(1) of the *Building Code Act* are met and the entry is necessary to remove a building or restore a site or to remove an unsafe condition or to repair or demolish.

- **8.3.3** For the purposes of an inspection under the *Building Code Act*; an inspector may:
 - 1. Require the production for inspection of documents or things, including drawings or specifications that may be relevant to the building or part thereof;
 - Inspect and remove documents or things relevant to the building or part thereof for the purpose of making copies or extracts;
 - 3. Require information from any person concerning a matter related to a building or part thereof;
 - 4. Be accompanied by a person who has special or expert knowledge in relation to building or part thereof;
 - 5. Alone or in conjunction with a person possessing special or expert knowledge, make examinations or take tests, samples or photographs for the purposes of the inspection; and
 - 6. Order any person to take and supply at that person's expense such tests and samples as are specified in the order.

8.3.4 Inspection of Unsafe Buildings

- 1. An inspector may enter upon land and into buildings at any reasonable time without a warrant for the purpose of inspecting a building to determine whether the building is unsafe or whether an order has been complied with.
- 2. A building is unsafe if the building is structurally inadequate or faulty for the purpose for which it is used or in a condition that could be hazardous to the health or safety of persons in the normal use of the building, persons outside of the building or persons whose access to the building has not been reasonably prevented.
- 3. In addition to the criteria set our in Section 8.3.4.2, a sewage system is unsafe if it is not maintained or operated in accordance with the *Building Code Act* and the *Ontario Building Code*.
- 4. An inspector who finds that a building is unsafe may make an order setting out the reasons why the building is unsafe and the remedial steps necessary to render the building safe and may require he order to be carried out within the time specified in the order. The order shall be served on the owner and each person apparently in possession of the building and such other person affected thereby as the officer determines and a copy of the order may be posted on the site of the building. If an order is not complied with within the time

specified, or where no time is specified, within a reasonable time, the officer may by order prohibit the use or occupancy of the building and may cause the building to be renovated, repaired or demolished to remove the unsafe condition or take such other action as is considered necessary for the protection of the public.

- 5. **Power of Entry:** For the purposes of Section 8.3.4.4, an officer may enter upon the land and into buildings at any reasonable time without a warrant.
- 6. Municipal Lien: If the building is in a municipality, the municipality shall have a lien on the land for the amount spent of the renovation, repair, demolition or other action taken under Section 8.3.4.4 and an amount shall be deemed to be municipal real property taxes and may be added by the clerk of the municipality to the collector's roll in the same manner and with the same priorities as municipal real property taxes.
- Emergency Order: If upon inspection of a building an inspector is 7. satisfied that the building poses an immediate danger to the health or safety of any person, the officer may make an order containing particulars of the dangerous conditions and requiring remedial repairs or other work to be carried out immediately to terminate the danger. The order shall be served on the owner and each person apparently in possess of the building and such other persons affected thereby as the officer determines and a copy shall be posted on the site of the building. After making the order, the officer may, either before or after the order is served, take any measures necessary to terminate the danger and for this purpose, the officer, an inspector and their agents may at any time enter upon the land and into the building in respect of which the order was made without a warrant. If the order was not served before the measures were taken to terminate the danger, the officer shall serve copies of the order as soon as practicable after the measures have been taken and each copy of the order shall have attached to it a statement by the officer describing the measures taken and providing details of the amount spent in taking the measures.

8.4 Order of Non-Conformity

8.4.1 When inspection by the Property Standards Officer reveals that a property does not conform with the standards prescribed by this By-law, the Property Standards Officer may make an order.

8.5 Contents and Procedures for an Order of Non-Conformity

8.5.1 The order shall:

- 1. contain the municipal address or a legal description of the property;
- 2. give reasonable particulars of the repairs to be made or stating that the site is to be cleared of all buildings, structures, debris or refuse and left in a graded and leveled condition.
- 3. indicate the time for complying with the terms and conditions of the order and giving notice that, if the repair or clearance is not carried out within that time, the municipality may carry out the repair or clearance at the owner's expense.
- 4. indicate the final date for giving notice of appeal from the order.
- **8.5.2** The order shall be served on the owner of the property and such other persons affected by it as the officer determines and a copy of the order may be posted on the property.
- 8.5.3 The order may be registered in the proper land registry office and, upon such registration, any person acquiring any interest in the land subsequent to the registration of the order shall be deemed to have been served with the order on the day on which the order was served, and where the requirements of the order have been satisfied, the clerk of the municipality shall forthwith register in the proper land registry office a certificate that such requirements have been satisfied, which shall operate as a discharge of the order.

8.6 Appeal of an Order

- 8.6.1 An owner or occupant who has been served with an order and who is not satisfied with the terms or conditions of the order may appeal to the committee by sending a notice of appeal by registered mail to the secretary of the committee within 14 days after being served the order.
- 8.6.2 An order that is not appealed within the 14 day period specified shall be deemed to be confirmed.
- 8.6.3 The committee shall hear an appeal. On appeal, the committee has all the powers and functions of the officer who made the order and the committee may do any of the following things, if in the committee's opinion, doing so

would maintain the general intent and purpose of the by-law and official plan:

- 1. Confirm, modify or rescind the order to demolish or repair.
- Extend the time for complying with the order.

8.6.4 Appeal to Court

The municipality in which the property is situate or the owner or person affected by a decision of the committee may appeal to the Superior Court of Justice by notifying the clerk of the municipality in writing and by applying to the court within 14 days after a copy of the decision is sent.

SECTION 9 - AUTHORITY

- 9.1 This By-law shall be read subject to the *Building Code Act*; as amended from time to time, and whenever the provisions of this By-law conflict or are otherwise inconsistent with the provisions of the *Building Code Act*, the provisions of the *Building Code Act* shall be deemed to be incorporated into this By-law.
- 9.2 This By-law shall come into force on the date it is passed by the Council of the Corporation of the Township of Papineau-Cameron.

Read a first time this 10th day of January, 2006.

Read a Second and Third time and finally passed this 10th day of January, 2006.

House Coleman

Sland & Morin



Corporation of the Municipality of Calvin Council Resolution

Date: January 25,	2022			
Resolution Number	: Click or tap he	re to enter tex	rt.	
Moved By:	Choose a nam	e.		
Seconded By:	Choose a nam	e.		
Now Therefore Be it	RESOLVED THAT:			
develop a simple Prop	"That Council acknowledge receipt of report 2022CT05 Property Standards By-Law, and direct staff to develop a simple Property Standards By-Law to regulate residential properties, non-residential properties, vacant buildings and lands."			
Result Options.				
Recorded Vote:				
Member of Council		<u>In Favour</u>	<u>Opposed</u>	
Mayor Pennell				
Councillor Brooker				
Councillor Castelijn				
Councillor Cross				
Councillor Shippam				



2022CT06 REPORT TO COUNCIL

REPORT DATE: January 21, 2022

ORIGINATOR: Cindy Pigeau – Clerk-Treasurer

SUBJECT: Zoning By-Law – Potentially More Amendments

RECOMMENDATION:

That Council acknowledge receipt of report 2022CT06 Zoning By-Law — Potentially More Amendments and direct staff to contact Mr. Glenn Tunnock to further discuss these amendments and finalize our new Zoning By-Law to be brought to Council for approval.

EXECUTIVE SUMMARY:

The Municipality has been working with Mr. Glenn Tunnock to update our Zoning By-Law to present a new version of the Zoning By-Law to Council since 2018. We are in the final stages of revising the Zoning By-Law and would like to have it completed and approved by Council within the first quarter of the year 2022.

FINANCIAL/STAFFING CONSIDERATIONS:

There has been and will be staff time associated with developing this new Zoning By-Law. There will also be the final charge from Mr. Glenn Tunnock for the development of this new Zoning By-Law.

BACKGROUND:

Staff has been working with Mr. Glenn Tunnock for the past number of years to update and develop a new Zoning By-Law that is relevant to today's standards and conditions. We have also been trying to clarify any references in the current version of the Zoning By-Law to make it more user friendly for both Staff and the Public.

ANALYSIS/RATIONALE FOR RECOMMENDATION:

Staff along with Mr. Glenn Tunnock have been reviewing the current Zoning By-Law to try to remove any conflicting information contained in the document as well as clarify any references that were ambiguous.

The following are further references that we have discovered could be further clarified. They also include some responses from Mr. Glenn Tunnock:

From Mr. Glenn Tunnock:

I have had time to consider your CBO's concerns about the interpretation of Section 4.21 (c) of the by-law with respect to pits and quarries. The way the by-law was construed

creates a conflict in that the first part of the section establishes a separation standard for a pit and a quarry, while the following section introduces a policy that contradicts the first part:

Within an influence area of 300 m [984 ft.] from the boundary of a Mineral Aggregate Resource Zone Boundary for a **pit** or 1,000 m [3,280 ft.] for a **quarry**, respectively, no **sensitive land use** shall be **permitted** unless appropriate measures have been undertaken to mitigate adverse or potential adverse impacts such as visual impacts, noise, dust, traffic or ground water quality or quantity. Adverse effects may be addressed by means of a phasing plan, rehabilitation plan, landscaping, berming, specified truck routes or other measures acceptable to **Council**;

This policy is more the purview of the official plan and should apply to lot creation. I am recommending that this be removed from the by-law and I have revised the amending by-law by doing so.

As I have indicated in the past, the protection of natural resources for their economic value is very important in rural areas of rural township municipalities. This poses a challenge to Calvin because there is really no urban area to redirect growth. Consequently, there needs to be a balance stuck between resource protection and rural development. The designation in the official plan of the mineral aggregate resource areas is based on the best Ontario Geological Survey mapping. The shortcoming of the mapping is that the aggregate resources that are illustrated may not have been fully evaluated for their economic value or suitability for use in construction and road maintenance. This is why the opinion of an outside expert is important. An outside expert can evaluate the geological information relative to current aggregate demand and relative to surrounding development. The concept of the influence area compliments this evaluation by determining what mitigation measures can be undertaken to mitigate/reduce the impacts of noise, dust and truck traffic associated with a pit or quarry operation. That said, there have been a number of lots created in rural Calvin that have development rights given that the properties have been zoned to permit rural development. These rights could be arbitrarily removed if the wording above is retained in the by-law.

In summary, I suggest that the amending by-law be used to remove the wording and that the separation distances be retained.

Questions from Staff to Mr. Tunnock:

- Can you please also clarify when an environmental study needs to be done in an MX Zone? Ie. if there are already a number of houses in the area, does a study really need to be done? What is an environmental study? Who decides what needs to be tested? We believe it would be good to have some clarity on this subject.
- There have also been some other issues that have come up that we would like to add to our ZBL. – We would like to add something in the LSR Zone that a road maintenance agreement or a contractors agreement for any maintenance to be

completed on the seasonal road. We were thinking maybe in section 5.5 (Limited Service Rural) or Section 4 (General Provisions).

3. Regarding the requirement to have a certain amount of acres of land to have one nutrient unit unless it is for agricultural use is ambiguous. If someone has a pig in their yard then it could be said it is for agricultural use. We would like to see a Tiered system in that the more land you have the more nutrient units you could have. An example was sent to you a while ago with some suggestions on how this could be set up. We think this would be a better approach. We feel that if this tiered system is put into place then the exemption would therefore no longer be required. See Sections 5.4.3.9 and 5.5.3.7.

ALTERNATIVES FOR CONSIDERATION:

Council could request that the Zoning By-Law be brought to Council for approval as is.

NEXT STEPS:

Council to decide whether they would like Staff to discuss the suggested amendments with Mr. Glenn Tunnock and then move forward in finalizing the Zoning By-Law to be brought to Council for approval within the first quarter of 2022.

APPENDICES/SCHEDULES:

Attachment #1: Current DRAFT version of the Municipality of Calvin Zoning By-Law

Respectfully submitted; Cindy Pigeau Clerk-Treasurer



Zoning By-law

Municipality of Calvin

Zoning By-law July 2021

Tunnock Consulting Ltd.

287 Three Bay Road PERTH ON K7H 3C7 Tel. (613) 464-8805 gtunnock@tunnockconsulting.ca



File P-2800 Page i

Table of Contents

xplanatory Note	ix
oning By-law Amendments	ix
1 inor Variances	xi
low to Use this By-law	xii
ection 1 ADMINISTRATION	1
Title	1
Application and Building Permits	1
Defined Area	
Enforcement	2
Penalty	2
Validity	2
Other By-laws, Licenses, Permits and Regulations	
Conflict	2
Effective Date	2
Metric and Imperial Terms	3
Diagrams and Figures	3
Repeal of Existing By-laws	
Reference to Legislation	
Technical Revisions to the Zoning By-law	3
	oning By-law Amendments finor Variances. fow to Use this By-law ection 1 ADMINISTRATION

Se	ection 2 CONFORMITY REQUIREMENTS	5
2.1	Compliance	5
2.2	Compliance of Severances	5
2.3	Application to Building	5
2.4	Minor Variances	5
Se	ection 3 DEFINITIONS	6
3.1	General	6
3.2	Definitions	6
Se	ection 4 GENERAL PROVISIONS	82
4.1	Accessory Buildings, Structures and Uses	82
4.	.1.1 General	82
4.	.1.2 Accessory Residential Uses	84
4.	.1.3 Bed and Breakfast Establishments	85
4.	.1.4 Boat Houses	86
4.	.1.5 Docks	86
4.	.1.6 Fences in a Residential Zone	86
4.	.1.7 Fences in a Non-Residential Zone	87
4.	.1.8 Garden Suites	87
4.	.1.9 Pumphouse	88
4.	.1.10Storage Containers in a Residential Zone	88
4.	.1.11 Storage Containers in a Rural Zone - Non-Residential Err	or! Bookmark not defined.
4.	.1.12Swimming Pools	89
4.	.1.13Temporary Car Shelter	90

4.2	Automotive Service Station, Gas Bar, Car Wash	90
4.3	Buildings to be Moved	91
4.4	Camp	91
4.5	Change of Use	91
4.6	Cumulative Standards	92
4.7	Day Care for Children	92
4.8	Exception Zone	92
4.9	Farm Use	92
4.10	Flood Plain	92
4.1	0.1 Regulatory Flood Elevation	92
3.1	0.2Permitted Uses Within the Flood Plain	93
4.1	0.3 Prohibited Uses	93
4.1	0.4Flood Plain Zoning Standards	94
4.1	0.5 Additional Provisions	94
4.11	Frontage on a Public Street or Private Road	94
4.1	1.1Exceptions	94
4.1	1.2Exception for Existing Agreements	95
4.1	1.3Exception for Existing Lots or Land Holdings Adjacent to a Private Road	95
4.1	1.4Ministry of Transportation	96
4.12	Group Homes	96
4.13	Helipad, Heliport	96
4.14	Home Based Businesses	97
4.1	4.1Scope of Permitted Home Based Businesses	97

4.1	4.2Zone Regulations for Home Based Businesses	98
4.15	Illumination	99
4.16	Kennel	100
4.17	Land Suitability For Use	100
4.18	Licenses, Permits and Other By-laws	100
4.19	Loading/Delivery Space Regulations	100
4.20	Mine Hazards	101
4.21	Minimum Distance Separation and Special Setbacks	101
4.2	21.1 Waste Management Facility	101
4.2	21.2Pits and Quarries	101
4.2	21.3Industrial Uses	102
4.2	21.4Minimum Distance Separation Formulae I and II	102
4.2	21.5Water Bodies and Shoreline Buffer Zone	103
4.2	21.6Wetland	104
4.2	21.7Rail Corridor	104
4.2	21.8TransCanada Pipelines	104
4.2	21.9Ministry of Transportation	104
4.22	Non-Complying and Non-Conforming Buildings and Structures	104
4.2	22.1 Reconstruction, Enlargement of a Non-Complying Building or Structure	104
4.2	22.2Non-Complying Lots	105
4.2	22.3Non-Conforming Uses	105
4.2	22.4Reconstruction of a Non-Conforming Use	105
4.2	22.5 Prior Building Permits for a Non-Conforming Use	106

4.2	22.6Existing Undersized Lots	106
4.2	22.7Road Widening Creating a Non-Complying Use	106
4.23	Occupancy Restrictions	106
4.24	Open Storage and Outdoor Display	107
4.25	Parking, Motor Vehicles and Drive-Through Facilities	108
4.2	25.1General	108
4.2	25.2Barrier Free Parking	110
4.2	25.3Drive-Through Facilities	110
4.2	25.4Schedule for Parking Regulations	111
4.26	Parts of Buildings or Structures Permitted Above Height Level	117
4.27	Permitted Projections	118
4.28	Prohibited Uses	121
4.29	Recreational Vehicles	121
4.30	Sight Triangle	123
4.31	Signs	123
4.32	Streets, Parks, Playgrounds and Community Gardens	123
4.33	Temporary Buildings or Structures During Construction	124
4.34	Use by Public Authority or Public Utility	124
4.35	Water and Sewage Disposal Systems	125
4	Wind Turbine and Renewable Energy Undertaking	125
4.37	Zones Applying to More than One Properties	125
Se	ection 5 ZONES	126
5.1	Zone Classification	126

5.2	Zones	126
5.3	Interpretation of Zone Boundaries	127
5.4	RURAL - R	128
5.	.4.1 Permitted Uses	128
5.	.4.2 Zone Requirements	130
5.	.4.3 Additional Provisions	131
5.	.4.4 Exception Zones	132
5.5	LIMITED SERVICE RURAL - LSR	134
5.	.5.1 Permitted Uses	134
5.	.5.2 Zone Requirements	135
	.5.3 Additional Provisions	
5.	.5.4 Exception Zones	137
5.6	COMMERCIAL/RECREATIONAL - CR	138
5.	.6.1 Permitted Uses	138
5.	.6.2 Zone Provisions	139
5.	.6.3 Additional Provisions	140
5.	.6.4 Exception Zones	140
5.7	GENERAL INDUSTRIAL - M1	142
5.	7.1 Permitted Uses	142
5.	7.2 Zone Requirements	143
5.	.7.3 Additional Provisions	143
5.	.7.4 Exception Zones	143
5.8	HEAVY INDUSTRIAL - M3	144

5.8.1 Permitted Uses	144
5.8.2 Zone Requirements	144
5.8.3 Additional Provisions	
5.9 MINERAL AGGREGATE RESOURCE - MX	
5.9.1 Permitted Uses	146
5.9.2 Zone Requirements	146
5.9.3 Additional Provisions	
5.9.4 Exception Zones	147
5.10 WASTE MANAGEMENT FACILITY - W	148
5.10.1 Permitted Uses	148
5.10.2Zone Requirements	148
5.10.3 Additional Provisions	148
5.10.4Exception Zones	149
5.11 ENVIRONMENTAL PROTECTION - EP	
5.11.1Permitted Uses	150
5.11.2Zone Requirements	150
5.11.3 Additional Provisions	

Explanatory Note

The purpose of this By-law is to implement the Official Plan of the Municipality of Calvin and to regulate the use of land and the character, location and use of buildings and structures in the Municipality of Calvin. This By-law applies to all land within the Municipality of Calvin.

The By-law is passed by the authority of Section 34 of the *Planning Act*. The By-law conforms to the Official Plan for the Municipality of Calvin.

After the date of adoption of this By-law, any new development, redevelopment or alteration to an existing use or building must comply with the regulations of this By-law before a building permit can be issued. Applicants are encouraged to pre-consult with the Township on how the zoning regulations apply.

Changes to the regulations contained in this By-law may be made with prior approval from the Township as provided for under the *Planning Act*. Changes may require an amendment to the Zoning By-law.

Zoning By-law Amendments

The Zoning By-law may be amended where the proposed amendment complies with the Township's Official Plan. In accordance with the requirements of Section 34 of the *Planning Act*, the usual procedure for amendments involves the following steps:

- The person or public body wishing to amend the Zoning By-law must consult with the municipality before making an application. The application may then be made to the Clerk of the Corporation of the Municipality of Calvin to amend the By-law under (subsection 34(10.0.1) of the *Planning Act*). Applications are available from the Township office: 1355 Peddlers Drive, Mattawa, Ontario, P0H 1V0. Tel. (705) 744-2700 or on the Township's website www.calvintownship.ca or clerk@calvintownship.ca
- Designated staff will determine whether the application is a 'complete' application. Additional information, reports or studies may be required to support the proposed amendment before the application is considered complete. Applicants are required to submit a public consultation strategy as part of the application. Council has 30 days from the date of application to determine whether the application is complete (s. 34(10.1-10.3)). A complete application also requires that the Township's application fee is paid.

File P-2800 Page ix

- Once the application is considered complete, staff circulates to the applicant and prescribed agencies and bodies a Notice of Complete Application (s. 34(10.4)). If Council deems an application incomplete or does not make a decision within 30 days from the date of application, the person or public body may appeal to the Local Planning Appeal Tribunal (LPAT) to determine whether the application is complete (s. 34(10.5).
- (4) If an application is considered complete, staff advertises that a Public Meeting will be held in order to consider an amendment to the Zoning By-law. Advertisement is given 20 days in advance of the public meeting (s. 34(12-13, 14.1)). The advertisement may be placed in the local newspaper, or may be mailed, faxed or emailed to all property owners within 120 m of the property affected by the application. Where the notice is mailed, the applicant must also post a notice in a location on the property to be zoned that is visible from the adjacent street.
- (5) Council holds a Public Meeting and evaluates the appropriateness of the proposed amendment. Council considers the proposal's conformity with the Official Plan, adequacy of services, conformity with the provisions of the requested zone, suitability of the proposed use in the proposed location, public input, etc. The application must also be consistent with the Provincial Policy Statement and must also comply with the Growth Plan for Northern Ontario. If the application is considered satisfactory, the amending By-law is passed by Council.
- Within 15 days of the passing of the by-law, the Clerk will give written notice of the decision of Council through a notice by mail, fax or email to the applicant, to the Ministry of Municipal Affairs and Housing and to anyone who made a written request to receive notice of the decision (s. 34(10.9, 18)).
- (7) If Council refuses the application and does not amend the zoning by-law, the Clerk must give written notice with reasons to the applicant. The notice must be given within 15 days of Council's decision.
- (8) Any person who gave their opinion at a public meeting or who submitted their concerns in writing to the Clerk before the by-law was passed may appeal the decision of Council to the Local Planning Appeal Tribunal. The appeal must be filed with the clerk within the 20-day appeal period set out in the notice of the passing of the Zoning By-law amendment (s. 34(19)) and must include a cheque for \$300 payable to the Minister of Finance. If a person does not make an oral or written submission prior to council passing the by-law, they may not appeal Council's decision.
- (9) If Council refuses to approve the application or Council does not make a decision within 150 days from the date the application the person or public body may appeal to the Local Planning Appeal Tribunal (s. 34(11)). An appeal of a refusal must be made within 20 days of the date of the decision or within 20 days of the lapsing of the 150-day period (s. 34(11, 11.0.2)).

File P-2800 Page x

- (10) Where an appeal is made, Council may opt for mediation or dispute resolution to resolve the objection by giving notice to the appellant(s) (s. 34 (20.2). Participation by the appellant(s) is voluntary but where agreed to, the period for mediation is 75 days.
- (11) An amendment to the Zoning By-law takes effect on the day the by-law was passed by Council provided no appeal is filed.
- (12) If a decision or lack of a decision is appealed to the Local Planning Appeal Tribunal, the Tribunal can make any decision the Council of the Township had in regard to the specific application (s. 34(26)). In other words, the LPAT can approve, or refuse the application or approve the application in part.

How long does a zoning By-law amendment take to be approved?

Upon the receipt of a complete application (including any required supporting studies), a zoning By-law amendment usually takes 2-3 months to complete. The level of complexity and issues related to the proposal will affect the time line.

Minor Variances

A minor variance may be granted to the zoning by-law where the size or shape or other conditions prevent an applicant from meeting the zoning standards provided the criteria can be met. Criteria for evaluating of Minor Variances are set out in section 45(1) of the *Planning Act*):

- (1) The general intent and purpose of the Official Plan are maintained;
- (2) The general intent and purpose of the Zoning By-law are maintained;
- (3) The variance is minor; and
- (4) The proposed use of land, building or structure is desirable for appropriate development.

File P-2800 Page xi

An application for a minor variance must meet all of the above four tests to be approved in addition to any other criteria that the Township has established. Where a proposed variance is not minor or cannot satisfy the criteria for a minor variance, an amendment to this Zoning By-law may be required. Applications for a minor variance are available from the Township office: 1355 Peddlers Drive, Mattawa, Ontario, POH 1V0. Tel. (705) 744-2700 or on the Township's website www.calvintownship.ca or celerk@calvintownship.ca

How long does a minor variance application take to be approved?

Upon the receipt of a complete application a minor variance application usually takes 1-2 months to complete. The level of complexity and issues related to the proposal will affect the time line.

How to Use this By-law

Step 1 – Locate Your Property and Determine the Zone

Use the zoning schedules (maps) at the end of this document to locate the property you are interested in. Identify the zone symbol that applies to that property. Zone examples include R, CR, and M1

Step 2 - Verify status of any Zoning By-law Amendments

A Zoning by-law is not a static document; it is amended over time as demands and policies governing land use change. Before proceeding any further, you should verify that your property is not the subject of an earlier Zoning By-law Amendment. While the Township strives to keep the By-law up-to-date, more recent amendments may not be included in the version of the By-law you are using. Township staff will be able to assist you to confirm if your property has been the subject of a more recent amendment.

Step 3 - Determine What Uses are Permitted in the Zone

File P-2800 Page xii

Use the Permitted Uses section of the Zone to determine what use(s) is/are permitted in the Zone. Run your finger down the list to find the use you are interested in. If you find the use you are interested in, it is permitted in the Zone. Otherwise, it is not permitted in that Zone.

Step 4 – Determine What Zone Regulations Apply

Once the use is determined to be permitted, move down to the Zone Regulations section. In this section the regulations will indicate what the minimum regulations will be, i.e., minimum lot area, lot frontage, building setbacks etc. These standards will help you determine where you can locate a building or structure on your lot.

Step 5 – Determine if any General Provisions Apply

Development of the property may be affected by Section 4 (General Provisions). General Provisions can apply to any zone anywhere in the municipality. This section contains provisions that apply to such matters as Accessory Uses, Height Exceptions, Home Based Businesses, parking etc. Use this section to determine how a particular land use might be affected.

For example, Section 4.22 provides the parking requirements for all uses permitted in the Township. If you are considering changing the use of your property or adding a new use to your property, you should review Section 4.22 to ensure that you are aware of the parking requirements.

Step 6 - Clarify the Meaning of a Use

Throughout the By-law some words are shown in *black italicized script*. These words are defined in Section 3 (Definitions). If you are unsure as to what a particular word means or what the scope of a permitted use includes, then refer to the alphabetical list of definitions to assist you. This section also contains illustrations which are intended to help with understanding the definition.

File P-2800 Page xiii

Section 1 ADMINISTRATION

Explanatory Note

Section 1 identifies the administrative controls and requirements of the By-law. It names the By-law, states its relationship with other By-laws, defines the area to which the By-law applies, how the By-law is to be enforced, etc. In essence, it identifies the legal parameters within which the By-law functions.

1.1 Title

This By-law shall be known as the Zoning By-law or By-law3 of the Corporation of the Municipality of Calvin and shall consist of the text and one or more schedules attached hereto.

1.2 Application and Building Permits

In addition to the requirements of the Municipality of Calvin Building By-law, every planning application or application for a building permit shall be accompanied by information required to determine compliance with this By-law. The regulations of this By-law must be met before a building permit is issued by the *Municipality* for the erection of any *building* or *structure*.

Explanatory Note for Site Plan Drawings

A site plan drawn to scale should be prepared which illustrates

- The true dimensions of the lot to be built upon;
- The proposed location, height and dimensions of any proposed building or structure;
- The setbacks of all existing and proposed buildings or structures from the nearest lot lines; the location and number and dimensions of parking spaces (conventional, cycling and barrier-free), parking aisles, driveway access, parking areas, loading spaces and daylighting triangles;
- The location of utility easements, fire hydrants and sidewalks
- Landscaping details, lot grading and on-site stormwater features
- Natural features such as wetlands, water bodies and flood prone areas

1.3 Defined Area

The provisions of this By-law shall apply to all lands within the municipal boundaries of the Corporation of the Municipality of Calvin.

1.4 Enforcement

This By-law shall be enforced by the *Clerk* or such other *persons* as may from time to time be designated by Council, and no permit for the use of land or for the erection or use of any *building* or *structure* or approval of application for any municipal license within the jurisdiction of the *Council* shall be issued or given where the proposed building, structure or *use* would be a violation of any provision of this By-law.

1.5 Penalty

Any **person** who contravenes any provision of this By-law is guilty of an offence and upon conviction is liable to the fine(s) as provided for under the *Planning Act, R.S.O., 1990, c. P.13,* as amended.

1.6 Validity

A decision of a Court stating that one or more of the provisions of this By-law are invalid in whole or in part does not affect the validity, effectiveness, or enforceability of the other provisions or parts of the provisions of this By-law.

1.7 Other By-laws, Licenses, Permits and Regulations

Nothing in this By-law shall exempt any *person* from complying with the requirements of any other By-law in the Municipality of Calvin, or from applying for and obtaining any permit, license, permission, authority or approval required by this or any other By-law or regulation of the *Corporation* or by any requirement of the Province of Ontario or the Government of Canada.

1.8 Conflict

In the event of a conflict between this By-law and amendments thereto, and any general or special By-law, the most restrictive By-law shall prevail.

1.9 Effective Date

This By-law shall take effect from the date of its passage by Council, subject to the provisions of the Planning Act.

1.10 Metric and Imperial Terms

The imperial measurements contained in this By-law are included for convenience and do not form part of the By-law. The metric measurements contained in this By-law are the only measurements to be used in determining compliance with the By-law.

1.11 Level of Accuracy

All calculations of the regulations of this By-law shall be to one decimal place, and in no case shall there be a rounding to such decimal place.

In the event of any conflict between the zone regulations of this By-law, the more restrictive regulation(s) shall apply.

1.12 Defined Terms

All defined terms are shown in **bold italicised script** throughout this By-law.

1.13 Diagrams and Figures

This By-law contains a number of diagrams and figures which are intended to assist with the interpretation of the By-law; however, they do not form part of this by-law.

1.14 Repeal of Existing By-laws

Upon this By-law coming into effect, any zoning By-laws or amendments thereto passed under Section 34 of the *Planning Act* or a predecessor thereto are hereby repealed. The adoption of this By-law shall not prevent any current, pending or future prosecution or action to abate any existing violation of previous By-laws.

1.15 Reference to Legislation

Where this Zoning By-law makes reference to legislation, then the references shall be deemed to mean the statute currently in force and any amendments thereto and all applicable regulations thereunder.

1.16 Technical Revisions to the Zoning By-law

Revisions may be made to this by-law without the need for a zoning by-law amendment in the following cases:

1. Correction of grammar or typographical errors or revisions to format in a manner that does not change the intent of the By-law.

- 2. Adding or revising technical information on the zoning maps or schedules that does not affect the zoning of lands including, but not limited to, matters such as updated and correcting infrastructure information, keys, legends or title blocks.
- **3.** Changes to appendices, headings indices, marginal notes, table of contents, illustrations, historical or reference information, page numbering, footers or headers, which do not form part of this By-law and are editorially inserted for convenience or reference only.

Section 2 CONFORMITY REQUIREMENTS

Explanatory Note

This short section establishes the authority of the By-law. It requires that all land uses, buildings and structures must comply with this Zoning By-law.

2.1 Compliance

No land, **building** or **structure** shall be used and no **building** or **structure** shall be **erected** or enlarged, **altered** or placed for any purpose within the area defined by this By-law, except as specifically, or by necessary implication, authorized by this By-law and in conformity with all the applicable provisions of this By-law.

2.2 Compliance of Severances

No lands shall be severed from any **existing lot** if the effect of an approval for severance is to cause the original, adjoining, remaining or new **building**, **structure**, **lot** or **use** of land to be in contravention of any provision of this By-law.

2.3 Application to Building

Where a **use** does not take place within a **building**, but a regulation in this By-law imposes a requirement premised on the use being in a building, the requirement applies, with necessary modifications, as though the actual area occupied by the **use** was in a **building**.

2.4 Minor Variances

All minor variances applied for prior to the enactment of this By-law and finally approved pursuant to Section 45 of the *Planning Act, R.S.O., 1990, c. P.13*, as amended, shall continue to apply and remain in force as if they are variance to this By-law.

In addition to the criteria set out in Section 45 (1) of the *Planning Act*, the following additional criteria shall be considered in the review of applications for a minor variance:

1. Development must generally conform to policies and zoning for shoreline vegetation buffer.

Section 3 DEFINITIONS

Explanatory Note

For the purpose of this By-law, the definitions and interpretations given in this Section shall govern. In this By-law, the word "shall" is mandatory and not directory; words in the singular include the plural, words in the plural include the singular; the word "used" includes "arranged", "designed" or "intended to be used". The word "occupied" shall include "designed to be occupied".

3.1 General

Definitions of words and phrases used in this By-law that are not included in the list of definitions in Section 3 shall have the meanings that are commonly assigned to as defined in a dictionary.

3.2 Definitions

Abattoir

Means a *building* specifically designed to accommodate the penning and slaughtering of live animals and the preliminary processing of animal carcasses and may include the packing, treating, refrigeration and sale of the product on the *premise*.

Accessory

When used to describe a *use, building* or *structure*, shall mean a use, building or structure naturally or normally incidental, subordinate and exclusively devoted to a principal use, building or structure and located on the same lot therewith [see **Figure 3.1**].

Examples of accessory buildings or structures are a detached garage, a storage shed, a storage container, a swimming pool or a satellite dish. Examples of accessory uses are a home based business, an apartment above a store, or a retail outlet within a manufacturing plant.

Figure 3.1: Accessory Building and Main Building



Accessory Dwelling – see dwelling, Accessory

Accessory Apartment - see Dwelling - Accessory Apartment

Accessory Dwelling Unit – see Dwelling, Accessory Dwelling Unit

Adventure Game

Means an outdoor sport or *recreational commercial establishment* operated commercially in which participants engage in games mimicking combat-type roles and which may include the use of paint ball or similar equipment.

Aggregate

Means gravel, sand, clay, earth, shale, limestone, dolostone, sandstone, marble, granite, rock or other material prescribed under the *Aggregate Resources Act* suitable for construction, industrial, manufacturing and maintenance purposes but does not include metallic ores, asbestos, graphite, kyanite, mica, nepheline syenite, salt, talc, wollastonite, mine tailings or other material prescribed under the *Mining Act* or the *Aggregate Resources Act*.

Agricultural Use

Means the **use** of land, **building(s)** or **structure(s)** for:

- 1. The growing of crops, including but not limited to nursery and horticultural crops and all related activities such as soil preparation, manure or fertilizer spreading, planting, spraying, grain drying, irrigating, harvesting and also including the storage and sale of the crops produced on the lands.
- 2. Animal husbandry including the raising, boarding, and keeping of all forms of livestock, including poultry and fish, aquaculture, apiaries and all related activities such as breeding, training, feeding and grazing.
- **3.** Agro-forestry, maple syrup production.
- 4. The production of animal products including but not limited to milk, eggs, wool, fur, or honey, and all related activities such as the collection, storage and sale of the products produced on the lands.
- 5. The use and storage of all forms of on-farm buildings and structures, equipment or machinery needed to accomplish the foregoing activities.

6. Agricultural use shall not be construed to include commercial activities related to agriculture such as **abattoirs**, tanneries and retail sales outlets, (except a farm produce outlet) or manufacturing and processing activities involving farm crops or animal products such as cheese factories, grain mills or retail seed sales

Agricultural Related Use

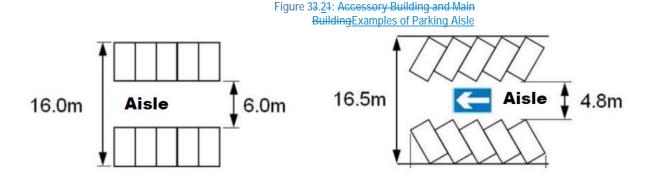
Means the **use** of land, **buildings** or **structures** which are farm-related commercial and farm-related industrial uses that are directly related to farm operations in the area, support agriculture, benefit from being in close proximity to farm operations, and provide direct products and/or services to farm operations as a primary activity.

Airfield

Means any land, lot or buildings used for the purpose of landing, storing, taxiing or taking off of private or commercial aircraft pursuant to the regulations of the appropriate authority.

Aisle

Means the traveled way by which *motor vehicles* enter and depart *parking spaces* or *loading/delivery spaces* or a *parking area* [see Figure 3.2].



Airport or Aircraft Landing Area

Means land used for the purpose of landing, storing, taxiing or taking off of aircraft and uses, buildings and structures accessory thereto.

Alter

When used in reference to a **building**, **structure** or part thereof, means:

- 1. To change any one or more of the internal or external dimensions of such *building* or *structure*; or
- 2. To change the type of construction of the exterior walls or roof of such building or structures; or
- 3. To change the **use** of such **building** or **structure** or the number or types of uses or **dwelling units** contained therein.

When used in reference to a *lot* means:

- 1. To change the boundary of such *lot* with respect to a street or lane; or
- 2. To change any dimension or area, relating to such *lot* (e.g., width, depth or area of a lot or required yard, landscaped open space or parking area); or
- 3. To change the **use** of such **lot** or the number of uses located thereon.

When used in reference to a shoreline means to change, straighten, divert or interfere in any way with the channel of any **water body** or the lands surrounding the **high water mark** of a **water body**.

Altered and alteration shall have corresponding meanings.

Ambulance Facility

Means a **building** or part thereof where professional paramedics and personnel are stationed and their **motor vehicles** and equipment are kept or stored.

Animal Day Care Establishment

Means a commercial *premise used* for a day care service for domestic pets, but shall not include an *animal shelter* or *kennel*.

Animal Shelter

Means a *building*, *structure* where animals, birds or other livestock are examined or treated and which may be kept on a short-term basis, and may include the *premises* of a veterinarian or veterinary surgeon, but does not include a *commercial kennel*.

Antique Store

Means a retail store selling any old and authentic objects of personal property which were made, fabricated or manufactured sixty or more years earlier and which have a unique appeal and enhanced value mainly because of its age, and, in addition, may include the sale of any article of personal property which was made, fabricated or manufactured twenty or more years earlier and because of public demand had attained a value in a recognized commercial market which is in excess of its original value.

Apartment Building - see Dwelling - Apartment

Archaeological Resources

Means artifacts, archaeological sites, and marine archaeological sites as defined under the Ontario Heritage Act.

Artisan Shop or Studio - see Studio

Asphalt Plant

Means an industrial facility used for the production of asphalt for immediate use in the paving of *roads* and *driveways* and the damp-proofing of *buildings* or *structures*.

Assembly Hall - see Place of Assembly

Attached

Means a *building* or *structure* otherwise complete in itself which is connected to, and which depends for structural support upon a division wall or walls shared in common with an adjacent building or buildings.

Attic

Means that portion of a building immediately below the roof and wholly or partly within the roof framing.

Auditorium - see Place of Assembly

Auto Body Shop

Means a commercial *premise* where painting, refinishing, restoration, alterations, or repairs are made to *motor vehicles*, but does not include a *wrecking or salvage yard* or *auto repair garage* (see 4.24).

Auto Repair Garage

Means a commercial *premise* for the storage, repair and servicing of *motor vehicles* or *recreational vehicles*.

Auto Service Station

Means a *premise used* for the sale of fuels or energy products, for *motor vehicles* or *recreational vehicles* and may include an *auto repair garage*, the renting, servicing, repairing, lubrication, cleaning and polishing of vehicles and the sale of automotive accessories and related products, but shall not include any other automotive use defined in this By-law [see also Gas Bar].

Automotive Sales Establishment

Means a *premise* for the display, storage and sales or leasing, or renting of new and/or used *motor vehicles* and *recreational vehicles* and related products, and may include *accessory uses* such as an *Auto Repair Garage* and/or *Auto Body Shop*, administrative offices and a customer lounge.

Automobile Wrecking Yard - see Wrecking or Salvage Yard

Backlot

Means a *lot* which is separated from the *shoreline* by both an intervening waterfront lot and a *street* or *private road*.

Balcony

Means an open platform projecting from the face of a building's wall, cantilevered or supported by columns or brackets and surrounded by a balustrade or railing.

Bank or Financial Institution

Means a chartered bank, finance company office, co-op, trust company, loan company or similar establishment.

Barrier Free

Means that which can be approached, entered and used by persons with physical or sensory disabilities

Basement

Means that portion of a *building* below the first floor which is partly underground. [See Figure 3.7]

Batch Plant, Asphalt or Concrete

Means an industrial facility used for the production of asphalt or concrete products, used in building or construction and includes but is not limited to facilities for the administration or management of the business, the stockpiling of bulk materials used in the production process of finished products manufactured on the *premises* and the storage and maintenance of equipment.

Bed and Breakfast Establishment

Means a private **single detached dwelling** in which **guest rooms** are provided for hire or pay as temporary accommodation on a daily basis with a breakfast service for the travelling or vacationing public as an **accessory use** and where the proprietor lives on the **premises**.

Bingo Hall

Means a *building* or part thereof used for bingo or a bingo event.

Boarding House

Means a *dwelling* other than a *single-detached dwelling* which contains three (3) or more rooming units wherein, for remuneration, lodgings, with or without meals, are provided to the public.

Boat House

Means a one-storey *accessory building* used for the storage of boats and boating equipment.

Boat Launch

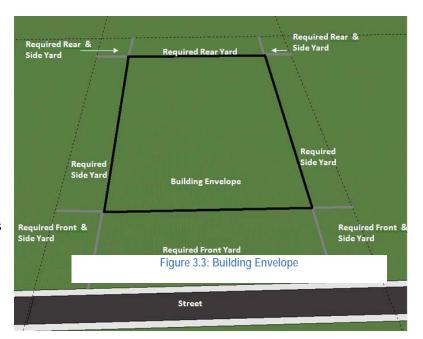
Means a *use* of land adjacent to a *water body* that is used to launch and remove boats, marine vessels and watercraft.

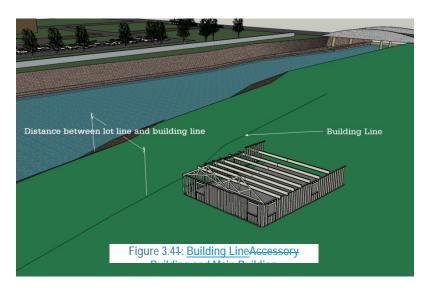
Boat Slip

Means a single mooring space for a boat, marine vessel or watercraft forming part of a dock, *boat house* or other mooring facility.

Brewery or Winery

Means a **building used** primarily for the manufacturing, processing and distribution of beer, cider and wine and may include an **accessory** retail outlet.





Building

Means any *structure* consisting of walls, roof and floors used or intended for sheltering any use or occupancy. The word "building" shall include the whole of such structure or part thereof.

Building, Accessory - see Accessory

Building Envelope

Means the buildable area on a *lot*, defined by all of the required *yards* and setbacks and the maximum height provisions, within which a *building* can be erected [see **Figure 3.3**].

Building Height - see Height

Building Inspector or Building Official - see Chief Building Official

Building, Main

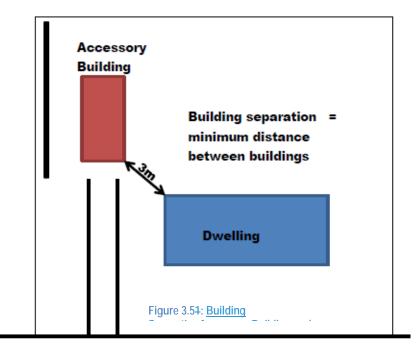
Means a *building* in which is conducted the *principle uses* of the *lot* on which the *building* is located [see Figure 3.1].

Building Line

Means a line within a lot drawn parallel or concentric to a lot line establishing the minimum distance between that lot line and any portion of a *building* or *structure* which may be erected [see Figure 3.4].

Building, Mixed Use

Means a *building* containing more than one land *use* (e.g., retail commercial and residential, *office* and residential, industrial and retail) that is designed and constructed as a single *building*.



Building Separation

Means the least horizontal distance *permitted* between the nearest portions of the walls of any *buildings* on a *lot* [see Figure 3.5].

Building Supply Store

Means a *building* where building supplies such as lumber, millwork, siding, roofing, plumbing, electrical, heating, hardware, air conditioning, home improvement and similar goods are stored, displayed, or kept for retail or wholesale sale and may include a *bulk storage yard*. This definition shall not include a *wrecking yard*.

Building, Temporary

Means a **building** or **structure** intended for removal or demolition within a prescribed time period not exceeding two years or as set out in a building permit.

Built Heritage Resources

Means *buildings*, *structures*, monuments, installations or any manufactured remnant that contributes to a property's cultural heritage value or interest as identified by a community, including an Aboriginal community. *Built heritage resources* are generally located on property that has been designated under Parts IV or V of the *Ontario Heritage Act*, or included on local, provincial or federal registers.

Bulk Fuel Depot

Means lands, **buildings** and **structures** for the storage, distribution of fuels and oils but not including retail sales or key lock operations.

Bulk Storage Yard

Means land or a *lot* used for the storage in the open or partially sheltered, of goods and materials and without limiting the foregoing shall include lumber, building supplies, construction equipment, but shall not include a *wrecking yard*.

Camp (Hunt Camp, Fishing Camp)

Means a *building* or *structure* intended to provide basic shelter and accommodation on a temporary basis for persons engaged in such activities as hunting, fishing, snowmobiling, hiking or other similar forms of recreation but does not include a *seasonal dwelling*.

Camp, logging

Means an area of land including buildings and structures specifically designed as non-permanent living quarters for persons employed in the removal, cutting, debarking or harvesting of timber for commercial purposes or ancillary services and may include a dormitory, lodging or sleeping facilities, sanitary and eating facilities and accessory uses directly related to meeting the needs of occupants including but not limited to a laundromat, recreational facilities, concession selling personal effects and food stuffs and park.

Camp, Temporary Work

Means an area of land including buildings and structures constructed on a temporary basis during the construction or decommissioning of a major building, logging operation, industrial complex, hydroelectric project or other large scale construction project and such camp may include a field office, storage area, storage buildings, living quarters including sanitary and eating facilities provided that such a camp is removed once the facility it was designed to serve is completed.

Campground - Private

Means an area of land providing short term accommodation for three or more tents, trailers, recreation vehicles or campers where no fee is charged or paid for such accommodation.

Campground, Recreational

Means an area of land containing sleeping accommodations and facilities for recreational vehicles and tenting sites which are used for vacation and leisure purposes from May 1 to October 31 and may include the overwinter storage of recreational vehicles and without limiting the foregoing, shall include, but shall not be limited to the following: children's camp or establishment, religious camp, institutional camp, or other like or similar camp or establishment.

Camp Site

Means a parcel of land within a *campground* that is maintained as a site for the location of a tent, tent trailer, *recreational vehicle* or truck camper, but not a *mobile home*.

Cannabis

Means a cannabis plant, including the phytocannabinoids produced by or found in such a plant regardless of whether that part has been processed or not and any substance or mixture of substances that contains or has on it and part of such a plant and any substance that is identical to a phytocannabinoid produced by or found in such a plant regardless of how the substance was obtained.

Cannabis Retail Store or Dispensary

Means any **use** of land, **building**, **structure** or part thereof used for the retail sale of cannabis or any product or substance

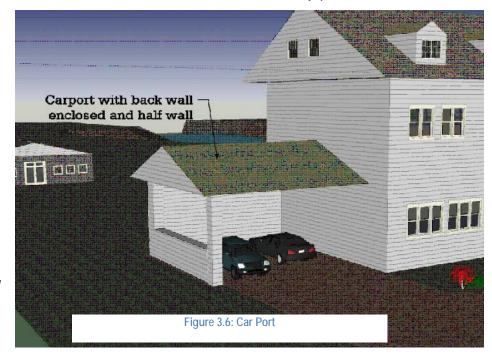
produced in whole or part from cannabis, and shall be deemed to include a licensed Ontario Cannabis Retailer under the Ontario Cannabis Retail Corporation Act, 2017.

Canopy

Means a roof-like **structure** projecting from the exterior face of a **building** or is a stand-alone structure over a pump island or **gas bar**.

Car Port

Means a *structure* open on at least two sides and intended to be used for the sheltering of one or more *motor vehicles*. A car port *attached* to the *main building* is not an *accessory structure*. [See Figure 3.6]



Car Washing Establishment

Means a commercial *building* or portion thereof used for the washing or cleaning of *motor vehicles*. A *car wash* may be an *accessory use* to a permitted automotive use.

Catering Establishment

Means a commercial establishment or a *home based business* in which food and beverages are prepared for consumption off the *premises* and are not served to customers on the *premises*.

Cellar

Means the portion of the *building* below the first floor, which is partly or wholly underground and which has more than one-half of its *height* from floor to ceiling or to the

underside of the floor joists below the finished grade [see also Basement and Figure 3.7].

Cellar Basement Storey Finished Grade Storey Storey

Figure 3.7: Cellar and Basement

Cemetery

Means a cemetery within the meaning and as regulated by the *Funeral, Burial and Cremation Services Act, 2002* and includes a mausoleum, columbarium or other *building* or *structure* intended for the interment of human remains.

Cemetery, Pet

Means a *use* of land for the interment of animal remains of a domestic pet.

Chief Building Official

Means an officer or employee of the *Corporation* charged with the duty of enforcing the provisions of the *Building Code Act*.

Church - see Place of Worship

Clinic

Means a *building* or part thereof used solely for the purpose of consultations, diagnosis and treatment of patients, by qualified health practitioners and without limiting the generality of the foregoing, the *building* may include administrative *offices*, waiting rooms, laboratories, professionals (*e.g.*, *physicians*, *dentists*, *optometrists*, *chiropodists*, *chiropractors* or *drugless* practitioners).

Club, Private

Means a *building* or part of a building used as a meeting place by an association of *persons* who are bona fide members, which owns, hires or leases the building or part thereof, the *use* of such *premises* being restricted to members and their guests for social, cultural, recreational, business or athletic purposes.

Commercial Greenhouse, Nursery or Garden Centre

Means a *building* and/or outdoor area primarily used for the growing of flowers, sod, vegetables, shrubs or bushes, trees, landscaping or orchard stock and similar vegetation for wholesale or retail sale on or off the *premises* and may include the incidental sale of gardening supplies, gardening tools, planting materials, fertilizers, pesticides, lawn furniture and equipment.

Commercial Parking Lot

Means a *lot* forming the principal use of the land which is used for the temporary parking of two or more *motor vehicles* for profit or gain.

Commercial Use

Means the use of land, buildings or structures for the purpose of buying and/or selling commodities and supplying services.

Commercial Vehicle

Means a *motor vehicle* having permanently attached thereto a truck or delivery body and includes ambulances, hearses, fire apparatus, police patrols, motor buses and tractors used for hauling purposes on the highway.

Communications Facility

Means an installation which transmits receives and/or relays communications such as a microwave relay tower, significant antenna, telephone line, cellular telephone tower, radio or television broadcast tower or similar facility approved by *Innovation, Science and Economic Development Canada*.

Community Centre - see Place of Assembly

Community Garden

Means a site operated by community members and/or a community organization where lands are **used** for the growing of produce, flowers and native plants for non-profit use through individual or shared plots.

Condominium

Means a building or land or part thereof which is held in separate private ownership and to which or in which common elements are owned by the tenants in common (e.g., recreation facilities, open space, outdoor areas etc.) and which is administered and maintained by a corporation pursuant to the provisions of the *Condominium Act*. Such use may be for a residential, commercial or industrial use.

Conservation Authority

Means the North Bay-Mattawa Conservation Authority.

Conservation Use

Means the **use** of lands which are intended to remain open in character with the priority use given to preservation, protection or conservation of their ecological uniqueness, wildlife production and their natural features and may include non-commercial recreational uses.

Construction Work Camp

Means an area of land including buildings and structures specifically designed as temporary living quarters for persons employed in a utility-related construction project and ancillary services and may include a dormitory, lodging or sleeping facilities, sanitary and eating facilities and accessory uses directly related to meeting the needs of occupants including but not limited to a Laundromat,

recreational facilities, and shall also include a contractors yard as defined, but also to include an onsite self-contained fuel storage facility.

Contractor's Yard

Means the yard of a building contractor or company used as a depot for the storage and maintenance of equipment used by the contractor or company, and may include facilities for the administration or management of the business and the stockpiling or storage of supplies used in the business, but does not include the crushing of virgin or recyclable aggregates or materials and the wholesale or retail sale of building supplies or home improvement supplies.

Continuum-of-Care Facility

Means a *building* or a group of buildings which may include a senior citizens apartment building, a nursing home, a long-term care facility, home for the aged, a retirement home and accessory facilities including but not limited to clinics, recreation centers, cafeterias and personal service establishments, and may also include independent senior's accommodation in separate structures/living units that share in services such as meals. This definition does not include a *group home*, or *boarding house*.

Convenience Store

Means a *retail store* used primarily for the sale of grocery and other daily household necessities required to fulfil the day-to-day needs of the surrounding community and may include a video rental outlet.

Convention Facility - see Place of Assembly

Corporation

Means the Corporation of the Municipality of Calvin except where reference is made in this By-law to a private corporation, in which case the definition shall mean a body corporate with share capital to which the *Business Corporations Act* applies.

Cottage Industry - see Home Based Business

Council

Means the Council of the Corporation of the Municipality of Calvin.

Coverage - see Lot Coverage

Crisis Care Facility

Means a residential facility that is licensed and funded by the Province of Ontario, Government of Canada or an appointed agency, for the short term, temporary care of persons requiring immediate emergency shelter and aid who are living under supervision in a single housekeeping unit and who by reason of their emotional, mental, social or physical condition or legal status, require a group living arrangement for their wellbeing.

Cultural Heritage Landscape

Means a defined geographical area that may have been modified by human activity and is identified as having cultural heritage value or interest by a community, including an Aboriginal community. The area may involve features such as **structures**, spaces, archaeological sites or natural elements that are valued together for their interrelationship, meaning or association.

Custom Workshop

Means a **building** or **structure** or part of a **building** or **structure** used by a trade or craft for the individual custom production of articles. The sale of such products shall be **permitted** as an **accessory use**.

Day Lighting Triangle - see Sight Triangle

Day Care, Private Home

Means the *use* of a *dwelling unit* operated commercially for the temporary care of children

Day Nursery

Means an establishment for pre-school-aged children governed by the Child Care and Early Years Act.

Deck

Means a **structure** above the ground cantilevered from a **dwelling** or **building** or supported by the ground with no roof or walls except for visual partitions and which is **used** as an outdoor living area.

Detached

When used in reference to a *building* or *structure*, means a *building* or *structure* which is not structurally dependent on, nor adjoins on any side, any other *building*.

Development

Means the creation of a new *lot*, a change of land *use*, or the construction of *buildings* and *structures* requiring approval under the *Planning Act* and shall be taken to include *redevelopment*, but does not include activities that create or maintain infrastructure authorized under an environmental assessment process, works subject to the *Drainage Act*, or underground or surface mining of minerals or advanced exploration on mining lands.

Dish Antenna - see Satellite Dish/Receiver

Dock

Means an *accessory structure* used for the mooring of boats, marine vessels or watercraft which is designed to float freely on the surface of the water and which may be secured or anchored to the *shoreline*.

Drive-Through Facility

Means a *premise* used to provide or dispense products or services through an attendant or a window or an automated machine, to persons remaining in *motor vehicles* that are in a designated *stacking space*, and may be in combination with other land uses. Kiosks within a parking structure necessary for the operation of the parking facility or kiosks associated with a surface parking area are not considered drive through facilities.

Driveway

Means an unobstructed passageway used to provide access to a *lot* from a street or lane.

Driving Range

Means a public or private area operated for the purpose of developing golfing techniques, including miniature golf courses, but excluding a golf course.

Dry Cleaning or Laundry Outlet

Means a *premise* used for the purpose of receiving articles or goods of fabric to be subjected to the process of laundering or dry cleaning at another location and may include facilities for the pressing or ironing of such articles.

Dry Cleaning or Laundry Plant

Means a *premise* in which the business of laundry or dry cleaning is housed and where the cleaning, drying, ironing and finishing of such goods are conducted.

Dwelling

Means a *building* or part of a *building* occupied or capable of being occupied as the home or residence, or sleeping place, by one or more persons, where food preparation and sanitary facilities are provided, but shall not include a hotel or motel.

Dwelling - Accessory

Means a fully-detached *dwelling* which is *accessory* to a *permitted* non-residential use.

Dwelling - Apartment

Means a building containing three (3) or more dwelling units but shall not include a row or townhouse dwelling [see Figure 3.8].

Dwelling – Accessory Apartment or Apartment-in-a-House

Means a separate and self-contained *dwelling unit* (e.g., includes cooking, sanitation and sleeping facilities) in or added to a *single detached dwelling unit*.

Dwelling - Accessory Dwelling Unit

Means a self-contained *dwelling unit* which is *accessory* to a *permitted* non-residential building other than an *auto service station* or a *repair garage*.

Dwelling, - Additional Residential Unit

Means an additional dwelling unit within a permitted single detached dwelling, semi-detached dwelling, or row house that does not otherwise contain an ancillary residential unit, and includes a dwelling unit in a detached building or structure ancillary to a detached house, semi-detached house or rowhouse or up to three dwelling units in total [see **Figures 3.9** and **3.10**].

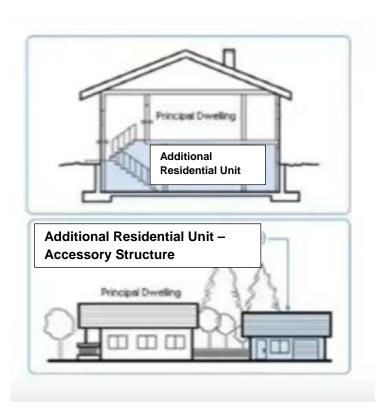


Figure 3.9: Additional Residential Unit - Basement and Accessory Structure

Figure 3.10: Examples of Additional Residential Unit

Basement apartment created within an existing or newly constructed dwelling

Additional Residential Unit incorporated through an addition above an attached garage

Side Yard addition to accommodate Additional Residential Unit



Orange shading identifies location of example Additional Residential Unit

Dwelling - Duplex

Means a *building* that is divided horizontally into two (2) *dwelling units*, each of which has an independent entrance [see Figure 3.11].

Dwelling - Group or Group Housing or Group Housing Project

Means a combination of dwelling types (e.g., semi-detached, triplex, row housing, and apartments) where there are two or more such **dwellings** located on the same lot, which lot is retained under one ownership.

Dwelling - Mobile Home

Means any *dwelling* that is designed to be made mobile, and constructed or manufactured in accordance with standards set out in the *Building Code* and designed to provide a permanent residence for one or more *persons*, but does not include a *recreational vehicle*.

Dwelling - Multiple Unit

Means a separate *building* designed exclusively to contain three (3) or more *dwelling units*.

Dwelling, Park Model Trailer

Means a manufactured building designed and constructed in conformance with CAN/CSA-Z241 Series "Park Model Trailer", as set out in the *Building Code*, and is used or intended to be used as a seasonal recreational building of residential occupancy.

Figure 311: Dwelling Types



MULTIPLE DWELLING TYPES

A dwelling containing three or more dwelling units not including a row dwelling or street townhouse dwelling



Dwelling - Row or Townhouse

Means a *building* that is divided vertically into three (3) or more *dwelling units*, each of which has an independent entrance at grade. [See **Figure 311**]

Dwelling – Seasonal

Means a *dwelling* constructed as a secondary place of residence which is not intended for, or used for, or constructed for year-round living (i.e. is not winterized or insulated) and is not the principal place of residence of the *owner* or occupier thereof (e.g., cottage) and such dwelling shall only receive seasonal road maintenance where located on a Municipal road classified for seasonal maintenance only.

Dwelling - Semi-detached

Means a *building* on a single foundation divided vertically into two (2) separate *dwelling units* by a common wall [see Figure 3.11].

Dwelling - Single-detached

Means a detached *building* containing one (1) *dwelling unit* [see Figure 311].

Dwelling - Tiny House or Small House

Means a dwelling having a gross floor area of not less than 27.8 m² [300 ft.²] and not more than 41.8 m² [450 ft.²]. [See photo]

Dwelling - Triplex

Means a *building* on a single foundation divided into three (3) separate *dwelling units*, each of which has an independent entrance either directly from the outside or through a common vestibule [see **Figure 3.11**].

Dwelling – Two-Unit



Means a *dwelling* containing two (2) *dwelling units* and for the purpose of this By-law a *Two-Unit Dwelling* may include a *semi-detached dwelling*, a *duplex dwelling*, but shall not include a *converted dwelling* or a dwelling containing a *secondary dwelling unit*.

Dwelling Unit

Means one or more *habitable* rooms or suites of two or more rooms, designed or intended for use by and occupied by one or more individuals as a household in which separate culinary and sanitary facilities are provided for the exclusive use of such household, and with a private entrance from outside the *building* or from a common hallway or stairway inside the building.

Dwelling Unit Area

Means the floor area of a *dwelling unit* measured within the interior faces of the exterior walls of the *dwelling unit*. The unfinished floor area in the *basement* shall not be included in the calculations of the dwelling unit area.

Easement

Means the legal right acquired by contract to pass over, along, upon or under the lands of another and shall be deemed to include an easement for a water, sewer, gas or hydro or communications utility, drainage works, and a street, or road.

Eave

Means a roof overhang, free of enclosing walls, without supporting columns.

Entrance

Means in reference to a *lot*, the area of intersection between a *driveway* and a *street line*.

Equestrian Establishment

Means the **use** of land, **buildings** and **structures** for operation of a horse riding academy, horse riding stables, horse training, handling care, or for the lodging of horses.

Equipment Rental Establishment

Means a *premise* wherein the primary use is the rental of machinery, equipment, furniture and fixtures and other goods.

Equipment Sales, Service and Repair Establishment

Means a *premise* where machinery or equipment for use in construction undertakings, commercial vehicles, and other similar goods are kept for sale at retail or wholesale and which may be serviced, washed or repaired and may include an auto body shop. (*Examples include farm equipment, back hoes, floats or trailers.*)

Equipment and Vehicle Storage Yard

Means a *premise* which is used for the storage of machinery and equipment for construction undertakings, commercial vehicles, and other similar goods requiring large areas for *outside storage*. Limited repair of such machinery, equipment, vehicles and goods may be *permitted* in a *building* provided such repair is clearly incidental and secondary to the storage use.

Erect

Means to build, construct, reconstruct, renovate, alter or relocate and without limiting the generality of the foregoing shall be taken to include any preliminary physical operation such as excavating, grading, piling, cribbing, filling or draining, structurally altering any existing building or structure by an addition, deletion, enlargement or extension.

Established Grade

Means:

- 1. When used with reference to a *building*, the average elevation of the finished level of the ground adjoining a wall of the building, measured along the length of the wall, exclusive of any artificial embankments, planters, berms or steps [see **Figure 3.12**];
- 2. When used with reference to a structure, the average elevation of the finished surface of the ground immediately surrounding such structure;

3. When used with reference to a street, road or highway, the elevation of the street, road or highway established by a *public authority*.

Existing

Means existing as of the date of the passing of this By-law.

Exterior Side Lot Line - see Lot Line, Exterior Side

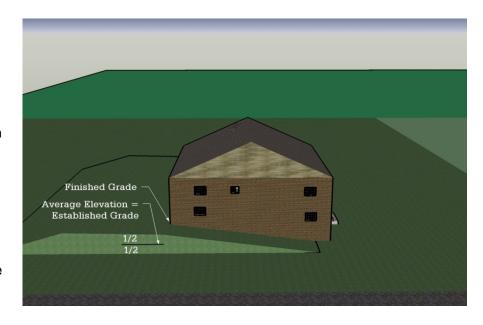
Exterior Side Yard - see Yard, Exterior Side

Factory Outlet

Means a *premise accessory* to a permitted *industrial use* where products or goods that are manufactured or produced on site by that industry are kept for wholesale or retail sale on the same *lot* as the principle *industrial use*.

Fairground

Means land, *buildings* and *structures used* for entertainment, agricultural and related exhibits, competitive events, food concessions, a carnival or midway which are conducted on a seasonal or temporary basis and may include grandstands, barns and other *accessory buildings* and *structures* normally associated with such a *use*.



Farm

Means land **used** for the tillage of soil and the growing of vegetables, fruits, grains, and other staple crops. This definition shall also apply to land used for animal husbandry, dairying or wood lots [see also **Agricultural Use**].

Farm, Hobby

Figure 3.12: Established Grade

Means land on which a *farm* may be operated primarily for recreational purposes or for home consumption by the occupants of the *dwelling* on the same *lot*, and which is clearly secondary and *accessory* to the *permitted use*. A hobby farm may also include a *farm produce outlet*.

Farm Produce Outlet

Means an *accessory use* to a *farm* which consists of the retail sale of agricultural products produced on the farm where such outlet is located.

Farm Vacation Establishment

Means an accessory use in a private single detached dwelling in which guest rooms are provided for gain as temporary accommodation on a daily basis for the vacationing public interested in learning or participating in the operation of a farm

Farmer's Market

Means land, **buildings** and **structures used** for the sale of farm products, crafts and other merchandise of a local farming or rural community and designed for individual retailers.

Fence

Means any barrier constructed of chain link metal, wood, stone, metal, brick or other similar materials or combinations of such materials which is erected for the purpose of screening, safeguarding, retaining or enclosing property or delineating property lines.

First Storey

Means the storey with its floor closest to but above grade [see Figure 3.24].

Fitness Centre

Means a commercial *building* or part of a *building* in which facilities are provided for recreational or health related activities including but not limited to weight training and exercise classes and may include associated facilities and services such as a lounge, washrooms, showers, and saunas, a day spa, an administrative office, a cafeteria and an *accessory retail outlet* for fitness-related attire, equipment and dietary supplements.

Flea Market

Means:

- 1. A *premise* where second hand goods, articles and antiques are offered or kept for sale at retail to the general public but shall not include any other retail establishment otherwise defined in this By-law;
- 2. An occasional or periodic market or sales event held in an open area, which may include a street, or within a *building* or *structure* where independent sellers offer goods, new and used, for sale to the public, but not including private garage sales;
- 3. A *premise* in which stalls or sales areas are set aside and rented or otherwise provided, and which are intended for use by various unrelated individuals to sell articles that are either home grown, homemade, handcrafted, old, obsolete, or antique and may include the selling of goods at retail by businesses or individuals who are generally engaged in retail trade;
- 4. A premise where food preserves or fresh produce or prepared foods are sold, but does not include a restaurant.

Flood Elevation or Floodline

Means a line established by a one in one-hundred-year storm as established in Figure 3.13: Flooding Hazard or by an appropriate **public** authority.

Flooding Hazards

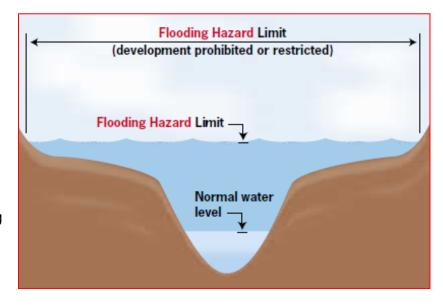
Means the inundation of areas adjacent to a **shoreline** or river or stream system and not ordinarily covered by water along river and stream systems, the flooding hazard is the greater of the flood resulting from the rainfall experienced during a major storm such as the Timmins Storm (1961), transposed over a specific watershed and combined with the local conditions, where evidence suggests that the storm event could have potentially occurred over watersheds in the general area; or the one hundred year flood; or a flood which is the greater of the above which was actually experienced in a particular watershed or portion thereof as a result of ice jams and which has been approved as a standard for that specific area by the Ministry of Natural Resources and Forestry [see **Figure 3.13**].

Flood Plain

For river, stream and small inland lake systems, means the area, usually low lands adjoining a watercourse, which has been or may be subject to *flooding hazards*.

Flood Proofing

Means a combination of structural changes and/or adjustments incorporated into the basic design and/or construction or alteration of individual *buildings*, *structures* or properties subject to flooding so as to reduce or eliminate flood damages.



Floor Area, Gross

Means the total area of all floors contained within a *building* measured between the exterior faces of the exterior walls of the building and where there are no walls the total area of a floor within the outer perimeter of the floor [see Figure 3.14].

Floor Area, Ground

Means the floor area of the lowest storey of a building approximately at or above the **established grade** excluding any **basement** or **cellar**, which area is measured between the exterior faces of the exterior walls at the floor level of such storey, but excludes car parking areas within the building; and for the purposes of this paragraph the walls of an inner court are and shall be deemed to be exterior walls.

Floor Area, Net

Means the total floor area of usable or *habitable* space above or below grade, measured from the exterior face of the exterior walls of the building or structure but shall not include:

1. Any private garage, porch, veranda, unfinished basement, cellar or attic; or

- 2. Any part of a *building* or *structure* below grade which is used for building services, storage or laundry facilities; or
- 3. Any part of the **building** or **structure used** for the storage or parking of **motor vehicles**; or
- **4.** Any part of a commercial shopping area used as a hall way, corridor passageway, utility room, elevator shafts, service/mechanical rooms, garbage/recycling rooms, public washroom, staff locker and lunch rooms, loading areas, balcony or mezzanine not otherwise used for the display or sale are for merchandise.

Forestry Use

Means the general raising, management and harvesting of wood and shall include the raising and cutting of fuel wood, pulpwood,

saw logs, Christmas trees, other forestry products and silva culture practices.

Front Lot Line - see Lot Line, Front

Front Yard - see Yard, Front

Frontage - see Lot Frontage

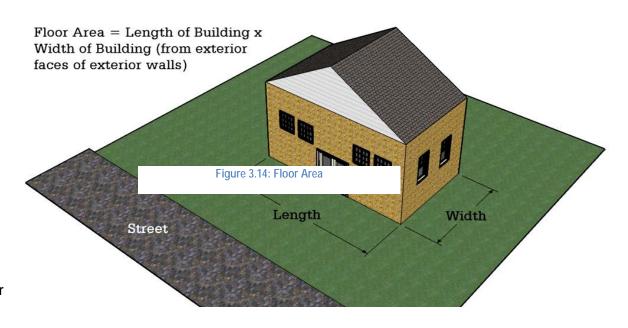
Funeral Home

Means a **building** or part thereof used for the purpose of furnishing funeral services to the public, but shall not include a crematorium.

Garage – Detached Private

Means a fully enclosed *accessory building* which is designed or *used* for

Floor Area



parking or storage in which there are no facilities for repairing or servicing of a *motor vehicle* for remuneration or commercial use.

Garden Centre - see Commercial Greenhouse, Garden Centre or Nursery

Garden Suite

Means a one-unit detached residential *building* containing sanitary and kitchen facilities that is *accessory* to an *existing* permanent residential *building* and that is designed to be portable, but shall not include a *mobile home*, or a *recreational vehicle*.

Gas Bar Figure 3.15: Gazebo

Means one or more pump islands, each consisting of one or more gasoline pumps, and a *building*, *structure* or booth which may be used by a sales attendant for the sale of gasoline products and convenience items including but not limited to beverages, prepared foods, newspapers, lottery tickets, sundries and may include other *accessory* features such as a comfort station and ATM. [see also **Auto Service Station**]

Gasoline Card Lock Facility

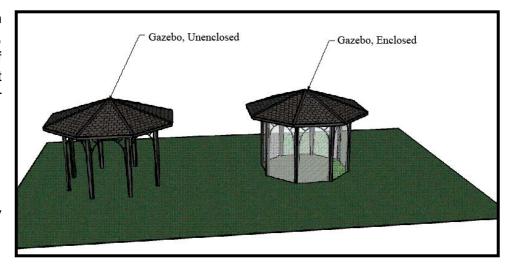
Means one or more pump islands designed for the retail sale of gasoline or diesel fuel using pumps which are operated automatically by credit or debit cards.

Gazebo

Means a freestanding, roofed *accessory structure* which is not enclosed, except for transparent screening (e.g., glass, netting) and which is utilized for the purposes of relaxation in conjunction with a principle use but shall not include any other use or activity otherwise defined or classified herein [see **Figure 3.15**].

Geothermal Power Facility

Means a heating facility such as a heat pump whose energy source is naturally created from the earth's crust.



Golf Course

Means a public or private area operated for the *principle use* of playing the sport of golf but may also include a *driving* range and such *accessory buildings* and *structures* as are necessary for the operation and maintenance of the golf course including club house facilities, a *restaurant*, banquet, conference and other uses of a social, recreational and entertainment nature normally associated with golf course development.

Green Roof

Means a roof of a *building* where part of or the entire surface of the roof is intentionally covered with vegetative material.

Greenhouse

Means a *building* used for the growing of flowers, plants, shrubs, trees and similar vegetation which are not necessarily transplanted outdoors on the same *lot* containing such greenhouse.

Granny Flat - see Garden Suite

Green Energy Industries

Means a *building* or *structure* in which products are manufactured for the generation of electricity from non-polluting or renewable source (i.e., wind, sun, geothermal, biomass). Products manufactured by a renewable energy industry may include but are not limited to solar panels, wind turbines, geothermal equipment, and parts or components thereof.

Group Home

Means a single housekeeping unit in a residential *dwelling*, which is registered with the *Corporation*, in which persons (excluding supervisory or operating staff) live together under responsible supervision consistent with the requirements of its residents for a group living arrangement and which is licensed and/or approved under Provincial Statutes and in compliance with municipal By-laws [see also *Crisis Care Facility*].

Guest Cabin

Means an accessory *building*, located on the same *lot* as the *main building*, which is used for sleeping accommodation but does not contain any cooking facilities and may contain sanitary facilities.

Guest Room

Means a bedroom or suite of rooms, which contains no facilities for cooking and which is *used* or maintained for gain or hire by providing accommodation.

Guest House

Means a private **single detached dwelling** in which the **dwelling** or part thereof is rented for gain or hire as living quarters.

Habitable Room

Means any floor space within a *building* or *structure* designed and intended to be *used* for living, sleeping, cooking or eating purposes as defined under the *Building Code Act, S.O. 1992, Chapter 23*, as amended.

Hazardous Lands

Means property or lands that could be unsafe for *development* due to naturally occurring process including lands in a *flood* plain or subject to a *flooding hazard* or erosion hazard and shall include unstable soils and unstable bedrock.

Hazardous sites:

Means property or lands that could be unsafe for development and site alteration due to naturally occurring hazards. These may include unstable soils (sensitive marine clays [leda], organic soils) or unstable bedrock (karst topography). Hazardous substances: means substances which, individually, or in combination with other substances, are normally considered to pose a danger to public health, safety and the environment. These substances generally include a wide array of materials that are toxic, ignitable, corrosive, reactive, radioactive or pathological.

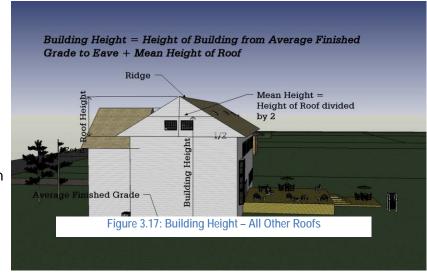
Hazardous Substances

Means substances which individually, or in combination with other substances are normally considered to pose a danger to public health, safety and the environment. These substances generally include a wide variety of materials that are toxic, ignitable, corrosive, reactive, radioactive or pathological.

Height

Means the vertical distance between the established grade and:

- 1. In the case of a flat roof, the highest point of the roof surface or parapet wall, whichever is the highest [see Figure 3.16], or
- 2. In the case of all other types of roofs, the mean height level between the base of the roof and highest point of the roof [see Figure 3.17].
- 3. Where the height is designated in terms of storeys, it shall mean the designated number of storeys above and including the *first* storey.
 Figure 3.16: Building Height with Flat Roof



Helipad

Means a landing area or pad used for the landing and take-off of helicopters as further governed under the Canadian Aviation Regulation 325 under the Aeronautics Act.

Heliport

Means a landing area or pad used for the landing and take-off of helicopters and shall include all necessary and incidental structures, service facilities, fuelling facilities, passenger and cargo facilities and as further set out under the Canadian Aviation Regulation 325 under the Aeronautics Act.

High Water Mark

Means the mark made by the action of water under natural conditions on the shore or bank of a *water body*, which action has been so common and usual and so long continued that it has created a difference between the character of the vegetation or soil on one



side of the mark and the character of the vegetation or soil on the other side of the mark. Features shall also include a naturel line or mark impressed on the bank or shore or rock, or other distinctive physical characteristics.

Highway

Means a *street* under the jurisdiction of the Provincial government.

Hobby Farm – see Farm, Hobby

Home for the Aged – see Continuum-of-Care Facility

Home Based Business

Means a privately operated legal occupation, enterprise or business which is carried out as an *accessory use* to a *dwelling unit* for pursuits conducted by the occupant thereof and any employees and is compatible with a domestic household.

Hotel

Means a *building* designed or *used* for the accommodation of the travelling or vacationing public, with or without *accessory uses* such as a *restaurant*, meeting rooms, *swimming pool*, facilities for the temporary exhibition and sale of goods on an intermittent basis, *premise* licensed under the *Liquor License Act* and includes any establishment containing *guest rooms* which is defined as a "Hotel" in the *Hotel Registration of Guests Act*, *R.S.O.1990*, *H.17* and shall also include a *motel* and hostel, but shall not include any *residential use* or *boarding house use*.

Individual On-site Sewage System

Means systems under the *Building Code Act*, 1992 that are owned, operated and managed by the owner of the property upon which the system is located.

Individual On-site Water System

Means individual autonomous water supply systems that are owned, operated and managed by the owner of the property upon which the system is located.

Industrial Use

Means the use of land, *building* or *structures* for the purpose of manufacturing, assembling, making, preparing, inspecting, ornamenting, finishing, treating, altering, repairing, warehousing, or storage or adapting for sale of any goods, substances, article or thing, or any part thereof and the storage of building and construction equipment and materials as distinguished from the buying and selling of commodities and the supplying of personal services. This definition does not include a mine, *pit* or *quarry* or obnoxious industry. *Accessory uses* may include transportation, wholesaling, storage, shipping and receiving incidental to the *industrial use*.

1. Class I Industry - Light Industrial

Means a place of business for a small scale, self-contained plant or **building** which produces, manufactures, assembles or stores a product which is contained in a package and has a low probability of fugitive emissions e.g., noise, odour, dust and

vibration. Such industries operate in the daytime only with infrequent movement of products and /or heavy trucks and no outside storage. 'Light Industrial Uses' or 'Class I Industry' is a classification and other uses defined in this By-law may be classified as such.

2. Class II Industry - Medium Industrial

Means a place of business for medium scale process and manufacturing with outdoor storage of wastes or materials (e.g., it has an open process) and where there are periodic or occasional outputs of fugitive emissions e.g., noise, odour, dust and/or vibration. Shift operations occur and there is frequent movement of products and /or heavy trucks during daytime hours. 'Medium Industrial Uses' or 'Class II Industry' is a classification and other uses defined in this By-law may be classified as such.

3. Class III - Heavy Industrial Uses

Means a place of business for uses characterized as having emissions such as noise, smoke, odour, fumes or vibrations or extensive outside storage as part of their normal operations. Such uses include sawmills, pulp and paper mills, refineries, smelting operations and similar uses which are intended to be secluded from residential or other **sensitive land uses** in order to limit any potential **adverse effects** on the environment or the surrounding areas and public health. 'Heavy Industrial Uses' or 'Class III Industry' is a classification and other uses defined in this By-law may be classified as such.

Institutional Use

Means any land, *building*, *structure* or part thereof *used* to provide non-profit or non-commercial purposes for governmental, educational, charitable, fraternal or other public services.

Junk Yard - see Wrecking Yard

Kennel

Means a commercially operated *building* or *structure* where dogs, cats or other small animals are kept, trained, bred or boarded, but does not include an *animal shelter*. [See also **Animal Shelter**]

Landfill Site – see Waste Management Facility

Landscaped Open Space

Means:

- 1. A combination of trees, shrubs, flowers, grass or other horticultural elements, together with decorative stonework, paving, screening or other architectural elements, all of which is designed to enhance the visual amenity of a property and/or to provide a screen to mitigate any objectionable adjacent land use; and
- 2. Does not include parking areas, traffic aisles or driveways or ramps for vehicles.

Laundromat

Means self-serving clothes washing establishment containing one or more washers and drying, ironing, finishing or other incidental equipment, and may include a laundry receiving depot.

Licensed Cannabis Production Facility

Means the use of land, buildings or structures for the cultivation, processing, testing, destructions, packaging and shipping of marijuana used for medical purposes as approved and regulated by Health Canada.

Licensed Refreshment Sales Vehicle

Means a vehicle which is currently licensed pursuant to the *Highway Traffic Act* and which is equipped for the preparation, storage, heating, cooking, cooling or sale of foodstuffs and beverages within or from the vehicle and may include exterior seating (e.g., picnic tables).

Livestock

Means animals associated with an **agricultural use** such as but not limited to cattle, horses, goats, poultry, sheep, swine or the young thereof, raised for personal use or for commercial purposes.

Livestock Facility

Means one or more barns or permanent *structures* with livestock-occupied portions, intended for the keeping or housing of livestock and includes all manure or material storages. (Minimum Distance Separation Formulae Implementation Guidelines)

Livestock Sales Outlet

Means a *building* or *structure* where *livestock* are bought and sold.

Loading/Delivery Space

Means an unobstructed area of land which is used for the temporary parking of one or more commercial motor vehicles while merchandise or materials are being loaded or unloaded from such vehicle.

Log Hauling Operation

Means an area of land and/or building of a

logging contractor where equipment and materials are stored and may include repairs to logging equipment belonging to the logging operator or contractor.

Interior Lot Line Side Lot Line Interior Lot Corner Lot Through Lot Rear Lot Reversed Line Corner Lot Street Exterior Side Lot Line Front Lot Line Front Lot Line Street

Logging Yard

Figure 3.18: Lot Definitions

Means the use of land and accessory buildings and structures for the storage, packaging, sizing, splitting, grading and sorting, cutting, trucking, equipment repairing, shipping and receiving of commercial timber, sawdust and bark.

Loft-Above-a-Garage

Means the portion of a *private garage* either attached or detached located above the vehicle storage area which is used for sleeping accommodation and may include sanitary facilities but not cooking facilities.

Lot

Means a parcel of land which is capable of being legally conveyed in accordance with the Planning Act.

Lot Area

Means the total horizontal area measured within the limits of the *lot lines* of the *lot* excluding the horizontal area of any *flood plain* or wetland area located on such *lot*. [See Figure 3.1]

Lot, Corner

Means a *lot* situated at an intersection of two or more streets, or at the intersection of two parts of the same street which have an interior angle or intersection of not more than one hundred and thirty-five (135) degrees.

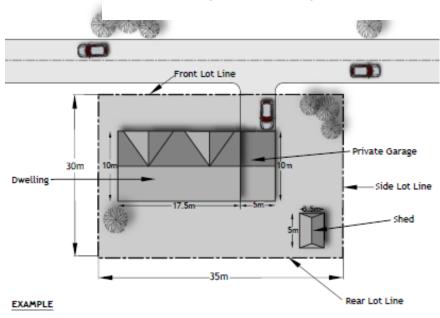
Where such street lines are curved, the angle of intersection of the street lines shall be deemed to be the angle formed by the intersection of the tangents to the street lines, drawn through the extremities of the *side lot lines*. In the latter case, the corner of the lot shall be deemed to be that point on the street line nearest to the point of intersection of the said tangents, and any portion of a corner lot distant not more than 30 m (98.4 ft.) from the corner measured along the street line shall be deemed to be an *interior lot* [see Figure 3.18].

Lot Coverage

Means that percentage of land or *lot* area covered by *buildings* and *structures* above ground level and which excludes that portion of such land or lot area which is occupied by a building or portion thereof which is completely below ground level, and shall exclude a

Illustration of Lot Coverage





LOT AREA: 30.0m X 35.0m = 1050.0m2

DWELLING: 10.0m X 17.5m = 175.0m2

PRIVATE GARAGE: 5.0m X 10.0m = 50.0m2

SHED: 5.0m X 3.5m = 17.5m2

TOTAL = 242.5m2

LOT COVERAGE: 242.5m2 (Building Coverage) x 100 %

= 23.1 %

fence, patio, landings, steps, ramps, retaining wall, root cellar, a sewage disposal system and an in-ground swimming pool or hot-tub [see **Figure 3.19**].

Lot Depth

Means the horizontal distance between the *front* and *rear lot lines*. If the *front* and *rear lot lines* are not parallel, "lot depth" shall mean the length of a straight line joining the middle of the *front lot line* with the middle of the *rear lot line*. If there is *no rear lot line*, "lot depth" shall mean the length of a straight line joining the middle of the front lot line with the apex of the triangle formed by the *side lot lines* [see Figure 3.20].

Lot Frontage

Means the horizontal distance between the side lot lines. Where such side lot

lines are not parallel, it shall be the width of a *lot* measured between the intersections of the *side lot lines* with a line equal to the *front yard setback* back from and parallel or concentric to the *front lot line*. Arc distances shall apply on curved lines [see Figure 3.20].

Lot, Interior

Means a *lot* other than a *corner lot* or a *through lot* which has frontage on a *street* [see Figure 3.18].

Lot Line

Means a boundary line of a *lot* or the vertical projection thereof. In the case of a *lot line* that has a bend or a series of bends, if the sum of the interior angles or angles of such bends is 130 degrees or greater, then they shall be deemed to be the same *lot line*.

Lot Line - Exterior Side

Means a *lot line* located between the *front lot line* and *rear lot line* and dividing the *lot* from a *street* [see Figure 3.18].

Lot Line, Front

Means:

1. In the case of an *interior lot*, the line dividing the *lot* from the *street*, street allowance or *private road*;

front yard setback lot frontage ill to be lot depth rear lot line

Figure 3.20: Lot Depth and Lot Frontage

- 2. In the case of a *corner lot*, the shorter *lot line* abutting a *street* shall be deemed to be the *front lot line*;
- 3. In the case of a *corner lot* with two street lines of equal length, the *lot line* that abuts the wider *street*, or abuts a *highway* shall be deemed to be in the front line, and in the case of both streets being under the same jurisdiction and of the same width, the *lot line* where the principal access to the *lot* is provided shall be deemed to be the *front lot line*;
- 4. In the case of a *lot* with water access or frontage on a *water body*, or an island, the *front lot line* shall be on the *shoreline*. In the case of a through waterfront lot the longest *shoreline* shall be deemed to be the *front lot line*; [see Figure 3.18].
- 5. in the case of a *private road*, the *lot line* adjacent to the *entrance* shall be deemed to be the *front lot line*;
- **6.** In all other cases not described above, the *front lot line* shall be deemed to be where the principal access or *entrance* to the *lot* is approved.

Lot Line, Rear

Means the *lot line* furthest from, and opposite to, the *front lot line* [see Figure 3.18]. In the case of a *lot* with no *rear lot line*, the point where the two *side lot lines* intersect shall be the *rear lot line*.

Lot Line, Side Interior

Means a *lot line* other than a *front lot line*, *rear lot line* or *exterior side lot line*. On a *lot* with more than four sides, any *lot line* not otherwise defined as a front, rear or side lot line shall be considered as an *interior side lot line* [see Figure 3.18].

Lot, Through

Means a lot having a frontage on two parallel or approximately parallel **streets** and where such **lot** qualifies as being both a **corner lot** and a **through lot**, such lot shall be considered as a corner lot [see **Figure 3.18**].

Lot, Width

Means the average horizontal dimension between the two longest opposite sides measured on a line 6 m [19.6 ft.] back from the *front lot line* and parallel to it.

Lot Width, Corner Lot

Means the horizontal distance between the longest *front lot line* and the opposite *side lot line*, measured along a line 6 m [19.6 ft.] back from and parallel to the shorter *front lot line*, except in the case:

- 1. Where the **front lot lines** are curved, in which case, the **lot width** shall be calculated on the basis that the street lot lines are deemed to be the tangents produced to their points of intersection, from the points of intersection of the side lot lines and curved street lot line; or
- 2. Where a *corner lot* indicates that a *sight triangle* has been removed or has a rounded corner, in which case, the *lot width* shall be calculated on the basis that the *front lot lines* shall be deemed to comprise the street lines produced to their point of intersection.

Marina

Means a commercial **use**, **building** and/or **structure** with or without docking facilities where boats are moored, berthed, constructed, stored, serviced, repaired or kept for sale or rent, and where **accessory uses** shall include the sale of boat accessories, marine fuels and supplies and pump-out facilities.

Marine Facility

Means a non-commercial *building* or *structure* which is used to moor, berth, or store a boat. This definition may include a boat launching ramp, a boat lift, marine railway, a float hangar, dock or boathouse, but does not include any *building* used for human habitation or a marina. A *marine facility* shall also include a water intake facility and any flood or erosion control structure. No part of a *marine facility* may be *used* as a *dwelling unit*.

Medical Clinic - see Clinic

Medical Marijuana Facility

Means a *premise* approved and regulated under the Canada *Food and Drugs Act* and associated *Food and Drug Regulations*.

Microbrewery

Means a commercial operation where beer is produced at a small scale. A microbrewery may be *permitted* to sell the product that is produced on-site provided that there is no consumption of the purchased product on-site other than sampling. A bar, pub or brewpub shall not be considered a microbrewery. A microbrewery may also sell retail items directly related to the operation on-site.

Micro-cultivation

Means the small scale growing of cannabis plants and harvesting material from those plants, as well as associated activities.

Mine

Means a mine as defined in the Mining Act. Mining shall have a similar meaning.

Mine Hazard

Means any feature on a mine as defined under the *Mining Act* or any related disturbance of the ground that has not been rehabilitated.

Mineral Deposits

Means an unusually large or rich concentration of valuable minerals identified within a small part of the Earth's crust.

ILLUSTRATION OF DEFINITIONS RELATED TO WATERFRONT LOTS

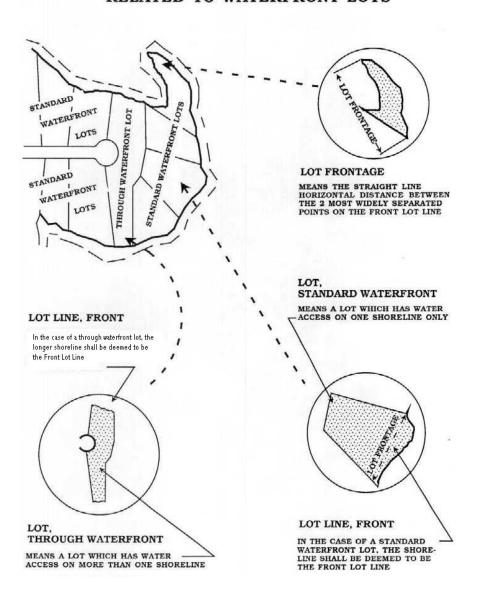


Figure 3.21: Waterfront Lots

Mineral Aggregate Operation

Means:

- 1. Lands under license or permit, other than for *wayside pits* and *quarries*, issued in accordance with the *Aggregate Resources Act*, or successors thereto, or a pits and quarries control By-law enacted under the *Municipal Act*; and
- 2. Associated facilities used in extraction, transport, beneficiation, processing or recycling of mineral aggregate resources and derived products such as asphalt and concrete, or the production of secondary related products.

Mineral Mining Operation

Means a mining operation and associated facilities, or, a past producing mine with remaining mineral development potential that has not been permanently rehabilitated to another *use*.

Minimum Distance Separation Formulae I and II

Means formulae developed by the Province to separate uses so as to reduce incompatibility concerns about odour from *livestock facilities*.

Mobile Home - see Dwelling - Mobile Home

Mobile Home Park

Means land which has been provided and designed for the location thereon of two (2) or more occupied *mobile homes*.

Mobile Home Site

Means an area, similar to a *lot*, located in a *mobile home park*, intended to be or occupied by a *mobile home* or a *permitted accessory use*.

Mobile Home Yard

Means a line similar to a front yard, rear yard, interior side yard or exterior side yard as applied to a mobile home lot or site.

Modular Home

Means a single detached dwelling consisting of two or more modules which has been prefabricated or manufactured in a factory remote from the site where it is intended to be used and transported to the site for installation on a permanent foundation, but does not include a mobile home but does not include a Mobile Home, Recreational Vehicle, or a Park Model Trailer as otherwise defined.

Motel

Means an establishment designed or *used* throughout all or part of a year that caters to the accommodation of the traveling or vacationing public, containing one or more *guest rooms*, including all such establishments as defined from time to time by the *Hotel Registration of Guests Act, R.S.O. 1990, c. H.17*, as amended. A *motel* may include *accessory uses* such as a *restaurant*, meeting rooms, *swimming pool*, facilities for the temporary exhibition and sale of goods on an intermittent basis, and *premises* licensed under the *Liquor License Act*.

Motocross Circuit

Means an off-road racing facility conducted on an outdoor enclosed dirt circuit over primarily natural, outdoor terrain and may include spectator facilities such as grandstands or concourses and fast-food concessions.

Motor Home - see Recreational Vehicle

Motor Vehicle or Vehicle

Means an automobile, commercial vehicle, truck, *recreational vehicle*, transport tractor, farm tractor, road building machine, bicycle and any vehicle drawn, propelled or driven by any kind of power, including muscular power, but does not include a snowmobile or a street car.

Municipality

Means the Municipality of Calvin.

Nature Trail

Means an area *used* for walking, hiking, cross-country skiing, nature appreciation and similar non-motorized recreational travel.

Non-Complying

Means any *existing building, structure* or *lot* which does not comply with one or more of the zone regulations and standards of this By-law.

Non-Conforming

Means any *existing use, building, structure* or *lot* which is does not conform to the *permitted* use provisions of any Zone in this By-law.

Non-Residential Use

Means a use, building or structure that does not contain a dwelling unit.

Non-residential Zone

Means a CR, M1, M3, MX, W, or EP **zone**.

Nursing or Convalescent Home - see Continuum-of-Care Facility

Nursery - see Commercial Greenhouse, Nursery or Garden Centre

Nutrient Unit

Means an amount of nutrients that give a fertilizer replacement value of the lower of 43 kilograms of nitrogen, or 55 kilograms of phosphate as nutrient (as defined in Ontario Regulation 267/03 made under the *Nutrient Management Act*) and correlates to the number of types of livestock for a given *nutrient unit*.

Office

Means a *building*, *structure* or part thereof *used* for conducting the affairs of businesses, professions, services, industries, governments, or like activities.

Official Plan

Means the Official Plan of the East Nipissing Planning Area or parts thereof and amendments thereto.

On-farm diversified uses

Means uses that are secondary to the principal agricultural use of the property, and are limited in area. On-farm diversified uses include, but are not limited to, home occupations, home industries, agritourism uses, and uses that produce value-added agricultural products. Ground-mounted solar facilities are permitted in prime agricultural areas, including specialty crop areas, only as on-farm diversified uses.

Open Space

Means the open, unobstructed space on a *lot* from the ground to the sky including landscaped areas, pedestrian walkways, patios, *swimming pools* or similar areas but not including any driveway, ramp, *parking spaces* or *aisles*, *loading spaces* or manoeuvring areas and similar areas.

Open Storage

Means the storage of goods, merchandise or equipment outside of a *building* or *structure* on a *lot* or portion thereof. This definition shall not include a storage use located in a building, a *salvage yard*, a *parking area*, a *loading space* or a *parking space* or an area used for *outdoor display*.

Order Station

Means an ordering box, service window, display board or any other device, including communication equipment, used by the public and operator to facilitate sales and/or services in a *drive-through facility*.

Outdoor Display

Means an area set aside outside of a *building* or *structure*, other than a *parking area, loading space* or *parking space* which is *used* in conjunction with a business located within the building or structure on the same property, for the display of goods,

merchandise, equipment and seasonal produce and products and may include garden supplies and Christmas trees, new merchandise or the supply of services.

Owner

Means a mortgagee, lessee, tenant, occupant, or a person entitled to a limited estate or interest in land, a trustee in whom the land is vested, a committee of the estate of a mentally incompetent person, an executor, an administrator or a guardian.

Park

Means an area of land, whether enclosed or not, which is *used* for recreational or leisure uses and may include therein a beach, playground, play field, athletic field, field house, community centre, bleachers, skateboard facility, swimming pool, wading pool, splash pad, greenhouse, botanical gardens, zoological gardens, bandstand, skating rink, tennis courts, bowling green, boat livery, bathing station, curling rink, refreshment concession, *campground*, *fair ground*, and *conservation area*, and associated *accessory uses*.

Parking Area

Means an open area of land, **accessory** to a **permitted** use, not located on a public **street**, **private road** or **lane** which is used for the parking of **motor vehicles**, but shall not include any area where **motor vehicles** for sale or repair are kept or stored.



Parking Lot, Commercial - see Commercial Parking Lot

Parking Space

Means an area used for the temporary parking of one *motor vehicle* or one horse and buggy.

Parking Space, Barrier Free

Means a *parking space* for the temporary parking of a *motor vehicle* used by a handicapped or disabled person [see photo].

Patio

Means a surfaced, open space of land at grade adjacent to a *residential use* which is used as an extension to the interior of the home for private entertainment or leisure activities and is uncovered. In a commercial setting, means an outdoor eating area *accessory* to a *restaurant* where, on a seasonal basis, food and/or refreshments prepared on the *premises* are consumed.

Permitted

Means *permitted* by this By-law.

Permitted Use

Means a **use** which is **permitted** in the **zone** where such **use** is located.

Person

Means an individual, an association, a chartered organization, a firm, a partnership, a corporation, an agent or trustee and the heirs, executors or other legal representatives of a person to whom the context can apply according to law.

Personal Service Establishment

Means a *building* wherein a personal service is performed including but not limited to a barber shop, beauty salon, esthetician, the *premise* of an optician, shoe repair, photographic store, *laundromat* or a *dry-cleaning distribution station* but excludes a manufacturing or fabrication of goods for sale.

Pet Grooming Establishment

Means a *premise* wherein cleaning, clipping and grooming services are provided for domestic pets, but shall not include an *animal shelter* or *kennel*.

Pit

Means land or land under water from which *aggregate* as defined *herein* is being or has been excavated in order to supply material for construction, manufacturing or industrial purposes, but shall not include rehabilitated land or an excavation incidental to the

erection of a *building* or a *structure* for which a building permit has been granted by the *Corporation*, or an excavation incidental to the construction of any public works.

Place of Amusement

Means a commercial *premise* wherein amusement facilities are provided such as a video arcade, arcade, billiard or pool room but does not include an *adult entertainment parlour* or *bingo hall*.

Place of Assembly

Means a **building** specifically set aside for and primarily engaged in the operation of arts and craft shows, trade fairs, fashion shows, public meetings, banquets, conference meetings, civic, political, social or religious activities, a private club or a fraternal organization and similar activities.

Place of Worship

Means a building or an open area primarily dedicated to religious worship but may be used for other supportive uses such as a centre for the arts, a community hall, an accessory residential use, a library and similar uses.

Planning Board

Means the East Nipissing Planning Board.

Playground

Means a *park* or part thereof which is equipped with active recreational facilities oriented to children [see also **Park**].

Porch or Veranda

Means a covered entrance to a *building* usually with a separate roof and unenclosed and used as an outdoor living space that is accessed by stairs from grade and which provides access to the *first storey* of a *dwelling unit*.

Portable Asphalt Plant

Means a facility with equipment designed to heat and dry *aggregate* and to mix *aggregate* with bituminous asphalt to produce asphalt paving material, and includes stockpiling and storage of bulk materials used in the process and which is not of permanent construction, but which is to be dismantled at the completion of the construction process.

Portable Concrete Plant

Means a **building** or a **structure** with equipment designed to mix cementing materials, aggregate, water and admixtures to produce concrete, and includes stockpiling and storage of bulk materials used in the process and which is not of permanent construction, but which is to be dismantled at the completion of the construction process.

Premises

Means the area of a *building* and *lot* occupied or *used* by a business or enterprise. In a multiple tenancy *building* occupied by more than one business, each business area shall be considered separate *premise*.

Principle Use

Means the primary purpose for which a lot, building or structure is used or intended to be used.

Printing and Processing Service Shop

Means a **building** or part of a **building** used by one or more persons who are employed in the management, direction or conducting of an activity, specifically undertaken to aid an industrial or commercial office use including photocopying, mail processing, receiving, distribution, document finishing, laminating, faxing, publishing and packaging.

Private Club - see Club, Private

Private Garage – see Garage, Private

Private Road

Means a private right-of-way over private property which affords access to two or more abutting **lots** or a road created through the registration of a plan of condominium, but does not include a **street** established or maintained by a **public authority**.

Professional Office - see Office

Public Access Point

Means public land designated by the appropriate authority and developed and maintained by the authority as a public access to a navigable water body.

Public Authority

Means the Municipality of Calvin and any Boards or Commissions thereof, and any Ministry or Department of the Governments of Ontario or Canada, or other similarly recognized public agency

Public Service Use

Means any use of land, buildings or structures by or on behalf of a public authority, but does not include a public utility.

Public Street – see Street

Public Utility

Means a *premise used* for public utility services by the Municipality of Calvin, any Boards or Commissions thereof, any Ministry or Commission of the Governments on Ontario or Canada, and shall include utilities that provide electricity, gas, steam, water, telephone, internet or telecommunication services, cable television, transportation, drainage or sewage or refuse collection and disposal services, including a communications facility.

Quarry

Means any open excavation made for the removal of any consolidated rock or mineral including limestone, sandstone or shale, in order to supply material for construction, industrial or manufacturing purposes, but shall not include an excavation incidental to the erection of a building or structure for which a building permit has been granted by the *Corporation*, or an excavation incidental to the construction of any public works.

Railroad Use

Means a **building**, **structure** or **use** normally associated with a railroad operation subject to the *Railway Safety Act*, *R.S.C.* 1985, c.32 (4th Suppl.), as amended.

Reconstruction

Means to re-build, *erect*, place, reconstruct, relocate, repair or assemble a previously *existing building* or *structure* to a habitable condition which may include complete replacement, and may also include:

- 1. Any preliminary operation such as excavating, filling or draining; or
- 2. Altering any existing building or structure by an addition, enlargement, extension or other structural change; or
- 3. Any work which requires a building permit.

'Reconstructed' and 'reconstruction' shall have corresponding meanings. For the purpose of this definition, reconstruction/renovation/restoration may include the complete replacement of a *building* or *structure*.

Recreational Commercial Establishment

Means an establishment, *building* or *structures* where any recreational, social or cultural uses are operated commercially for profit on lands in private ownership, or under lease, such as health clubs, open or enclosed skating or curling rinks, open or enclosed pools, open or enclosed badminton or tennis courts, squash courts, bowling alleys, gymnasia, band shell or open theatre, and other similar uses except as otherwise specifically defined in this By-law. [See also **Bingo Hall**]

Recreational Equipment

Means a portable **structure**, vessel or vehicle that is designed and built to be carried by a **motor vehicle**, or a unit designed and built to be transported or operated under its own power or propelled power, for the purposes of providing recreation enjoyment or travel, and may include boats, boat or vehicle trailers, personal water craft, snowmobiles, all-terrain vehicles (ATVs) or other equipment used for recreational purposes and which are normally stored or parked on a **lot**.

Recreational Vehicle

Means any *vehicle* so constructed that is suitable for being **attached** to a **motor vehicle** for the purpose of being drawn or is propelled by the *motor vehicle* and is capable of being used for living, sleeping, eating or accommodation of *persons* on a temporary, transient or short-term basis, even if the vehicle is jacked up or its running gear is removed. Examples include a motor home, tent trailer, a camper trailer, a recreational trailer, a fifth wheel or a bus converted into a motor home. For the purposes of this definition, a *recreational vehicle* shall be considered a *structure* for the purposes of establishing *setbacks* only. A *recreational vehicle* shall not be deemed to include a *mobile home*. The definition of a *recreational vehicle* shall not be interpreted to include *recreational equipment* [see photos].













Recreational Vehicle Campground – see Campground

Recreational Vehicle Sales and Storage

Means a **building** and/or **lot** which are **used** for the display, storage and/or sale of boats, and **recreational vehicles** or recreational equipment.

Recreational Vehicle Repair Garage

Means a *building* used for the repair, servicing, painting, refinishing, restoration or alteration of *recreational vehicles* and boats for gain or profit, but does not include a salvage yard.

Recycling Depot or Transfer Station

Means a special *waste management facility* which only serves as a temporary storage site for clean materials such as glass, paper, cardboard, plastic, white goods, metal, electronics and other similar products which will be transferred to another location for reuse. This definition does not include any other type of waste management system [See also **Waste Management Facility**].

Redevelopment - see Development

Refreshment Pavilion (Chip Wagon)

Means a *premise* that is designed intended or *used* for the sale of food or refreshments to the general public and from which food or refreshment is made available to the customer within a *building* for consumption outside of the *building*.

Renewable Energy System

Means a system that generates electricity, heat and/or cooling from a renewable energy source.

Renovate - see Reconstruction

Residential Care Facility – see Continuum-of-Care Facility

Residential Density

Means the number of *dwelling units* per hectare of *lot area*.

Residential Use

Means the use of land, buildings or structures for human habitation or as a dwelling.

Restaurant

Means a *premise*, including a *drive-through service facility*, in which the principal business is the preparation and serving of food and refreshments to the public for consumption at tables within or outside the *building* and which may include the preparation of food in a ready-to-consume state for consumption off the *premises*.

Restaurant, Take-Out

Means a building or structure where food is prepared and offered for sale to the public to be taken out and/or delivered for consumption off the premises.

Retail Outlet

Means a single *retail store* which is *accessory* to a permitted *commercial use*.

Retail Store

Means a *building* wherein goods, wares, merchandise, groceries, substances or articles are offered for sale to the general public, and may include the limited storage of goods, wares, merchandise, substances or articles, and shall not include any other *use* defined *herein*.

Retirement Home - see Continuum-of-Care Facility

Riding School – see Equestrian Establishment

Right-of-way - see Easement

Road - see Street

Room, Non-Habitable

Means any room located within a *dwelling* that is not a *habitable* room, including but so as not to limit the foregoing, a laundry room, a pantry, a lobby, a stairway, a closet, a *porch*, a recreation room, a porch, a balcony, a *private garage*, an unfinished attic, a *cellar*, a boiler room and any space used for the service and maintenance of such dwelling or for vertical travel between *storeys*.

Row House - see Dwelling, Row or Townhouse

Rural Zone

Means an R, LSR, CR. M1, or MX zone.

Salvage Yard

Means a *lot* and/or *building* or portion thereof where used goods, wares, merchandise, articles, *motor vehicles*, machinery or parts thereof are processed or sold for further use, dismantled or abandoned. This definition may include a junk yard, a wrecking yard, a scrap metal yard, and an automobile wrecking yard on the *premises*.

Satellite Dish/Receiver

Means a structure designed, used or intended to be used to send or receive signals to or from a satellite.

Sauna

Means an *accessory building* or *structure* wherein facilities are provided for the purpose of a sauna bath, either wet or dry, and may include a change/relaxation room, storage areas and a washroom but not kitchen or sleeping facilities.

Sawmill or Planing Mill

Means a *building*, *structure* or area where timber is cut or sawed, either to finished lumber or as an intermediary step.

Sawmill, Portable

Means equipment which is portable (e.g., may be drawn by a *motor vehicle*) and is *used* on a temporary basis for the cutting of saw logs.

School

Means a Provincially-approved institution for academic instruction and shall include a public, private or separate **school**, a vocational **school**, or a post-secondary **school** such as a college or university.

School, Private

Means an educational establishment, other than a School, wherein teaching or instruction is offered for gain in such fields as academics, dancing, music, art, sports, business or trade, and any other such specialized school conducted for gain, and also includes such fields as a studio for photography and arts and crafts.

Seating Capacity

Means the number of persons which can be accommodated in a **building** or **structure** or part thereof in a seated position on chairs, benches, forms or pews.

Self-Storage Facility

Means a commercial *building* or part of a *building* wherein items are stored in separate, secured storage areas or lockers and may include the exterior storage *recreational equipment* and *recreational vehicles*.

Semi-Detached Dwelling - see Dwelling, Semi-Detached

Sensitive Land Use

Means *buildings*, amenity areas, or outdoor spaces where routine or normal activities occurring at reasonably expected times would experience one or more *adverse effects* from contaminant discharges

Examples of sensitive land uses may include, but are not limited to: residences, day care centers, and educational and health facilities.

generated by a nearby major facility. Sensitive land uses may be a part of the natural or built environment.

Separation Distance

Means the horizontal distance between **buildings** or **structures** or physical features measured from the closest point of the exterior wall or identifiable boundary of such **building** or **structure**, or of such physical structure.

Septage

Means untreated sanitary waste from a septic tank, privy or holding tank.

Service Outlet or Shop

Means a shop for selling, servicing, repairing, installing or renting items and equipment, including but without limiting the generality of the foregoing: radio or television shop, locksmith shop, small appliance shop, household and carpenter tool shop, shoe repair, a copy shop but shall not include a small engine shop or automotive repairs and automotive services.

Setback

Means:

- 1. With reference to a **street**, the least horizontal distance between the **front lot line** and the nearest **building line**.
- 2. With reference to a water body, the least horizontal distance between the high water mark and the nearest building line.
- 3. With reference to a *building*, *structure* or land *use* and not applicable under paragraph (1) or (2), shall mean the least horizontal distance from the *building*, *structure* or land *use* in question; and
- **4.** With reference to a *private road*, shall mean the least horizontal distance between the edge of the travelled portion of the road or surveyed boundary of any *building* or *structure*, or the limit of the road as shown and measured on a survey.

Sewage Works

Means any works for the treatment and disposal of sewage in a waste water stabilization pond and includes hauled sewage.

Shipping Container – see Storage Container

Shooting Range or Rifle Club

Means a *premise* for commercial or private recreational target practice, skeet shooting, pistol shooting, rim fire and centre fire, a sporting clay range rifle shooting, archery, gun or hunter safety instruction and may include *accessory* facilities

Shoreline

Means a *lot line* or portion thereof which abuts or parallels the *high* water mark of a water body. [See also High Water Mark.]

Shoreline Buffer Zone

Means a natural area, adjacent to a **shoreline**, maintained or reestablished in its natural pre-development state, with the exception of minimal pruning of vegetation, the removal of trees for safety reasons, for the purpose of protecting natural habitat and water quality and minimizing the visual impact of **buildings** or **structures** on a lot, and may include the installation of a pathway or trail providing water access.

Sight Triangle

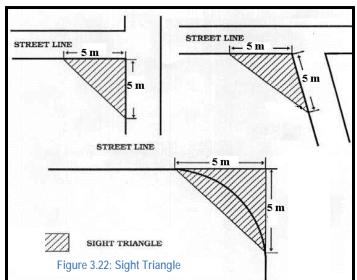
Means a triangular space, free of *buildings*, *structures* and obstructions, including vegetation, formed by the street lines abutting a *corner lot* and a third line drawn from a point on a street line to another point on a street line, each such point being the required sight distance from the point of intersection of the street lines [See **Figure 3.22**].

Sign

Means any writing, letter work or numeral, any pictorial representation, illustration, drawing, image or decoration, any emblem, logo, symbol or trademark or any device with similar characteristics which:

- 1. Is a structure, or part of a structure, or which is attached thereto or mounted thereon; and
- 2. Which is used to advertise, inform, announce, claim, give publicity or attract attention.

Sleep Cabin - see Guest Cabin



Solar Collector

Means a Class 1 or 2 ground mounted or rooftop mounted or wall mounted device under the *Green Energy and Green Economy Act, 2009* with a name plate capacity of less than or equal to 10 kW consisting of photovoltaic panels collect solar power from the sun (see photo).

that

Solar Collector, Commercial

Means a Class 3 ground mounted device under the *Green Energy and Green Economy Act, 2009* with a name plate capacity of less than or equal to 10 kW consisting of photovoltaic panels that collect solar power from the sun (see photo).

Solarium

Means a glassed-in **structure** or room projecting from an exterior or main wall of a **building** which may be used for sunning, therapeutic exposure to sunlight, or for a use where the intent is to optimize exposure to sunlight.

Stacking Lane

Means an on-site lane for motorized vehicles which accommodates vehicles using a *drive-through facility* that is separated from other vehicular traffic and pedestrian circulation. Stacking lanes may be separated by any combination of barriers, markings or signage.

Stacking Space

Means a portion of a **stacking lane** which provides standing room for **motor vehicles** in a queue for a **drive-through facility** while the occupants are awaiting service [see **Figure 3.23**].



Page 69

File P-2800



Figure 3.23: Stacking LanesFigure 3.1: Accessory Building and Main Building

Storage Container

Means a pre-fabricated metal or steel *accessory building* used for the transport and and/or storage of storage of goods and materials but shall not include the body of a transport trailer, straight truck box or *motor vehicle* [see photos].







Storey

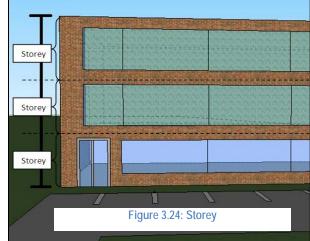
Means that portion of a *building* other than a *cellar* or *basement* included between the surface of any floor and the surface of the floor, roof deck, ceiling or roof immediately above it. [See Figure 3.24]

Street

Means an improved public thoroughfare, *lane*, road or *highway* affording principal means of access or *entrance* to abutting properties, and which has been assumed and is maintained year-round by a *public authority*.

Street Allowance

Shall have a corresponding meaning to that of Public Street or Private Road.



Street Line

Means the limit of the road or street allowance and is the dividing line between a **lot** and a **street** or a **private road**.

Structure

Means anything constructed or erected, the **use** of which requires location on the ground or attached to something having location on the ground and, without limiting the generality of the foregoing, includes a **recreational vehicle**, **a sign**, **a swimming pool**, **a deck**, and an **individual on-site sewage service** (i.e., septic tank).

Studio

Means a **building** or part thereof used:

- 1. As the workplace of a cabinetmaker, ornamental welder, photographer, artist, or artisan or any similar artist or craftsman, where unique articles are made or fabricated and offered for sale;
- 2. For the instruction of art, music, languages or similar disciplines.

Swimming Pool

Means an open or covered pool designed to be used for swimming, wading, diving or recreational bathing which is at least 50 cm [19.6 inches] in depth and may include a hot tub, inflatable pool or whirlpool but shall not include a natural dug or dammed pond intended for aesthetic or agricultural purposes.

Tavern

Means a "tavern" as defined by the *Liquor License Act*.

Temporary Building

Means a **building** or **structure** intended for removal or demolition within a prescribed time as set out in a building permit.



Figure 3.25: Temporary Car Shelter

Temporary Car Shelter

Means a prefabricated temporary **structure** usually constructed with a metal, wood or plastic frame and covered with a tarpaulin or other similar type of fabric or plastic cover **used** primarily for the storage of a **motor vehicle** or other equipment and is designed to be dismantled or removed [see **Figure 3.25**].

Top of Bank

Means the first significant lake ward break in a ravine slope where the break occurs such that the grade beyond the break is flatter than 3:1 measured perpendicularly from the break.

Tourist Establishment

Means land *buildings* or *structures* used for the purpose of sleeping accommodation on a temporary basis by tourists or vacationers, including a *motel*, lodge or *bed and breakfast establishment*, and rental cottage or cabins where more than 3 such rental units or *guest rooms* occupy the same property, including *accessory uses* such as dining, meeting and beverage rooms and similar uses and which such establishment complies with all applicable Airbnb requirements.

Tourist Outfitters Establishment

Means land, *building*s or *structures* operated throughout all or part of a year which may or may not furnish overnight accommodation and facilities for serving meals and furnishes equipment, supplies or services to persons in connection with angling, hunting, camping or other similar recreational purposes.

Township

Means the Corporation of the Municipality of Calvin.

Townhouse - see Dwelling - Row of Townhouse

Trailer, Travel Trailer or Recreational vehicle - see Recreational Vehicle

Trailer Park - see Campground

Transfer Station (See Recycling Depot)

Triplex – see Dwelling, Triplex

Transportation Depot or Truck Terminal

Means land *buildings* or *structures* where commercial vehicles are kept for hire, rental and/or leased, or stored and/or parked for remuneration and/or from which such vehicles are dispatched for hire as common carriers and where such land, structure or building may be used for the storage and/or distribution of goods, wares, and merchandise.

Use or Used

Means the purpose for which a *lot* or a *building* or a *structure* is designed, arranged, occupied or maintained.

Use, Accessory - see Accessory Use

Vehicle - see Motor Vehicle

Veterinary Establishment - see Animal Shelter

Video Rental Outlet

Means a *building* or part of a building wherein the primary *use* is the rental of video tapes and may include the rental of video cassette recorders video cameras, video games, DVDs and similar electronic devices.

Warehouse

Means a *building* or *structure* or portion thereof used or intended to be *used* for the bulk storage and distribution of goods, merchandise, or materials but shall not include a *transportation depot*.

Waste Management Facility

Means land or a site which is licensed or approved by the Ministry of the Environment and Climate Change and/or its agents where ashes, garbage, refuse, domestic waste, industrial waste, or municipal refuse compost, excluding radioactive or toxic chemical wastes is disposed of or dumped. This definition shall include waste transfer stations and recycling depots [see also **Recycling Depot**].

Water Access Lot

Means a *lot* that is accessed by a navigable *water body* only.

Water Body

Means any bay, lake, river, natural watercourse or canal but excluding a drainage or irrigation channel.

Wayside Pit

Means land from which unconsolidated *aggregate* is removed by means of open excavation on a temporary basis for use by a road authority solely for the purpose of a particular project or contract of road construction and not located on the road right-of-way.

Wayside Quarry

Means land from which consolidated *aggregate* is removed by means of open excavation on a temporary basis for use by a public authority solely for the purpose of a particular project or contract of road construction and not located on the road right-of-way.

Welding Shop

Means a *building* or *structure* or part thereof where metal products are joined, repaired or shaped by welding but no mass productions shall be involved.

Wellness Centre

Means a *premise* devoted to the actively sought goal of good health and includes the teaching and practice, in both individual and group sessions, of a range of holistic, alternative and integrative natural health practices and may include meditation, acupuncture, shiatsu, massage therapies, yoga, and healthy eating programs, and may include *accessory uses* such as administrative *offices*, physical fitness rooms, and waiting rooms, directly associated with the *premises*, but excludes a *recreational commercial establishment*.

Wetlands

Means lands that are seasonally or permanently covered by shallow water, as well as lands where the water table is close to or at the surface. In either case the presence of abundant water has caused the formation of hydric soils and has favoured the dominance of either hydrophytic plants or water tolerant plants. The four major types of wetlands are swamps, marshes, bogs and fens. Periodically soaked or wet lands being used for agricultural purposes which no longer exhibit wetland characteristics are not considered to be wetlands for the purposes of this definition.

Wholesale Establishment

Means a *building* or part of a building where goods, wares, merchandise or articles are stored in bulk for sale in wholesale quantities but does not include *premises* where any goods, wares, merchandise, substances or articles are offered or kept for sale at retail.

Wind Farm

Means a collection of *wind turbines* all in the same geographical location which are used in combination for the generation of mechanical or electrical generation.

Wind Turbine

Means a Class 1 wind facility with a name plate capacity less than or equal to 3 kW machine designed and used for converting the kinetic energy in wind into mechanical energy or electrical energy.

Wind Turbine, Commercial

Means a Class 2, 3 or 4 wind facility with a name plate capacity greater than or equal to 3 kW machine designed and used for converting the kinetic energy in wind into mechanical energy or electrical energy.

Workshop - see Custom Workshop

Wrecking Yard - see Salvage Yard

Yard

Means an area of open land between a main wall of a *building* and a *lot line* that, except for landscaping or *accessory buildings* and projections specifically *permitted* elsewhere in this By-law, is unobstructed above grade [see Figures 3.26 & 3.27].

Yard, Front

Means a *yard* extending across the full width of the *lot* between the *front lot line* and a line drawn parallel or concentric thereto and through the point of the main wall of a *main building* closest to the *front lot line* [see Figures 3.26 & 3.27].

Yard, Rear

Means a *yard* extending across the full width of the *lot* between the *rear lot line* and a line drawn parallel or concentric thereto and through the point of the main wall of the *main building* closest to the *rear lot line*. Where there is no *rear lot line*, the *rear yard* shall be measured from the intersection of the *side lot lines* to the closest point of the main wall of the main building [see Figures 3.26 & 3.27].

Yard Sale

Means the occasional or infrequent sale (e.g., one or two days annually) of household goods, clothing, furniture, tools, recreational equipment or other second-hand articles or sundry items, usually by the households on an individual property, and may include a joint sale by neighbours on the same **street** or a joint sale at a **school**, a **place of worship** or other location.

Yard, Side

Means a *yard* extending from the *front yard* to the *rear yard* between the *side lot line* and a line drawn parallel or concentric thereto and through the point of the main wall of a building closest to the *side lot line* [see Figures 3.26 & 3.27].

Yard, Side Exterior

Means a side yard adjacent to a street [see Figures 3.26 & 3.27].

Yard, Side - Interior

Means a side yard other than an exterior side yard [see Figures 3.26 & 3.27].

Figure 3.26: Yard Definitions

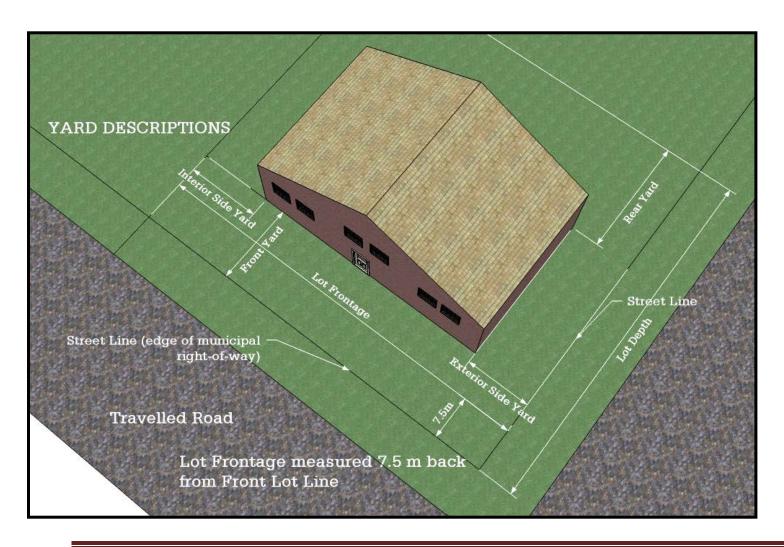
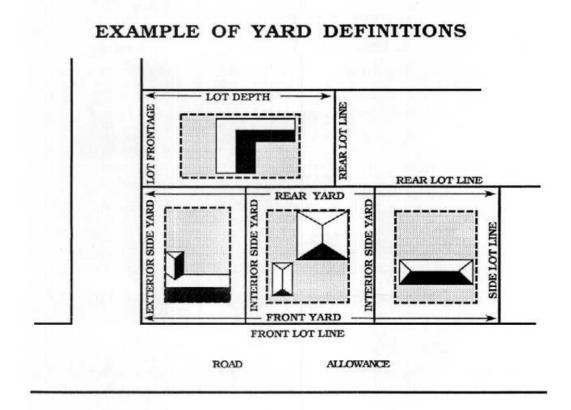
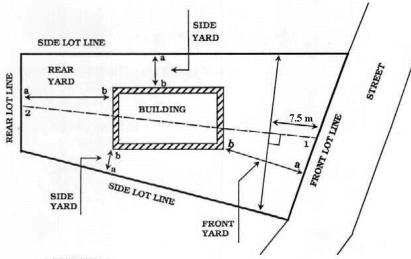


Figure 3.27: Yard Definitions



IRREGULAR LOT

NO PARALLEL LOT LINES YARD DEFINITIONS

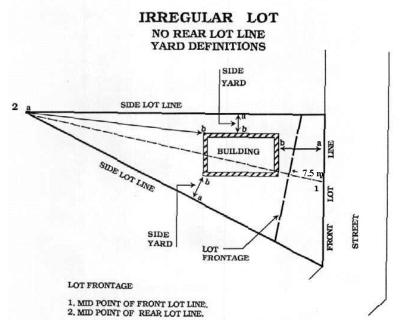


LOT FRONTAGE

- 1. MID POINT OF FRONT LOT LINE.
- 2. MID POINT OF REAR LOT LINE.

LOT FRONTAGE MEASURED AT RIGHT ANGLES TO THE LINE JOINING POINTS 1 AND 2 AT A DISTANCE OF $\ 7.5\ m$ FROM THE FRONT LOT LINE.

DISTANCE AB REPRESENTS THE SHORTEST DISTANCE MEASURED BETWEEN THE LOT LINE AND NEAREST PART OF THE MAIN BUILDING. DISTANCE AB MUST BE A MINIMUM DISTANCE SPECIFIED IN BY-LAW.



LOT FRONTAGE MEASURED AT RIGHT ANGLES TO THE LINE JOINING POINTS 1 AND 2 AT A DISTANCE OF 7.5 m FROM THE FRONT LOT LINE.

DISTANCE AB REPRESENTS THE SHORTEST DISTANCE MEASURED BETWEEN THE LOT LINE AND NEAREST PART OF THE MAIN BUILDING. DISTANCE AB MUST BE THE MINIMUM DISTANCE SPECIFIED IN THE BY-LAW.

Zone

Means a designated area of land use demarcated on the Schedules attached hereto.

Zone Regulation

Means any provision of this By-law which is listed under the heading "Zone Regulations" or referred to as a **zoning regulation** and governs the **erection** of any **building** or **structure** or the **use** of land.

Zoning Administrator

Means the officer, employee or such other person as may from time-to-time be designated by Council charged with the duty of enforcing the provisions of this By-law.

Section 4 GENERAL PROVISIONS

Explanatory Note

The General Provisions section of the Zoning By-law sets out regulations which apply regardless of the specific zoning (Section 5). While the zones provide site specific controls corresponding to such items as permitted uses and other restrictions, the General Provisions provide regulations more general in nature. Development must comply with all applicable provisions in the General Provisions in addition to the requirements of the specific zone regulations set out in Sections 5.4 - 5.11.

4.1 Accessory Buildings, Structures and Uses

4.1.1 General

- Accessory uses, buildings and structures shall be permitted in all zones as set out in the list of permitted accessory
 uses for each specific zone.
- 2. Accessory uses, buildings and structures shall comply with the zoning regulations for the zone in which they are permitted. Except where specified otherwise, no accessory building shall be erected closer than 1 meter [9.84 ft.] to any interior side lot line, rear lot line, or the main building.
- 3. All accessory uses, buildings and structures to a permitted principal use or main building shall be located on the same lot and in the same zone as the principle use or main building.
- **4. Accessory uses**, **buildings** and **structures** shall not be **erected** or established prior to the **erection** or establishment of the **main building** or **use** except for:
 - a. A permitted temporary building [see Section 4.34] during the term of an active building permit; or
 - b. An individual on-site sewage disposal system;

- c. A dock on a water access lot.
- d. A *recreational vehicle* where permitted under **Section 4.29**.
- 5. No accessory building or structure shall be erected closer to the front lot line or the exterior side lot line than the minimum front yard and external side yard setbacks required for the main building except for:
 - **a.** A shelter for use by children waiting for a school bus, if such use is located in a *rural zone*.
 - **b.** A *farm produce outlet* if such *structure* is located in a *rural zone*.
 - c. A freestanding satellite dish/receiver or solar collector (but not including a communications facility);
 - **d.** Recycling and waste control containers;
 - e. A sign erected in compliance with the zone regulations of this By-law or a By-law enacted under the Municipal Act.
 - f. For outdoor storage or outdoor display where permitted in this By-law.
 - **g.** For a *temporary car shelter*.
 - **h.** For a gate house used for security for a gated residential complex or *permitted non-residential use*.
 - i. An accessory building constructed in a rural zone provided that the minimum front yard depth for the main building shall be double the front yard otherwise required for the zone provided that the accessory building or structure shall be in compliance with the front yard, interior side yard, and exterior side yard requirements for the main building or structure in the zone and provided that all other applicable provisions of this By-law are complied with.

All such *buildings* or *structures* listed above shall be set back a minimum of 3m [9.84 ft.] from the *front lot line* or *exterior side yard lot line* or *rear lot line* in the case of a water front lot, and shall comply with the *interior side yard* and *rear yard setbacks* in the zone in which they are located.

- 6. Common *detached private garages* which are detached from the *main building* may be mutually centred on the *side lot line*.
- 7. A green roof, a geothermal power facility, a solar collector, and a wind turbine are permitted accessory uses in any zone.
- **8. Legal non-conforming uses** shall be permitted to have **accessory uses** with the provisions in this section of this By-law and the **zone regulations** of the applicable **zone**.
- A detached private garage may be equipped with sanitary facilities where the sanitary facilities comply with Section 4.36
 Water and Sewage Disposal Systems.
- 10. A deck is not an accessory use unless detached from a dwelling.
- **11.** All fuel storage tanks above or below ground for any fossil fuels or propane shall comply with the *Technical Standards and Safety Act*, *2000* and no building permit shall be issued without the prior approval of any equipment or fuel storage facilities by the Technical Standards & Safety Authority.

4.1.2 Accessory Residential Uses

- 1. One (1) *guest cabin* or one (1) *loft-above-a-garage* above a detached garage shall be *permitted* per *lot* as an *accessory use* to a *permitted dwelling*. A guest cabin shall not exceed 37 m² [398.3 ft²] in gross floor area.
- 2. No *guest cabin* or *loft-above-a garage* above a detached garage shall be located less than 3 m [9.84 ft.] to any *interior lot line* or *rear lot line* or *main building.*
- 3. No guest cabin or loft-above-a garage shall be permitted on a lot occupied by a garden suite.

4. An additional residential unit shall be permitted as an accessory use to a single detached dwelling or a semidetached dwelling or a row or a townhouse dwelling in any zone where the additional residential unit can be adequately serviced with an individual on-site sewage system.

See also Section 4.1.8 Garden Suites.

4.1.3 Bed and Breakfast Establishments

- A bed and breakfast establishment shall be permitted as an accessory use to any permitted single detached dwelling.
- 2. A maximum of four (4) *guest rooms* shall be *permitted* for any one *bed and breakfast establishment*.
- 3. The use of the dwelling as a bed and breakfast establishment shall not change the residential character of the dwelling.
- **4. Bed and breakfast establishments** shall not be subject to the **home based business** regulations of **Section 4.15** of this By-law.
- 5. The **bed and breakfast establishment** shall comply with any applicable requirements of the local Health Unit, the **Building** Code, and the Fire Code.
- 6. One (1) **sign** only not exceeding 1.2 m² [12.9 ft²] in surface area nor exceeding 1.5 m [4.92 ft.] in **height** and which does not flash or oscillate shall be **permitted** to advertise a **bed and breakfast establishment**. The **permitted sign** may be a freestanding **sign** in a **front** or **side yard** or may be **attached** to a wall of a **permitted building** or **structure**, but shall not obstruct any **sight triangle**. A minimum **setback** from any **lot line** of 1 meter [3.28 ft.] shall apply.
- 7. A breakfast service shall be available to guests.
- 8. A *bed and breakfast establishment* shall comply with the applicable parking regulations of **Section 4.25** of this By-law.
- 9. A *bed and breakfast establishment* shall require proper licensing from the *municipality* where applicable and shall comply with any applicable Airbnb regulation.

4.1.4 Boat Houses

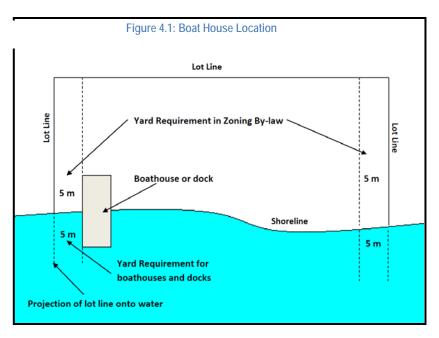
- 1. One (1) only single **story** one-bay **boat house** shall be **permitted** as an **accessory use** to a **permitted seasonal dwelling** or **single detached dwelling** in an R or LSR Zone.
- 2. A boat house shall not be erected closer than 5 m [16.4 ft.] from the nearest adjacent lot line [see Figure 4.1].
- 3. A **boat house** shall not be **used** for sleeping accommodation or human habitation.
- **4.** A flat roofed **boat house** may be **used** as a roof-top deck or patio.
- **5.** The provisions for **boat houses** in this section shall apply to a **marina** except clauses 4.1.4.1, and 4.1.4.4.

4.1.5 Docks

- 1. **Docks** shall be limited to floating, cantilevered or post dock construction.
- 2. No *dock* shall be permitted which constitutes a navigation or safety hazard.
- In water bodies with a width of 150 m [492.1 ft.] or less, no dock shall be constructed which will exceed 20% of the width of the adjacent water body.
- 4. No **dock** with a crib area of greater than 15 m² [161.4 ft.²] shall be constructed without a valid permit issued by the Ministry of Natural Resources and Forestry.

4.1.6 Fences in a Residential Zone

Any **fence erected** hereafter within the **municipality** shall conform to the provisions of any Fence By-law as may from time-to-time be enacted under the *Municipal Act* or any



provisions for *fences* as hereinafter set out in this By-law as follows:

- 1. The maximum *height* of a *fence* in any *interior side* or *rear yard* shall be 2 m [6.56 ft.] measured from the *established grade*.
- 2. The maximum *height* of a *fence* in any *front yard* or *exterior side yard* shall be 1 m [3.28 ft.] measured from the *established grade*.
- 3. No *fence* shall be erected so as to obstruct a *sight triangle*.

4.1.7 Fences in a Non-Residential Zone

Any **fence erected** hereafter within the **municipality** shall conform to the provisions of any Fence By-law as may from time-to-time be enacted under the **Municipal Act** or any provisions for **fences** as hereinafter set out in this By-law as follows:

- 1. The maximum *height* of a *fence* in any *yard* of a *non-residential zone* shall be limited to 2.5 m [8.20 ft.] measured from the *established grade* where the *fence* is a chain-link or other similar transparent construction materials or 2 m [6.56 ft.] for any other materials.
- 2. No *fence* shall be erected so as to obstruct a *sight triangle*.
- 3. Sections 4.1.6 or 4.1.7 shall not apply to fences required for a public authority or communication facilities.

4.1.8 Garden Suites

Subject to the passing of a site-specific temporary use By-law under Section 39 of the *Planning Act*, a *garden suite* shall be permitted as an *accessory use* to a *permitted single detached dwelling* provided:

- 1. The minimum *lot area* conforms to the *zone* in which the *garden suites* are to be located.
- 2. The maximum *gross floor area* of the *garden suite* shall not exceed 50% of the *gross floor area* of the *principle dwelling* on the *lot*.
- 3. The maximum *height* of the *garden suite* shall be one *story*.

- 4. The *garden suite* shall be located in a *rear* or *interior side yard* and shall meet the *zone regulations* for building *separation* and *lot coverage* in the *zone* in which the *garden suite* is located.
- 5. The minimum setback from a rear lot line or interior side yard lot line shall be 3 m [9.84 ft.].
- 6. A garden suite shall not be permitted on a lot occupied by an existing guest cabin or loft-above-a-garage. (See 4.1.2)

4.1.9 Pumphouse

A pumphouse may be **erected** and **used** in the **shoreline buffer zone** provided its location complies with the minimum **interior side yard setback.**

4.1.10 Storage Containers in a Residential Zone

No *person* shall place a *storage container* in any Rural or Limited Service Rural (LSR) *zone* except in accordance with the following:

- 1. Up to two (2) **storage containers** shall be **permitted** per **lot** for a non-residential use in an R, LSR, CR, M1, M3 or MX Zone.
- 2. The dimensions of a **storage container** shall not exceed 12.1 m [40 ft.] in length, 2.4 m [7.8 ft.] in width or 3 m [9.8 ft.] in height. No stacking of **storage containers** shall be permitted.
- 3. No single **storage container** shall be used for human and animal habitation or living.
- 4. A storage container shall be located in an interior side yard or the rear yard only.
- 5. No **storage container** shall be located on a designated **parking space**, **aisle** or access **driveway**. Despite the foregoing, a **storage container** not exceeding the dimensions in clause 4.1.10.2 shall be permitted in a **driveway** on a residential property for a period not to exceed five (5) days and only for the purpose of loading or unloading household items during the process of moving, but in no case shall encroach upon a public sidewalk or create a site line obstruction to traffic.
- 6. The minimum **separation distance** of a **storage container** from any other **building** shall be 2 m [6.5 ft.].

- 7. A storage container shall comply with all other yard setbacks in the zone in which the storage container is located.
- 8. A storage container shall not be used for the purpose of display or advertising or as a component of a fence.
- **9.** A **storage container** shall not be used for the storage of fuels or hazardous materials.

4.1.11 Swimming Pools

Private **swimming pools**, both above-ground and in-ground and both open and covered, shall be **permitted** subject to the Bylaws of the **Municipality** regarding swimming pools and the following regulations:

1. Outdoor Open Pools

- a. Open Pool areas shall be totally enclosed by a *fence* constructed with vertically boarded wood, chain link, masonry, plastic, metal construction or a material having an equivalent degree of strength and having no rails or other horizontal or diagonal bracing or attachments on the outside that may facilitate climbing and shall have no opening with a horizontal dimension greater than 75 mm [2.4 inches] and having a minimum height of 1.2 metres [4.0 ft.] above the *established grade* and which shall be installed to include a self-closing and self-latching gate which shall be placed at the top of the gate on the pool side;
- **b.** Where a pool is an above-ground pool, any combination of the pool wall, surrounding **fence** or **structure** totaling a minimum of 1.2 metres [4.0 ft.] in **height** above the **established grade** shall be deemed to meet the fencing regulations provided that a self-latching gate or equivalent arrangement is installed to prevent unauthorized entry;
- **c.** A wall or walls of a *building* or buildings may form part of a swimming pool fence provided that all openings affording access from a *building* directly to an enclosed swimming pool area is/are equipped with a locking device located not less than 1.2 metres [4.0 ft.] from the bottom of the floor;
- **d.** Any *building* or *structure*, other than a *dwelling*, required for changing clothing or pumping, filtering or storage or any similar purposes shall comply with the provisions respecting *accessory uses* and *structures*.

- e. No part of an outdoor swimming pool including an associated apron or platform which is in a front or side yard shall be constructed closer to a street line than the regulations for a main building in the zone within which it is located nor closer to the lot line in a rear yard than the minimum distance required for an accessory use or structure;
- f. Notwithstanding the foregoing, outdoor swimming pools which are accessory to hotels, motels and tourist establishments may be located in the front yard provided the swimming pool meets all other regulations of this By-law; and
- g. A hot tub shall be exempted from the fence provisions provided that the hot tub is adequately secured by a cover equipped with a self-locking device, which cover shall be kept locked in place over the tub when the hot tub is not in use.

2. Indoor Swimming Pools

Indoor pools shall comply to the *accessory building* regulations contained in **Section 4.1.1** or to the zone regulations where the pool is part of the *main building*.

4.1.12 Temporary Car Shelter

- 1. **Temporary car shelters** shall only be located on a designated **parking space** or **driveway**.
- 2. The minimum **setback** of a **temporary car shelter** shall be 3 m [9.84 ft.] from a **front yard lot line** or **exterior front yard lot line** and 1.5 m [4.92 ft.] from an **interior side yard lot line**.
- 3. No *temporary car shelter* shall be erected so as to obstruct a *sight triangle*. (See also **Section 4.30 Sight Triangle**.)

4.2 Automotive Service Station, Gas Bar, Car Wash

Despite any other provisions contained in this By-law, for all **zones** within which an **automotive service station**, **gas bar** and/or **car wash** are **permitted**, the following **zone regulations** shall apply:

1.	Minimum <i>lot frontage</i>	50 m [164 ft.]
2.	Minimum front yard	15 m [49.2 ft.]
3.	Minimum exterior side yard	15 m [49.2 ft.]
4.	Minimum interior side vard	6 m [19.7 ft.]

5.	5. Minimum <i>rear yard</i> 10	0 m [32.8 ft.]	
6.	6. Minimum setback from a canopy and any lot line10	O m [32.8 ft.]	
7.	7. Minimum setback of any pump island from any lot line10) m [32.8 ft.]	
8.	3. Minimum entrance width for one-way entrance	6 m [19.7 ft.]	
9.	Minimum width for a two-way entrance	9 m [29.5 ft.]	
10	10. Maximum entrance width12	2 m [39.4 ft.]	
11. Minimum distance between any two entrances and/or exits 22.5 m [73.8 ft.]			
12. Minimum distance between an entrance or exit and the intersecting street lines on a corner lot12 m [39.4 ft.]			
13.	13. Minimum number of entrances	2	

4.3 Buildings to be Moved

the Technical Standards & Safety Authority.

No **building** or **structure** shall be moved within the limits of the **Municipality** or shall be moved from outside the **Municipality** into the **Municipality** unless the **building** or **structure** is a **permitted** use and satisfies all the regulations of the **zone** in which it is to be located.

14. All fuel storage tanks above or below ground for any fossil fuels or propane shall comply with the Technical Standards and

Safety Act, 2000 and no building permit shall be issued without the prior approval of any equipment or fuel storage facilities by

4.4 Camp

A *permitted* camp may be located on any lot of record provided such *building* is set back a minimum of 500 m [1,640.4 ft.] from any existing residential *dwelling unit* on the same lot. No minimum *lot area* or *lot frontage* requirements shall apply to a *permitted* camp.

4.5 Change of Use

A **use** of a **lot, building or structure** which, under the provisions hereof is not **permitted** within the **zone** in which such **lot, building or structure** is located, shall not be changed except to a **use** which is **permitted** within such **zone** or as otherwise authorized by the Committee of Adjustment under Section 45(2) of the **Planning Act**.

Example of cumulative standards: where a lot is to be developed for a commercial use and an accessory dwelling, the number of parking spaces required would include the combined total of those for the commercial use plus those for the dwelling.

4.6 Cumulative Standards

Notwithstanding anything contained in this By-law, where any land, **building** or **structure** is **used** for more than one purpose, all provisions of this By-law relating to each **use** shall be complied with.

4.7 Day Care for Children

Private home day care and a **day nursery** shall be **permitted** in all **zones** where **residential uses** are **permitted** as a **principal use**. Such day care for children shall comply with the provisions of the **Child Care and Early Years Act**, 2014.

4.8 Exception Zone

Where a zone symbol is followed by the suffix "-X" this shall mean that a specific exception is being made to one or more of the **zone regulations** of that **zone** for a specific area governed by the By-law. All other applicable provisions of the By-law shall continue to apply. A number after the "-X" (e.g., R-X1) indicates the chronological order of the various exception zones.

4.9 Farm Use

Nothing contained in this By-law shall prevent the continued use of any land, **building** or **structure** for farming or agricultural purposes as defined, or any extension or addition of such use provided that any additions or extensions of such use shall comply with the requirements of the Minimum Distance Formulae I and II of this By-law and the applicable requirements of the Rural (R) Zone.

4.10 Flood Plain

No *dwelling* shall be constructed or extended or expanded below the regulatory flood elevation of any *water body* and no person shall use any land or erect, *alter* or *use* any *building* or *structure* in the *flood plain* of any *water body* except in accordance with the following provisions

4.10.1 Regulatory Flood Elevation

For the purposes of this By-law, the regulatory *flood elevation* for the following water bodies shall apply:

- **1.** Smith Lake 177.0 m
- 2. Talon Lake (Mattawa River) 195.52 m
- Where no flood elevation or flood line has been established, the setback from the top of bank shall be 30 m [98.4 ft.] unless otherwise determined by the North Bay-Mattawa Conservation Authority.

3.10.2 Permitted Uses Within the Flood Plain

- 1. **Buildings** or **structures** intended for flood or erosion control or slope stabilization;
- 2. All **buildings** and **structures** in Existence on the Day of the Passing of this By-law;
- 3. Conservation Use excluding any buildings or structures;
- 4. Forestry Use excluding any buildings or structures;
- 5. Parks excluding any buildings or structures;
- **6.** Hydro-electric generating facilities;
- 7. Marine Facility;
- 8. Marina; and
- 9. Infrastructure incidental to a water supply or waste water treatment facility such as a water intake or sewer outfall but not including the *main building* of a water filtration plant or waste water treatment facility.

4.10.3 Prohibited Uses

Buildings and structures shall not be permitted to locate in hazardous lands or hazardous sites where the use is:

- 1. An *institutional use* including hospitals, a *day nursery*, pre-schools, school nurseries, a *continuum-of-care facility*, long-term care homes and a *school*.
- **2.** An essential emergency service such as that provided by fire, police and ambulance stations and electrical substations, and
- 3. A use associated with the disposal, manufacture, treatment or storage of *hazardous substances*.

4.10.4 Flood Plain Zoning Standards

- 1. No *building* or *structure* shall be *erected* closer than 15 m [49.2 ft.] from the flood *elevation* or *flood line* of a *water body*.
- 2. Lands subject to flooding shall not be included in the calculation of the minimum *lot area.*

4.10.5 Additional Provisions

- 1. Any new building or structure or any expansion of or addition to any buildings or structures permitted in the Flood Plain after the day of the passing of this By-law must incorporate appropriate engineered construction techniques which reduce or eliminate the risks of flood damage or damage from unstable slopes. The specific approval of the Conservation Authority must be obtained prior to the issuance of a building permit; and
- 2. Modification of the flood plain through the placing or dumping of fill, excavation, changing the channel of any water body or diverting a water course within the prescribed limits of the fill lines is prohibited unless otherwise permitted by the Conservation Authority.

NOTE: See Minimum Distance Separation (Special Setbacks), **Section 4.22.8** for setback requirements from water bodies and the provisions of **Section 5.11** - Environmental Protection Constraint (EP) Area.

4.11 Frontage on a Public Street or Private Road

No **person** shall erect any **building** or **structure** or **use** any land in any **zone** unless the **lot** upon which such **building** or **structure** is to be **erected** or the land to be **used** has access to and meets the minimum **lot frontage** on a **street**.

4.11.1 Exceptions

Despite the above, access to a *lot* shall be permitted:

- 1. For a *permitted use* located on an *existing private road, existing easement* and for a *permitted use* located in a registered condominium located on an internal *private road;*
- 2. For any *permitted use* on an island provided a public access point is available on the main land;
- 3. Infill on a *private road existing* on the day of the passing of this by-law;

- **4.** A *camp*;
- **5.** For a farm field:
- **6.** For a resource related *use* located on Crown Land;
- 7. For a communications facility;
- 8. For a *public utility*;
- **9.** For a wayside pit or quarry;
- **10.** For a water access lot,
- **11.** For any passive outdoor recreational *use* or activity such as skiing, snowmobiling, hiking, mountain biking or similar activities, and
- **12.** Provided all other applicable **zone regulations** are met.

4.11.2 Exception for Existing Agreements

- 1. Despite **Section 4.11.1**, where a maintenance agreement exists between the municipality and a land owner and is registered on title, frontage on an unopened or unmaintained public right-of-way shall be deemed to conform to the provisions of this section, provided that such frontage is in conformity with the standards set out in the corresponding zone or any exception thereto;
- 2. Despite **Section 4.11.1**, where an access agreement registered on title between or amongst landowners provides for a right-of-way to an existing lot of record, or the lot of record has water access only, the access requirements shall be deemed to conform to the provisions for access of this By-Law.

4.11.3 Exception for Existing Lots or Land Holdings Adjacent to a Private Road

1. Despite **Section 4.11.1**, where a maintenance agreement exists between the municipality and a land owner and is

registered on title, frontage on an unopened or unmaintained public right-of-way shall be deemed to conform to the provisions of this section, provided that such frontage is in conformity with the standards set out in the corresponding zone or any exception thereto; and

2. Despite **Section 4.11.1**, where an access agreement registered on title between or amongst landowners provides for a right-of-way to an existing lot of record, or the lot has water access only, the access requirements shall be deemed to conform to the provisions for access of this By-law.

4.11.4 Ministry of Transportation

In addition to all the requirements of the Corporation, all development adjacent to any Provincial Highway is also subject to the requirements and permits of the Ministry of Transportation.

4.12 Group Homes

A *group home* shall be *permitted* in all *residential zones* provided the *lot* is located on an improved *Street* only and not a *private road*.

4.13 Helipad, Heliport

Where a Helipad or Heliport is permitted in this By-law, the following provisions shall apply:

- 1. The setback between the edge of the helipad and the main wall or receptor of a **sensitive land use** shall be determined by a noise and vibration study undertaken by a professional competent in undertaking such studies. Reference shall be made to Ministry of the Environment, Conservation and Parks Noise Guideline NPC-300;
- 2. The setback between the edge of the helipad and any non-residential use not classified as a **sensitive land use** shall be 200 m [656.2 ft.]; and
- 3. The classification, design, construction and operation of a Heliport shall comply with Standard 325, Heliports, Part III, Canadian Aviation Regulations issued under the Aeronautics Act, administered by Transport Canada.

4.14 Home Based Businesses

4.14.1 Scope of Permitted Home Based Businesses

The following *home based businesses* shall be *permitted* in any *zone* where a *home based business* is *permitted*:

- 1. Professional and consulting services including but not limited to an architect, engineer, financial advisor, accountant, consultant, legal services, physician, teleworker.
- 2. Instructional services include but not limited to music lessons, dance, art, academic tutoring.
- **3.** Home craft businesses including but not limited to quilter, potter, jeweler, painter/visual artist, small scale assembler.
- 4. A Day nursery or private home day care.
- **5.** Distribution sales office, mail order sales or on-line sales and services including but not limited to cosmetics, clothing or small household appliances provided the product or service delivery is primarily from an off-site *non-residential* location.
- **6.** An office for a contractor and trades plumber, electrician.
- 7. Repair services including but not limited to small appliances, computers and not including auto repair and similar services.
- **8.** High technology uses including but not limited to internet services, office call center services, desktop publishing, computer hardware and software development.
- **9.** Personal care services including but not limited to a hairdresser, barber, massage therapist, aesthetician.
- 10. A farm produce outlet.

- **11.** A workshop (e.g., workshops for woodworkers, welders, painters, plumbers or other members of the trades);
- **12.** A machine or auto repair shop;
- **13.** Sale of bait for recreational fishing purposes.
- **14. Pet grooming establishment**, but not including overnight keeping of animals.
- 15. A catering establishment.
- 16. A Studio.
- 17. Seed sales
- 18. Gun repairs
- **19.** The sale of fuel wood in a *rural zone* only
- 20. The repair of household appliances
- 21. Home based businesses shall not include a cannabis retail store or dispensary or a licensed cannabis production facility.

4.14.2 Zone Regulations for Home Based Businesses

- 1. The home based business shall be clearly accessory to the main permitted residential use.
- 2. A maximum of two (2) home based businesses shall be permitted in a dwelling.
- **3.** The residential external character of the *dwelling* shall not be changed.

- 4. The business(es) may be conducted entirely within the *dwelling* or may be conducted in an *accessory building* provided that the *home based business* does not occupy more than 140 m² [1,506 ft.²] of the *accessory building* or *structure*. The *home based business(es)* shall cumulatively not occupy more than 25% of the *net floor area* of the *dwelling*.
- 5. The *home based business* shall be operated by the owner or occupant of the *dwelling* on the *lot* on which the *home based business* is operated.
- **6.** The *home based business* shall not create a public nuisance in regard to noise, traffic, parking or health safety.
- 7. The business (es) shall be legal and must have obtained the necessary permits or licenses from the *Corporation* and any other applicable government body having jurisdiction. Any licenses shall be deemed to expire on the 31st of December of each calendar year and shall be renewed annually.
- 8. No **outdoor storage** shall be **permitted** except where the **home based business** is established for the sale of firewood.
- 9. Only one (1) sign shall be permitted to advertise the home based business(es). The sign shall not exceed 1 m² in surface area. The permitted sign may be a free-standing sign in a front or exterior side yard or may be attached to the wall of a permitted building or structure. The sign may be illuminated where the illumination is directed onto the sign and complies with Section 4.15 of this By-law. Signs may also be subject to any sign By-law enacted by the Municipality under the Municipal Act.
- **10.** Parking for *home based business(es)* shall comply with **Section 4.25** of this By-law.

4.15 Illumination

Illumination of *buildings*, *structures* and grounds shall be *permitted* provided:

1. Illumination does not cause direct or indirect glare on a **street** or **private road** that may interfere with traffic or pedestrian safety.

- 2. Illumination does not consist of a colour or be so designed or located that it may be confused with traffic signals.
- 3. Illumination does not cause direct or indirect glare on land or **buildings** or **structures** on any adjacent property that creates a public health or safety issue.

4.16 Kennel

A **kennel** shall only be **permitted** in an R Zone.

4.17 Land Suitability For Use

Despite any other provision of this By-law, no *habitable building* or *structure* shall be *erected*, *altered* or *used* on *hazardous lands* or *hazardous sites* unless the proponent or applicant for development can demonstrate through professionally acceptable engineering techniques that the physical constraint can be mitigated or overcome and that the requirements of the *Ontario Building Code* with respect to construction and the requirements of the *Ontario Water Resources Act* and the *Ontario Building Code* with respect to the installation of an *individual on-site sewage* and water system can be met.

4.18 Licenses, Permits and Other By-laws

Nothing in this By-law shall exempt any person from complying with requirements of the Building By-law or any other By-law in force within the *Municipality* or from obtaining any permit, license, permission, authority or approval required by this or any other By-law of the Municipality of Calvin or by any other provincial or federal law in force from time to time.

4.19 Loading/Delivery Space Regulations

For every *building* or *structure erected* for a *commercial use, institutional use or industrial use* involving the receiving, shipping or unloading of merchandise or other goods, loading/delivery spaces shall be required in accordance with the following *zoning regulations*:

- 1. Minimum loading/delivery space height clearance..........4.25 m [13.9 ft.]
- 3. Minimum loading/delivery space length10 m [32.8 ft.]
- 4. Minimum aisle or driveway width leading to a loading/delivery space6m [19.6 ft.]
- 5. Minimum no. of *loading/delivery* spaces 0 for net floor area less than 200 m²
- 6. Minimum no. of *loading/delivery* spaces1 for net floor area of 200 m²-1,000 m²

- 7. Minimum no. of *loading/delivery* spaces......1 for each additional 1,000 m²
- 8. All loading spaces shall be located within the property boundaries (*lot lines*) of the *lot* on which they are located.
- 9. Minimum setback of any required loading/delivery space from any lot line shall be 3 m [9.84 ft.].
- **10.** The *loading/delivery space* regulations shall not apply to *existing buildings* or *structures*, but shall apply to any increase in the *net floor area* of an *existing building* or *structure* after the date of the passing of this By-law.

4.20 Mine Hazards

No lands identified as having a *mine hazard* shall be used unless the *mine hazard* has been rehabilitated or measures taken to mitigate known or suspected hazards. Any required rehabilitation or mitigation measures shall be undertaken using acceptable engineering practices.

4.21 Minimum Distance Separation and Special Setbacks

Despite the **zoning regulations** in this By-law, no **person** shall **use** any land, **building** or **structure** unless the **use**, **building** or **structure** complies with the following:

4.21.1 Waste Management Facility

- 1. No development or land use shall be **permitted** within 30 m [98.4 ft.] of the licensed fill area of an active **waste management facility.**
- 2. No waste management facility shall be permitted within 30 m [98.4 ft.] from the high water mark of any water body or wetland.
- 3. No waste management facility shall be permitted on land covered by water or in any area subject to flooding.

4.21.2 Pits and Quarries

- 1. No **sensitive land use** shall be **permitted** within 1,000 m [3,280.8 ft.] of the **zone** boundary of a **pit** measured as the shortest horizontal distance between the **lot line** of the **sensitive land use** and the zone boundary of the **pit** or the nearest face of the excavation, whichever is the closest.
- 2. No sensitive land use shall be permitted within 1,000 m [3,280.8 ft.] of a quarry measured as the shortest horizontal distance between the lot line of the sensitive land use and the zone boundary of the quarry or the nearest face of the excavation, whichever is the closest.

4.21.3 Industrial Uses

- 1. Class I Industrial Light Industrial: The minimum separation distance from a sensitive land use and a Class I Industrial use shall be 20 m [65.6 ft.] and shall be measured as the shortest horizontal distance between the lot line of the sensitive land use to the lot line of the Class I Industrial Use.
- 2. Class II Industrial Medium Industrial: The minimum separation distance from a sensitive land use and a Class II Industrial use shall be 70 m [230 ft.] and shall be measured as the shortest horizontal distance between the lot line of the sensitive land use to the lot line of the Class II Industrial Use.
- 3. Class III Industrial Heavy Industrial: The minimum separation distance from a sensitive land use and a Class III Industrial use shall be 300 m [984.2 ft.] and shall be measured as the shortest horizontal distance between the lot line of the sensitive land use to the lot line of the Class III Industrial Use.
- 4. Where an *industrial use* or *sensitive land use* is an *existing use* and an expansion or extension is proposed, the minimum *separation distance* for a *Class I, II* or *III Industry* shall be measured from the nearest main wall of the *building* or *structure* occupied by the *sensitive land use* and the nearest main wall of the *building, structure,* processing area, assembly or manufacturing area occupied by the *industrial use*.
- 5. The minimum separation distance from a sensitive land use may be located on the property of the industrial use where the building or processing component of the industrial use is setback the required minimum separation distance from the property line abutting the sensitive land use.

4.21.4 Minimum Distance Separation Formulae I and II

- The most recent version of the *Minimum Distance Separation Formulae I and II* of the Ministry of Agriculture, Food and Rural Affairs shall apply to new or expanding *livestock facilities* and the establishment of *residential uses* or *vice versa* on properties adjacent or in proximity to livestock operations, but shall not apply between a *dwelling* and a *livestock facility* on the same *lot*.
- 2. *Minimum Distance Separation Formulae I* shall apply to all lots created after March 1, 2017.

- 3. *Minimum Distance Separation Formulae I setbacks* shall apply to *existing lots* created prior to March 1 2017 which are used exclusively to residential purposes and vacant lots which have a *lot area* greater than 2 ha. [4.94 ac.]
- 4. *Minimum Distance Separation Formulae I* shall not apply to lot creation for surplus dwellings for an existing *livestock facility* od anerobic digestor on an adjacent lot or on the same lot as the *existing dwelling*.
- 5. *Minimum Distance Separation Formulae I and II* shall not apply to *agriculture related uses* or on-farm diversified uses with the exception of a food service such as an on-farm tea room or food concession.
- 6. Despite anything in this By-law to the contrary, where an existing sensitive land use that does not comply with the Minimum Distance Separation Formulae I is destroyed or rendered uninhabitable by fire or other natural cause, the building or structure may be reconstructed where the new building or structure is located no closer to a livestock facility than the original building or structure and the gross floor area and height are not increased.
- 7. The *Minimum Distance Separation Formulae I* shall not apply to the construction of *accessory buildings* and *structures* to a *permitted existing dwelling* on the property (e.g., *deck, garage, gazebo*, greenhouse, picnic area, *patio*, shed).
- **8.** The *Minimum Distance Separation Formulae I* shall not apply to proposed non-agricultural *uses* within an approved settlement area.
- 9. The *Minimum Distance Separation Formulae I* shall not apply to any cemetery that is closed to further *use* or receives low levels of visitation.

4.21.5 Water Bodies and Shoreline Buffer Zone

Subject to Section 4.10, the minimum setback from the high water mark for dwelling, a non-residential or accessory building or structure or an individual on-site sewage service shall be 30 m [98.4 ft.] except for a boat house, dock, wharf or low impact accessory structure such as a steam or sauna bath, gazebo, storage shed, a deck, a marine facility or marina. The setback shall be measured as the shortest horizontal distance from the nearest main wall of the building or the edge of the filter bed/tile bed to the high water mark. The setback from an intermittent creek may be reduced to 15 m [49.2 ft.].

2. A shoreline buffer zone shall be maintained between the high water mark and any permitted use, building or structure except a marine facility in a R, LSR and CR Zone. A shoreline buffer zone may be interrupted to provide for an access way or pathway to a water body or to provide for a viewscape of the adjacent or abutting water body provided that a clearing of the shoreline buffer zone shall not exceed 25% of the shoreline frontage of a lot occupied by a residential use or 50% for a commercial recreational use.

4.21.6 Wetland

No *dwelling*, non-residential or *accessory building* or *structure* or an *individual on-site sewage service* shall be *permitted* within 30 m [98.4 ft.] of the boundary of a significant *wetland* or fish habitat.

4.21.7 Rail Corridor

No **building** or **structure** shall be **permitted** within 30 m [98.4 ft.] of the right-of-way of a rail corridor.

4.21.8 TransCanada Pipelines

No permanent *building* or *structure* shall be located within 7 m [22.9 ft.] of the limit of the TransCanada pipeline right-of-way or within 12 m [39.3 ft.] from the center line of the pipeline whichever is greater. *Accessory structures* shall have a minimum setback of at least 3 m [9.84 ft.] from the limit of the TransCanada pipeline right-of-way.

4.21.9 Ministry of Transportation

The minimum **setback** from a provincial highway or highway intersection with a provincial highway for a **building**, **structure**, **sign**, **open storage**, **outdoor display**, a patrol yard or land use including a snowmobile or ATV recreational trail shall be as required by the Ministry of Transportation.

4.22 Non-Complying and Non-Conforming Buildings and Structures

4.22.1 Reconstruction, Enlargement of a Non-Complying Building or Structure

Nothing in this By-law shall prevent the enlargement, repair, renovation, *reconstruction*, or structural *alteration* of a *building*, or *structure* that *existed* one day prior to this By-law coming into effect, and which does not comply with the *zone regulations* or other requirements of this By-law provided:

1. The enlargement, repair, renovation, *reconstruction*, or structural *alteration* does not increase the situation of non-compliance; and

- **2.** The enlargement, repair, renovation, *reconstruction*, or structural *alteration* does not pose a threat to public health or safety; and
- **3.** All other applicable provisions of this By-law are complied with.

4.22.2 Non-Complying Lots

- Despite anything else contained in this By-law, where a vacant *lot* having a lesser *lot frontage* and/or *lot area* than is required by this By-law is held under distinct and separate ownership from adjoining lots, according to the register for land in the Land Titles, or Registry Office, on the date of the passing of this By-law, it may be *used* for a purpose *permitted* in the zone in which the said lot is located, provided that no such *lot* has a *lot area* of less than 0.3 ha [0.75 ac.] in an R or LSR Zone or cannot be adequately serviced with *water and sewage services* and provided all other applicable *zone regulations* in this By-law are complied with.
- 2. A non-complying lot that existed on the date of the passing of this By-law, and which does not comply with the minimum lot frontage and/or minimum lot area zone regulations of this By-law may be enlarged by a lot addition and the resultant lot shall be deemed to comply with all the zone regulations of this By-law including the minimum lot frontage and minimum lot area. All zone regulations applicable to any existing buildings on the resultant lot shall thereafter be deemed to comply with the zone regulations of this By-law.

4.22.3 Non-Conforming Uses

Nothing in this By-law shall apply to prevent the *use* of any land, *building* or *structure* for any purpose prohibited by the By-law if such land, *building* or *structure* was lawfully *used* for such purpose on the day of the passing of the By-law so long as it continues to be *used* for that purpose. The *non-conforming use* of any land, *building* or *structure* shall not be changed or enlarged except to a *use* which is in conformity with the provisions of the *zone* in which the land, *building* or *structure* is located, or without permission from the Committee of Adjustment pursuant to the *Planning Act*. Where the *non-conforming use* ceases, the *use* will be deemed to have been discontinued.

4.22.4 Reconstruction of a Non-Conforming Use

Nothing in this By-law shall prevent the strengthening, restoration or reconstruction of any non-conforming building
or structure which existed on the date of the passing of this By-law, provided that the strengthening, restoration or
reconstruction does not increase the building height, size or volume or change the use of such building or structure,

except such minor changes as may be expressly required for the restoration of the *building* or *structure* to a safe condition.

2. Nothing in this By-law shall prevent the strengthening, restoration or **reconstruction** of any **non-conforming building** or **structure** is destroyed or rendered uninhabitable by fire or other natural cause, provided the **height** and **gross floor area** are not increased, and the new building or structure is erected or on the same building footprint.

4.22.5 Prior Building Permits for a Non-Conforming Use

Nothing in this By-law shall prevent the **erection** or **use** of any **building** or **structure** for which a building permit has been issued under the **Building** Code Act prior to the passing of this By-law, so long as the **building** or **structure** when **erected** is **used** and continues to be **used** for the purpose for which it was **erected** and provided the permit has not been revoked under the **Building** Code Act.

4.22.6 Existing Undersized Lots

Despite anything else contained in this By-law, where a vacant lot having a lesser frontage and/or area than is required by this By-law is held under distinct and separate ownership from adjoining lots, according to the register for land in the Land Titles, or Registry Office, on the date of the passing of this By-law, it may be used for a purpose permitted in the zone in which the said lot is located, provided it can be adequately serviced with an individual on-site sewage and water system, has an absolute lot area of not less than 0.3 ha [0.75 ac] and provided all other applicable provisions in this By-law are complied with. The following lots may be developed as undersized lots.

4.22.7 Road Widening Creating a Non-Complying Use

Nothing in this By-law shall prevent the *use* of any land, *building* or *structure* or the *erection* of any building or structure on a *lot* which does not comply to the minimum *lot frontage* and/or *lot area* and/or *front yard setback* and in the case of a *corner lot*, the *exterior side yard setback*, as a result of a road widening taken by the Municipality of Calvin or the Ministry of Transportation of Ontario, provided all other *zone regulations* of this By-law are complied with.

4.23 Occupancy Restrictions

Human habitation shall not be *permitted* in any of the following *buildings*, *structures*, or parts thereof:

1. Any *private garage* or other *building* or *structure* which is *accessory* to a *residential use* except where the *accessory building* or *structure* is converted to an *additional residential unit* in compliance with Section 4.1.2.4 of this By-law.

- 2. Any truck, bus, coach or streetcar body whether or not the same is mounted on wheels.
- 3. Any *dwelling* before the main wall and roof have been erected, the finished roofing material has been installed and the kitchen, heating and sanitary conveniences have been installed and are operating.

4.24 Open Storage and Outdoor Display

No **person** shall use any **lot** or part thereof for **open storage**, or **outdoor display** except as **permitted** by this By-law and as an area which has been specifically designed and set aside for such purpose, is fully integrated with the **principle use** of the **lot** and is in accordance with the following:

- 1. Open storage shall not be permitted within any required front yard and no closer than 5 m [16.4 ft.] to any interior side lot line or rear lot line.
- 2. Where *open storage* areas abut a *residential zone* (see Section 5.2 for list of zones), the required *setback* of the *open storage* area shall be increased 10 m [32.8 ft.] and shall also be visually screened from any *residential use.*
- 3. An outdoor display area shall be permitted as an accessory use to any permitted commercial use, industrial use or public service use provided that the outdoor display area does not reduce any required parking area or loading space area required by this By-law. All outdoor display areas shall be setback a minimum of 3 m [9.84 ft.] from any front lot line or interior side lot line. Despite the above, seasonal sales of Christmas trees or a temporary (i.e., weekend) or a yard sale shall be permitted to occupy a designated parking area but shall be subject to any restrictions otherwise imposed by license or permit by the Municipality.

4. Auto Body Shop

The outside storage of damaged vehicles shall be visually obscured from any adjacent land used or zoned to permit a residential *dwelling*.

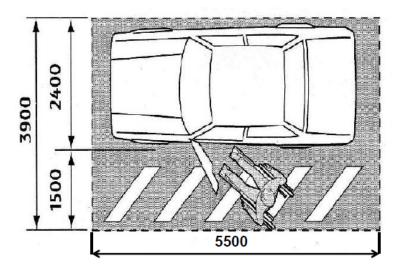
5. Salvage Yard

The outside storage of vehicles, equipment or other commodities in an authorized salvage yard shall be visually obscured from any adjacent public road or land used or zoned to permit a residential dwelling with a solid fence having a minimum height of not less than 2 m [5.65 ft.].

4.25 Parking, Motor Vehicles and Drive-Through Facilities

4.25.1 General

- Except as provided herein, no motor vehicles shall be parked or stored in any zone (see Section 5.2 for list of zones) unless the motor vehicle is located within a garage, carport, driveway, parking area, or on a street as permitted by Municipal By-law.
- 2. No *parking space* in a *residential zone* (see Section 5.2 for list of zones) shall be used for the outdoor parking or storage of a *motor vehicle* unless such *motor vehicle* is used in operations incidental to the *residential use* of the *lot* on which it is parked or stored and bears a *motor vehicle* license plate or sticker which is currently valid.
- 3. Each standard *parking space* or *stacking space* in a *stacking lane* shall have a minimum width of 2.6 m [8.5 ft.] and a minimum length of 5.5 m [18 ft.] and each *barrier-free parking space* shall have a minimum width of 3.9 m [12.7 ft.] and a minimum length of 5.5 m [18 ft.] [see Figure 4.3].
- 4. Unless permitted elsewhere in this By-law, where two or more uses are permitted in any one building or structure on any lot, then the off-street parking regulations for each use shall be calculated as if each use is a separate use, and the total number of off-street parking spaces so calculated shall be provided.
- 5. The regulations for *parking spaces* shall not apply to any *building* or *structure* in existence at the date of passing of this By-law so long as the *gross floor area*, as it existed at such date, is not increased and no change in *use* occurs. If an addition is made to the *building* or *structure* which increases the *gross floor area* or a change in *use* occurs than *parking spaces* for the addition or area changed in *use* shall be provided.
- 6. Supplementary regulations for *parking spaces* for *dwellings* in *residential* zones (see Section 5.2 for list of zones) shall be as follows:



- **a.** The *driveway* and *parking space* shall be constructed of crushed stone, asphalt paving, concrete, paver stones or similar materials.
- **b.** No more than fifty percent (50%) of the area of any required *front yard* shall be used or constructed as a *driveway* or *parking space*.
- **c.** No more than fifty percent (50%) of the *lot frontage* shall be used or constructed as a *driveway* or *parking space*.
- 7. Supplementary regulations for a *parking area* for more than four *motor vehicles* shall be as follows:

- **a.** The *parking area* shall be constructed of crushed stone, asphalt paving, concrete, paver stones, or similar materials.
- b. Ingress and egress directly to and from every *parking space* shall be by means of a *driveway*, *lane* or *aisle* having a width of at least 6 m [19.7 ft.] for two-way traffic and 4 m [13.1 ft.] for one-way traffic where parking is angled.
- c. A *driveway* or *lane* which does not provide ingress and egress directly to a *parking space*, shall have a minimum width of 3.5 m [11.4 ft.] where designed for one-way vehicular circulation or 6 m [19.7 ft.] where designed for two-way vehicular circulation.
- **8.** Where the calculation of the minimum number of *parking spaces* required results in a fraction, the minimum requirement shall be the next higher whole number.

9. Driveway Entrance Location

No *driveway* on a *corner lot* shall be located closer than 15 m [49.2 ft.] from the edge of the travelled road of an intersection of a local road or 20 m [65.5 ft.] from the intersection of a collector road or provincial highway.

4.25.2 Barrier Free Parking

One **barrier free parking space** shall be required for any **use** requiring 10 standard **parking spaces** or more and **barrier free parking spaces** shall be provided at a ratio of one **barrier free parking** space for each 25 **standard parking spaces** and shall be included as part of the total number of standard **parking spaces** required.

4.25.3 Drive-Through Facilities

Despite any other **zone regulation** in this By-law, where a **use** of land, **building** or **structure** incorporates a **drive-through facility**, the following **zone regulations** shall apply:

- 1. A *drive-through facility* shall be a *permitted use* in the CR and M1 zones.
- 2. A *drive-through facility* is a *principle use* in combination with another *permitted use* and shall comply with the *zone regulations* in the *zone* in which the *drive-through facility* is located.
- 3. The minimum dimensions of a **stacking space** in a **stacking lane** shall be 2.6 m by 5.5 m [8.5 ft. x 18 ft.].

- 4. No part of any *order station* shall be located closer than 10 m [32.8 ft.] from the property boundary of any property or *lot* occupied or *zoned* for a *residential use*.
- 5. All *drive-through facilities* shall comply with the *zone regulations* for parking as set out in **Table 4.25** of this By-law.
- 6. Stacking lanes for any drive-through facility shall be designed to accommodate a minimum of eight (8) motor vehicles.

4.25.4 Schedule for Parking Regulations

In any **zone**, the owner or occupant of any **building** or **structure erected**, enlarged or changed in use after the date of passing of this By-law shall provide off-street **parking spaces** in accordance with the minimum number of parking spaces set out in **Table 4.25** as follows:

Table 4.25 – Schedule for Parking Regulations	
USE	MINIMUM NUMBER OF REQUIRED PARKING SPACES
Residential:	2 spaces per dwelling
 Accessory dwelling Duplex Dwelling Guest House Mobile home Seasonal dwelling Semi-detached dwelling Single-detached dwelling 	

Table 4.25 – Schedule for Parking Regulations	
USE	MINIMUM NUMBER OF REQUIRED PARKING SPACES
Residential:	1.5 spaces per dwelling unit, 15% of which shall be reserved as visitor parking where eight or more parking spaces are required 1 space per dwelling unit, or 1 space per 38 m² [409 ft.²] whichever is greater Dormitory or boarding house: 1 space per occupant
 Garden suite Senior citizen dwelling Animal Shelter	1 space per 30 m ² [322.9 ft. ²] of gross floor area
Auto body shop, auto repair shop, automotive service station, gas bar, recreational vehicle repair and garage	3 spaces per service bay plus 1 space per employee; minimum 6 spaces

Table 4.25 – Schedule for Parking Regulations	
USE	MINIMUM NUMBER OF REQUIRED PARKING SPACES
Assembly hall, auction hall, auditorium, banquet facility, dance hall, entertainment establishment, stadium, theatre, bingo hall, funeral home and similar places of assembly	The greater of 1 space for every 4 seats or 1 space for every 12 m ² [129.1 ft. ²] of assembly space
Bed and Breakfast Establishment	1 space for each guest room available to the travelling public in addition to the required parking for the dwelling
Building supply store, lumber yard, garden centre, nursery, equipment and vehicle storage yard	1 space for each 22 m ² [236.8 ft. ²] of gross floor area and 1 space for each 35 m ² [376.2 ft. ²] of open storage
Car Rental Agency	30 spaces minimum
Clinic, medical marijuana facility	3 spaces per medical practitioner
Convenience store	1 space per 18 m ² [193.7 ft. ²] of gross floor area

Table 4.25 – Schedule for Parking Regulations	
USE	MINIMUM NUMBER OF REQUIRED PARKING SPACES
Continuum-of-Care Facility	1 space for every 6 patient beds plus 1 space for every 4 employees
Crisis Care Facility	2 spaces minimum in addition to the required parking for a dwelling or if not located in a dwelling, 1 space per 38 m ² [409 ft. ²] of gross floor area
Day nursery	1 space per employee and 1 space per 5 children or 1 space for every 15 children registered or fraction thereof
Drive-through facility	1 parking space per 20 m ² [215.2 ft. ²] of gross floor area
Equipment Rental Establishment, Equipment Sales Establishment, Equipment Service and Repair Establishment, automotive sales establishment, recreational vehicle sales establishment	1 space per 35 m ² [376.7 ft. ²] of open storage or gross sales area plus 1 space per employee

Table 4.25 – Schedule for Parking Regulations	
USE	MINIMUM NUMBER OF REQUIRED PARKING SPACES
Factory Outlet, Retail Outlet	1 space per 28 m ² [301.3 ft. ²] of gross floor area plus required spaces for an industrial use or commercial use
Garden centre and nursery	1 space per 30 m ² [322.9 ft. ²] of gross floor area
General business including: adult video rental, animal day care establishment, antique store, bake shop, bank, brewery and winery, catering establishment, commercial and personal service establishment, dry cleaning or laundry outlet, office, grocery store, laundromat, microbrewery, pet grooming establishment, rental store, retail store, service outlet or shop, shopping centre, tourist outfitters establishment, video rental outlet, wholesale establishment	1 space per 28 m ² [301.3 ft. ²] of gross floor area
Group Home	2 spaces plus the required parking for the dwelling

Table 4.25 – Schedule for Parking Regulations	
USE	MINIMUM NUMBER OF REQUIRED PARKING SPACES
Home Based Business	A minimum of one (1) parking space and a maximum of three (3) parking spaces shall be permitted in addition to the required parking for the dwelling
Hotel, Motel, Tourist Establishment	1 space per guest unit, plus 1 space per 12 m² [129.1 ft.²] of gross floor area dedicated to administrative, banquet and meeting facilities
Industrial use, abattoir, agricultural-related use, bakery, custom work shop, studio,	1 space per 40 m ² [430.5 ft. ²] of gross floor area
Industrial Use for storage including a warehouse, cold storage facility, transportation depot or truck terminal	1 space per 75 m ² [807.3 ft. ²] of gross floor area
Place of amusement, arcade, recreational commercial establishment, fitness centre, massage parlour, wellness centre	1 space for every 4 persons that can be accommodated

Table 4.25 – Schedule for Parking Regulations	
USE	MINIMUM NUMBER OF REQUIRED PARKING SPACES
Place of worship	1 space for every 5 seats, fixed or otherwise
Restaurant, Tavern	1 parking space per 10 m ² [107.64 ft. ²]
School - elementary	1.5 spaces per classroom plus 6 spaces for visitors
School - secondary or private	5 spaces per classroom plus 8 spaces for visitors

4.26 Parts of Buildings or Structures Permitted Above Height Level

- 1. The height regulations in this By-law shall not apply to any of the following:
 - a. Air conditioning system
 - **b.** Chimney
 - c. Church spire or belfry or turret
 - d. Communications facility
 - e. Drying tower
 - f. Elevator or stairway enclosure
 - g. Enclosed mechanical and electrical equipment
 - h. Farm buildings and structures including but not limited to a barn, silo or windmill

- i. Flag pole
- j. Hydro electric transmission tower or pole
- k. Ornamental dome or clock tower
- I. Receiving and transmitting antenna
- m. Receiving stations
- n. Satellite dish/receiver
- o. Skylight
- p. Solar collector/commercial solar collector
- q. Ventilating fan or skylight
- r. Water tower or tank
- s. Wind Turbine/commercial wind turbine
- 2. The minimum *setbacks* in all directions for a *communications facility* shall be the equivalent of the height of the tower except where such facility is authorized and/or approved by Industry Canada.

4.27 Permitted Projections

Every part of any *yard* required by this By-law shall be left open and unobstructed by any *structure* from the ground to the sky except that those structures listed in **Table 4.27** shall be *permitted* to project into the minimum yards required by this By-law for the following specified distances:

STRUCTURE	MAXIMUM PROJECTION INTO REQUIRED YARD
Chimney breasts, cornices, sills, bay windows, pilasters, eaves or gutters, solar collectors where attached to a building, shutters cornices, parapets or other ornamental structures	0.75 m [2.46 ft.] into any required <i>front yard, rear yard</i> or <i>interior side yard</i>
Canopies which are at least 2.13 m (7 ft.) in vertical clearance above the established grade , with or without supporting posts	2 m [6.5 ft.] into any required <i>yard</i>
Canopies for entrances to apartment buildings and commercial buildings	Despite any other provisions in this By-law, a canopy or portico over a major entrance to an apartment building or commercial building may project into the required <i>yard</i> a distance equal to one-half (½) the setback of the building from the <i>street line</i>
Window awnings	1.2 m [3.9 ft.] into any required <i>yard</i>
Steps, ramps and walkways for use by persons with disabilities	No maximum into any required <i>yard</i> provided they are no closer than 0.5 m [1.6 ft.] to any <i>lot line</i>
Porch , uncovered platform landing, patio or deck , balconies or steps	No maximum into any side yard provided they are no closer than 0.5 m [1.6 ft.] to any <i>lot line</i> and 3 m [9.8 ft.] into any required <i>front or rear yard</i>
Air conditioner	0.5 m [1.6 ft.] into any <i>yard</i>

Fire escapes, exterior stair cases from a building having two storeys or more above grade	1.5 m [4.92 ft.] into an <i>interior side</i> or <i>rear yard</i> only
Heat pump or <i>geothermal power</i> facility	1.5 m [5 ft.] into an <i>interior side yard</i> or <i>rear yard</i>
Accessory building	As <i>permitted</i> by and as specified in this By-law
Fences, hedges, shrubs, trees, freestanding walls and retaining walls, flagpoles, light standards, garden trellises, clothes lines, bicycle racks and similar structures or features	No maximum into any yard except with respect to the zone regulations for a sight triangle
Solar collector, wind turbine,	No maximum into any <i>rear yard</i> only provided they are no closer than 3 m [9.8 ft.] to an <i>interior side yard</i> or <i>rear yard lot line</i>
Commercial Solar Collector, commercial wind turbine	No maximum into any <i>yard</i> provided they are no closer than 3 m [9.8 ft.] to an <i>interior side yard</i> or <i>rear yard lot line</i> or 10 m [32.8 ft.] from a <i>street line</i>

4.28 Prohibited Uses

The following *uses* are prohibited in any *zone*, unless otherwise permitted by this by-law:

- 1. Adult Entertainment Parlour and Body Rub Parlour; and
- 2. The *use* of any *accessory building* or *structure*, *boathouse* or *storage container* for human habitation except as *permitted* in **Section 4.1.2.**; and
- 3. The storage of inoperative rail cars, streetcars, buses, truck bodies or trailers without wheels; and
- 4. The parking or storage of commercial *motor vehicles* or inoperative farm vehicles on a vacant *lot*; and
- The outdoor storage of partially dismantled and/or unlicensed motor vehicles or recreational vehicles, or trailers or motor vehicle or trailer parts; and
- 6. Obnoxious uses; and
- 7. Smelters, ethanol plants, the manufacturing, refining, rendering or distillation of acid, ammonia, chlorine, coal, coal oil, creosote, explosives, fireworks, glue, petroleum, tar or other gases; and
- **8.** The bulk storage of industrial chemicals, and hazardous waste, or liquid industrial waste as defined under the *Environmental Protection Act, R.S.O., c. E.19*, as amended.

4.29 Recreational Vehicles

No *recreational vehicle* shall be used in the Rural (R), Limited Service Rural (LSR), or Commercial Recreational (CR) except in accordance with the following requirements and standards:

- 1. A *recreational vehicle* shall not be used as a *dwelling unit* or for permanent occupancy;
- 2. A recreational vehicle shall be permitted within a recreational vehicle park, private campground, recreational campground or a tourist campground;

- 3. Up to two (2) *recreational vehicles* may be stored on a *lot* having a minimum *lot area* of 0.8 ha [2 ac.] where the *lot* is occupied by a *seasonal dwelling* or a permanent *dwelling unit* provided all of the applicable zone standards for the respective zone are complied with (i.e. frontage, yard setbacks and shoreline setbacks), and any *permitted recreational vehicle* be *used* for short term accommodation for a period not exceeding a total accumulated period of 30 days in a calendar year;
- **4.** Up to two (2) *recreational vehicles* may be stored on a *lot* having a minimum lot area of 0.8 ha [2 ac.] provided all of the zone standards for the respective zone are complied with (i.e., lot frontage, yard setbacks and shoreline setbacks);
- **5.** Up to two (2) *recreational vehicles* may be *used* on a vacant *lot* having a minimum lot area of 0.8 ha [2 ac.] where the *lot* is *used* for leisure or vacation purposes provided:
 - i. The period of occupancy does not exceed a total accumulated period of 60 days in a calendar year; and
 - ii. The lot is serviced with an approved sewage disposal system; and
 - **iii.** Except for a *deck*, no enclosures, roof-overs, extensions or additions are constructed unless such structures have been specifically designed or pre-engineered for the *recreational vehicle* by the manufacturer or after-market manufacturer and are capable of being removed. No such structures shall be permitted which have the effect of rendering the *recreational vehicle* as a permanent structure or permanent residential dwelling on a *lot* or site; and
 - iv. One only detached *private garage* or *accessory* storage *building* or *structure* may be constructed; and
 - **v.** All of the zone standards for the respective **zone** are complied with (i.e., lot area and frontage, yard setbacks and shoreline setbacks).
- 6. The Municipality may impose a license fee as permitted pursuant to the Municipal Act for the use of any *recreational vehicle*(s) on a vacant *lot* of record.
- 7. Despite the above, on a residential *lot* exceeding 5 ha [12.3 ac.], one additional *recreational vehicle* shall be *permitted* to be stored, or *used* for a period not exceeding a total accumulated period of 30 days in a calendar year.

Figure 4.4: Sight Triangle

4.30 Sight Triangle

- 1. Within any area defined as a *sight triangle*, the following *uses* shall be prohibited:
 - a. A *building*, *structure*, or *use* which would obstruct the vision of drivers of *motor* vehicles.
 - **b.** A *fence*, tree, hedge, bush or other vegetation, other than agricultural crops.
 - c. Any portion of a delivery space, *loading space, driveway* or *parking space*.
- lot

 E
 45 m railway right-of-way
- **d.** A berm or other ground surface which exceeds the elevation of the street by more than 0.75 m [2.5 ft.].
- **2.** For the purposes of this By-law, the following **sight triangle** distances shall apply (see definition of sight triangle for measurement of distances):
 - a. 15 m [49.2 ft.] in all commercial and industrial zones.
 - **b.** 5 m [16.4 ft.] in all other **zones**.
 - c. Despite the above in any **zone** where any street crosses a railway at the same grade the railway shall be deemed to be a street and a sight distance of forty-five metres (45 m [147.6 ft.]) shall be required measured from the point of intersection of the centre line of the railway right-of-way and the street line abutting the lot [see **Figure 4.4**].

4.31 Signs

Unless otherwise stated in this By-law, signs shall be permitted only in accordance with the Signs By-law(s) of the Corporation.

4.32 Streets, Parks, Playgrounds and Community Gardens

In any **zone** established by this By-law, **streets,** walkways, bike paths, parks, playgrounds and **community gardens** shall be **permitted**.

4.33 Temporary Buildings or Structures During Construction

- 1. Nothing in this By-law shall prevent the **use** of land or the **use** or **erection** of a temporary **building** or **structure** or a scaffold or other equipment essential to the construction in progress for which a building permit has been granted, but only until such time as the work has been finished or abandoned or such equipment is no longer required.
- 2. In addition, temporary accommodation may be permitted on a *lot* where a *building* or *structure* for which a building permit has been granted and is under construction provided the form of temporary accommodation is limited to a mobile, relocatable, portable or transportable *building* or *structure* provided:
 - **a.** Approval is obtained from the *Corporation*.
 - **b.** Such temporary accommodation is removed from the *lot* immediately upon completion of construction or abandonment of construction.
- 3. Nothing in this By-law shall prevent the **use** of land or the **use** or **erection** of a temporary sales or rental office for which a building permit has been issued and/or approval is obtained from the **Corporation**.

4.34 Use by Public Authority or Public Utility

The provisions of this By-law shall not apply to limit the *use* of any land or to the *erection* or *use* of any *building* or *structure* for a utility installation or municipal infrastructure for the purpose of a *public service use* by the Municipality of Calvin and/or any public authority, any department of the Government of Ontario or Canada, including any Hydro One facilities and a federally or provincially regulated utility of communication service pursuant to the *Planning Act*, provided that where such land, *building* or *structure* is located in a *residential zone* (see **Section 5.2** for list of zones) or on a *lot* adjacent to a *residential zone*:

- 1. No goods, materials or equipment shall be stored in the open.
- 2. The *lot coverage* and *setback* regulations of the zone in which such land, *building* or above ground *structure* is located shall be complied with.
- 3. Any **building erected** under the authority of this section shall not be used for the purpose of an **office** except for a government **building**.

- **4.** The regulations for *parking spaces* and loading regulations as contained in this By-law shall be complied with.
- **5. Communications facilities** shall comply with federal government requirements for construction and safety.
- 6. Secondary uses, such as active and passive recreation, agriculture, *community gardens*, other utilities, and *uses* such as *parking lots* and outdoor storage that are *accessory* to adjacent lands uses, are encouraged on hydro corridor lands, where compatible with surrounding land uses. However, a proponent should be aware of the primacy of electricity transmission and distribution facilities and that secondary uses require technical approval from Hydro One Networks.

4.35 Water and Sewage Disposal Systems

No *person* shall *erect* or *use* in whole or in part, any *building* or *structure* unless the *use*, *building* or *structure* is properly connected to approved *water and sewage systems* under the *Ontario Water Resources Act* or the *Building Code Act* unless the *use* is exempted under the *Building Code Act* or prohibited or regulated by this By-law.

4.36 Wind Turbine and Renewable Energy Undertaking

The minimum setback for any wind turbine shall be 10 m [32.8 ft.].

4.37 Zones Applying to More than One Properties

Where a *lot* is divided into more than one *zone*, each such portion of the *lot* shall be used in accordance with the provisions of this By-law for the *zone* where such portion of the *lot* is located. Each such portion of the *lot* shall be considered as a separate *lot* for the purposes of determining *zone* provisions.

Section 5 ZONES

5.1 Zone Classification

For the purposes of this By-law, the Municipality of Calvin is divided into the following zones as named and described in the following sections, the boundaries of which are shown on Schedule "A" which is attached and forms part of this By-law.

5.2 Zones

Zone Symbol

•	Rural	R
•	Limited Service Rural	. LSR
•	Commercial/Recreational	CR
•	General Industrial	M1
•	Heavy Industrial	M3
•	Mineral Aggregate Resource	MX
•	Waste Management Facility	W
Co	onstraint Areas	

File P-2800 Page 126

Environmental Protection Constraint Area..... EP

5.3 Interpretation of Zone Boundaries

When determining the boundary of any zone as shown on any Schedule forming part of this By-law, the following provisions shall apply:

- 1. A boundary indicated as following a highway, street or lane shall be the centre line of such highway, street or lane;
- 2. A boundary indicated as following a watercourse, creek, stream or the right-of-way of a railway or an electrical, gas or oil transmission line shall be the centre line of such watercourse, creek, stream or right-of-way;
- 3. A boundary indicated as following the shoreline shall follow such shoreline, and in the event of a change in the shoreline, the boundary shall be construed as moving with the actual shoreline;
- 4. A boundary indicated as approximately following lot lines shown on a Registered Plan of Subdivision, or Reference Plan, or Township lot lines shall follow such lot lines;
- 5. Where a boundary is indicated as approximately parallel to a street line or other feature, indicated in clause (a), (b), and (c) above, and the distance from such street line or other feature is not indicated, and clause (d) above is not applicable, such boundary shall be construed as being parallel to such street line or other feature, and the distance therefrom shall be determined according to the scale shown on the appropriate Schedule;
- **6.** A boundary indicated as following the limits of the Municipality shall follow such limits;
- 7. In the event a dedicated street, lane or right-of-way shown on any Schedule forming part of this By-law is closed, the property formerly in such street, lane or right-of-way shall be included within the zone of the adjoining property on either side of such closed street, lane or right-of-way. If a closed street, lane or right-of-way is the boundary between two or more different zones the new zone boundaries shall be the former centre line of the closed street, lane or right-of-way; and
- 8. In the event a zone boundary, setback or dimension cannot be determined by any of the above means, a scale bar may be used to calculate the affected dimension.

5.4 RURAL - R

No person shall use any land or erect, alter or use any building or structure in the Rural - R zone except in accordance with the provisions of this Section and of any other relevant Sections of this By-law.

5.4.1 Permitted Uses

Permitted Rural Uses	
Airfield	Day Nursery (licensed)
Agricultural Use	Dwelling – Duplex
Agriculture Related Use	Dwelling – Park Model Trailer
Ambulance Facility	Dwelling – Seasonal
Animal Day Care Establishment	Dwelling – Semi-detached
Animal Shelter	Dwelling – Single Detached
Antique Store	Dwelling – Tiny House
Brewery or Winery	Equestrian Establishment
Camp	Farmer's Market
Campground – Private	Forestry Uses
Campground – Recreational	Garage – Municipal
Catering Establishment	Geothermal Power Facility
Cemetery	Green Energy Industries
Commercial Greenhouse	Golf Course
Commercial Solar Collector	Group Home
Communications Facility	Helipad
Community centre	Heliport
Construction Yard or Contractor's Yard	Hobby Farm
Continuum-of-Care Facility	Institutional Use
Convenience Store	Log Hauling Operation
Crisis Care Facility	
Custom Workshop	Permitted Accessory Uses
·	• Fence (see 4.1.6 & 4.1.7)
Logging Camp	Garden Suite (see 4.1.8)
Marine Facility	Guest Cabin (see 4.1.2)

- Mobile Home
- Outdoor Recreation Use
- Park
- Parking Area
- Place of Worship
- Place of Assembly
- Portable Asphalt/Concrete Plant
- Private Club
- Public Access Point
- Public Service Use (see 4.34)
- Public Utility (see 4.34)
- Renewable Energy System
- School
- Temporary Work Camp
- Veterinary Establishment
- Wayside Pit or Quarry
- Wind Farm
- Wind Turbine

Permitted Accessory Uses

- Accessory use, building or structure (see 4.1.1)
- Additional Residential Unit (see 4.1.2)
- Bed and Breakfast (see 4.1.3)
- Boat House (see 4.1.4)
- Day Care for Children (Private Home) (see 4.7)
- Dock (see 4.1.5)
- Dwelling, Apartment-in-a-House (Granny Suite) (see 4.1.2)
- Farm Produce Outlet (see 4.1.1)
- Farm Vacation Establishment

- Home Based Business (see 4.15)
- Kennel (see 4.17)
- On-farm diversified uses for an Agricultural Use
- Recreational Vehicle (see 4.29)
- Solar collector
- Storage Container (see 4.1.11)
- Swimming Pool (see 4.1.12)
- Studio
- Temporary Car Shelter (see 4.1.13)
- Wind turbine

5.4.2 Zone Requirements

1. Kennel, Veterinary Establishment with a Kennel and Hobby Farm

	Minimum Lot Area Minimum Lot Frontage	4 ha [9.9 ac.] 92 m [301.8 ft.]
	Minimum Yard Requirements • All Yards	30 m [98.4 ft.]
	Maximum Building Height	
	Minimum Separation Distance Between a Main Building and an Accessory Building	
2.	Residential	
	Minimum Lot Area per Dwelling Unit	
	Minimum Yard Requirements • Front Yard 7.5 m [24.6 ft.]	
	Rear Yard Interior Side Yard	
	Exterior Side Yard	
	Maximum Building Height	
	Main BuildingAccessory Building	
	Minimum Gross Floor Area of a Tiny House	2 2 2 2 2 2 2 2 2 2 2 2 2 2 2 2 2 2 2 2
	Dwelling	27.8 m² [300 ft.²]

	Maximum Lot Coverage	10 %
	 Maximum No. of Dwellings per Lot: Single detached dwelling, seasonal dwelling, mobile home, park model trailer Duplex, Semi-detached, converted Requirements of Section 4.1.2.4 apply for Additional Residential Units 	1 1
	Minimum Separation Distance between the Main • Wall of Adjacent Detached Dwelling Units	6 m [19.6 ft.]
	Minimum Separation Distance Between a Main Building and an Accessory Building	2 m [6.4 ft.]
3.	All Other Uses	
	Minimum Lot AreaMinimum Lot Frontage	0.8 ha [1.96 ac.] 45 m [147.6 ft.]
	Minimum Yard Requirements Front Yard All Other Yards	
	Maximum Lot Coverage	25%
	Maximum Building Height - Main Building	11 m [36 ft.]
	Minimum Separation Distance Between a Main Building and an Accessory Building	2 m [6.4 ft.]

5.4.3 Additional Provisions

- 1. New development and land uses and new or expanding livestock facilities in the Rural zone will comply with the Minimum Distance Separation Formulae I and II;
- 2. No part of any kennel may be located closer than 100 m [328 ft.] to a dwelling unit on another lot;

- 3. Parks shall not be subject to minimum lot area or lot frontage requirements but shall comply with the setback requirements of **Section 5.4.2.3**;
- **4.** Cemeteries shall not be governed by the above standards but shall conform to the *Funeral, Burial and Cremation Services Act,* 2002;
- **5.** Despite anything in Section **5.4.2.3** to the contrary, Communications Facilities, Wayside Pits and Wayside Quarries shall be subject only to a minimum yard requirement of 15 m [49.2 ft.];
- **6.** Development on lands within the Rural (R) Zone shall only be on lots with frontage on a public street;
- 7. A garden suite shall be permitted subject to **Section 4.1.8**;
- 8. The minimum interior side yard shall not apply to the party wall of a semi-detached dwelling; and
- 9. A lot occupied by a dwelling unit other than an agricultural use may be used for the keeping of livestock up to one (1) nutrient unit provided the minimum lot area shall be 2 ha [5 ac.] and provided any associated livestock facility or manure storage facility complies with the Minimum Distance Formula I.
- **10.** All applicable zone regulations of Section 4 General Provisions shall apply.

5.4.4 Exception Zones

- 1. Despite the provisions of Section 5.4.2.2 and Section 4.22.6, the following lots shall be deemed to comply with the minimum lot area:
 - a. Roll # 4822-000-001-11000-0000 Part of Lot 30, Concession 3, Parcel 308 NIP: Minimum Lot Area 0.2 ha [0.5 ac];
 - **b.** Roll # 4822-000-001-20100-0000 Part of Lot 16, Concession 5, Parcel 18553: Minimum Lot Area 0.2 ha [0.5 ac];
 - c. Roll # 4822-000-001-20600-0000 Part of Lot 19, Concession 5, INST 67368: Minimum Lot Area 0.2 ha [0.5 ac];

- **d.** Roll # 4822-000-001-46210-0000 Part of Lot 36, Concession 11, Parcel 24676 NIP: Minimum Lot Area 0.14 ha [0.37 ac]; and
- e. Despite **Section 5.4.2 (a)**, the minimum lot area for a kennel on Part of Lot 28, Concession 4 (535 Galston Road) shall be 0.8 ha [2 ac].
- 2. On Part of Lots 21, 22 and 23, Concession 1, Municipality of Calvin zoned Rural Special Exception (R-X2) the permitted uses shall only include yurts, a tourist establishment, a micro-brewery, an eatery and accessory uses thereto. The number of yurts zone shall not exceed a density of 1 yurt per 0.8 ha.
- **3.** For the purposes of the zoning by-law, the lands zoned R-X2 shall be deemed to have access to Highway 630 via an access driveway across Lots 21, 22, and 23, Concession 1 and as such the requirements for frontage on a public street required by Section 4.11.1 shall not apply. The provisions of Section 5.11 shall apply with respect to a setback from the Amable du Fond River.

5.5 LIMITED SERVICE RURAL - LSR

(*This explanatory note does not form part of the By-law.* The Limited Service Rural zone identifies land which does not have access to frontage on an opened and maintained public street or a year-round maintained public street and means that municipal services which may normally be provided will not be guaranteed including, but not limited to, snow ploughing, road upgrading, school bussing, garbage pick-up, access by emergency vehicles.)

No person shall use any land or erect, alter or use any building or structure in the Limited Service Rural - LSR zone except in accordance with the provisions of this Section and of any other relevant Sections of this By-law.

5.5.1 Permitted Uses

Pe	rmitted Limited Service Rural Uses	Permitted Accessory Uses
Pe	Agricultural Use Camp Campground – Private Communications Facility Dwelling – Duplex Dwelling – Seasonal Dwelling - Semi-detached Dwelling - Single Detached Dwelling – Tiny House Forestry Uses Marine Facility Mobile Home Park Parking Area Public Use Wayside Pit Wayside Quarry	 Accessory use, building or structure (see 4.1.1) Additional Residential Unit (see 4.1.2) Bed and Breakfast (see 4.1.3) Boat House (see 4.1.4) Dock (see 4.1.5) Dwelling, Apartment-in-a-House (Granny Suite) (see 4.1.2) Farm Produce Outlet (see 4.1.1) Farm Vacation Establishment Fence (see 4.1.6 & 4.1.7) Garden Suite (see 4.1.8) Guest Cabin (see 4.1.2) Home Based Business (see 4.15) On-farm diversified uses for an Agricultural Use Recreational Vehicle (see 4.29) Solar collector Storage Container (see 4.1.11) Swimming Pool (see 4.1.12)
		 Studio Temporary Car Shelter (see 4.1.13) Wind turbine

5.5.2 Zone Requirements

1. Residential

Minimum Lot Area per Dwelling Unit	
Minimum Yard Requirements Front Yard Rear Yard Interior Side Yard Exterior Side Yard	7.5 m [24.6 ft.] 3 m [9.8 ft.]
Minimum Gross Floor Area of a Tiny House • Dwelling	27.8 m² [300 ft.²]
Maximum Building Height Main Building Accessory Building	
Maximum Lot Coverage	1
 Requirements of Section 4.1.2.4 apply for Additional Residential Units Minimum Separation Distance Between a Main Building 	
and an Accessory Building	2 m [6.4 ft.]
Minimum Lot AreaMinimum Lot Frontage	

2.

Minimum Yard Requirements

Front Yard	15 m [49.2 ft.
All Other Yards	10 m [32.8 ft.
Maximum Lot Coverage	25%
Maximum Building Height - Main Building	
Maximum Building Height - Accessory Building	11 m [36 ft.
Minimum Separation Distance Between a Main Building	
and an Accessory Building	2 m [6.4 ft.

5.5.3 Additional Provisions

- 1. New development and land uses and new or expanding livestock facilities in the LSR zone will comply with the minimum distance separation formulae;
- 2. Parks shall not be subject to minimum lot area or lot frontage requirements but shall comply with the setback requirements of **Section 5.5.2**;
- 3. Despite anything in **Section 5.5.2** to the contrary, Communications Facilities, Wayside Pits and Wayside Quarries shall be subject only to a minimum yard requirement of 15 m [49.2 ft.];
- 4. All islands are zoned Limited Service Rural (LSR) unless otherwise noted;
- 5. No land shall be developed in the Limited Service Rural [LSR] Zone unless those lands are on a lot which has frontage on a private road or lawful right-of-way.
- **6.** The minimum interior side yard shall not apply to the party wall of a semi-detached dwelling;
- 7. A lot occupied by a dwelling unit, other than an agricultural use may be used for the keeping of livestock up to one (1) nutrient unit provided the minimum lot area shall be 2 ha [5 ac.] and provided any associated livestock facility or manure storage facility complies with the Minimum Distance Formulae I.

8. All applicable zone regulations of Section 4 – General Provisions shall apply.

5.5.4 Exception Zones

1. Despite the provisions of **Section 5.5.2**, on lands described as Part of Lot 36, Concession 11, Municipality of Calvin and zoned **Limited Service Rural Special Exception One LSR-X1** the minimum lot frontage for three building lots shall be 20 m on the private road providing access to the lots.

5.6 **COMMERCIAL/RECREATIONAL - CR**

No person shall use any land or erect, alter or use any building or structure in the Commercial Recreational - CR zone except in accordance with the provisions of this Section and of any other relevant Sections of this By-law.

5.6.1 Permitted Uses

Permitted Commercial/Recreational Uses			
Adventure Game	Gasoline Cardlock Facility	 Restaurant, Restaurant - Take 	
 Animal Day Care Establishment 	Green Energy Industries	out	
Animal Shelter	Institutional Use	 Retail Store 	
Auto Body Shop	Laundromat	 Self-storage facility 	
Auto Service Station	Livestock Sales Outlet	 Service Outlet 	
Automotive Sales Establishment	Lumber Yard	 Shooting Range or 	
Brewery or Winery	Marina	Rifle Club	
Building Supply Store	Marine Facility	 Solar collector, commercial 	
Camp	 Microbrewery 	• Studio	
Campground – Tourist	Motel	 Tavern or Roadhouse 	
 Car Washing Establishment 	Office	 Tourist Establishment 	
Clinic	Park	 Tourist Outfitters Establishment 	
Commercial Parking Lot	Parking Area	 Warehouse 	
 Communications Facility 	Parking Lot – Commercial	 Wind Farm 	
Convenience Store	Personal Service Establishment		
Drive-through Facility	Place of Assembly		
 Equestrian Establishment 	Place of Worship		
• Equipment Rental Establishment	Propane Bar		
Existing Dwelling	Public Service Use		
Farmer's Market	Printing and Publishing		
Flea Market	Establishment		
Funeral Home	Private Club		
Garden Centre	Recreational Commercial		
Gasoline Bar	Establishment		

Permitted Accessory Uses

- Accessory use, building or structure (see 4.1.1)
- Fence (see 4.1.7)
- Recreational Vehicle (see 4.29)
- Solar collector, Commercial
- Storage Container (see 4.1.11)
- Swimming Pool (see 4.1.12)
- Temporary Car Shelter (see 4.1.13)
- Wind turbine

5.6.2 Zone Provisions

Minimum Lot Area	
Minimum Lot Area Per Dwelling	0.8 ha [1.96 ac.
Other Uses	1 ha [2.47 ac.
Minimum Lot Frontage	45 m [147.6 ft.
Minimum Yard Requirements	
Front Yard Front Yard	10 m [32.8 ft.
Rear Yard	7.5 m [24.6 ft.
Side Yard Interior	7.5 m [24.6 ft.
 Rear Yard Side Yard Interior Side Yard Exterior 	7.5 m [24.6 ft.
Maximum Building Height	
Main Building	11 m [32.8 ft.
Main Building Accessory Building	8 m [26.2 ft.
Maximum Lot Coverage	
Residential Use only	10 %
Other uses	25 %
Maximum No. of Dwellings per Lot	

Minimum Separation Distance between the	
Main Wall of Adjacent, Detached Dwelling Units	6 m [19.6 ft.]
3	
Minimum Separation Distance Between a Main Building	
and an Accessory Building	2 m [6.4 ft.]

5.6.3 Additional Provisions

1. Development on lands within the Commercial Recreational (CR) Zone shall be on lots with frontage on a public street;

The provision for frontage on a public street may be exempted for a campground-tourist, marina, marine facility, recreational commercial establishment or tourist establishment which has water access only, provided that there is public access to the lake, that the public access fronts onto a public street and that there is adequate parking for the permitted recreational use at the public access point;

- 2. Indicates uses which shall only be permitted along the Highway 17 corridor and within 200 m [656 ft.];
- 3. Where a commercial zone abuts a residential zone or a residential use or a sensitive land use on an adjacent lot, a landscaped strip of not less than 1.5 m [4.92 ft.] in width shall be provided along the abutting lot line(s); and
- 4. Where a commercial zone abuts a residential zone or a residential use on an adjacent lot, the setback on the abutting yard shall be a minimum of 7.5 m [24.6 ft.].
- 5. All applicable zone regulations of Section 4 General Provisions shall apply.

5.6.4 Exception Zones

- 1. On Part of Lot 28, Concession 9 and on part of lot 27, Concession 10, a duplex shall be a permitted use.
- 2. On Part of Lots 22 and 23, Concession 1, Municipality of Calvin zoned Recreational Commercial Special Exception CR-X1 the permitted uses shall include yurts and accessory uses thereto. The number of yurts in the CR-X1 zone shall not exceed a density of 1 yurt per 0.8 ha. For the purposes of the zoning by-law, the lands zoned CR-X1 shall be deemed to have access to Highway 630 via an access driveway across lots 21 and 22, Concession 1 and as such the requirements for frontage on a public street required by Section 4.11.1 shall not apply. The provisions of Section 5.11 shall apply with respect to a setback from the Amable du Fond River

5.7 GENERAL INDUSTRIAL - M1

No person shall use any land or erect, alter or use any building or structure in the General Industrial - M1 zone except in accordance with the provisions of this Section and of any other relevant Sections of this By-law.

5.7.1 Permitted Uses

- Accessory Use, Building or Structure (see 4.1.1)
- Agriculture Related Use
- Auto Body Shop
- Auto Service Station
- Communications Facility
- Custom Workshop
- Drive-through Facility
- Fuel Depot
- Furniture and Home Supply Store
- Garden Centre
- Gasoline Bar
- Gasoline Card Lock Facility
- Industrial Use (Class I & II)
- Logging Yard
- Lumber Yard
- Microbrewery
- Office
- Parking Area
- Parking Lot Commercial
- Public Service Use
- Restaurant
- Transportation Depot
- Warehouse

5.7.2 Zone Requirements

Minimum Lot Area Minimum Lot Frontage	1 ha [2.47 ac. 45 m [147.6 ft.
Minimum Yard Requirements • All Yards	15 m [49.2 ft.]
Maximum Building Height Main Building Accessory Building	15 m [49.2 ft. 15 m [49.2 ft.
Maximum Lot Coverage	30%
Minimum Separation Distance Between a Main Building and an Accessory Building	2 m [6.4 ft.

5.7.3 Additional Provisions

- 1. See also requirements of **Section 4.21** of this By-law for influence areas and separation distances for industries.
- 2. Where an industrial zone abuts a residential zone or a residential use or a sensitive land use on an adjacent lot, a landscaped strip of not less than 5 m [16.4 ft.] in width shall be provided along the abutting lot line(s).
- **3.** All applicable zone regulations of Section 4 General Provisions shall apply.

5.7.4 Exception Zones

Reserved

5.8 **HEAVY INDUSTRIAL - M3**

No person shall use any land or erect, alter or use any building or structure in the Heavy Industrial - M3 zone except in accordance with the provisions of this Section and of any other relevant Sections of this By-law.

5.8.1 **Permitted Uses**

- Accessory use, building or structure (see 4.1.1)
- Industrial Use (Class III)
- Mine
- Salvage Yard
- Sawmill or Planning Mill

Zone Requirements 5.8.2

Minimum Lot Area	.10 ha [24.7 ac.]
Minimum Lot Frontage2	200 m [656.1 ft.]

Minimum Yard Requirements

All Yards 15 m [49.2 ft.]

Minimum Separation Distance Between a Main Building

5.8.3 **Additional Provisions**

- Development of any mine shall also be subject to the requirements of the Mining Act and the Environmental Assessment Act;
- Development of any sawmill, planning mill, salvage yard or industrial use shall also be subject to the applicable 2. requirements of the Environmental Protection Act;
- See also requirements of Section 4.21 of this By-law for influence areas and separation distances for industries; and 3.

4. Where an industrial zone abuts a residential zone or a residential use or a sensitive land use on an adjacent lot, a landscaped strip of not less than 5 m [16.4 ft.] in width shall be provided along the abutting lot line(s).

5.9 MINERAL AGGREGATE RESOURCE - MX

No person shall use any land or erect, alter or use any building or structure in the Mineral Aggregate Resource - MX zone except in accordance with the provisions of this Section and of any other relevant Sections of this By-law.

5.9.1 Permitted Uses

- Accessory Dwelling Unit
- Accessory Use, Building or Structure
- Agriculture (not including buildings and structures)
- Camp
- Communications Facility
- Forestry Use (not including buildings and structures)
- Pit
- Portable Asphalt/Concrete Plant
- Public Service Use
- Quarry
- Wayside Pit
- Wayside Quarry

5.9.2 Zone Requirements

Minimum Yard Requirements

• All Yards 15.0m [49.2 ft.]

Maximum Building Height

5.9.3 Additional Provisions

- 1. Notwithstanding the yard requirements stated above, a minimum of 30m [98.4 ft.] setback will be required from lot lines adjacent to public roads.
- 2. See also requirements of **Section 4.21** of this By-law for influence areas and separation distances for Mineral Aggregate Resource Areas.
- 3. Any mineral aggregate operation, pit or quarry shall comply with any By-law passed under the Municipal Act governing

a mineral aggregate operation, pit or quarry.

- **4.** No person shall pile aggregate, top soil, overburden or locate any processing plant or place or build or extend any building or structure:
 - a. Within 30 m [98.4 ft.] from the lot line of the site.
 - **b.** Within 90 m 295.2 ft.] from any lot line that abuts an existing residential dwelling or land zoned for residential use.
- **5.** Earth berms intended to screen adjoining lands from the operations on site shall be located no closer than 3 m [9.84 ft.] from any lot line.
- 6. No mineral aggregate operation shall operate except in compliance with a valid license issued under the Aggregate Resources Act, as amended.
- 7. No portable asphalt plant, wayside pit or wayside quarry shall operate without a valid Environmental Compliance Approval.
- **8.** All applicable zone regulations of Section 4 General Provisions shall apply.

5.9.4 Exception Zones

Reserved

5.10 WASTE MANAGEMENT FACILITY - W

No person shall use any land or erect, alter or use any building or structure in the Waste Management Facility - W zone except in accordance with the provisions of this Section and of any other relevant Sections of this By-law.

5.10.1 Permitted Uses

- Accessory use, building or structure
- Agriculture (not including buildings and structures)
- Forestry (not including buildings and structures)
- Waste Management Facility
- Transfer Station

5.10.2 Zone Requirements

Minimum Yard Requirements:

5.10.3 Additional Provisions

1. Environmental Compliance Approval

No waste disposal or sanitary landfill site shall operate without and except in conformity with a currently valid Environmental Compliance Approval issued by the public authority having jurisdiction; and

2. Influence Area and Separation Distances

See also requirements of **Section 4.21** of this By-law for influence areas and separation distances for a waste management facility.

3. All applicable zone regulations of Section 4 – General Provisions shall apply.

5.10.4 Exception Zones

Reserved

5.11 ENVIRONMENTAL PROTECTION - EP

No person shall use any land or erect, alter or use any building or structure in the Environmental Protection - EP zone except in accordance with the provisions of this Section and of any other relevant Sections of this By-law.

5.11.1 Permitted Uses

- Conservation Use
- Forestry Use
- Outdoor Recreational Use

5.11.2 Zone Requirements

No minimum lot area, frontage or setbacks.

5.11.3 Additional Provisions

- 1. Any new building or structure or any expansion of or addition to any buildings or structures permitted in the flood plain after the day of the passing of this By-law must incorporate appropriate engineered construction techniques which reduce or eliminate the risks of flood damage or damage from unstable slopes. The specific approval of the Conservation Authority must be obtained prior to the issuance of a building permit;
- 2. Modification of the flood plain through filling, excavation or by other means is prohibited unless otherwise permitted by the Conservation Authority or the Ministry of Natural Resources respectively;
- 3. All land under water is within the Environmental Protection (EP) zone and uses of such land shall be limited to only those specifically approved by the Ministry of Natural Resources and/or the Conservation Authority; and
- **4.** See also requirements of **Section 4.21** of this By-law for separation distances for industries and the provisions for Flood Plains in **Section 4.10**.
- 5. All applicable zone regulations of Section 4 General Provisions shall apply.



Corporation of the Municipality of Calvin Council Resolution

Date: January 25, 20	022			
Resolution Number:	Click or tap he	re to enter text.		
Moved By:	Choose a nam	e.		
Seconded By:	Choose a nam	e.		
Now Therefore Be it R	ESOLVED THAT:			
"That Council hereby supports the Township of South Frontenac Resolution supporting Bill 214 passed in the legislative Assembly of Ontario in 2002 to make Daylight Savings Time, standard time."				
Result Options.				
Recorded Vote:				
Member of Council		<u>In Favour</u>	<u>Opposed</u>	
Mayor Pennell Councillor Brooker Councillor Castelijn Councillor Cross Councillor Shippam				

ORIGINAL

APPLICATION FOR CONSENT

The Planning Act, Section 53(2), Ontario Regulation 197/96 as amended

1.0 APPLICANT INFORMATION				
Complete the information below. All communication will be directed to the Primary Contact with a copy to the Owner.				
1.1 Name of Owner(s). An owner's author owner.	ization is required in Section 8, i	f the applicant is not the		
Name of Owner DANIEL + JODI MAXWELL	Home Telephone No.; 705-49-1849	Business Telephone No. 705-744.0543		
Addross	Postal Code PoHIVO	Fax No.		
Email jodia maxuellpotter	y.com	Cell No. 705-498-		
1.2 Agent/Solicitor/Applicant: Name of the different than the owner. (This may be Section 8)				
Name of Contact Person/Agent	Home Telephone No.	Business Telephone No.		
Address	Postal Code	Fax No.		
Email:	1	Cell No.		
1.3 Indicate to whom correspondence is to be sent (check one please) Owner Authorized Agent Solicitor				
2.0 LOCATION OF THE SUBJECT LAND (CO	JADI ETE ADDITICARI E BOXES IN	5/ 4 V		
2.1 Municipal Address (mailing address) Postal Code POH IVO				
Concession Number(s) Lot Number(s)	Registered Plan No.	Lot(s)/Block(s)		
Reference Plan No. Part Number(s)	Parcel Number(s)	Former Township:		
Assessment Roll No. 4822 000 001 30024	o.000			

PURPOSE OF APPLICATION
Type and Purpose of the proposed transaction (check appropriate space):
Creation of a new lot Addition to a lot Right-of-way Easement Other purpose (please specify)
Name of person(s), if known, to whom land or interest in land is to be transferred, leased or changed:
If a lot addition, identify/describe the lands to which the parcel will be added (Also illustrate on the required sketch):

4.0 DESCRIPTION OF SUBJECT LAND AND SERVICE	ING INFORMATION
4.1 Lands to be Severed	
Frontage(m): 81 m +/- R of w	Proposed Use: RC < 10 & NT NE
Depth (m): 400 m +/-	Existing Buildings/Structures:
Area (hec/acre): 4-0 WA +/-	Proposed Buildings/Structures:
4.2 Lands to be Retained	
Frontage(m): 125 m +/- 25 W	Existing Use: RESIDENTIBE
125m +/- 10m X	Proposed Use: REITENTIAL
Depth (m): 125 m +/- 125 m	
Area (hec/acre): 1 - 5 HA	Proposed Buildings/Structures:

4.3	Are there any easements or restrictive covenants affecting the subject lands? Yes O No O If yes, please describe the easement or covenant and its effect.				
4.4	Type of Access (Check appropriate box and state road name):				
Severe					
4.5	If located on a Municipal Road or Provincial Highway, is there an existing Municipal Road or Provincial Highway approved entrance to the proposed severed lot? Yes No If no, please indicate on sketch, location of proposed entrance for Public Works Manager's inspection purposes.				
4.6	If located on water:				
	a) What is the name of the water body? SMITH LAKE for SEVERED Portion				
	b) Describe the location of parking and docking facilities to be used and the distance from the subject lands. Indicate whether parking is public or private There is public access to lake a parking available. The 12 Severed labe are fronting on Lwy 630				
4.7	Water Supply for Retained land shall be provided by:				
	Municipal piped water Privately owned & operated individual wells for each lot				
	Privately Owned and Operated Communal Well Other (specify, e.g., lake, bottled):				
4.8	Water Supply for Severed Parcel(s) shall be provided by:				
	Municipal piped water Privately owned & operated individual wells for each lot				
	Privately Owned and Operated Communal Well Other (specify, e.g., lake, bottled):				
4.9	Sewage Disposal for Retained land shall be provided by:				
	Municipal sanitary sewers Privately owned individual septic system for each lot				
	Privately owned communal collection Other (specify):				
	If the application would permit development on privately owned and operated individual or communal septic systems, and more than 4,500 litres of effluent produced per day as a result of the development being completed, a servicing options report and a hydrogeological report is required. Title and date of servicing options report and/or hydrogeological report:				

4.10	Sewage Disposal for Severed Parcel(s) sha	II he	provided by:	
	Head of the second seco			
	Privately owned communal collection		Privately owned individual septic system for each lot	
	If the application would permit development on privately owned and operated individual or communal septic systems, and more than 4,500 litres of effluent produced per day as a result of the development being completed, a servicing options report and a hydrogeological report is required.			
	Title and date of servicing options report and/or hyd	rogeol	ogical report:	
4.11	Storm Drainage (Indicate the proposed storm dra	inage :	system)	
	Storm Sewers		Ditches	
	Swales		Other (please state) Natural drainage	
4.12	Other Services (Check if the service is available)		1 court Milanage	
	Electricity	7	School Bussing	
V	Garbage Collection			
5.0	LAND USE AND HISTORY OF THE SUBJECT	LAND		
5.1	Has the subject land ever been the subject of an appl			
	or a consent under the Planning Act? Yes O No		V 10	
	If Yes and if known, provide below, the application file number and the decision made on the application.			
5.2	Has any land been severed from the parcel originally acquired by the current owner of the			
	subject land? Yes O No O Unknown			
	If yes and if known, indicate previous severances on the required sketch and supply the following information for each lot severed.			
	Date of transfer:			
	Name of Transferee:			
	Land use of parcel:			
5.3	Has any land been severed from the parcel by the price	or own	er(s)? Yes O No O Unknown 🔗	
	If yes and if known, please provide below any names 8	t if po	ssible, current addresses of prior	
	owners of which you may be aware: DELLA + GERALD RACKER			
	SOTWILLEHT CAMP RD			
	MATIAWA ON POH IVO			
5.4	Did the current owner acquire the subject land as a re	esult o	f a consent (i.e. was a lot severed	
	and transferred to the current owner)? Yes Q No	0		
	If yes, prior owner should be noted in 5.3 above.		10	
5.5			MIGH RURAL	
5.6	Current Official Plan Land Use Designation:	201	and the same of th	

5.7	Is the subject land currently the subject of a proposed official plan of submitted for approval? Yes No No If yes, specify the file	r official plan amend number and status of	ment that has been the application:	
5.8	If the subject lands are the subject of any other application under the <i>Planning Act</i> , please fill out required fields on page 1.			
5.9	Has the property ever been subject to an application under the Planning Act	? Yes O	No O	
	If the answer was yes, please indicate the file number and status of the app	lication:		
	Has any land been severed from the parcel originally acquired by the owner			
	If the answer was 'yes', please indicate the date of the transfer, the na severed land:	me of the transferee	and the uses of the	
5.10	Is the application consistent with policy statements issued under subsection Yes O No O If yes, please explain how the application is consist reference section numbers:			
5.11	Land Use Features	* * * * * * * * * * * * * * * * * * * *		
	ERE ANY OF THE FOLLOWING USES OR FEATURES ON THE SUBJECT ND/OR WITHIN 500 METRES OF THE SUBJECT LANDS	ON THE SUBJECT LANDS	WITHIN 500 METRES OF SUBJECT LANDS	
manure	cultural operation (any livestock facility, occupied or vacant, including storage). If yes, please submit a Minimum Distance Separation calculation with application (contact Secretary Treasurer for More tion)			
A landfil	l site (active or non-operating)			
A sewag	ge treatment plant or waste stabilization pond			
A Munic	ipal or Federal Airport (including an aerodrome)			
A munic	sipal wellhead within 1000 m			
An oper	ating mine site within 1000 m (specify mine site)			
A rehab	ilitated or abandoned mine site or mine hazards			
An oper	ating pit within 150 m or quarry within 500 m.			
•	ustrial use			
Provinci	al Park or Crown Lands			
An activ	e or abandoned rail line and/or trail			
A natura	al gas or petroleum pipeline			
A floodp	1/2 DE CIZ LEGOD & Tiele		7	
Signification (including	ant wildlife habitat and/or significant habitat of Species at Risking but not limited to endangered and threatened species)			
Fish hat				

A conta	amina	ated site		
Utility Corridor, electricity generating station, transformer (high voltage electric transmission line)				
		ilway line, railway yard or Provincial Highway		
5.12	ls t	here a Provincially Significant Wetland (Class 1, 2 or 3) on or with	nin 120 metres of the	subject lands?
	Yes	_	mi 120 medes of the	e subject tailus:
5.13	Do arc	the subject lands contain any known cultural heritage, arch	naeological resource	s and/or areas of
	Yes	O No O Unknown O		
5.14	If y	es to 5.13, does the application propose to develop lands within tural heritage, archaeological resources and/or areas of archaeol	n the subject lands to ogical potential?	that contain known
	Yes	O No O Unknown O		Paralleland
	Not any	e: If yes to 5.13 or 5.14, please contact the Ministry of Tourism additional information or reports.	and Culture to dete	rmine the need for
5.15	a)	Has there been an Industrial Use, Commercial Use or an Orchlands?	nard, on the subject	lands or adjacent
		Yes O No O Unknown O		WOODER
	b)	If yes, specify the use(s):		
	c)	Has the grading of the subject lands been changed by adding/re	emoving earth or oth	er material(s)?
		Yes ○ No Ø Unknown ○		
	d)	Has a gas station been located on the subject lands or adjacent	lands at any time?	
		Yes No Unknown		
	e)	Has there been petroleum or other fuel stored on the subject la	and or adjacent land	s?
		Yes O No O Unknown O		
	f)	Is there any reason to believe the subject lands may have bee site or adjacent lands?	en contaminated by	former uses on the
	- 12	Yes O No Q/ Unknown O		
	g)	If yes to any of 5.15 a) to f), has an Environmental Site Assess Environmental Assessment Act or has a Record of Site Condition		nducted under the
		Yes O No O Unknown O	k	
6.0	Dec London	HER INFORMATION		
6.1		here any other information that you think may be useful to the E er agencies in reviewing this application? If so, explain below or a	•	_
	nec	essary.		
	-			

= 7.0 AFFIDAVIT OR SWORN DECLARATION
Declaration for the prescribed information: I (we) JODIR . MAXWELL
make oath and say (or solemnly declare) that the information contained in this
application is true and that the information contained in the documents that accompany this application is true.
Furthermore, I (We) agree to allow the Municipality, its employees and agents to enter upon the subject land for
the purpose of conducting a site inspection that may be necessary to process the application.
Sworn (or Declared) before me at the MUNICIPALITY of
Sworn (or Declared) before me at the $MUNICIPALITY$ of $OIIIIIIIIIIIIIIIIIIIIIIIIIIIIIIIIIIII$
Joan K. Marvier
Commissioner of Oaths (include stamp below) Signature of Applicant/Solicitor or Authorized Agent
·
8.0 AUTHORIZATION (if applicable) If the applicant is not the owner of the land that is the subject of this application, the written
authorization of the owner that the applicant is authorized to make the application must be included
with this form or the authorization set out below must be completed. I,
am the owner of the land that is the subject of this application for consent and I authorize
to make this application on my behalf.
Signature of Owner Date

10.0 AGREEMENT TO INDEMNIFY

AGREEMENT TO INDEMNIFY

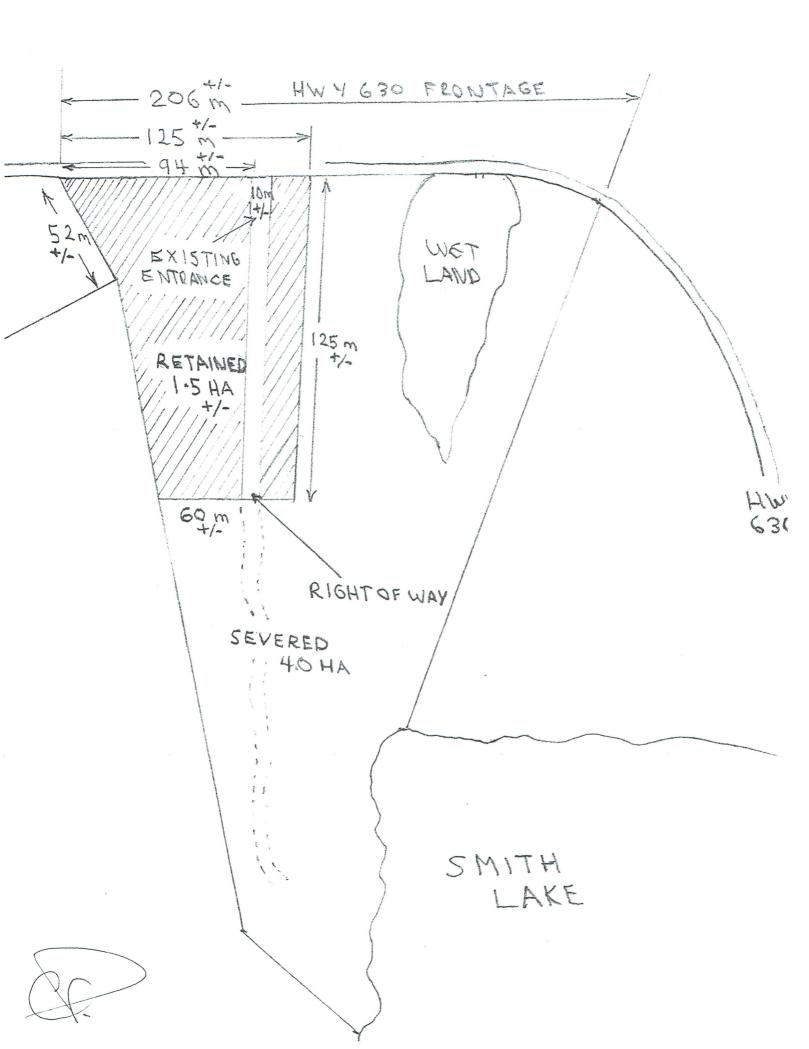
The applicant hereby agrees to indemnify and save harmless the East Nipissing Planning Board from all costs and expenses that the Board may incur in connection with the processing of the applicant's application for approval under the Planning Act. Without limiting the foregoing, such costs and expenses will include all legal, engineering, planning, advertising and consulting fees and charges incurred or payable by the Board to process the application together with all costs and expenses arising from or incurred in connection with the Board being required, or...

requested by the applicant, to appear at the hearing of any appeal to the Local Planning Appeal Tribunal from any decision of the Board, as the case may be, approving the applicant's application.

The applicant acknowledges and agrees that if any amount owing to the Board in respect of the application is not paid when due, the Board will not be required to process or to continue processing the application, or to appear before the L.P.A.T. in support of a decision approving the application until the amount has been paid in full. The applicant further acknowledges and agrees that any amount owing by the applicant to the Municipality is, when due, a debt of the applicant and the Board may, in addition to any other remedies available to it at law, recover the amount owing together with interest from the applicant by action

and amount ording together with lifelest life	orn the applicant by action.
Date 20/21	Signature of Owner
	JODI R MAXWELL Owner's Name: Printed
TO COLUMN TO THE RESERVE OF THE PARTY OF THE	

	COLLECTION OF INFORMATION			
Personal information collected on this form is collected under the authority of the Planning Act, R.S.O. 1990, as amended and will be used to assist in making a decision on this matter. All names, Addresses, opinions and comments will be made available for public disclosure.				
Questic	ons Regarding this collection should be forwarded to:			
Secerat	cary of the East Nipissing Planning Board, Ontario,			
Phone:) =			
11.1	All information requested in this form is mandatory and is either prescribed under Ontario Regulation 197/96 as amended or is required by the Committee of Adjustment.			
11.2	.2 If an application is deemed to be incomplete, it will be returned, and the time period referred to in subsection 53 (14) of the <i>Planning Act</i> for an appeal to the Ontario Municipal Board for failure to make a decision does not begin.			
11.3	Please indicate on the enclosed key map, the location of the subject property.			
11.4	In order to enable the required personnel to inspect the property, please provide on Page 10, clear & concise directions to the subject land. If property is not located on a highway or municipal road, please provide a sketch below or on the reverse. Please note it is very important that the directions are adequate. If the inspectors are unable to locate the subject lands because of poor directions, your application may be delayed.			
11.5	It is required that two (2) copies of the application along with the prescribed fee be filed with the Secretary Treasurer of the of accompanied by the prescribed fee in cash or by cheque payable to the			





Corporation of the Municipality of Calvin Council Resolution

Date: January 25	, 2022				
Resolution Number	er: Click or tap he	ere to enter text.			
Moved By:	Choose a nam	ne.			
Seconded By:	Choose a nam	ne.			
"WHEREAS an amendment has been completed to the original application for consent No. 2021-20 in the name of Daniel and Jodi Maxwell and filed with the East Nipissing Planning Board on land know as Concession 7 Part Lot 17, Municipality of Calvin. Originally, the consent application was files to create two(2) new residential lots of approximately 2.4 and 4.78 ac at the municipal address being 411 Highway 630. The consent application has since been amended to create one (1) new residential lot with a right of way. On July 27, 2021, the Council of the Municipality of Calvin passed resolution number 2021-166 recommending the following: "NOW THEREFORE the Council of the Municipality of Calvin RESOLVES that: It is recommended that the East Nipissing Planning Board give provisional consent to this application, and; A copy of the completed survey for the new residential lot shall be provided to the municipality, in both digital format and hard copy, and; That the 5% Cash in lieu shall apply to the newly created lots and is payable in full to the municipality as a requirement of consent." Now Therefore Be It Resolved that Council does not wish to change any of the original conditions in light of the changes made to the application and recommends that the East					
Nipissing Planning	g Board move to	the next steps of the	consent application."		
Result Options.					
Recorded Vote:					
Member of Counci	<u>l</u>	<u>In Favour</u>	<u>Opposed</u>		
Mayor Pennell Councillor Brooker Councillor Castelijr Councillor Cross					

Councillor Shippam

$\frac{CORPORATION\ OF\ THE\ MUNICIPALITY\ OF\ CALVIN}{\textbf{Resolution}}$

DATE: _	July 27, 2021	_ NO	2021-166
MOVED	OBY <u>Christine Shippam</u>		
SECON	DED BY <u>Sandy Cross</u>		
the East two (2) r	Nipissing Planning Board on land knew residential lots of approximate ated East of #377, the Roman Cath	nown as Conce ely 2.4 ac and 4	name of Daniel and Jodi Maxwell has been filed wit ession 7 Part Lot 17, Municipality of Calvin, to create .78 ac., the municipal address being 411 Highway on Hwy 630, which is a year round maintained
NOW TH	IEREFORE the Council of the Munic	ipality of Calvir	n RESOLVES that:
a 2. A b 3. T	and; A copy of the completed survey for both digital format and hard copy, a	the new reside	g Board give provisional consent to this application, ential lot shall be provided to the municipality, in reated lots and is payable in full to the municipality
	Nan James		
CARRIE			
DIVISIC	<u>ON VOTE</u>		
Coun Cr Coun Ma Coun Ol	axwell mstead	YEA _X	NAY Declared a Conflict
Coun Sh Mayor P		^	



2022CT02 REPORT TO COUNCIL

REPORT DATE: January 20, 2022

ORIGINATOR: Cindy Pigeau – Clerk-Treasurer

SUBJECT: Budget Policy

RECOMMENDATION:

That Council acknowledge receipt of report 2022CT02 Budget Policy, and direct staff to develop a Budget Policy to ensure that the budget is brought forward for passing in December for the following year.

EXECUTIVE SUMMARY:

Attached are two examples of budget policies, that outline the steps for Staff to follow for bringing the budget forward for passing in December for the following year, rather than in June/July in that given year. It is also suggested to Council that the budget be presented to Council in a different manner and to offer an opportunity for the public to be involved in the process.

FINANCIAL/STAFFING CONSIDERATIONS:

There will be time associated with developing a budget policy. The administration staff will also need to develop reporting methods that will accurately capture the funds expensed based on the Strategic Plan goals. This will take approximately 1-2 weeks to establish and will require review on an annual basis.

BACKGROUND:

In the past few years, the budget has been passed in June or July. This can cause issues with planning projects and meeting completion dates before the end of the year. It can also cause issues with getting the final tax billing out at the appropriate time.

ANALYSIS/RATIONALE FOR RECOMMENDATION:

A budget passed prior to the start of the fiscal year allows for greater accountability and transparency. It also provides an opportunity for major projects to be tendered earlier – potentially resulting in better pricing, and commence earlier, giving them an opportunity to be completed prior to the next fiscal year.

The Budget Policy introduces the following changes to the Municipality's existing practice:

- Establishment of the budget in the fourth quarter with an intent to pass in December
- The budget will be based on the strategic priorities identified in the Strategic Plan. This year, a Strategic Plan was passed after many months of planning.
- Introduction of public consultation in the month of September. This provides an opportunity for the public to attend a public meeting to provide initial input on the budget. There could also be an opportunity for comments to be submitted in person, by mail or by way of e-mail. A second opportunity could also be presented prior to passing the budget, to provide an opportunity for the public to provide comment on the proposed budget. Comments can be presented by making a delegation to Council, or by providing comment by mail or by way of e-mail. For 2022, the "initial public feedback" component will take place in September/October this year.
- The re-organization of the budget so that it can be presented based on initiative, be it mandatory or discretionary
- Putting identifiers on purchases/projects, to identify how the document ties back to the Strategic Plan
- Better understanding of the hidden costs associated with initiatives (i.e. identifying that the cost of flowers in the garden also includes labour costs associated with weeding, watering and removing at the end of the season if necessary)
- Better understanding of whether the Municipality currently retains adequate labour to fulfil the goals/objectives identified within the Strategic Plan for that given year
- A priority list to evaluate new programs and/or service enhancements for Council's consideration
- The introduction of a threshold of \$10,000 or above, to amend the Operating Budget. This is to reflect potential discrepancies with the estimated and actual costs for service rendered by agencies, boards, and commissions (i.e. integrity commissioner, insurance, conservation authority, etc.)

ALTERNATIVES FOR CONSIDERATION:

Council could decide not to pass a Budget Policy. This is not recommended, as the Policy provides direction to staff on the budgetary process and how Council would like to see the budget presented.

NEXT STEPS:

Council should decide which Budget Policy Example provided that they prefer and then staff and build a policy based on our Municipality to present to Council.

APPENDICES/SCHEDULES:

Attachment #1: Callander Budget Policy Attachment #2: Blind River Budget Policy

Respectfully submitted; Cindy Pigeau Clerk-Treasurer



TOWN OF BLIND RIVER POLICY MANUAL SECTION: ADMINISTRATION AND FINANCE SUB-SECTION: FINANCE

POLICY TITLE: BUDGET POLICY

POLICY NO: 1.3.21

PURPOSE

The purpose of this policy is:

- To establish the processes of the annual budget
- To encourage long-range planning in operating expenditures
- To achieve approval of the annual budget prior to February 28th of the year to which the budget applies, and
- To encourage effective planning, analysis and allocation of the Town's limited financial resources.

SCOPE

This policy applies to all Town departments and any agency or board for which Council is required to approve annual budget estimates or levies.

POLICY

- 1. The Treasurer Director of Finance shall prepare a report, no later than October 31st of each year, to provide Council with an overview of the projected budget challenges.
- 2. Council, no later than November 30th of each year, shall provide direction to staff regarding any changes in levels of service required for the following year and that this information be taken into account in the determination of budget targets.
- 3. The Treasurer Director of Finance shall, working in conjunction with the CAO/Clerk and department heads, develop and present a preliminary budget not later than January 31st that includes:
 - a. The calculated amount of the capital levy as determined by the capital financing policy
 - An adjustment to operating cost expenditures (excluding levies from outside boards and agencies) not to be lower than the published year-over-year Consumer Price Index for the month of October
 - c. An adjustment to levies from outside boards and agencies that reflects the anticipated change in levy amounts.

- 4. Personnel additions will only be considered if it is substantiated that additional staffing will result in increased revenue or enhanced operating efficiencies.
- 5. To the extent feasible, personnel cost reductions will be achieved through attrition.
- 6. Alternative means of service delivery will be evaluated to ensure that quality services are provided to our citizens at the most competitive and economical cost.
- 7. Operating variances will be monitored on a monthly basis by managers with reports to Council as of June 30th, September 30th and December 31st each year.
- 8. Capital projects, including approved change orders and other anticipated cost increases, will be reported to Council as of June 30th and December 31st.

Approval Date:	August 10, 2020	Approved by:	Resolution #20-205
1.Amendment Date:		Approved by:	
2.Amendment Date:		Approved by:	
3.Amendment Date:		Approved by:	



Corporation of the Municipality of Calvin Council Resolution

Date: January 25,	2022				
Resolution Number	: Click or tap he	re to enter te	ext.		
Moved By:	Choose a nam	e.			
Seconded By:	Choose a nam	e.			
Now Therefore Be it	RESOLVED THAT:				
"That Council acknow Budget Policy to ensu year. "					
Result Options.					
Recorded Vote:					
Member of Council		<u>In Favour</u>		<u>Opposed</u>	
Mayor Pennell					
Councillor Brooker					
Councillor Castelijn					
Councillor Cross					
Councillor Shippam					



POLICY		
Name of Policy:	Policy Number:	
BUDGET POLICY	009	
Resolution Number:	Approval Date:	
Administrative Responsibility:	Next Review Date:	
ADMINISTRATION	MAY 2022	

Policy Statement

The Municipality of Callander is committed to delivering a financially sustainable operating and capital budget for both the general ratepayers' and water/sewer users, that is aligned with the Municipality's Strategic Plan, in a manner that is open and transparent to the public.

Purpose

The Budget Policy establishes the criteria for the budget preparation and for the budget deliberation process, within the specified timeframes for the general ratepayers' and the water and wastewater users' operating and capital budgets. This policy applies to all municipal departments and agencies, boards and commissions which are comprised in the consolidated financial reporting requirements.

The objective of this Policy is to ensure that budgets and financial reporting are prepared and delivered in accordance with the established guidelines and timeframes adopted by Council.

The Policy:

- 1. Links accountability with the responsibility for service delivery.
- 2. Provides the mechanisms to deal with exceptions from planned service delivery.
- 3. Outlines the means to give early warnings of budget deficits and surpluses and to identify opportunities to redirect allocated funding.

Definitions

Annualized Costs: Costs which were approved in prior year's budget for a duration of less than twelve (12) months that are converted for a costing representing a full year and be included in the Base Level Budget.

Base Level Budget: The starting budget level that includes the prior year's cost of providing all services and goods approved in the prior year budget for all recurring services, with the costs adjusted to reflect annualized costs, inflation, price changes in accordance with agreements and capital impacts.



Budget Assumptions: The factors that have been used to calculate costs that are unknown at the time of budgeting. Examples of Budget Assumptions would include the basis for the cost-of-living increases, changes to utility costs, and limitations of expenditures such as annual professional development.

Capital Budget: An estimate of expenditures for capital costs as per the capitalization threshold indicated in the Tangible Capital Asset Policy.

Capital Impacts: The impact of changes to the operating budget of as a result of new capital projects. Those impacts must be costed out within the correct functional unit to include the adjusted costs from the capital projects.

Operating Budget: a budget that funds the day-to-day operations of the Municipality that includes expenses such as personnel, utilities, and municipal reserves.

Pre-Approved Costs: All costs which have been pre-approved by Council for the subsequent year that will be incorporated into the base level budget.

Legislative & Administrative Authorities

As per Section 290 (1) of the Municipal Act, a Municipality shall, in the year or the immediately preceding year, prepare and adopt a budget including estimates of all sums required during the year for the purposes of the Municipality. As per Section 290 (1.1) for a year immediately following a year in which a regular election is held, a budget may only be adopted in the year to which the budget applies, meaning that during an election year the budget cannot be passed for the subsequent year.

Policy Requirements

1. General Policy Requirements

The Treasurer will prepare the budget templates for all Departments and consolidate the draft budget. The budget will be defined by component and by department. The budget will be grouped by strategic objectives.

Submissions to Council from Department Heads must first be endorsed by the Treasurer and Senior Municipal Director (SMD).

2. Budget Timeframe

Council commits to the next phase of implementation of the strategic plan in the spring of each year.

Staff prepare draft budgets by end of October that year.

The draft budgets are submitted to Council with a report in mid- November. The Report to Council will include a tax impact analysis based on the staff recommended budget. Council will then either agree with the draft or give direction for adjustments or fine tuning.



All budgets shall be passed before the end of **December** of each year for the subsequent fiscal year. As stated under the legislative and administrative authorities, the budget during an election year can be prepared by December but it can only be adopted in the current year by the new term of Council.

To accommodate this schedule, the strategic priorities of Council must be defined no later than August of each year for the subsequent fiscal year.

Recognizing that the financial statements representing the actuals for the full year will not yet finalized, staff will be responsible for providing forecasts of fourth quarter expenditures, to provide Council with a good understanding of the estimated annual costs for comparative purposes when reviewing the next year's budget.

Amendments to the budgets may be required if there are significant changes to key components of the budget, such as government funding amounts, or levies. These adjustments would need to be done before the final tax bills go out for the year.

3. Public Consultation

The Municipality will welcome ideas from the public throughout the month of September and host one (1) public input session.

The Municipality will permit written submissions to the Municipal Clerk and in person or electronic delegations not to exceed to five minutes.

4. Operating Budget Preparation

The SMD and the Treasurer will meet with each department, starting in September, to begin the budgetary process. The SMD and Treasurer will be responsible for verifying timing and costs. The Department Head will work with the SMD and Treasurer to identify any external funding sources that may be applicable.

Administration will present to Council a budget that is in compliance with the *Municipal Act, 2001*. The budget will contain adjustments to reflect inflationary pressures and strategic initiatives that would further adjust the budget requirement. It will also consider new or changed legislation and the ongoing costs associated with existing service levels.

Budget Assumptions: The SMD will prepare the assumptions in conjunction with the Department Heads and provide a report to Council for approval.

Revenues from property taxes would be calculated based upon the Preliminary
 Assessment Growth and Value Change Information from OPTA instead of the MPAC
 annual assessment roll that is not available until November of each year.



- The criteria for calculating the W&WW consumption is calculated based on specified historical data (3 years average).
- The drinking water financial plan is used for the draft rate setting purposes.
- The Cost-of-Living adjustments is based upon the Statistics Canada Consumer Price Index (CPI) numbers for a specified time period. Staff will be utilizing annual August CPI as the base increase based on all-items from Statistics Canada
- Levies from local Boards and external services (i.e. District Social Services Board (DSSAB), Health Unit, Eastholme, Conservation authority, Ambulance Services) would be estimated each year, based on the average percentage increase in the last three (3) years, plus a cost of living increase.
- Other contracted services that vary from year to year based on costs incurred, such as
 the Merrick Landfill contract, would be estimated based on a calculation of historic costs
 plus an average percentage increase.
- The budgeted amounts to be transferred to and from reserves is based on the Reserve Policy.
- Contingency amount will be \$40,000 to provide for the greater chance of unexpected adjustments.

Reserve and Reserve Fund Allotment: The Municipality shall maintain a Reserves Policy to assist staff in properly accounting for asset repair and replacement, rate stabilization, and other key areas that Council deems appropriate.

New Service Levels: Department Heads shall identify new programs and/or service levels and provide estimated costs and justifications for the changes. These will be dealt with on an individual basis during budget deliberations. Together, the SMD and the Department Heads shall evaluate each new program and/or service enhancement based on immediacy and need by considering each of these factors:

- 1. Legislative requirements including health and safety measures
- 2. Priorities identified within the Strategic Plan
- 3. Priorities identified within the Asset Management Plan as per lifecycle costing and risk assessment
- 4. Capital impacts
- 5. Growth adjustments
- 6. Cost savings, inherent efficiencies, and potential revenue generation

The SMD and Department Heads shall review all program and/or service levels for potential cuts or rationalization, for final recommendation to Council.

Changes to Services Levels: Any changes of service levels must be completed before the end of August of each year. The changes must outline the benefits to the community and the costing of the proposed enhanced services. The changes to the service levels would be costed out separately from the base level budget. If the changes are approved by Council, they will be



added to the base level budget. The Treasurer will track the changes to the service levels for budgetary purposes.

5. Amendments to Operating Budget

Amendments to the budget can be brought forward if the budget line estimate differs from the confirmed revenues or expenditures by 10% or above or below \$10,000. A report to Council will be brought forward by the Treasurer and approved by the SMD of the recommendations to those changes and its funding sources.

A summary of budget changes to the approved amount, in accordance with above, will be provided to Council with the quarterly variance report.

Exceptions to the above approvals will occur when Section 275 of the Municipal Act regarding Restricted Acts after nomination day is in effect. The upper limit for any approvals shall be as stated in the Act.

6. Capital Budget Preparation

Each Department shall prepare and submit annually to the Treasurer their Capital Budget requests and 5-year forecasts on the forms and in the format prescribed by the Treasurer.

Each Capital Budget and Forecast shall include:

- a) The project ID number (to be set by Finance Department)
- b) The responsible department
- c) The service or program within the department to which the project applies
- d) The year of initiation of the project
- e) The flexibility in the timing of the project (e.g. if there is a reason that it must go forward in a certain year due to legislated requirements, development or safety)
- f) An indication of whether the project is growth related and will have growth funding
- g) A project name which shall be consistent throughout all studies and municipal documents
- h) A brief description of the project which should identify the objectives of the project and a describe how the objectives are achieved, including the need for the project
- i) The Strategic Plan objectives that the project is related to
- j) Whether the equipment is identified for replacement in that given year, in the twenty-year operations and fire equipment replacement plans
- k) An indication of the project priority ranking, following the ranking system in place
- I) Priority comment that provides the rationale for the assigned ranking
- m) A detailed estimate of each project's costs net of HST rebates, including a breakdown by year for multi-year projects
- n) The financing of each project, including any known information regarding grants/subsidies, direct developer contributions, external contributions or other (the Finance Department will complete the remaining financing breakdown)



- o) An identification of operating impacts/expenditures that result from the capital project, including any additional transfers to reserves required due to increased need for replacement of new equipment and/or new facility components that will be required in the future. At least one full year of operating costs/revenues will need to be estimated. Any savings due to upgrades should be identified.
- p) The capital project shall reference the priority within the asset management plan and provide asset attributes such as the condition of the asset, the risk assessment, and any other pertinent information to justify the rationale for the project.

The Treasurer will recommend financing options, if necessary.

Until the capital budget has been approved by Council, no department will begin any capital project that was not authorized in prior years unless:

- a) Approval was granted by Council through a report outside of the budget process prepared by the Manager or SMD requiring the expenditure; or
- b) An emergency occurs requiring capital repairs and the purchase was approved through the processes outlined in the Municipality's Procurement Policy.

7. Changes to Capital Budget

All changes to the capital budget will be summarized by project and will indicate the original budget amount and the revised budget amount for Council's approval.

8. Other Policies

The annual budget shall comply with other related policies which include the following:

- i) Debt Policy
- ii) Reserve and Reserve Fund Policy
- iii) Asset Management Policy
- iv) User Fees Policy
- v) Investment Policy
- vi) Procurement Policy

9. Financial and Statistical Reporting

The Treasurer shall provide financial statements to Department Heads monthly, no later than the second Friday of the following month. The Treasurer will review financial statements quarterly with all Departments and assist in analysis of accounts and preparing forecast changes to the budget, as required.

A quarterly report will be presented to Council which highlights the variances and potential changes to the budget. Key Performance Indicators and statistical information will also be



presented to Council at this time. The quarterly report shall also include any necessary recommendations from staff to alter the budget, as appropriate.

10. Final Approval

The intent is for the overall capital and operating budget for the general ratepayers' and water/sewer rates be approved by Council in December. The By-laws however, that set the rate for water/sewer rates will not be finalized and passed until the first meeting in January. The tax rates and levy By-law will be passed no later than the end of March, to account for discrepancies with Agencies, Boards and Commissions.

Responsibilities

This Policy applies to all staff, boards, and agencies responsible for budget management or spending decisions that impact Municipal resources.

Council: Council adopts the annual changes to the strategic plan/term plans and adopts the budgets.

Senior Municipal Director: The SMD is accountable to Council for financial planning, spending, revenue generating and service delivery performance against their approved budgets. delivers the budget assumptions and presents the budget to Council.

Department Heads: The Department Heads are accountable to the Senior Municipal Director (SMD) and will prepare their budgets by no later than October of each year. They are also responsible for developing their quarterly financial and statistical reports.

Treasurer: The Treasurer is accountable for ensuring adherence to statutory and policy requirements governing use of funds and for budgeting reporting, as provided for in the *Municipal Act, 2001, Section 286*. The Treasurer is also responsible for administering all necessary transfers between reserves and reserve funds and the operating fund in accordance with Council direction.

Other Staff: Department Heads will request assistance from other staff members to provide costing information on various projects and seek their input with their professional development needs.



Corporation of the Municipality of Calvin Council Resolution

Date: January 25, 2	022		
Resolution Number:	Click or tap here to	o enter text.	
Moved By:	Choose a name.		
Seconded By:	Choose a name.		
Now Therefore Be it R	RESOLVED THAT:		
-			e annual float testing and servicing the end of January. "
Result Options.			
Recorded Vote:			
Member of Council	<u>In l</u>	<u>Favour</u>	<u>Opposed</u>
Mayor Pennell Councillor Brooker			
Councillor Castelijn Councillor Cross Councillor Shippam			



Corporation of the Municipality of Calvin Council Resolution

Date: January 25, 20	022				
Resolution Number:	Click or tap her	e to enter text.			
Moved By:	Choose a name	e.			
Seconded By:	Choose a name	e.			
	_		ailability of our contractor, the n late 2021 and early in 2022.		
Therefore Be It Resolved that the unused portion allocated in the 2021 budget for mechanical brushing, will become part of the surplus and therefore the equivalent of the unused portion of the 2021 budget will be allocated from the surplus to the 2022 budget for mechanical brushing. This will therefore account for the work that was completed in January of 2022 and any associated 2022 invoices."					
Result Options.					
Recorded Vote:					
Member of Council		<u>In Favour</u>	<u>Opposed</u>		
Mayor Pennell Councillor Brooker Councillor Castelijn Councillor Cross Councillor Shippam					

CORPORATION OF THE MUNICIPALITY OF CALVIN

BY-LAW NO. 2022-006

BEING A BY-LAW TO CONFIRM THE PROCEEDINGS OF COUNCIL.

WHEREAS it is the desire of Council to confirm all proceedings, motions and by-Laws:

NOW THEREFORE THE CORPORATION OF THE MUNICIPALITY OF CALVIN HEREBY ENACTS AS FOLLOWS:

- 1. THAT the Confirmatory Period of this By-Law shall be for the Regular Council meeting of January 25, 2022;
- 2. THAT all By-Laws passed by the Council of the Corporation of the Municipality of Calvin during the period mentioned in Section 1 are hereby ratified and confirmed;
- 3. THAT all resolutions passed by the Council of the Corporation of the Municipality of Calvin during the period mentioned in Section 1 are hereby ratified and confirmed;
- 4. THAT all other proceedings, decisions and directives of the Council of the Corporation of the Municipality of Calvin during the period mentioned in Section 1 are hereby ratified and confirmed.

Read a first time this 25	th day of January,	2022.
---------------------------	-------------------------------	-------

Read a second time this 25th day of January, 2022.

Read a third time and finally passed in open council this 25th day of January, 2022.

MAYOR	CLERK-TREASURER