1. CALL TO ORDER

2. DECLARATION(S) OF PECUNIARY INTEREST (IF ANY)

3. PUBLIC MEETINGS
   
   Nil.

4. DELEGATIONS AND PRESENTATIONS
   
   4.1. Suresh Singh, Agent for Developer - Rezoning Application ZA/16-10 (Cutters Quest Land and Cattle Co. Ltd./J.T. Tucker Holding Ltd.)
   
   4.2. Karen Moss - Rezoning Application ZA/16-10 (Cutters Quest Land and Cattle Co. Ltd./J.T. Tucker Holding Ltd.)
   
   4.3. Grant and Ursula Cleveland - Rezoning Application ZA/16-10 (Cutters Quest Land and Cattle Co. Ltd./J.T. Tucker Holding Ltd.)
   
   4.4. Joelle McRae and Len Taylor - Rezoning Application ZA/16-10 (Cutters Quest Land and Cattle Co. Ltd./J.T. Tucker Holding Ltd.)

5. CONFIRMATION OF PREVIOUS MINUTES
   
   5.1. Council Meeting: January 19, 2011

6. CORRESPONDENCE
   
   Nil.

7. STANDING COMMITTEE MINUTES
   
   7.1. Special General Committee Meeting – January 18, 2011
   
   Section A
   
   11-GC-017 Immediate and Long-Term Goals – Planning Session

   That the information items and recommendations identified as Section A from the Special General Committee meeting held on January 18, 2011 be adopted.
7.2. General Committee Meeting – February 1, 2011

Section A

11-GC-019 Terms of Reference for Advisory Committees
11-GC-020 Bracebridge Dog Pound Contract
11-GC-021 Original Road Allowance Closing Application (Little/Sutherland) (RC2010-08)
11-GC-022 Original Road Allowance Closing Application (Tutsch) (RC2010-09)
11-GC-023/024 Disposition of Municipal Property (Bracebridge Generation Ltd.) (RE2010-02)
11-GC-025 Delegation of Authority for Acquisition of Real Property
11-GC-026 Installation of Automated Teller Machine (ATM) at the Bracebridge Sportsplex
11-GC-027 Fire Station One
11-GC-028 Proposed Trail on South Branch of the Muskoka River
11-GC-029/030 Final Acceptance of White Pines Subdivision Phases 1 to 7 (Clearbrook Building Corporation)
11-GC-031 Delegated Authority to Award Roads Capital Tenders
11-GC-032 Letter from Peter Barber, President, Condominium Corporation #55, dated December 6, 2010 regarding Curbside Garbage Collection at 200 Pine Street
11-GC-033 Communication Initiatives
11-GC-034 Opportunities to Televisе/Webcast Committee/Council Meetings
11-GC-035/036 Letter from John Purdon and Peter Jennings, CoChair, Bracebridge Arts Council, dated December 10, 2010 regarding Update on the Bracebridge Arts Council and the Rene M. Caisse Memorial Theatre and Operating Loan Repayment
11-GC-037 Immediate and Long-Term Goals – Planning Session
11-GC-038 Health & Safety Update
11-GC-040 Personal Matters about Identifiable Individuals, including Municipal or Local Board Employees (AF017-11) (Amend Appointing By-law)
11-GC-042 Resolution Arising from Closed Session - Personal Matters about Identifiable Individuals, including Municipal or Local Board Employees (AF017-11) (Amend Appointing By-law)

That the information items and recommendations identified as Section A from the General Committee meeting held on February 1, 2011 be adopted.

7.3. Development Services Committee Meeting – February 2, 2011

Section A

11-DS-009 Public Meeting - Rezoning Application ZA/16-10 (Cutters Quest Land and Cattle Co. Ltd./J.T. Tucker Holding Ltd.)
11-DS-010 Public Meeting - Building By-law and Associated Fees
11-DS-011 Public Meeting - Co-housing By-law for Zoning By-law 2006-120
11-DS-012 Rezoning Application ZA/16-10 (Cutters Quest Land and Cattle Co. Ltd./J/T/ Tucker Holding Ltd.)
11-DS-013 Building By-law and Associated Fees Update
11-DS-014-015 Co-housing By-law for Zoning By-law 2006-120
11-DS-016 Property Standards By-law Update
11-DS-017 World Wetlands Day – February 2nd

That the information items and recommendations identified as Section A from the Development Services Committee meeting held on February 2, 2011 be adopted.
8. AD HOC COMMITTEE REPORTS
   8.1. Bracebridge Public Library Board (Councillor, L. Giaschi-Pacini)
   8.2. Oakley Village Square Board of Management (Councillor, B. McMurray)
   8.3. Bracebridge BIA Board of Management (Councillor, L. Cragg)
   8.4. Bracebridge Chamber of Commerce (Councillor, G. Tryon)
   8.5. Annie Williams Memorial Park Board (Councillor, M. Quemby)
   8.6. Local Northern Ontario School of Medicine Group (Councillor, R. Maloney)
   8.7. Muskoka Heritage Trust Nature Reserves (Councillor, S. Clement)

9. OLD BUSINESS/DISCUSSION ITEMS
   Nil.

10. NEW BUSINESS/DISCUSSION ITEMS
    Nil.

11. DISTRICT INFORMATION ITEMS
    11.1. Community Services (Councillor, S. Clement)
    11.2. Engineering and Public Works (Councillor, S. Young)
    11.3. Planning and Economic Development (Councillor, L. Giaschi-Pacini)
    11.4. Corporate and Emergency Services (Mayor, G. Smith)

12. WARD INFORMATION ITEMS
    12.1. Bracebridge Ward (Councillor, L. Cragg)
    12.2. Monck/Muskoka Ward (Councillor, M. Quemby)
    12.3. Macaulay Ward (Councillor, R. Maloney)
    12.4. Draper Ward (Councillor, G. Tryon)
    12.5. Oakley Ward (Councillor, B. McMurray)
13. **PASSING OF BY-LAWS**

Bill # 10

A By-law of The Corporation of the Town of Bracebridge to provide for the delegation of authority to approve the acquisition of real property (11-GC-025) (AF022-11)

Bill # 11

A By-law of The Corporation of the Town of Bracebridge to appoint municipal officials and committees for the 2010-2014 term of council (Appointing By-law) (11-GC-042) (AF017-11)

Bill # 12

A By-law of The Corporation of the Town of Bracebridge to amend By-law 2006-120, a land use control by-law to regulate the use of land in the Town of Bracebridge (11-DS-012) (DS008-11) (Cutters Quest Land and Cattle Co. Ltd./J/T/ Tucker Holding Ltd.)

Bill # 13

A By-law of The Corporation of the Town of Bracebridge being a by-law respecting construction, demolition and change of use permits, inspections and administration (11-DS-013) (DS009-11) (Building By-law)

Bill # 14

A By-law of The Corporation of the Town of Bracebridge prescribing standards for the maintenance and occupancy of property within the municipality (11-DS-016) (DS012-11) (Property Standards By-law)

14. **ANNOUNCEMENTS**

15. **COMMITTEE OF THE WHOLE, CLOSED SESSION**

Nil.

16. **RESOLUTIONS ARISING FROM CLOSED SESSION**

17. **CONFIRMING BY-LAW**

Bill # 15

A By-law of The Corporation of the Town of Bracebridge to confirm the proceedings of Council at its meeting held on the 9th day of February 2011.

18. **ADJOURNMENT**

A copy of this agenda in large print format is available upon request.

For your convenience, assistive listening devices are available from staff in the Council Chambers.
1. CALL TO ORDER

Mayor G. Smith called the meeting to order at 7:00 p.m. and the following were recorded as being present.

Council Members:
- Mayor, G. Smith
- Councillor, S. Clement
- Councillor, L. Cragg
- Councillor, L. Giaschi-Pacini
- Councillor, B. McMurray
- Councillor, M. Quemby
- Councillor, G. Tryon
- Councillor, S. Young

Regrets:
- Councillor, R. Maloney

Staff:
- Chief Administrative Officer/Deputy Clerk, J. Sisson
- Clerk, L. McDonald
- Municipal Treasurer, C. Wakefield
- Director of Development Services, K. Horrigan

2. DECLARATION(S) OF PECUNIARY INTEREST (IF ANY)

Councillor L. Giaschi-Pacini declared a pecuniary interest regarding Agenda Item 7.2 (Section B) (10-DS-006) and Bill # 8 Exemption from Part Lot Control – Inveraray Subdivision due to family ownership in adjacent property.

3. PUBLIC MEETINGS

Nil.

4. DELEGATIONS AND PRESENTATIONS

Nil.

5. CONFIRMATION OF PREVIOUS MINUTES

5.1 Council Meeting – December 14, 2010

11-TC-001 Moved by: Councillor, L. Cragg
Seconded by: Councillor, G. Tryon

That the minutes of the Council Meeting held on December 14, 2010 be confirmed.

CARRIED

6. CORRESPONDENCE

Nil.
7. **STANDING COMMITTEE MINUTES**

7.1 General Committee Meeting – January 11, 2011

**Section A**

11-TC-002 Moved by: Councillor, G. Tryon  
Seconded by: Councillor, L. Cragg

That the information items and recommendations identified as Section A from the General Committee meeting held on January 11, 2011 be adopted.

CARRIED

7.2 Development Services Committee Meeting – January 12, 2011

**Section A**

11-TC-003 Moved by: Councillor, L. Cragg  
Seconded by: Councillor, G. Tryon

That the information items and recommendations identified as Section A from the Development Services Committee meeting held on January 12, 2011 be adopted.

CARRIED

**Section B**

11-TC-004 Moved by: Councillor, G. Tryon  
Seconded by: Councillor, L. Cragg

That the information items and recommendations identified as Section B from the Development Services Committee meeting held on January 12, 2011 be adopted.

CARRIED

Councillor L. Giaschi-Pacini did not participate in the discussion or vote with respect to the preceding motion due to a pecuniary interest declared (see item #2).

8. **AD HOC COMMITTEE REPORTS**

8.1 Bracebridge Public Library Board (Councillor, L. Giaschi-Pacini)

- Some of the Board Members are undertaking visitations to other libraries to assist with research on future needs for the Library.
- E-books are available to patrons via the Library’s website.
- A new television and wii game has been installed.
- The publication “Spotlight on Public Libraries – What you need to know as a municipal councillor” was distributed to Members of Council.
8.2 Oakley Village Square Board of Management (Councillor, B. McMurray)

Nil.

8.3 Bracebridge BIA Board of Management (Councillor, L. Cragg)

- An orientation for new Members was held on the January 13, 2011.
- Elections to the various Board positions were noted.
- The Board is beginning the process of succession planning for the Executive and Committee Heads.
- Traffic flow during the Car Show may be an issue due to the Wellington St. bridge closure for construction.
- A formal request to the Town may be forthcoming requesting an increase in the time limit for metered parking to four hours.

8.4 Bracebridge Chamber of Commerce (Councillor, G. Tryon)

Nil.

8.5 Annie Williams Memorial Park Board (Councillor, M. Quemby)

Nil.

8.6 Local Northern Ontario School of Medicine Group (Councillor, R. Maloney)

Nil.

8.7 Muskoka Heritage Trust Nature Reserves (Councillor, S. Clement)

Nil.

9. OLD BUSINESS / DISCUSSION ITEMS

Nil.

10. NEW BUSINESS / DISCUSSION ITEMS

Nil.

11. DISTRICT INFORMATION ITEMS

11.1 Community Services (Councillor, S. Clement)

- The Committee received an orientation presentation.
- The new Administrator at The Pines was introduced.
- Discussions regarding The Pines' 50th Anniversary are underway.
11.2 Engineering and Public Works (Councillor, S. Young)

- The Highway 11 access review recommendation carried unanimously at Committee.
- A Consultant will review and report back on traffic management options at the intersection of Cedar Lane and Taylor Road.
- Necessary repairs to the Wellington Street Bridge will require its closure for a period of time during the spring of 2011. Detour routes, signage (both in Town and along the Highway 11 corridor) will be addressed as the project plan becomes finalized.

15.1 Planning and Economic Development (Councillor, L. Giaschi-Pacini)

- Two detailed orientation presentations were received in addition to a Departmental activity report.

15.2 Corporate and Emergency Services (Mayor, G. Smith)

- OPP Detachment updates were received.
- An EMS update was received.
- Due to a lengthy closed session discussion, a number of published agenda items will be dealt with at a subsequent meeting.

12. WARD INFORMATION ITEMS

12.1 Bracebridge Ward (Councillor, L. Cragg)

- Attended a meeting of the Muskoka Innovative Housing Group on December 15, 2010. The Group was established in order to create a relationship between the various organizations working towards the same goals.

12.2 Monck/Muskoka Ward (Councillor, M. Quemby)

- The Browning Island Cottagers’ Association has been contacted for a meeting.

12.3 Macaulay Ward (Councillor, R. Maloney)

Nil.

12.4 Draper Ward (Councillor, G. Tryon)

Nil.

12.5 Oakley Ward (Councillor, B. McMurray)

- Ongoing roads issues were noted.
13. BY-LAWS

11-TC-005 Moved by: Councillor, L. Cragg
Seconded by: Councillor, G. Tryon

That the following bills be read a first, second and third time and finally passed:

**Bill # 1 (By-law No. 2011-001)**

A By-law of The Corporation of the Town of Bracebridge for the Purpose of closing that Part of the original shore road allowance in front of Lot 29, in Concession 12, of the former Township of Draper, now in the Town of Bracebridge, in the District Municipality of Muskoka, designated as Part 1 on Plan 35R-23322 (10-GC-079) (10-044-10) (Ott-McConnon)

**Bill # 2 (By-law No. 2011-002)**

A By-law of the Corporation of the Town of Bracebridge to authorize temporary borrowing from time to time to meet current expenditures during the fiscal year ending December 31, 2011 (11-GC-001) (AF001-11) (Temporary Borrowing By-law)

**Bill # 3 (By-law No. 2011-003)**

A By-law of The Corporation of the Town of Bracebridge to levy and collect interim taxes for municipal purposes for the year 2011 and to establish the due date for the payment and to charge penalties for non-payment of the same (11-GC-002) (AF002-11) (Interim Tax Levy)

**Bill # 4 (By-law No. 2011-004)**

A By-law of The Corporation of the Town of Bracebridge to amend By-law 2001-093, a by-law to regulate and control parking in the Town of Bracebridge (11-GC-006) (AF006-11) (Parking By-law – Front Street)

**Bill # 5 (By-law No. 2011-005)**

A By-law of The Corporation of the Town of Bracebridge to govern the proceedings of committees and council (11-GC-008) (AF013-11) (Procedural By-law)

**Bill # 6 (By-law No. 2011-006)**

A By-law of The Corporation of the Town of Bracebridge to amend By-law 2006-120, a land use control by-law to regulate the use of land in the Town of Bracebridge (11-DS-002) (DS001-11) (Rezoning – Upjohn)

**Bill # 7 (By-law No. 2011-007)**

A By-law of The Corporation of the Town of Bracebridge to amend By-law 2006-120, a land use control by-law to regulate the use of land within the Town of Bracebridge (11-DS-005) (DS005-11) (Housekeeping By-law)

**CARRIED**
11-TC-006 Moved by: Councillor, G. Tryon
Seconded by: Councillor, L. Cragg

Bill # 8 (By-law No. 2011-008)
A By-law of The Corporation of the Town of Bracebridge being a by-law to remove certain lands from part lot control within the Town of Bracebridge (11-DS-006) (DS007-11) (Exemption from Part Lot Control – Inveraray Glen Subdivision)

CARRIED

Councillor L. Giaschi-Pacini did not participate in the discussion or vote with respect to the preceding motion due to a pecuniary interest declared (see item #2).

14. ANNOUNCEMENTS

• Councillor, Giaschi-Pacini noted an article from the Haliburton County Echo newspaper where Downtown Bracebridge was cited as a shopping destination of choice.

• Mayor Smith thanked staff for their efforts in facilitating the goals and priorities session on Tuesday January 18, 2011.

• Mayor Smith noted a poem written by a resident that complements the work of the Bracebridge Public Works staff.

15. COMMITTEE OF THE WHOLE, CLOSED SESSION
Nil.

16. RESOLUTIONS ARISING FROM CLOSED SESSION
Nil.

17. CONFIRMING BY-LAW

11-TC-007 Moved by: Councillor, L. Cragg
Seconded by: Councillor, G. Tryon

That the following bill be read a first, second and third time and finally passed:

Bill # 9 (By-Law No. 2011-009)
A By-law of The Corporation of the Town of Bracebridge to confirm the proceedings of Council at its meeting held on the 19th day of January 2011.

CARRIED
18. ADJOURNMENT

11-TC-008 Moved by: Councillor, G. Tryon
Seconded by: Councillor, L. Cragg

That the meeting be adjourned until the next regular meeting or any special meeting called by the mayor.

CARRIED

The meeting adjourned at 7:35 p.m.

______________________________    ______________________________
Mayor        Clerk
1. CALL TO ORDER

Committee Chair Councillor L. Cragg called the meeting to order at 6:00 p.m. and the following were recorded as being present.

Committee Members:  Councillor, L. Cragg (Committee Chair)
                     Mayor G. Smith
                     Councillor, S. Clement
                     Councillor, L. Giaschi-Pacini
                     Councillor, B. McMurray
                     Councillor, M. Quemby

Regrets:  Councillor, R. Maloney
          Councillor, G. Tryon
          Councillor, S. Young

Staff:  Chief Administrative Officer, J. Sisson
        Clerk, L. McDonald
        Municipal Treasurer, C. Wakefield
        Assistant to Municipal Clerk, M. Gower
        Director of Development Services, K. Horrigan
        Director of Economic Development, C. Kelley
        Director of Culture and Recreation, L. Broere
        Fire Chief, M. Medley
        Municipal Engineer, R. Walton
        CEO and Chief Librarian, C. Rodney

2. DECLARATIONS OF PECUNIARY INTEREST

Nil.

3. PUBLIC MEETINGS

Nil.

4. DELEGATIONS AND PRESENTATIONS

Nil.

5. MINUTES FROM ADVISORY COMMITTEES

Nil.
6. **NEW BUSINESS**

6.1. **Immediate and Long-Term Goals – Planning Session**

11-GC-017 Committee members discussed and prioritized immediate and long-term goals and priorities for the 2010-2014 term of Council for consideration by General Committee at a later date. The goals and priorities will be used for the development of the 2011 Corporate and Departmental Business Plan and the 2011 Municipal Budget.

7. **ONGOING BUSINESS**

Nil.

8. **CORRESPONDENCE**

Nil.

9. **CLOSED SESSION**

Nil.

10. **RESOLUTIONS ARISING FROM CLOSED SESSION**

Nil.

11. **ADJOURNMENT**

11-GC-018 Moved by: Councillor, L. Giaschi-Pacini
Seconded by: Councillor, S. Clement

That Committee adjourn until the next regular meeting or any special meeting called by the Chair.

CARRIED

The meeting adjourned at 8:40 p.m.
1. CALL TO ORDER

Committee Chair Councillor L. Cragg called the meeting to order at 9:00 a.m. and the following were recorded as being present.

Committee Members: Councillor, L. Cragg (Committee Chair) (left at 12:35 p.m.)
Mayor G. Smith
Councillor, S. Clement
Councillor, L. Giaschi-Pacini
Councillor, R. Maloney
Councillor, B. McMurray
Councillor, M. Quemby
Councillor, G. Tryon (left at 12:17 p.m.)
Councillor, S. Young

Staff: Chief Administrative Officer, J. Sisson
Clerk, L. McDonald
Municipal Treasurer, C. Wakefield
Assistant to Municipal Clerk, M. Gower
Chief By-law Enforcement Officer, S. Stakiw (left at 9:15 a.m.)
Director of Development Services, K. Horrigan (left at 9:25 a.m.)
Director of Economic Development, C. Kelley (left at 10:10 a.m.)
Director of Culture and Recreation, L. Broere (left at 12:17 p.m.)
CEO & Chief Librarian, C. Rodney
Fire Chief, M. Medley (left at 12:17 p.m.)
Municipal Engineer, R. Walton (left at 12:17 p.m.)

2. DECLARATIONS OF PECUNIARY INTEREST

Nil.

3. PUBLIC MEETINGS

Nil.

4. DELEGATIONS AND PRESENTATIONS

Nil.

5. MINUTES FROM ADVISORY COMMITTEES

Nil.
6. NEW BUSINESS

6.1. Terms of Reference for Advisory Committees

11-GC-019 Moved by: Councillor, G. Tryon
Seconded by: Councillor, B. McMurray

1. That the Terms of Reference for the Active Transportation Advisory Committee, the Community Recognition Advisory Committee, and the Environmental Advisory Committee attached as Appendix “A” to staff report AF014-11 be approved.

2. That the Municipal Clerk proceed to advertise for citizen volunteers to be considered for appointment by Council and report back to General Committee.

3. That the proposed amendments to the Terms of Reference for the Accessibility Advisory Committee, the Economic Development Advisory Committee, and the Oakley Village Square Board of Management attached as Appendix “B” to staff report AF014-11 be approved.

4. That By-law 2004-124, being a By-law to establish the Bracebridge Economic Development Committee, be repealed.

5. That the Terms of Reference for the Town Crier attached as Appendix “C” to staff report AF014-11 be approved.

6. That the comprehensive reference document entitled “Council Committees and Appointees Terms of Reference 2010-2014” be amended accordingly. (AF014-11)

CARRIED

6.2. Bracebridge Dog Pound Contract

11-GC-020 Moved by: Councillor, G. Tryon
Seconded by: Councillor, S. Young

That the Mayor and Clerk be authorized to execute an agreement with the Ontario Society for the Prevention of Cruelty to Animals (OSPCA) for the provision of Town of Bracebridge pound keeping services for a period expiring on December 31, 2014. (AF015-11)

CARRIED
6.3. Original Road Allowance Closing Application (Little/Sutherland) (RC2010-08)

Moved by: Councillor, G. Tryon
Seconded by: Councillor, B. McMurray

1. That the original shore road allowance in front of Part of Lot 14, Concession 11, further described as Parts 1, 2 and 4, Plan 35R-2760, in the former Township of Muskoka, now in the Town of Bracebridge, District Municipality of Muskoka, municipally known as 1458 Stephen’s Bay, be declared surplus, stopped up and closed, and approved for sale to the applicant subject to:

1.1. the applicants enter into a site plan agreement with the Town of Bracebridge with respect to the location of any existing or further proposed structures on the shore road allowance, as well as requiring the retention of vegetation and potential for more planting of vegetation on the shore road allowance to prevent erosion;

1.2. the applicants transfer to the Town a triangle at the back of the lot (commencing at the south-easterly corner approximately 10 metres (32.81 feet) and 20 metres (65.62 feet) along the north easterly boundary) for future road purposes with the cost to the Town to be determined by appraisal;

1.3. the northerly boundary be projected in a straight line from the applicants’ property; and,

1.4. all costs be borne by the applicants. (AF018-11)

CARRIED

6.4. Original Road Allowance Closing Application (Tutsch) (RC2010-09)

Moved by: Councillor, B. McMurray
Seconded by: Councillor, G. Tryon

1. That the original shore road allowance in front of Part of Lot 10, Concession 12, in the former Township of Muskoka, now in the Town of Bracebridge, District Municipality of Muskoka, Municipally known as 1099 Taplin Trail, be declared surplus, stopped up and closed, and approved for sale to the applicant subject to:

1.1. the applicant enters into a site plan agreement with the Town of Bracebridge with respect to the location of any existing or further proposed structures on the shore road allowance, as well as requiring the retention of vegetation or re-vegetation on the shore road allowance to prevent erosion;

1.2. that the southern boundary line run parallel to the northerly limit of Part 2, Plan 35R-19880; and,

1.3. all costs be borne by the applicant. (AF019-11)

CARRIED
6.5. Disposition of Municipal Property (Bracebridge Generation Ltd.) (RE2010-02)

Moved by: Councillor, G. Tryon
Seconded by: Councillor, M. Quemby

(Section A)

1. That Part of Lots 4 and 5, Concession 4, being Parts 3, 4 and 5, Plan 35R-14704, in the former Township of Macaulay, now in the Town of Bracebridge, District Municipality of Muskoka, be declared surplus, and approved for sale to Bracebridge Generation Ltd. for $1.00 subject to:

1.1. The repeal of By-law 2001-107 and termination of the lease made the 29th day of August, 2000, between Bracebridge Hydro Electric Commission and The Corporation of the Town of Bracebridge;

1.2. The execution of a new lease for the Town’s use of Parts 1, 2, 4, 6 and 7, Plan 35R-14704 for parkland purposes, and to include provisions for:

1.2.1. Sufficient space to turn around Municipal maintenance vehicles at the northerly end of the Wilsons Falls Road on Part 1, Plan 35R-14704; and,

1.2.2. Public access to, and crossing over, the water control dam located at the southerly end of Part 1, Plan 35R-14704.

2. All costs to be borne by Bracebridge Generation Ltd. (AF020-11)

AMENDMENT #1

Moved by: Mayor, G. Smith
Seconded by: Councillor, S. Young

(Section A)

That the preceding motion be amended to refer the matter back to staff to review property ownership and access arrangements and report back to General Committee.

CARRIED

Upon the question of the adoption of the original motion, as moved by Councillor G. Tryon and seconded by Councillor M. Quemby, it was CARRIED AS AMENDED BY AMENDMENT #1.
6.6. Delegation of Authority for Acquisition of Real Property

11-GC-025 Moved by: Councillor, M. Quemby
Seconded by: Councillor, G. Tryon

(Section A)

1. That a by-law be implemented to authorize the Municipal Clerk, in consultation with the Chief Administrative Officer and/or the Municipal Engineer, to complete the acquisition of real property, including fee simple acquisitions and easements within the limits set out below and subject to the following conditions:

1.1. Value of acquisition or licence of real property does not exceed a maximum of $15,000;

1.2. Sufficient funds are available within the departmental operating or capital budgets as approved by Council;

1.3. The acquisition price is at or below fair market value as determined by an Opinion of Market Value by an Accredited Appraiser.

2. That staff report back to General Committee annually on the status of acquisition of real property under delegated authority. (AF022-11)

CARRIED

6.7. Installation of Automated Teller Machine (ATM) at the Bracebridge Sportsplex

11-GC-026 Moved by: Councillor, G. Tryon
Seconded by: Councillor, M. Quemby

(Section A)

That the Mayor and Clerk be authorized to execute an agreement with Oliver’s Coffee Muskoka and associated documentation for the installation of a Via-Cash Triton Model 1600 series, ATM (Automated Teller Machine) in the Bracebridge Sportsplex for a sixty month term based on a quarterly payment of 35% of the revenue to the Town. (CR001-11)

CARRIED
6.8. Fire Station One

11-GC-027 Moved by: Councillor, M. Quemby
Seconded by: Councillor, G. Tryon

(Section A)

That staff in the Bracebridge Fire Department, in consultation with the CAO and the Municipal Treasurer be authorized to pursue opportunities for the acquisition of property to be used as the future site of a new Fire Station One and report back to General Committee. (FD001-11)

CARRIED

6.9. Proposed Trail on South Branch of the Muskoka River

11-GC-028 Moved by: Councillor, G. Tryon
Seconded by: Councillor, R. Maloney

(Section A)

That Staff Report PW003-11 regarding a proposal to develop a recreational trail at the South Branch of the Muskoka River from the south end of Hugh Campbell Drive to the intersection of the unopened road allowance between Concessions 10 and 11, Lot 1, Muskoka Ward be received for information purposes. (PW003-11)

CARRIED

6.10. Final Acceptance of White Pines Subdivision Phases 1 to 7 (Clearbrook Building Corporation)

11-GC-029 Moved by: Councillor, R. Maloney
Seconded by: Councillor, G. Tryon

(Section A)

1. That the “as-constructed” road sections within the White Pines Plan of Subdivision as listed on Appendix “A” attached to Staff Report PW004-11, be granted Final Acceptance, and that a By-Law be prepared to assume the road sections for municipal maintenance and as public highways.

2. That the value of securities currently being held by the Town be reduced in the amounts shown on Appendix “B” attached to Staff Report PW004-11. (PW004-11)

AMENDMENT # 1

11-GC-030 Moved by: Councillor, S. Young
Seconded by: Councillor, M. Quemby

(Section A)

That the preceding motion be amended to refer the matter back to staff in the Public Works Department to identify an additional value of security to be retained by the Town to address potential drainage issues in the White Pines Subdivision and report back to General Committee.

CARRIED

Upon the question of the adoption of the original motion, as moved by Councillor R. Maloney and seconded by Councillor G. Tryon, it was CARRIED AS AMENDED BY AMENDMENT #1.
6.11. Delegated Authority to Award Roads Capital Tenders

11-GC-031 Moved by: Councillor, G. Tryon
Seconded by: Councillor, R. Maloney

1. That for the 2011 construction period, the Municipal Engineer and/or the Engineering Technologist, in consultation with the Municipal Treasurer, be granted delegated authority to award construction contracts for roads-related capital projects subject to:

   1.1. the project being specifically included in the approved Roads – Capital portion of the approved 2011 Municipal Budget;

   1.2. the tendered price for the contract being within five percent (5%) of the project costs identified within the approved 2011 Municipal Budget allocations; and

   1.3. the contract being awarded to the low tenderer.

2. That the Mayor and Clerk be authorized to execute tender and contract documents subject to the delegated authority granted to the Municipal Engineer and/or Engineering Technologist.

3. That by the end of 2011, staff prepares a report back to General Committee providing an up-date on the status of capital projects awarded under delegated authority. *(PW005-11)*

   CARRIED

6.12. Letter from Peter Barber, President, Condominium Corporation #55, dated December 6, 2010 regarding Curbside Garbage Collection at 200 Pine Street

11-GC-032 Moved by: Councillor, L. Giaschi-Pacini
Seconded by: Councillor, S. Clement

*(Section A)*

That Staff in the Public Works Department and the Development Services Department in consultation with Staff from the District of Muskoka determine the feasibility of curbside garbage collection at 200 Pine Street and report back to General Committee.

   CARRIED
6.13. Communication Initiatives

11-GC-033
Moved by: Councillor, S. Clement
Seconded by: Councillor, G. Tryon

(Section A)

1. That, to encourage transparent, inclusive, relevant and people-driven communication with the community, the Chief Administrative Officer, in consultation with the Town’s Web Site co-ordination team, review and report back to General Committee on:

1.1. opportunities to utilize “social media” tools including Facebook, Twitter, Youtube, Flickr, Linkedin, RSS Feeds and other tools to improve communication related to the activities, initiatives and projects being undertaken by the Town; and

1.2. draft on-line communication policies related to the implementation and use of such social media tools by the Town of Bracebridge.

CARRIED

6.14. Opportunities to Televise/Webcast Committee/Council Meetings

11-GC-034
Moved by: Councillor, G. Tryon
Seconded by: Councillor, S. Clement

(Section A)

That, to encourage increased awareness of Council and Committee activities, the Chief Administrative Officer, the Municipal Clerk and other staff as required be authorized investigate opportunities to televise/webcast Council and/or Committee meetings; and/or produce a recurring program with elected officials from all levels of government to address questions or items of concern by the public.

CARRIED
6.15. Letter from John Purdon and Peter Jennings, CoChairs, Bracebridge Arts Council, dated December 10, 2010 regarding Update on the Bracebridge Arts Council and the Rene M. Caisse Memorial Theatre and Capital and Operating Loan Repayment

11-GC-035

Moved by: Councillor, S. Clement
Seconded by: Councillor, G. Tryon

(Section A)

1. That the December 10, 2011 letter from the Bracebridge Arts Council regarding the activities of the Arts Council and the operations of the Rene M. Caisse Memorial Theatre be received for information purposes.

2. That the letter be referred to the Chief Administrative Officer and the Municipal Treasurer for consideration in development of the 2011 Municipal Budget.

3. That the CAO prepare, in consultation with the BAC, a draft Letter of Understanding confirming the BAC’s commitment to continue fundraising efforts to repay the outstanding Capital Loan (currently $841,000) and the outstanding Operating Loan (currently $75,000) and report back to General Committee.

4. That the BAC continue to:

   4.1. make payments to the Town of all fundraising revenues received and that all such revenues be immediately directed to repay the outstanding loan amounts;

   4.2. continue to apply a surcharge to ticket sales that will be immediately directed to repay outstanding loan amounts;

   4.3. make additional payments to the Town as revenues are generated by the Theatre’s operations;

   4.4. provide the Rene M. Caisse Memorial Theatre facility without cost to the Town for various Town-sponsored community events (with the understanding that payment will be made for any out-of-pocket costs which would be identified in advance);

   4.5. recognize the Town’s on-going support for the Theatre whenever possible (e.g. programmes, on-screen projection, etc.) including use of the Town’s official logo; and

   4.6. continue to work co-operatively with the Town to support initiatives to promote the cultural sustainability of the community and the development of a strong and vibrant economy supported by arts and cultural activities.

5. That, to facilitate on-going communication, the BAC be requested to consider the appointment of a member of Council to the BAC’s Board of Directors.
AMENDMENT # 1

11-GC-036 Moved by: Councillor, L. Giaschi-Pacini
Seconded by: Councillor, S. Clement

That item # 2 of the preceding motion be amended by deleting “consideration in development of the 2011 Municipal Budget” and inserting “information purposes”.

LOST

Upon the question of the adoption of the original motion, as moved by Councillor S. Clement and seconded by Councillor G. Tryon, it was CARRIED.

7. ONGOING BUSINESS

7.1. Immediate and Long-Term Goals – Planning Session

11-GC-037 Moved by: Councillor, M. Quemby
Seconded by: Councillor, S. Young

1. That the 2010-2014 Council Priorities document attached to the General Committee Agenda dated February 1, 2011 be received.

2. That the 2010-2014 Council Priorities document be referred to staff for use in developing the 2011 Corporate and Departmental Business Plan and the 2011 Municipal Budget for consideration by General Committee.

CARRIED

7.2. Health & Safety Update

11-GC-038

• The new Joint Health and Safety Member, Jamie Kewley, is scheduled to take Part 2 of his certification training early February. This training focuses on Health and Safety Risks within Municipalities.

• Once Jamie completes this training the entire JHSC will be fully certified (Part 1 and 2).

• A very smooth running Fire Drill was conducted on Friday January 28th at the Town Office.

• Council’s Bill 168 and Health Safety training is scheduled for February 22, 2011.

• A Muskoka Safety Group Chapter has been established. The previous chapter which the Town participated in was in Barrie. Twelve organizations, including the Town, are members of the Muskoka Chapter.

• The Safety Group is a WSIB initiative providing organizations the tools to strengthen their Health and Safety Programs with the potential of earning rebates.

• A $3200 rebate was received by the Corporation from WSIB reflecting an overall successful Health and Safety record for the 2010-09 -08.
8. CORRESPONDENCE

Nil.

9. CLOSED SESSION

11-GC-039  Moved by: Councillor, M. Quemby
Seconded by: Councillor, S. Young

(Section A)
That Committee adjourn to a Closed meeting of Committee for the following:

1. Personal Matters about Identifiable Individuals, including Municipal or Local Board Employees (AF017-11) (Amend Appointing By-law)

CARRIED

11-GC-040  Personal Matters about Identifiable Individuals, including Municipal or Local Board Employees (AF017-11) (Amend Appointing By-law)

(Section A)

11-GC-041  Moved by: Councillor, S. Young
Seconded by: Councillor, M. Quemby

(Section A)
That Committee rise from a closed meeting.

CARRIED

10. RESOLUTIONS ARISING FROM CLOSED SESSION

11-GC-042  Moved by: Councillor, S. Young
Seconded by: Councillor, M. Quemby

1. That the individuals and organizations identified in Appendix “A” to the General Committee minutes of February 1, 2011, be appointed to the respective Committee, Board or Town Official positions.

2. That the Municipal Clerk be authorized to present directly to Council, amendments to the Appointing By-law to remove Committee Members that have voluntarily resigned from their appointed position.

CARRIED

11. ADJOURNMENT

11-GC-043  Moved by: Councillor, S. Young
Seconded by: Councillor, M. Quemby

That Committee adjourn until the next regular meeting or any special meeting called by the Chair.

CARRIED

The meeting adjourned at 1:20 p.m.
## APPENDIX “A”

Appointment of Municipal Officials and Members to Constitute the Various Committees and / or Local Boards of the Town of Bracebridge for the 2010-2014 Term of Council

<table>
<thead>
<tr>
<th>COMMITTEE &amp; COMPOSITION</th>
<th>APPOINTMENTS</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Accessibility Advisory Committee (AAC)</strong>&lt;br&gt;Composition:&lt;br&gt;• 1 Member of Council&lt;br&gt;• 10 Citizens</td>
<td>Councillor, Steve Clement&lt;br&gt;1. Catherine Cribben&lt;br&gt;2. John Duck&lt;br&gt;3. Robert Fudge&lt;br&gt;4. Bob Jones&lt;br&gt;5. Scott Northmore&lt;br&gt;6. Vince Tournour&lt;br&gt;7. Representative from Brain Injury Services Muskoka-Simcoe&lt;br&gt;8. Representative from Community Living South Muskoka&lt;br&gt;9. Representative from The Friends&lt;br&gt;10. Representative from Muskoka/Parry Sound Community Mental Health&lt;br&gt;Chair: Bob Jones</td>
</tr>
<tr>
<td><strong>Bracebridge Public Library Board</strong>&lt;br&gt;Composition:&lt;br&gt;• 1 Member of Council&lt;br&gt;• 8 Citizens</td>
<td>Councillor, Lori-Lynn Giaschi-Pacini&lt;br&gt;1. Pam Dunlop&lt;br&gt;2. Arlie Freer&lt;br&gt;3. David Goodyear&lt;br&gt;4. Mary Jacob&lt;br&gt;5. Pat Schofield&lt;br&gt;6. Brian Slocum&lt;br&gt;7. Robert Taylor&lt;br&gt;8. Joseph Ursano&lt;br&gt;Pursuant to s.14(3) of the Public Libraries Act, R.S.O. 1990, “a board shall elect one of its members as chair at its first meeting in a new term”.</td>
</tr>
<tr>
<td><strong>Committee of Adjustment for Minor Variances</strong>&lt;br&gt;Composition:&lt;br&gt;• 3 Citizens + 1 Alternate Citizen</td>
<td>1. Lynda Lynn&lt;br&gt;2. Wayne Moore&lt;br&gt;3. Allen Taylor&lt;br&gt;Chair to be appointed by Committee</td>
</tr>
<tr>
<td>COMMITTEE &amp; COMPOSITION</td>
<td>APPOINTMENTS</td>
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<td>--------------------------</td>
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</tbody>
</table>
| Economic Development Advisory Committee (EDAC) | Councillor, Lori-Lynn Giaschi-Pacini  
Councillor, Rick Maloney  
BIA Representative, Glenn Gordon  
Chamber of Commerce Representative, Richard Borland  
1. Daryl Beaumont  
2. Robert Bergquist  
3. Don Coates  
4. Patrick Drouillard  
5. Gary McMullen  
6. Paul Nickel  
7. Neil Smellie  
8. Larry Stroud  
9. Allen Taylor  
Chair: Councillor, Lori-Lynn Giaschi-Pacini |
| Line Fence Viewers | Staff, Chief Building Official  
Staff, Chief By-law Enforcement Officer  
1. Gerald Botting |
| Façade Improvement and Signage Advisory Committee (FISAC) | Councillor, Liam Cragg  
Councillor, Gerry Tryon  
BIA Representative, Beth Kelley  
Staff, Chief Building Official  
Staff, Director of Economic Development  
Chair to be appointed by Advisory Committee |
| Official Plan Review Steering Committee | Mayor, Graydon Smith  
Councillor, Lori-Lynn Giaschi-Pacini  
Councillor, Scott Young  
District Representative, Derrick Hammond, Director of Planning Services  
1. Michael E. Fitton  
2. Wayne Moore  
Chair to be appointed by Advisory Committee |
<table>
<thead>
<tr>
<th>COMMITTEE &amp; COMPOSITION</th>
<th>APPOINTMENTS</th>
</tr>
</thead>
<tbody>
<tr>
<td>Oakley Village Square Board of Management</td>
<td>Councilor, Barb McMurray</td>
</tr>
<tr>
<td>Composition:</td>
<td></td>
</tr>
<tr>
<td>• 1 Member of Council</td>
<td>1. Alvin Allen</td>
</tr>
<tr>
<td>• 8 Citizens</td>
<td>2. Keith Christie</td>
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<td></td>
<td>3. Audrey Ley</td>
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<td></td>
<td>4. Hilda MacFarlane</td>
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<td></td>
<td>5. Ted Ramsay</td>
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<td></td>
<td>Chair to be appointed by Board</td>
</tr>
<tr>
<td>Strategic Plan Implementation Committee (SPIC)</td>
<td>Mayor, Graydon Smith</td>
</tr>
<tr>
<td></td>
<td>Councilor, Barb McMurray</td>
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<tr>
<td></td>
<td>Councilor Scott Young</td>
</tr>
<tr>
<td>Composition:</td>
<td></td>
</tr>
<tr>
<td>• 3 Members of Council</td>
<td>1. Alexandra Bryant</td>
</tr>
<tr>
<td>• 3 Citizens</td>
<td>2. Don Coates</td>
</tr>
<tr>
<td></td>
<td>3. David Smith</td>
</tr>
<tr>
<td></td>
<td>Chair: Mayor, Graydon Smith</td>
</tr>
<tr>
<td>Town Criers</td>
<td>1. Bruce C. Kruger and his Escort, Lynda M. Kruger</td>
</tr>
<tr>
<td></td>
<td>2. R. Shaun Kruger and his Escort, Martina Kruger</td>
</tr>
</tbody>
</table>
1. CALL TO ORDER

Committee Chair B. McMurray called the meeting to order at 7:00 p.m. and the following were recorded as being present:

Committee Members:  
Committee Chair, B. McMurray (Committee Chair)  
Mayor G. Smith  
Councillor, S. Clement  
Councillor, L. Cragg  
Councillor, L. Giaschi-Pacini  
Councillor, R. Maloney  
Councillor, M. Quemby  
Councillor, S. Young

Regrets:  
Councillor, G. Tryon

Staff:  
Chief Administrative Officer, J. Sisson  
Clerk, L. McDonald  
Director of Development Services, K. Horrigan  
Assistant Director of Development Services, D. Rahkola  
Chief Building Official, T. Hookings  
Planner III, M. Holmes

2. DECLARATION OF PECUNIARY INTEREST

Nil

3. PUBLIC MEETING

3.1 Rezoning Application ZA/16-10 (Cutters Quest Land and Cattle Co. Ltd./J.T. Tucker Holding Ltd.)

11-DS-009 Committee Chair, B. McMurray called the meeting to order at 7:05 p.m.

(Municipal Planner, Kim Horrigan, confirmed Notice was issued in accordance with the Planning Act, R.S.O. 1990 and Municipal Planner, Matt Holmes, presented the Statement of Purpose & Effect of the proposed rezoning and advised how the proposed By-law will accomplish the purpose required.

Opening Comments: Statement of Purpose & Effect of the Proposed Zoning By-law:

The proposed zoning by-law would amend By-law 2006-120 by rezoning Part of Lot 3, Concession 4, Macaulay Ward of the Town of Bracebridge from Residential Type 1 Special - 2 (R1-2) to Residential Type 3 Special - 18 (R3-18) in part, Residential Type 3 Special - 19 (R3-19) in part, and Open Space One (OS1) in part.

Mr. Holmes, Municipal Planner, presented the following documents, and/or correspondence:

1. Comments received from the Town of Bracebridge Chief Building Official indicated no concerns.
2. Comments received from the Town of Bracebridge Public Works Department indicated that although not specifically mentioned in the permitted uses, the Public Works Staff understand that a recreational trail system would be deemed a permitted use within the proposed zoning amendments. The Public Works Department would therefore recommend the following:

2.1 That the applicant constructs a wood chip recreational pathway within the Open Space One (OS1) lands to municipal standards, with provisions made for a connection to Gostick Park.

2.2 That the applicant make a one time financial contribution to the Town in the amount of $90,000 towards half the cost of reconstructing Douglas Drive from a rural standard to a suburban standard, commencing westerly from the intersection of Clearbrook Trail to the easterly limit of the proposed plan of subdivision.

2.3 That the applicant constructs a 1.5 metre sidewalk and installs streetlights on the north side of Douglas Drive within the limits of the future Douglas Drive upgrades. The costs of the works would be considered to form part of the Subdivider’s financial contributions.

2.4 That the applicant enter into a subdivision agreement with the Town of Bracebridge to address future servicing, stormwater management, easement requirements, drainage, construction mitigation and grading of the subject lands.

3. As part of the Plan of Subdivision amendment process, Town Staff will be providing comments to the District of Muskoka, which will include the above recommendations from the Town of Bracebridge Public Works Department. The comments will form the basis of requirements in the Subdivision Agreement that the developer will be required to enter into with the Town of Bracebridge.

4. Comments received from the District of Muskoka indicate support for the approval of the application as it will provide a broader range of dwelling types in the Urban Centre of Bracebridge in accordance with Sections C.37 and C.38 of the Muskoka Official Plan. Section C.37 and C.38 of the Muskoka Official Plan and Section 1.1.3.2 of the Provincial Policy Statement (PPS) encourage intensification, efficient use of infrastructure and the provision of a broad range of dwelling types, including affordable housing.

5. Comments received from the District of Muskoka also indicate that an agreement would be required respecting the provision of municipal services between the District of Muskoka and the owner/applicant.

6. Comments received from Lakeland Power District Limited indicate no concerns, however they request the applicant contact them immediately for servicing needs.
Suresh Singh of Loon Call, agent, addressed the Committee and advised that he felt this was the best plan for the property even with the challenges with water and the railway. Indicated that this was attainable housing for the area. There is an increase in the rear yard setbacks due to neighbouring properties.

Len Taylor of 49 Donald Street addressed the Committee with his concerns that the proposed development would decrease property value and proposed triplexes were not a good idea. Feels that the units should meet the setbacks that he has to follow.

Bruce Moss of 51 Donald Street addressed the Committee. His property backs onto proposed development and is opposed to the number of units and low income housing will change the value of his land. The proposed rear yard setback is not enough.

Brad Larkin of 42 Douglas Street addressed the Committee with his concerns. He is opposed to the application due to concerns with the quality of the road, density of the development, increased traffic and water issues in the area.

Committee discussed increased setbacks to the west of the property, CN constraints, Open Space zoning and what is permitted there. This development would fall within the affordable housing range. The structures would be below grade two storey with garages.

Mr. Holmes explained the subdivision application process and further indicated that the current zoning would not permit home occupations; only if the dwellings were detached.

The following persons requested further notice should this Rezoning Amendment be passed by the Municipal Council:

1. The District Municipality of Muskoka, 70 Pine Street, Bracebridge, ON P1L 1N3
2. Len Taylor, 49 Donald Street, Bracebridge, ON P1L 1R5
3. Bruce Moss, 51 Donald Street, Bracebridge ON P1L 1R5
4. Brad Larkin, 42 Douglas Street, Bracebridge, ON P1L 1W9

No other submissions were made with respect to this proposal.

The meeting adjourned at 7:33 p.m.
3.2 Building By-law and Associated Fees

11-DS-010  Committee Chair, B. McMurray called the meeting to order at 7:33 p.m.

(Section A)  Municipal Planner, Kim Horrigan, confirmed Notice was issued in accordance with The Building Code Act and presented the explanation of the proposed building by-law.

The Building Code Act authorizes the council of a municipality to require the payment of fees on applications for and issuance of permits and prescribing the amounts thereof.

Ms. Horrigan provided a breakdown of the fees which has been compared to other municipalities through a specific example.

Committee discussed the increased amounts, how percentages were arrived at and comparisons with other Municipalities. Clarification was also made regarding tents in the Town of Bracebridge and what they are governed by.

No other submissions were made with respect to this proposal.

The meeting adjourned at 7:47 p.m.

3.3 Co-housing By-law for Zoning By-law 2006-120

11-DS-011  Committee Chair, B. McMurray called the meeting to order at 7:47 p.m.

(Section A)  Municipal Planner, Kim Horrigan, confirmed Notice was issued in accordance with the Planning Act, R.S.O. 1990 and Municipal Planner, Dana Rahkola, summarized the Statement of Purpose & Effect of the proposed by-law and advised how the proposed By-law will accomplish the purpose required.

Opening Comments: Statement of Purpose & Effect of the Proposed Zoning By-law:

The proposed by-law would amend the Comprehensive Zoning By-law 2006-120, as amended, by defining and permitting a Co-housing Dwelling within the Residential Type 1 (R1) zone. Further, the subject by-law sets out the following:

1. Minimum and maximum amenities associated with co-housing dwellings;
2. A minimum landscaped area in the front yard of a Residential Type 1(R1) lot;
3. Maximum driveway widths and setbacks to lot lines that are not abutting streets;
4. Recognizes turnarounds in driveways, with minimum setbacks to streets, turnaround dimensions and setbacks to lot lines that are not abutting streets, and
5. Establishes the minimum required municipal services that must exist as a condition of approval of construction of a new co-housing dwelling.

Mr. Rahkola, Municipal Planner, presented the following documents, and/or correspondence:
6. Comments received from the Town of Bracebridge Chief Building Official indicate no concerns.

7. Comments received from the Town of Bracebridge Public Works Department recommend that the circulated draft by-law be amended to include a new provision to require that any future co-housing dwelling must have access to certain municipal services to recognize the intensified nature of the R1 dwelling, namely that proposed co-housing dwellings shall:

7.1 Be located on a year round, municipally maintained road;
7.2 Have direct pipe connection to a municipally maintained sanitary sewer;
7.3 Have direct pipe connection to a municipally maintained water supply;
7.4 Be adjacent to a municipally maintained sidewalk, located on one or both sides of the road; and
7.5 Be located in an area that is illuminated by municipally maintained street lighting with a maximum separation distance of 80 m. (262 ft.).

8. In regard to the above-noted Public Works recommendation, Town legal counsel advised that they support Public Works recommendations since such a condition is not requiring access to the municipal services on the basis of personal characteristics or similar grounds that may be protected in the Ontario Human Rights Code, 1990. The Town-required on-site municipal services are not discriminating against Code-protected groups of people. Counsel advised that, in their opinion, Town staff is simply providing performance standards to determine that certain public services must be present where a new co-housing dwelling unit is proposed in an R1 zone. As a result, staff has included the proposed amendment in the draft by-law, attached as Appendix “A”.

9. Comments received from the District of Muskoka indicate their support for “co-housing dwellings” as they permit a viable source of attainable housing. Sections C.37 and C.38 of the Muskoka Official Plan and Section 1.1.3.2 of the Provincial Policy Statement (PPS) encourages intensification, efficient use of infrastructure, and the provision of a broad range of dwelling types, including affordable housing. Since “co-housing dwellings” are intended to provide an attainable housing option, District staff is very supportive of the intent of the proposal.

10. District staff requested the draft zoning amendment be revised prior to passage in order to remove reference to “a multiple unit structure” in the definition of co-housing in the circulated draft by-law. Muskoka staff also recommended that the Town definition be named “Co-housing Dwelling” as opposed to simply “Co-housing” as this will provide consistent terminology throughout the comprehensive zoning document. Staff concurs with the District’s requests and, as a result, Town staff has included the proposed amendment in the draft by-law.

11. Comments from the Town of Bracebridge Fire Department indicate no concerns.

Municipal Planner, Dana Rahkola, reviewed the Town’s Official Plan policies and concluded that the zoning amendment conforms with the Town’s Official Plan.
Gilbert Ludlow of 37 Woodland Drive addressed the Committee in opposition of the proposed zoning by-law. He questioned how this use intensifies the nature in the Residential Type 1 zoning. This use only in an R1 zone does not conform. There are other uses in an R1 zone that could be considered more intensified in nature. If sidewalks and lights are required, there should be alternatives. Co-housing dwellings should be permitted in all detached dwelling units permitted in various zones. Mr. Ludlow felt the definition of “Co-housing Dwelling” would be the same definition as dwelling unit used in all of the Municipality. All dwellings have lockable rooms. To proceed with this rezoning change, would put an end to new homes and renters of the type which is at 37 Woodland Drive.

Bill Glennie and Dee Glennie of 37 Hillcrest Avenue addressed the Committee and questioned the requirement to have sidewalks as their property does not. It was questioned if sidewalks could be grass and were advised that the grass shoulder of a road is not a sidewalk.

Committee advised that it appears, if such conditions are imposed, co housing would not be permitted as shown on the servicing map. Staff advised there are a number of opportunities.

Committee questioned lockable rooms and the definition difference. Mr. Rahkola advised that with co-housing, it is the way the lockable suites are marketed with a common area. If 4 bedrooms are sold to individuals then 4 names appear on title. Committee questioned how this is different from a detached dwelling which is defined in the Zoning By-law?

Committee questioned how this is different from 3 individuals purchasing a home together and feel that the definition should be revised and that the requirements to develop are far too stringent for this type of use. Co-housing would only be permitted in R1 zones in the Urban Area.

Committee was provided with explanations on “exclusively accessible” rooms. The purchaser has exclusive ownership of the bedroom for one’s use and not other owners. Further, only one kitchen in the co-housing dwelling is in keeping with that of a detached dwelling which is a single family unit, not multiple with greater than one kitchen.

Committee would like to see the differences in the proposed addition of co-housing in an R1 zone and the existing uses for a property in the same zone.

The following persons requested further notice should this Rezoning Amendment be passed by the Municipal Council:

1. The District Municipality of Muskoka, 70 Pine Street, Bracebridge, ON P1L 1N3
2. Gilbert Ludlow, Shelley Raymond, 37 Woodland Drive, Bracebridge, P1L 1M3
3. Bill and Dee Glennie, 37 Hillcrest Avenue, Bracebridge, ON P1L 1M3

No other submissions were made with respect to this proposal.

The meeting adjourned at 8:37 p.m.
4. DELEGATIONS AND PRESENTATIONS

Nil.

5. MINUTES FROM ADVISORY COMMITTEES

Nil.

6. NEW BUSINESS

6.1 Rezoning Application ZA/16-10 (Cutters Quest Land and Cattle Co. Ltd./J/T/ Tucker Holding Ltd.)

11-DS-012 Moved by: Councillor, L. Cragg
Seconded by: Councillor, R. Maloney

(Section A)

That the property described as Part of Lot 3, Concession 4, Macaulay Ward of the Town of Bracebridge, being Parts 1 and 2 of Plan 35R-21120, be rezoned from Residential Type 1 Special - 2 (R1-2) to Residential Type 3 Special - 18 (R3-18) in part, Residential Type 3 Special - 19 (R3-19) in part, and Open Space One (OS1) in part. (DS008-11)

CARRIED

6.2 Building By-law and Associated Fees Update

11-DS-013 Moved by: Councillor, R. Maloney
Seconded by: Councillor, L. Cragg

(Section A)

1. That Staff Report DS009-11 be received; and

2. That the Building By-law be approved substantially in the form attached as Appendix “A” to Staff Report DS009-11, subject to final review and amendment by the Municipal Clerk. (DS009-11)

CARRIED

6.3 Co-housing By-law for Zoning By-law 2006-120

11-DS-014 Moved by: Councillor, L. Cragg
Seconded by: Councillor, R. Maloney

(Section A)

1. That the proposed zoning by-law relating to co-housing, attached as Appendix “A” to Staff Report DS011-11, be approved.

2. That no further public meeting on the draft zoning by-law be required in accordance with Section 34 (17) of the Planning Act, R.S.O. 1990 c.P.13, as amended.

3. That Interim Control By-law 2009-099, as amended by By-law 2010-075, be rescinded. (DS011-11)
AMENDMENT #1

11-DS-015 Moved by: Mayor, G. Smith
Seconded by: Councillor, L. Giaschi-Pacini

That the preceding staff report be referred back to staff for further review of the matters raised in the Public Meeting held on February 2, 2011 and report back to Development Services Committee at its next regular meeting.

CARRIED

Upon the question of the adoption of the original motion as moved by Councillor, L. Cragg and seconded by Councillor, R. Maloney, it was CARRIED AS AMENDED BY AMENDMENT #1.

6.4 Property Standards By-law Update

11-DS-016 Moved by: Councillor, L. Cragg
Seconded by: Councillor, R. Maloney

1. That the Property Standards By-law be approved substantially in the form attached as Appendix “A” to staff report DS012-11, subject to final review and amendment by the Municipal Clerk.

2. That the Fees and Charges By-law 2010-021 be amended to increase the fee for a Letter of Compliance to the amount of $150.00. (DS012-11)

CARRIED

6.5 World Wetlands Day – February 2nd

11-DS-017 Moved by: Councillor, R. Maloney
Seconded by: Councillor, L. Cragg

That Staff Report DS013-11 regarding World Wetlands Day be received for information purposes. (DS013-11)

CARRIED

7. ONGOING BUSINESS

7.1 Health & Safety Update

Nil.

8. CORRESPONDENCE

Nil.

9. CLOSED SESSION

Nil.
10. RESOLUTIONS ARISING FROM CLOSED SESSION

Nil.

11. ADJOURN

11-DS-018 Moved by: Councillor, L. Cragg
Seconded by: Councillor, R. Maloney

That Committee adjourn until the next regular meeting or any special meeting called by the Chair.

CARRIED

The meeting adjourned at 9:35 p.m.
BY-LAW NO. 2011 -

A BY-LAW OF THE CORPORATION OF THE TOWN OF BRACEBRIDGE TO PROVIDE FOR THE DELEGATION OF AUTHORITY TO APPROVE THE ACQUISITION OF REAL PROPERTY

WHEREAS Section 8 of the Municipal Act, S.O. 2001, (hereinafter referred to as the “Municipal Act”) provides that the powers of a municipality under the Municipal Act or any other Act shall be interpreted broadly so as to confer broad authority on the municipality to enable the municipality to govern its affairs as it considers appropriate and to enhance the municipality’s ability to respond to municipal issues;

AND WHEREAS 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 the Municipal Act or any other Act;

AND WHEREAS Section 11 of the Municipal Act provides that a lower-tier municipality may pass by-laws respecting matters within its spheres of jurisdiction;

AND WHEREAS pursuant to Section 277 of the Municipal Act, 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; to undertake research and provide advice to council on the policies and programs of the municipality and to carry out other duties as required under this or any Act and other duties assigned by the municipality;

AND WHEREAS The Corporation of the Town of Bracebridge enters into various standard agreements with regard to the acquisition of real property related to capital projects or operating budgets approved by Council in the annual budget;

AND WHEREAS by motion 11-GC-025 the Council of The Corporation of the Town of Bracebridge deems it expedient to pass a by-law to delegate the authority to approve these standard agreements to the Municipal Clerk;

AND WHEREAS the Clerk’s Branch is charged with the responsibility for the acquisition, disposition, lease or licence of real property;

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE TOWN OF BRACEBRIDGE ENACTS AS FOLLOWS:

1. That authority to complete the acquisition of real property, including fee simple acquisitions, easements, and encroachments be delegated to the Municipal Clerk, within the limits set out below and subject to the following conditions:

   1.1. Value of acquisition of real property does not exceed a maximum of $15,000;

   1.2. Sufficient funds are available within the departmental operating or capital budgets to fund the acquisition as approved by Council;

   1.3. The acquisition price is at or below fair market value as determined by an Opinion of Market Value by an Accredited Appraiser;

2. That staff report back to General Committee annually on the status of acquisition of real property under delegated authority.

3. That this By-law shall come into force and effect immediately upon passage.

READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED THIS 9TH DAY OF FEBRUARY 2011.

____________________________    ___________________________
Mayor         Clerk
WHEREAS Section 8 of the Municipal Act, S.O. 2001, (hereinafter referred to as the “Municipal Act”) provides that the powers of a municipality under the Municipal Act or any other Act shall be interpreted broadly so as to confer broad authority on the municipality to enable the municipality to govern its affairs as it considers appropriate and to enhance the municipality’s ability to respond to municipal issues;

AND WHEREAS 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 the Municipal Act or any other Act;

AND WHEREAS Section 11 of the Municipal Act provides that a lower-tier municipality may pass by-laws respecting matters within the spheres of jurisdiction set out therein including, *inter alia*, governance structure of the municipality and its local boards;

AND WHEREAS Section 204(3) of the Municipal Act provides for the appointment by Council of a Board of Management for the Business Improvement Area;

AND WHEREAS Section 44(1) of the Planning Act, R.S.O. 1990 (hereinafter referred to as the “Planning Act”) provides that the council of the municipality may by by-law constitute and appoint a committee of adjustment for the municipality composed of such persons, not fewer than three, as the council considers advisable;

AND WHEREAS Section 44(3) of the Planning Act provides that the members of the committee who are not members of a municipal council shall hold office for the term of the council that appointed them and the members of the committee who are members of a municipal council shall be appointed annually;

AND WHEREAS pursuant to Section 54(1) of the Planning Act, the District Municipality of Muskoka, by By-law 98-86 delegated to the Council of the Corporation of the Town of Bracebridge the authority for the giving of consents under section 53 in respect of land situate in the lower-tier municipality;

AND WHEREAS Section 54(2) of the Planning Act provides that where authority is delegated to a council under Section 54(1), such council may, in turn, by by-law, delegate the authority or any part of such authority, to a committee of adjustment;

AND WHEREAS Section 12 of the Ontarians with Disabilities Act, S.O. 2001, provides that the Council of every municipality having a population of not less than 10,000 shall establish or continue an accessibility advisory committee and the Council of every municipality having a population of less than 10,000 may establish or continue an accessibility advisory committee;

AND WHEREAS Section 2 of the Line Fences Act, R.S.O. 1990, provides that the council of every local municipality shall by by-law appoint such number of fence-viewers as are required to carry out the provisions of this Act;

AND WHEREAS Section 15.6(1) of the Building Code Act, S.O. 1992, provides for the establishment of a property standards committee composed of such persons, not fewer than three, as the council considers advisable to hold office for such term and on such conditions as the by-law may establish;

AND WHEREAS Section 9 of the Public Libraries Act, R.S.O. 1990, provides that a public library board shall be composed of at least five members appointed by the municipal council;

AND WHEREAS Section 4 of the Livestock, Poultry and Honey Bee Protection Act, R.S.O. 1990, provides that the council of every local municipality shall appoint one or more persons as valuers of livestock and poultry for the purposes of this Act;

AND WHEREAS by motions 11-GC-040 and 11-GC-042 the Council of the Corporation of the Town of Bracebridge deems it expedient to enact a new by-law to appoint municipal officials and committees and repeal By-laws 2004-124 and 2010-079 in their entirety;
NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE TOWN OF BRACEBRIDGE
ENACTS AS FOLLOWS:

1. The Corporation of the Town of Bracebridge hereby appoints the following municipal
   officials and members to constitute the various Committees and/or Local Boards of the Town of
   Bracebridge for the 2010-2014 term of Council as follows:

2. COMMITTEES

2.1. Accessibility Advisory Committee (Statutory)
   Councillor, Steve Clement
   Catherine Cribben
   John Duck
   Robert Fudge
   Bob Jones (Chair)
   Scott Northmore
   Vince Tournour
   Representative from Brain Injury Services Muskoka-Simcoe
   Representative from Community Living South Muskoka
   Representative from The Friends
   Representative from Muskoka/Parry Sound Community Mental Health

2.2. Active Transportation Advisory Committee
   Councillor, Scott Young

2.3. Committee of Adjustment for Consents (Statutory)
   Councillor, Rick Maloney
   Councillor, Barb McMurray
   Michael Fitton (Chair)
   Don Lenaghan
   John Spooner

2.4. Committee of Adjustment for Minor Variances (Statutory)
   Lynda Lynn
   Wayne Moore
   Allen Taylor

2.5. Community Recognition Advisory Committee
   Councillor, Steve Clement

2.6. Economic Development Advisory Committee (EDAC)
   Councillor, Lori-Lynn Giaschi-Pacini (Chair)
   Councillor, Rick Maloney
   BIA Representative, Glenn Gordon
   Chamber of Commerce Representative, Richard Borland
   Daryl Beaumont
   Robert Bergquist
   Don Coates
   Patrick Drouillard
   Gary McMullen
   Paul Nickel
   Neil Smellie
   Larry Stroud
   Allen Taylor

2.7. Environmental Advisory Committee
   Councillor, Mark Quemby

2.8. Façade Improvement and Signage Advisory Committee (FISAC)
   Councillor, Liam Cragg
   Councillor, Gerry Tryon
   BIA Representative, Beth Kelley
   Chief Building Official
   Director of Economic Development

2.9. Muskoka Compliance Audit Committee (Statutory)
   David Bryce
   Joelle McRae
   Bob Panizza

2.10. Official Plan Review Steering Committee
      Mayor, Graydon Smith
      Councillor, Lori-Lynn Giaschi-Pacini
      Councillor, Scott Young
      District Representative, Derrick Hammond
      Michael E. Fitton
      Wayne Moore
2.11. Property Standards Appeal Committee
Jerry Fox
Stephen Harper
Bob Philp

2.12. Strategic Plan Implementation Committee
Mayor, Graydon Smith (Chair)
Councillor, Barb McMurray
Councillor, Scott Young
Alexandra Bryant
Don Coates
David Smith

2.13. Town of Bracebridge and Gol kommune Norway Friendship Committee
Mayor, Graydon Smith
Councillor, Steve Clement
Al Bacon
Don Coates
Bruce Kruger
Sigrid Purdon

3. SPECIALLY INCORPORATED BODIES
3.1. Bracebridge Municipal Non-Profit Housing Corporation (BMNPHC)
Mayor, Graydon Smith
Councillor, Steve Clement
Councillor, Liam Cragg
Councillor, Lori-Lynn Giaschi-Pacini
Councillor, Rick Maloney
Councillor, Barb McMurray
Councillor, Mark Quemby
Councillor, Gerry Tryon
Councillor, Scott Young

3.2. Lakeland Holding Ltd.
Mayor, Graydon Smith

4. BOARD APPOINTMENTS
4.1. Annie Williams Memorial Park Board
Mayor, Graydon Smith
Councillor, Mark Quemby

4.2. Bracebridge Business Improvement Area (BIA)
Councillor, Liam Cragg
Mae Brazier
Mark Gauthier
Glenn Gordon
Beth Kelly
Christine Marshall
Liz Mitchell-Duran
Cindy Rushton
Director of Economic Development

4.3. Bracebridge Chamber of Commerce
Members appointed for one-year terms from December 1 to November 30
Year 1 – Councillor, Gerry Tryon
Year 2 – Councillor, Lori-Lynn Giaschi Pacini
Year 3 – Councillor, Mark Quemby
Year 4 – Councillor, Scott Young

4.4. Bracebridge Public Library Board
Councillor, Lori-Lynn Giaschi-Pacini
Pam Dunlop
Arlie Freer
David Goodyear
Mary Jacob
Pat Schofield
Brian Slocum
Robert Taylor
Joseph Ursano

4.5. Local Northern Ontario School of Medicine Group (LNG)
Councillor, Rick Maloney

4.6. Muskoka Heritage Trust Nature Reserves
Councillor, Steve Clement

4.7. Oakley Village Square Board of Management
Councillor, Barb McMurray
Alvin Allen
Keith Christie
Audrey Ley
Hilda MacFarlane
Ted Ramsay
5. OFFICIALS

5.1. Deputy Mayor                     Councillor, Rick Maloney

1.1. Line Fence Viewers              Gerald Botting
     Chief Building Official
     Chief By-law Enforcement Officer

1.2. Livestock Valuer                Chief By-law Enforcement Officer

1.3. Town Criers                     Bruce C. Kruger and his Escort, Lynda M. Kruger
                                            R. Shaun Kruger and his Escort, Martina Kruger

2. Where this by-law may conflict with any other By-law, this By-law shall prevail.

3. This By-law may be cited as the “Appointing By-law”.

4. Upon the date of enactment of this by-law, By-laws 2004-124 and 2010-079 are hereby repealed.

5. That this By-law shall come into force and effect immediately upon passage.

READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED THIS 9TH DAY OF FEBRUARY 2011

____________________________    ___________________________
Mayor                                 Clerk
WHEREAS By-law No. 2006-120 was enacted to regulate land use in Macaulay Ward, of the Town of Bracebridge, in the District Municipality of Muskoka.

AND WHEREAS it is deemed necessary to amend the said by-laws by rezoning certain lands and by the addition of certain provisions;

AND WHEREAS by motion 11-DS-012 the Council of The Corporation of the Town of Bracebridge deems it expedient to pass such a by-law;

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE TOWN OF BRACEBRIDGE ENACTS AS FOLLOWS:

1. That Schedule “D” to By-law No. 2006-120 is hereby amended by changing the zoning Part of Lot 3, Concession 5, Macaulay Ward of the Town of Bracebridge, being Parts 1 and 2 of Plan 35R-21120, from the present zone of Residential Type 1 Special - 2 (R1-2) to the following:
   i) To Residential Type 3 Special – 18 (R3-18) in part, which lands are more particularly shown outlined in red on Schedule “A” attached hereto;
   ii) To Residential Type 3 Special – 19 (R3-19) in part, which lands are more particularly shown outlined in green on Schedule “A” attached hereto;
   iii) To Open Space One (OS1) in part, which lands are more particularly shown outlined in blue on Schedule “A” attached hereto

2. That Section 7.1.1: Residential Zones Exceptions is hereby amended by the addition of the following:

<table>
<thead>
<tr>
<th>Zone</th>
<th>Permitted Uses</th>
</tr>
</thead>
<tbody>
<tr>
<td>R3-18</td>
<td>In a Residential Type 3 Special – 18 (R3-18) Zone, the permitted uses are all those uses in the Residential Type 3 (R3) Zone with end units to have a minimum interior side yard setback of 1.0 metre and a minimum frontage of 7.75 metres.</td>
</tr>
<tr>
<td>R3-19</td>
<td>In a Residential Type 3 Special – 19 (R3-19) Zone, the permitted uses are all those uses in the Residential Type 3 (R3) Zone with a minimum frontage of 25 metres.</td>
</tr>
</tbody>
</table>

All other applicable provisions of the Residential Type 3 (R3) Zone shall continue to apply in respect to the lands located within the Residential Type 3 Special – 18 (R3-18) Zone.

3. That Schedule “A” attached hereto forms part of this by-law.

4. That this By-law shall take effect on the date of passage by Council and shall come into force in accordance with Section 34 of the Planning Act, R.S.O., 1990.

READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED THIS 9th DAY OF FEBRUARY 2011.

Mayor                                         Clerk
Schedule "A"
Part of Lot 3, Concession 5, Macaulay Ward of the Town of Bracebridge
being Parts 1 and 2 of Plan 35R-21120

scale 1 : 5,000
WHEREAS Section 7 of the Building Code Act, 1992, S.O. 1992 c23, empowers Council to pass certain by-
laws respecting construction, conditional permits, sewage systems, demolition and change of use permits
and inspections;

AND WHEREAS by motion 11-DS-013 The Council of the Corporation of the Town of Bracebridge deems it
expedient to enact a by-law respecting construction, demolition and change of use permits, inspections, and
administration;

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE TOWN OF BRACEBRIDGE
ENACTS AS FOLLOWS:

1. SHORT TITLE

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

2. DEFINITIONS

2.1 In this By-law,

2.1.1 "Act" means the Building Code Act, 1992 S.O. 1992 as amended, including
amendments thereto.

2.1.2 “Additional Inspection” means an inspection deemed necessary by the Chief
Building Official (applicable to existing buildings or defective/deficient new
buildings, to pay the additional inspections that are required as a result of poor
construction, or to evaluate existing projects for the renovation or addition
applicants that are unsure of requirements).

2.1.3 "As Constructed Plans” means as constructed plans as defined in the Building
Code.

2.1.4 "Building” means a building as defined in Section 1(1) of the Act.

2.1.5 "Building Code” means the regulations made under Section 34 of the Act.

2.1.6 “Chief Building Official” means the Chief Building Official appointed by By-law of
The Corporation of the Town of Bracebridge for the purposes of enforcement of
the Act.

2.1.7 “Construct” as defined in Section 1(1) of the Act.

2.1.8 “Conditional Permit” as set out in the Act Section 8.(3).

2.1.9 “Corporation” means The Corporation of the Town of Bracebridge.

2.1.10 “Farm Building” means a farm building as defined in the Building Code.

2.1.11 “Floor Area” means the aggregate of the floor area measured between the
exterior faces of the exterior walls of the building or structure at the level of each
floor, and in the case of a dwelling, excluding any porches, basements or cellars.

2.1.12 "Owner” means the registered owner of a property, a lessee, tenant, mortgagee
in possession, or person otherwise in charge of any property, acting as the
authorized agent of the owner.

2.1.13 “Partial Permit” means written permission or written authorization from the Chief
Building Official to perform certain limited construction of a project where the
balance of the drawings of the project will be submitted at a later date.
2.1.14 "Permit" means written permission or written authorization from the Chief Building Official to perform work regulated by this By-law and the Act.

2.1.15 "Plumbing" means plumbing as defined in Section 1(1) of the Act.

2.1.16 "Revised Drawings" means building drawing/plans that have been submitted with changes to the original drawings/plans that have been approved.

2.1.17 "Sewage System" means a sewage system as defined in the Building Code.

2.1.18 "Special Inspection" means an inspection that is requested and carried out that may or may not be in connection with a building permit, at the discretion of the Chief Building Official on permits greater than 3 years old.

2.1.19 "Temporary Construction Uses" means A tool shed, construction trailer, trailer mobile camper, or other building or structures incidental to construction may be erected on the lot where construction is taking place provided that a building permit has been issued and remain until the structure has been completed to become able to be occupied to the maximum of 12 months with a security deposit.

2.1.20 "Tent" means every kind of temporary shelter that is not permanently affixed to the site and that is capable of being easily moved.

2.1.21 "Qualified Designer” means Qualifications as set out in the Ontario Building Code Division C-Part 3.

3. CLASSES OF PERMITS

3.1 Classes of permits with respect to the construction, demolition and change of use of buildings and permit fees shall be as set out in Schedule “A” to this By-law.

4. ADMINISTRATION FEES

4.1 Administration fees in respect to additional cost(s) above the fees for building permits set out in Schedule “A” to this By-law.

5. REQUIREMENTS FOR APPLICATIONS

5.1 The Application:

5.1.1 To obtain a permit, the owner or an agent authorized by the owner, shall file with the Chief Building Official, an application in writing by completing a prescribed form by the Ministry of Municipal Affairs and Housing.

5.2 Building Permits, Conditional Permits, Demolition and Other Required Permits (identified in Schedule “E”).

5.2.1 Where application is made for a building permit under Subsection 8(1) of the Act, the application shall:

5.2.1.1 Identify and describe in detail, the work and occupancy to be covered by the permit for which application is made;

5.2.1.2 Describe the land on which the work is to be done, by a description that will readily identify and locate the building lot;

5.2.1.3 Include a minimum of two complete sets of construction plans with three sets of site plans and specifications for the work to be covered by the permit, and show the occupancy of all parts of the building;

5.2.1.4 State the valuation of the proposed work, including materials and labour, and the floor area;

5.2.1.5 State the names, addresses and telephone numbers of the owner and of the architect or engineer, where applicable, or other designer or contractor with BCIN number or required stamps and forms;

5.2.1.6 Be accompanied by a written acknowledgement of the owner that he has retained an architect or professional engineer to carry out the field review of the construction where required by the Building Code;
5.2.1.7 Be signed by the owner or their authorized agent who shall certify the truth of the contents of the application; and

5.2.1.8 Be accompanied by the required permit fee.

5.2.2 Where application is made for a demolition permit under Subsection 8(1) of the Act, the application shall:

5.2.2.1 Shall contain the information required by clauses 5.2.1; and

5.2.2.2 May be required to be accompanied by satisfactory proof that arrangements have been made with the proper authorities for the cutting off and plugging of all water, sewer, electric, telephone or other utilities and services;

5.2.3 Where application is made for a conditional permit under Subsection 8(3) of the Act, the application shall:

5.2.3.1 Contain the information required by clauses 5.2.1;

5.2.3.2 Contain such other information, plans and specifications concerning the complete project as the Chief Building Official may require;

5.2.3.3 State the reasons why the applicant believes that unreasonable delays in construction would occur if a conditional permit is not granted;

5.2.3.4 State the necessary approvals, which must be obtained in respect of the proposed building, and the time in which such approvals will be obtained;

5.2.3.5 State the time in which plans and specifications of the complete building will be filed with the Chief Building Official; and

5.2.3.6 Pay the additional fees as set out in Schedule "A".

5.3 Change of Use Permits

5.3.1 Every application for a change of use permit issued under Subsection 10(1) of the Act shall be submitted to the Chief Building Official and shall:

5.3.1.1 Describe the building in which the occupancy is to be changed, by a description that will readily identify and locate the building;

5.3.1.2 Identify and describe in detail the current and proposed occupancies of the building or part of a building for which the application is made;

5.3.1.3 Include plans and specifications which show the current and proposed occupancy of all parts of the building, and which contain sufficient information to establish compliance with the requirements of the Building Code, including floor plans, details of wall, ceiling and roof assemblies, identifying required fire resistance ratings and load bearing capacities;

5.3.1.4 Be accompanied by the required fee;

5.3.1.5 State the name, address and telephone number of the owner; and

5.3.1.6 Be signed by the owner or their authorized agent who shall certify the truth of the contents of the application.

5.4 Sewage Systems

5.4.1 Every application for a sewage system permit shall be submitted to the Chief Building Official and contain the following information:

5.4.1.1 The information required by Section 5.2.1;

5.4.1.2 A site evaluation which shall include all of the following items, unless otherwise specified by the Chief Building Official:

5.4.1.2.1 the date the evaluation was done;

5.4.1.2.2 name, address, telephone number and signature of the person who prepared the evaluation;
5.4.1.2.3 a scaled map of the site showing,

5.4.1.2.3.1 the legal description, lot size, property dimensions, existing rights-of-way, easements of municipal/utility corridors;

5.4.1.2.3.2 the location of the proposed sewage system;

5.4.1.2.3.3 the location of any unsuitable, disturbed or compacted areas;

5.4.1.2.3.4 proposed access routes for system maintenance.

5.4.1.2.4 depth to bedrock;

5.4.1.2.5 depth to zones of soil saturation;

5.4.1.2.6 soil properties, including soil permeability; and

5.4.1.2.7 soil conditions, including the potential for flooding.

5.5 Equivalents

5.5.1 Where an application for a permit or for authorization to make a material change to a plan, specification, document or other information on the basis of which a permit was issued, contains an equivalent material, system or building design for which authorization under Section 9 of the Act is requested, the following information shall be provided:

5.5.1.1 A description of the proposed material, system or building design for which authorization under Section 9 of the Act is requested;

5.5.1.2 Any applicable provisions of the Building Code; and

5.5.1.3 Evidence that the proposed material, system or building design will provide the level of performance required by the Building Code.

5.6 Plans and Specifications

5.6.1 Sufficient information shall be submitted with each application for a permit, to enable the Chief Building Official to determine whether or not the proposed construction, demolition or change of use will conform to the Act, the Building Code or any other applicable law.

5.6.2 After the issuance of a permit under the Act, notice of any material change to a plan, specification, document or other information on the basis of which the permit was issued, must be given in writing to the Chief Building Official, together with revised drawings with the details of such change which is not to be made without their written authorization.

5.6.3 Each application shall, unless otherwise specified by the Chief Building Official, be accompanied by two complete sets of plans and specifications required under this By-law.

5.6.4 Plans shall be drawn to scale and dimensioned on paper, or other durable material, shall be legible and, without limiting the generality of the foregoing, shall include such working drawings as set out in Schedule “B” to this By-law, unless otherwise specified by the Chief Building Official.

5.6.5 Site plans shall be accurately drawn to scale and dimension, and when required by the Chief Building Official to demonstrate compliance with the Act, the Building Code or other applicable law. A copy of a survey prepared by an Ontario Land Surveyor shall be submitted. Site plans shall show:

5.6.5.1 Lot size and the dimensions of the property lines and setbacks to any existing or proposed buildings and sewage systems;

5.6.5.2 Existing and finished ground levels or grades and;

5.6.5.3 Existing rights-of-way, easements and municipal services.
5.6.6 Verification by an Ontario Land Surveyor of By-law compliance may be required before proceeding past foundation stage, if required by the Chief Building Official.

6. PAYMENT OF FEES

5.1 Fees for a required permit shall be as set out in Schedule “A” to this By-law and are due and payable upon submission of an application for a permit.

5.2 Where the fees payable in respect of an application for a construction or demolition permit issued under Subsection 8(1) of the Act, or a conditional permit under Subsection 8(3) of the Act, are based on the finished floor area or the cost of valuation of the proposed work, the cost of valuation of the proposed work shall mean the total cost of all work regulated by the permit, including the cost of all material, labour, equipment, overhead and professional and related services, provided that where application is made for a conditional permit, fees shall be paid for the complete project.

5.3 Where a permit was issued and is three (3) years old and where inspections remain outstanding, a request for the final inspection must be accompanied by the fee as set out in Schedule “A” to this by-law.

5.4 The Chief Building Official may place a valuation on the cost of the proposed work for the purposes of establishing the permit fee, and where disputed, the applicant shall pay the required fee under protest, and, within six (6) months of completion of the project to the maximum of 36 months from the date the permit was issued, shall submit an audited statement of the actual costs, and where the audited costs are determined to be less than the valuation, the Chief Building Official shall issue a refund.

7. POSTING OF PERMITS

7.1. All Permits are required to be posted in a location that is visible from the road on the property in respect of which the permit was issued. The fee for failure to post is set out in Schedule “A”.

8. REFUNDS

8.1. In the case of withdrawal of an application, or the abandonment of all or a portion of the work, or the non-commencement of any project, the Chief Building Official shall determine the amount of paid permit fees that may be refunded to the applicant, if any, in accordance with Schedule “A” attached to and forming part of this By-law.

9. NOTICE OF REQUIREMENTS FOR INSPECTIONS

9.1. The owner or an authorized agent shall notify the Chief Building Official at least two (2) business days prior to each stage of construction for which notice in advance is required under the Building Code. In addition to the prescribed notice contained in Div. C Part 1 1.3.5.1 of the Building Code, Additional Notices 1.3.5.2 (1)(c ), (d), (e), (f), and (g) and occupancy permit 1.3.3.1. along with notification of completion 1.3.3.3. as required.

9.2. Required building and plumbing inspections as listed in Schedule “C”.

9.3. Required Septic Inspections as listed in Schedule “D”.

9.4. Notice may be given in one of the following ways;

9.3.1. Phone message at (705) 645-5264 ex 236;

9.3.2. Fax at (705) 645-4209 att: Building Assistant;

9.3.3. In person at the Building Branch Counter

10. AS CONSTRUCTED PLANS

10.1. The Chief Building Official may require that a set of plans of a building, or any class of buildings, as constructed, be filed with the Chief Building Official on completion of construction, under such conditions as may be prescribed in the Building Code.
11. **SEVERABILITY & TRANSITION**

11.1. If any provision of this By-law is found by a court of competent jurisdiction to be unlawful, the balance of the By-law remains in effect to the extent permitted by the removal of the unlawful provision.

11.2. This By-law shall come into force and effect immediately upon the final passing thereof.

12. **REPEAL OF BY-LAWS**

12.1. Upon the date of enactment of this by-law, By-law 2009-011 is hereby repealed.

READ A FIRST, SECOND AND THIRD TIME, AND FINALLY PASSED THIS 9TH DAY OF FEBRUARY, 2011.

_________________________________________  __________________________________________
Mayor                                                                                     Clerk
**SCHEDULE "A"
CLASSES OF PERMITS AND PERMIT FEES**

BUILDING PERMIT VALUE IS BASED ON SQUARE FOOTAGE OF FLOOR AREA

Minimum Building Permit Fee Unless Otherwise Noted $109.25

For any Construction that is not listed below, the permit will be based on $10.00 per $1000.00 construction value.

<table>
<thead>
<tr>
<th>FEES</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Dwelling</strong></td>
<td></td>
</tr>
<tr>
<td>3,000 square feet or less</td>
<td>$1.38/sq. ft.</td>
</tr>
<tr>
<td>Over 3,000 square feet</td>
<td>$1.73/sq. ft.</td>
</tr>
<tr>
<td>Over 6,500 square feet</td>
<td>$1.84/sq. ft.</td>
</tr>
<tr>
<td><strong>Garages</strong></td>
<td></td>
</tr>
<tr>
<td>No upper storage</td>
<td>$.35/sq. ft.</td>
</tr>
<tr>
<td>Storage above</td>
<td>$.58/sq. ft.</td>
</tr>
<tr>
<td><strong>Car Port</strong></td>
<td></td>
</tr>
<tr>
<td></td>
<td>$.25/sq. ft.</td>
</tr>
<tr>
<td><strong>Boat House</strong></td>
<td></td>
</tr>
<tr>
<td>No upper storage</td>
<td>$.58/sq. ft.</td>
</tr>
<tr>
<td>Storage or deck area above</td>
<td>$.86/sq. ft.</td>
</tr>
<tr>
<td><strong>Boat Port</strong></td>
<td></td>
</tr>
<tr>
<td>No deck above</td>
<td>$.46/sq. ft.</td>
</tr>
<tr>
<td>With deck above</td>
<td>$.58/sq. ft.</td>
</tr>
<tr>
<td><strong>Docks</strong></td>
<td></td>
</tr>
<tr>
<td>Crib and wood piles</td>
<td>$.25/sq. ft.</td>
</tr>
<tr>
<td>Steel</td>
<td>$.50/sq. ft.</td>
</tr>
<tr>
<td>Floating no structure above</td>
<td>$109.25 flat rate</td>
</tr>
<tr>
<td><strong>Decks</strong></td>
<td></td>
</tr>
<tr>
<td>2000 square feet or less</td>
<td>$.23/sq. ft.</td>
</tr>
<tr>
<td>Over 2000 square feet</td>
<td>$.35/sq. ft.</td>
</tr>
<tr>
<td><strong>Bunkie</strong></td>
<td></td>
</tr>
<tr>
<td></td>
<td>$.58/sq. ft.</td>
</tr>
<tr>
<td><strong>Muskoka Room/Covered or Screen porches</strong></td>
<td>$.52/sq. ft.</td>
</tr>
<tr>
<td><strong>Wood Appliances/Chimney</strong></td>
<td>$95.00 flat rate</td>
</tr>
<tr>
<td><strong>Septic</strong></td>
<td></td>
</tr>
<tr>
<td>New/Change of Classification/Enlarge</td>
<td>$400.00 flat rate</td>
</tr>
<tr>
<td>Tank only</td>
<td>$125.00 flat rate</td>
</tr>
<tr>
<td>Repair bed (existing size and type)</td>
<td>$125.00 flat rate</td>
</tr>
<tr>
<td>Holding Tank</td>
<td>$200.00 flat fee</td>
</tr>
<tr>
<td><strong>Commercial/Institutional/Industrial Construction Value</strong></td>
<td>$10.00/$1000.00</td>
</tr>
<tr>
<td><strong>Partial Permit</strong></td>
<td></td>
</tr>
<tr>
<td>Foundation only residential (renovation)</td>
<td>$.35/sq. ft.</td>
</tr>
<tr>
<td>Foundation prior to Completed drawings - Residential</td>
<td>$.35/sq. ft.</td>
</tr>
<tr>
<td>Foundation prior to Completed drawings - Commercial</td>
<td>$10.00 / $1000.00</td>
</tr>
<tr>
<td>Plus administration fee - Residential</td>
<td>$150.00 flat rate</td>
</tr>
<tr>
<td>Plus administration fee - Commercial</td>
<td>$350.00 flat rate</td>
</tr>
<tr>
<td><strong>Plumbing</strong></td>
<td></td>
</tr>
<tr>
<td>In any accessory structure</td>
<td>$95.00 flat rate</td>
</tr>
<tr>
<td><strong>Demolition</strong></td>
<td></td>
</tr>
<tr>
<td>Part 9</td>
<td>$85.00 flat rate</td>
</tr>
<tr>
<td>Commercial</td>
<td>$150.00 flat rate</td>
</tr>
<tr>
<td><strong>Water/Sewer</strong></td>
<td></td>
</tr>
<tr>
<td>No inside plumbing to be changed</td>
<td>$75.00 flat rate</td>
</tr>
<tr>
<td>Additional plumbing (flat rate plus)</td>
<td>$10.00 per fixture</td>
</tr>
<tr>
<td><strong>Change of Use</strong></td>
<td></td>
</tr>
<tr>
<td>Part 9</td>
<td>$10.00 / $1000.00 $150.00 min</td>
</tr>
<tr>
<td>Commercial</td>
<td>$10.00 / $1000.00 $250.00 min</td>
</tr>
<tr>
<td>FEES</td>
<td>Temporary Tent</td>
</tr>
</tbody>
</table>

All fees are required to be paid prior to the release of any documentation (i.e., letter).

The Chief Building Official may, where a proposed building does not adhere to any of the above or where there is a dispute, calculate the estimated value at his discretion.
SCHEDULE "B"
LIST OF PLANS OR WORKING DRAWINGS
TO ACCOMPANY APPLICATIONS FOR PERMITS

1. The Site Plan
2. Floor Plans
3. Foundation Plans
4. Framing Plans
5. Roof Plans
6. Reflected Ceiling Plans
7. Sections and Details
8. Building Elevations
9. Electrical Drawings
10. Heating, Ventilation and Air Conditioning Drawings (heat loss calculations)
11. Septic Details
12. Plumbing Drawings

NOTE:
The Chief Building Official may specify that not all the above-mentioned plans are required to accompany an application for permit.
SCHEDULE "C"
LIST OF REQUIRED BUILDING AND PLUMBING INSPECTIONS

1. Footing forms completed and NO concrete.
2. ICF forms completed with re-bar NO concrete.
3. Backfill - parging, damp proofing and drainage completed (no fill).
4. Framing completed.
5. Plumbing – potable, drains, vents, sewer and main (rough-in with test).
7. Substantial completion of fire separations and closers and fire protection systems (when required).
8. Solid fuel burning appliances and chimney (rough-in).
9. Insulation, vapour barrier and air barrier when completed before covering.
10. Occupancy inspection (not completed but safe to occupy).
11. Final Inspection.
SCHEDULE "D"
LIST OF REQUIRED SEPTIC INSPECTIONS

1. Subgrade prior to installation (all excavation completed prior to any fill).
2. Substantial completion of the sewage system before backfilling (stone exposed, graphs and weigh slips to be on site).
3. Final (grading and erosion protection completed).
SCHEDULE "E"
OTHER REQUIRED PERMITS

1. Plumbing new, additional or changes
2. Replacing or upgrading vapour barrier/insulation
3. Replace or repair foundation drainage and damproofing
4. Upgrading or replacing heating system
5. Interior/Exterior renovation (structural).
WHEREAS subsection 15.1(3) of the Building Code Act, 1992, S.O. 1992, c.23, permits the Council of a municipality to pass a by-law prescribing standards for the maintenance and occupancy of property within the municipality and for prohibiting the occupancy or use of such property that does not conform with the standards;

AND WHEREAS subsection 15.1(3) of the Building Code Act, 1992 also permits said by-law to require property that does not conform with the standards to be repaired and maintained to conform with the standards or the site to be cleared of all buildings, structures, debris or refuse and left in a graded and leveled condition;

AND WHEREAS the Corporation of the Town of Bracebridge has in effect an “Official Plan” that includes provisions relating to property standards;

AND WHEREAS by motion 11-DS-016 The Council of The Corporation of the Town of Bracebridge deems it necessary and in the public interest to enact a by-law prescribing standards for the maintenance and occupancy of the property within the Town;

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE TOWN OF BRACEBRIDGE ENACTS AS FOLLOWS:

PART I

1. DEFINITIONS

1.1 In this By-law,

1.1.1 “Accessory Building” means a detached building or structure, not used for human habitation that is subordinate to the primary use of the same property.

1.1.2 “Apartment Building” means a building containing more than four dwelling units with individual access from an internal corridor system.

1.1.3 “Approved” means acceptance by the Property Standards Officer.

1.1.4 “Basement” means that space of a building that is partly below grade, which has half or more of its height, measured from floor to ceiling above the average exterior finished grade and shall have a ceiling height greater than 1800mm.

1.1.5 “Building” means a structure consisting of a wall, roof, or any one or more of these which is used or intended to be used for the shelter, accommodation, or enclosure of persons, animals, goods or materials, but shall not include a lawful boundary wall or fence. For the purposes of this By-law:

1.1.5.1 a deck or a dock shall be included within the meaning of the term “building”;

and

1.1.5.2 the word “structure” shall mean the same as building.

1.1.6 “Cellar” means that space of a building that is partly or entirely below grade, which has more than half of its height, measured from floor to ceiling, below the average exterior finished grade.

1.1.7 “Crawl Space” means a space beneath a floor assembly and the ground, with a clearance less than 1.8m in height.

1.1.8 “Committee” means the Property Standards Appeal Committee established under Section 15.6(1) of the Building Code Act.
1.1.9 “Dwelling” means a building or structure, or part of a building or structure, occupied or capable of being occupied, in whole or in part, for the purpose of human habitation.

1.1.10 “Dwelling Unit” means a room or a suite of rooms operated as a housekeeping unit, used or intended to be used as a domicile by one or more persons, and supporting general living conditions usually including cooking, eating, sleeping and sanitary facilities.

1.1.11 “First Storey” means that part of a building having a floor area closest to grade, with a ceiling height of more than 1.8 metres (6 feet) above grade.

1.1.12 “Guard” means a protective barrier installed around openings in floor areas or on the open sides of a stairway, a deck or landing, a balcony, a mezzanine, a gallery, a raised walkway, and other locations as required to prevent accidental falls from one level to another. Such barriers may or may not have openings through it.

1.1.13 “Habitable Room” means any room in a dwelling unit used for, or capable of being used for, living, cooking, sleeping or eating purposes.

1.1.14 “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.

1.1.15 “Multiple Dwelling” means a building containing three or more dwelling units.

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

1.1.17 “Non-Residential Property” means a building or structure not occupied or capable of being occupied in whole or in part for residential occupancy and includes the lands and premises appurtenant thereto.

1.1.18 “Occupancy” means the use or intended use of a building or part of, for the shelter or enclosure of persons, animals or property.

1.1.19 “Occupant” means any person or persons over the age of eighteen years in possession of the property.

1.1.20 “Officer” means a Property Standards Officer appointed by By-law and assigned the responsibility for enforcing and administering this By-law.

1.1.21 “Owner” means the person, for the time being, managing or receiving the rent of, or paying the municipal taxes on the land or premises, in connection with which the word is used, whether on his/her own account, or as agent, trustee, or any other person 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 the lease is required to repair and maintain the property in accordance with the standards of maintenance and occupancy of the property.

1.1.22 “Person” means an individual, firm, corporation, association or partnership.

1.1.23 “Property” means a building or structure, or part of a building or structure, and includes the premises appurtenant thereto and all mobile structures, outbuildings, fences and erections thereon, whether heretofore or hereafter erected.

1.1.24 “Repair” means the provision of such facilities and the making of additions or alterations, or the taking of such action as in restoring, renovating and mending, as may be required so that the property shall conform to standards established in this by-law.

1.1.25 “Residential Property” means any property that is used or designed for use of a domestic establishment, in which one or more persons usually sleep and prepare and serve meals, and includes any lands or buildings that are appurtenant to such establishment, and all stairways, walkways, driveways, parking spaces, and fences associated with the dwelling or its yard.
1.1.26 “Sewage System” means the municipal sanitary sewage system or a private sewage system including holding tank, septic tank and leaching bed approved by the Chief Building Official.

1.1.27 “Sewage” means any liquid waste containing animal, vegetable or mineral matter in suspension or solution but does not include roof drainage or other storm water.

1.1.28 “Standards” means the standards of the physical condition and of occupancy prescribed for property by this by-law.

1.1.29 “Storefront” means a store or other establishment usually containing display windows that has frontage on a street or thoroughfare.

1.1.30 “Toilet Room” means a room containing a water closet and a washbasin.

1.1.31 “Town” means The Corporation of the Town of Bracebridge.

PART II

GENERAL STANDARDS FOR ALL PROPERTY

2. GENERAL CONDITIONS

2.1 This by-law shall apply to all property lying within the boundaries of the Town.

2.2 No person shall use, permit the use of, occupy, rent, or offer for rent any property within the Town that does not conform to the standards set out in this by-law.

2.3 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 where applicable and any necessary building permits shall be obtained.

2.4 Any repairs or maintenance undertaken by the Town to bring a property into compliance with this by-law will be subject to a twenty-five (25) percent surcharge.

3. ACCESSORY BUILDINGS, FENCES AND OTHER STRUCTURES

3.1 Accessory buildings, fences, retaining walls and other structures appurtenant to the property shall be maintained in structurally sound condition, in good repair and free from accident hazards.

3.2 Accessory buildings, fences and other structures shall be protected from deterioration by the application of appropriate weather resistant materials, including paint or other suitable preservative, and shall be of uniform colour unless the aesthetic characteristics of said structure are enhanced by the lack of such material.

4. GARBAGE DISPOSAL

4.1 Every building, dwelling, and dwelling unit shall be provided with a sufficient number of suitable receptacles to contain all garbage, refuse and ashes that may accumulate on the property. Such receptacles 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.

4.2 Garbage storage areas shall be screened from public view.

4.3 All garbage, refuse and ashes shall be properly placed in the suitable container and made available for removal in accordance with the District Municipality of Muskoka Garbage By-law.

4.4 Ashes from a solid fuel burning appliance shall be stored in a non-combustible container a minimum of 1 metre from any combustible matter and shall not be stored within a building.

4.5 No motor vehicle or major recreation equipment shall be used for the storage of garbage, rubbish, debris, waste material or similar materials.
PART III

RESIDENTIAL STANDARDS

5. GENERAL CONDITIONS

5.1 Every tenant, or occupant, or lessee of a residential property, shall maintain the property or part thereof, and the land which they occupy or control, in a clean, sanitary and safe condition, and shall dispose of garbage and debris on a regular basis, in accordance with Municipal By-Laws.

5.2 Every tenant, or occupant, or lessee of a residential property shall maintain every floor, wall, ceiling and fixture under their control, including hallways, entrances, laundry rooms, utility rooms and other common areas, in a clean, sanitary and safe condition.

5.3 Accumulation or storage of garbage, refuse, appliances, or furniture in public hallways or stairways shall not be permitted.

6. PEST PREVENTION

6.1 Dwellings shall be kept free of rodents, vermin and insect infestations at all times. Methods used for exterminating such pests shall be in accordance with the provisions of the Pesticides Act.

6.2 Dwellings shall be kept as free as practical of rodents, vermin and insects at all times. Methods used for exterminating such pests shall be in accordance with the provisions of the Pesticides Act R.S.O.1990, c.P.11.

6.3 Openings, including windows, that might permit the entry of rodents, insects, vermin or other pests shall be appropriately screened or sealed.

7. STRUCTURAL SOUNDNESS

7.1 Every part of a dwelling shall be maintained in a structurally sound condition so as to be capable of safely sustaining its own weight load, and any additional load to which it may be subjected through normal use, having a factor of safety required by the Ontario Building Code. Materials which have been damaged or show evidence of rot or other deterioration shall be repaired or replaced.

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

8. FOUNDATIONS

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

8.2 Every dwelling, except for slab on grade construction, shall be supported by foundation walls or piers, which extend below the frost line, or to solid rock.

8.3 Every basement, cellar and crawl space in a building shall be adequately drained.

8.4 This section does not apply to accessory buildings.

9. EXTERIOR WALLS

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

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

9.3 All exterior surfaces shall be of materials which provide protection from the weather.
10. WINDOWS AND DOORS

10.1 Windows, doors, skylights and basement or cellar hatchways, shall be maintained in good repair, be watertight and reasonably draught-free, to prevent heat loss and infiltration by the elements. Maintenance includes painting, replacing damaged doors, frames and other components, window frames, sashes and casings, replacement of non-serviceable hardware and reglazing where necessary. Where screening is provided on windows and doors, it shall also be maintained in good repair.

10.2 In a dwelling unit, all windows that are intended to be opened, and all exterior doors, shall have suitable hardware so as to allow locking or otherwise securing from inside the dwelling unit. At least one entrance door to a dwelling unit shall have suitable hardware so as to permit locking or securing from either inside or outside the dwelling unit.

10.3 Solid core doors shall be provided for all entrances to dwellings and dwelling units.

10.4 In residential buildings where there is a voice communication unit working in conjunction with a security locking and release system controlling a particular entrance door, and installed between individual dwelling units and a secured entranced area, the said system shall be maintained in good working order at all times.

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

10.6 Main entrance doors to dwelling units shall be provided with a door viewer or transparent glazing in the door, or a sidelight.

11. ROOFS

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

11.2 A roof including the fascia board, soffit, cornice and flashing shall be maintained in watertight condition so as to prevent the leakage of water into the building.

11.3 Dangerous accumulations of ice shall be promptly removed from the roofs of dwellings and accessory buildings.

11.4 Where eavestroughing or roof gutters are provided, it shall be kept in good repair, free from obstructions and properly secured to the building.

11.5 Removal of snow or sliding snow from any roof of dwelling or accessory building shall not affect the adjacent property.

12. WALLS, CEILINGS AND FLOORS

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

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

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

12.4 Where fire resistant walls, floors or ceilings exist between separate dwelling units, they shall be maintained in a condition which maintains the fire resistant rating for which the wall, floors or ceilings was originally designed.

12.5 Every floor, wall, ceiling and fixtures in a dwelling shall be maintained in a clean and sanitary condition and the dwelling shall be kept free from rubbish or other debris.

12.6 Thermal insulation and air/vapour barriers of buildings to minimize heat loose shall be installed or maintained to prevent the condensation of water on exterior walls, ceilings or floors.
13. STAIRS, STEPS, PORCHES AND BALCONIES

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

13.2 Exterior steps, decks, walks and driveways shall be maintained so as to afford safe passage under normal use and weather conditions.

14. GUARDRAIL AND BALUSTRADES

14.1 A balustrade 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 600mm (24 inches). 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 in accordance with the Ontario Building Code, and maintained rigid in nature.

15. KITCHENS

15.1 Every dwelling shall contain a kitchen area equipped with:

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

15.1.2 suitable storage area of not less than 0.23 cubic metres (8 cubic feet);

15.1.3 a counter or work area at least 0.61 metres (2 feet) in width by 1.22 metres (4 feet) in length, exclusive of the sink, and covered with a material that is impervious to moisture and grease and is easily cleanable; and

15.1.4 a space provided for cooking and refrigeration appliances including the suitable electrical or gas connections.

15.2 All combustible material or cabinets directly above a range shall be not less than 750 mm, or 600 mm if protected by a hood fan or other non-combustible material. Any combustible material or cabinets to the sides of the range shall be not less than 450 mm or as per manufactures specification.

16. TOILET AND BATHROOM FACILITIES

16.1 Every dwelling unit shall contain a bathroom consisting of at least one fully operational water closet, washbasin and a bathtub or suitable shower unit. Every washbasin and bathtub or shower shall have an adequate supply of hot and cold running water. Every water closet shall have a suitable supply of running water. The washbasin shall be located in the same room as a water closet.

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

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

17. PLUMBING

17.1 Every dwelling unit shall contain at least one bathroom and one kitchen sink. All appropriate plumbing fixtures shall be provided with an adequate supply of hot and cold running water. Hot water shall be supplied at a temperature of not less than 43 degrees Celsius (110 F).

17.2 Every dwelling unit shall be provided with an adequate supply of potable running water approved by the Medical Officer of Health.

17.3 All plumbing, including drains, water supply pipes, water closets and other plumbing fixtures shall be maintained in good working condition, free of leaks and defects, and all water pipes and appurtenances thereto shall be protected from freezing.

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

17.6 All building drains shall be connected to a municipal sanitary or private sewage system.

18. ELECTRICAL SERVICE

18.1 Every dwelling and dwelling unit shall be wired for electricity and shall be connected to an approved electrical supply system.

18.2 The electrical wiring, fixtures, switches, receptacles and appliances located or used in dwellings, dwelling units and accessory buildings, shall be installed and maintained in good working order so as not to cause fire or electrical shock hazards. All electrical services shall conform to the regulations established by the Canadian Electrical Code.

18.3 Every habitable room in a dwelling shall have at least one electrical duplex outlet for each 11.1 square metres (120 square feet) of floor space, and for each additional 9.3 square metres (100 square feet) of floor area, a second duplex outlet shall be provided. Extension cords shall not be used on a permanent basis.

18.4 Every bathroom, toilet room, kitchen, laundry room, furnace room, basement cellar and non-habitable work or storage room, shall be provided with a permanent light fixture.

18.5 Lighting fixtures and appliances installed throughout a dwelling unit, including stairways, corridors, passageways, garages and basements, shall provide sufficient illumination so as to avoid health or accident hazards in normal use.

18.6 Exterior lights shall not be a nuisance to neighboring properties.

18.7 Emergency lights and exit signs shall be maintained and tested regularly.

19. HEATING, HEATING SYSTEMS, CHIMNEYS AND VENTS

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

19.2 All fuel burning appliances, equipment and accessories in a dwelling shall be installed and maintained to the standards provided by the Energy Act, as amended, or other applicable legislation.

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

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

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

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

19.7 No room heater shall be placed or used so as to cause a fire hazard to walls, curtains and furniture, nor impede the free movement of persons within the room where the heater is located.

19.8 Where buildings contain two or more dwelling units, fuel fired heating appliances shall be located, enclosed or separated from the remainder of the building in conformance with the Ontario Building Code and/or Ontario Fire Code.
20. FIRE ESCAPES, ALARMS AND DETECTORS

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

20.2 In addition to the provisions of Article 20.1 hereof, in every dwelling unit in a building, a listed smoke alarm, approved by the Canadian Standards Association or Underwriters Laboratories of Canada, or detectors of the single station alarm type, audible within bedrooms when intervening doors are closed, shall be installed by the occupant between bedrooms or the sleeping area and the remainder of the dwelling unit, such as in a hallway or corridor serving such bedrooms or sleeping area. The products of combustion detector referred to shall:

20.2.1 be equipped with visual or audio indication that they are in operating condition;

20.2.2 be mounted on the ceiling or on the wall between 152.4 and 304.8 mm (6 to 12 inches) below the ceiling.

20.3 Where a fuel-fired appliance is installed in a suite of residential occupancy, or where a storage garage is located in or attached to a dwelling containing a residential occupancy, a carbon monoxide detector shall be installed adjacent to each sleeping area in accordance to manufactures installation.

20.4 The owner of any building, which has a fire alarm or fire detection system, including smoke detectors, or is required by the Ontario Fire Code, or Fire Protection and Prevention Act to have a fire alarm or fire detection system, shall maintain such systems in compliance with the applicable legislation.

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

21. EGRESS

21.1 Every dwelling and each dwelling unit contained therein shall have a safe, continuous and unobstructed passage from the interior of the dwelling and the dwelling unit, to the outside at street or grade level and shall not exit through an attached garage or a separate dwelling unit.

21.2 Each dwelling containing more than one dwelling unit shall have at least two exits, both of which may be common, or the one of which may be common and the other may be an exterior stair or fire escape. Access to the stairs or fire escape shall be from corridors through doors at floor level, except that access from a dwelling unit may be through a vertically mounted casement window having an unobstructed opening of not less than 1.067 by 0.558 metres (42 x 22 inches) with a sill height of not more than 0.914 metres (36 inches) above the inside floor. A single exit is permitted from a dwelling unit where the 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.

21.3 Door swing area must be kept clear of obstruction such as snow, ice and/or debris.

22. NATURAL LIGHT

22.1 Every habitable room except a kitchen, bathroom or toilet room, shall have a window or windows, skylights or translucent panels facing directly or indirectly to an outside space, and admits as much natural light equal to not less than ten percent (10%) of the floor area for living and dining rooms and five percent (5%) of the floor area for bedrooms and other finished rooms.

23. VENTILATION

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

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

23.3 All enclosed areas including basements, cellars, crawl spaces and attics or roof spaces, shall be adequately ventilated.
24. **ELEVATING DEVICES**

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

25. **DISCONNECTED UTILITIES**

25.1 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.

26. **HABITABLE ROOM**

26.1 The number of occupants residing on a permanent basis in a individual dwelling unit shall not exceed one person for every nine (9) square meters (96 square feet) of habitable floor area. For the purpose of computing habitable floor area, any area with the minimum ceiling height less than 2.1 meters (6 feet 11 inches) shall not be considered as habitable.

26.2 No room shall be used for sleeping purposes unless it has a minimum width of two (2) meters (6 feet 7 inches) and a floor area of at least seven (7) square meters (75 square feet). A room used for sleeping purposes by two or more persons shall have a floor area of at least four (4) square meters (43 square feet) per person.

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

26.3.1 each habitable room shall comply with all the requirements set out in this by-law;

26.3.2 floors and walls shall be constructed so as to be damp proof and impervious to water leakage:

26.3.3 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: and

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

27. **SEWAGE**

27.1 Every sewage system shall be maintained so that,

27.1.1 the construction of the sewage system remains in accordance with,

27.1.1.1. the basis on which the construction and use of the sewage system was approved or required under the Ontario Building Code, and

27.1.1.2. the requirements of the manufacturer of the sewage system, and

27.1.2 all components of the sewage system function in their intended manner.

27.2 The land in the vicinity of a sewage system shall be maintained in a condition that will not cause damage to, or impair the functioning of, the sewage system.

27.3 Sewage shall be discharged into a properly maintained and functioning approved sewage system.

27.4 Where a pump chamber receives sanitary sewage it shall be water and airtight, shall be vented to the outside atmosphere, the inlet and outlet piping shall be properly maintained.

27.5 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.

28. **DRAINAGE**

28.1 Storm water, which includes basement sump pump water and rainwater, shall not be drained into a sanitary sewer.

28.2 Roof drainage shall not be discharged into a sanitary sewer or onto sidewalks or stairs.
29. **BASEMENT, CRAWLSPACE FLOORS**

29.1 Basements or crawl spaces which are not served by a stairway or entrance from the dwelling or from outside of the dwelling may have a dirt floor, provided it is covered with a moisture proof covering.

29.2 Basements that are served by a stairway or entrance leading from the dwelling or from outside, the dwelling shall, have a concrete floor.

30. **PROVISIONS OF ANY LEASE, OCCUPANTS OF DWELLINGS**

30.1 Subject to provisions of any lease, occupants of dwellings shall:

30.1.1 Limit occupancy of that part of the premises which he/she occupies or controls to maximum number of occupants permitted by this By-law.

30.1.2 Maintain that part of the premises which he/she occupies or controls in a clean, sanitary and safe condition.

30.1.3 Maintain all plumbing, cooking and refrigeration fixtures and appliances as well as other building equipment and storage facilities in that part of the premises which he/she occupies or controls in a clean and sanitary condition and provide reasonable care in the operation and use thereof.

30.1.4 Keep exits from his/her dwelling unit clean and unencumbered.

30.1.5 Dispose of garbage and refuse into provided facilities in a clean and sanitary manner.

30.1.6 Exterminate insects, rodents or other pest within his/her dwelling unit.

30.1.7 Keep his/her domestic animals and pets in an appropriate manner and under control.

**PART IV**

**NON-RESIDENTIAL PROPERTY STANDARDS**

31. **STANDARDS**

31.1 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 where applicable and any necessary building permits.

32. **STRUCTURAL SOUNDNESS**

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

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

33. **EXTERIOR WALLS**

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

33.2 Exterior walls or a building or a structure and their components, shall be free of inappropriate signs, painted slogans, graffiti and similar defacements.

33.3 All exterior surfaces shall be of materials which provide protection from the weather.
34. **GUARDRAIL AND BALUSTRADES**

34.1 A balustrade 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 600mm (24 inches). 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, mezzanines and similar areas. Guardrails, balustrades and handrails shall be constructed in accordance with the Ontario Building Code, and maintained rigid in nature.

35. **LIGHTING**

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

36. **ELECTRICAL**

36.1 The electrical wiring, fixtures, switches, receptacles and appliances located or used in non-residential building 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 Canadian Electrical Code.

36.2 Lighting fixtures installed throughout a building, including stairways, corridors, passage ways, garages and basements, shall provide sufficient illumination so as to avoid health or accident hazards in normal use. Emergency lights and exit signs shall be maintained and tested regularly.

37. **ROOFS**

37.1 Roofs and their components shall be maintained in a weather tight condition, free from loose or unsecured objects or material.

37.2 Dangerous accumulations of ice shall be promptly removed from roofs.

37.3 Removal of snow or sliding snow from any roof shall not affect the adjacent property.

38. **PLUMBING**

38.1 All building drains shall be connected to a municipal sanitary or private sewage system.

38.2 Building intended for occupancy shall contain at least one bathroom. All appropriate plumbing fixtures shall be provided with an adequate supply of hot and cold running water.

38.3 All plumbing, including drains, water supply pipes, water closets and other plumbing fixtures shall be maintained in good working condition, free of leaks and defects, and all water pipes and appurtenances thereto shall be protected from freezing.

38.4 All plumbing fixtures shall be connected to the building drain through water seal traps.

38.5 Every fixture shall be of such materials, construction and design as will ensure that the exposed surface of all parts are hard, smooth, impervious to hot and cold water, readily accessible for cleansing, and free from blemishes, cracks, stains, or other interstices that may harbour germs or impede thorough cleansing.

**PART V**

STOREFRONT

39. **SPECIAL CONDITIONS**

39.1 The windows of any vacant storefront must not be blackened out or papered over. A display or other appropriate configuration must be employed to give the impression of the storefront being occupied.

39.2 All signage shall be maintained in a clear and tidy manner. Real estate signs shall be mounted within a sign area permitted by the Town of Bracebridge Sign By-law and must not obstruct the “display” required in this Section V.

39.3 Where signage is removed, the area behind must be refurbished consistent with the facade.
PART VI
ADMINISTRATION AND ENFORCEMENT

40. GENERAL

40.1 This By-Law shall apply to all property within the limits of the Town.

40.2 The imperial measurements contained in this By-law are given for reference only.

40.3 The Town shall establish a Committee composed of three (3) persons to be appointed by Council, for a term concurrent with the term of Council.

41. OFFICERS

41.1 The Council of the Town shall appoint a Property Standards Officer(s) responsible for the administration and enforcement of this By-law.

41.2 An officer, may at reasonable times and on producing proper identification, enter and inspect any property.

42. PENALTIES

42.1 Every person who contravenes any provisions of this By-law is guilty of an offence and upon conviction is liable to penalties in accordance with section 36 of the Building Code Act, S.O. 1992. C.23, as amended, for each offence committed.

43. MUNICIPAL LIEN

43.1 If an Order of an Officer under subsection 15.2(2) is not complied with resulting in assessment and repair cost paid out by the Town or other expenses, the Town shall have a priority lien on the land and the amount shall be added to the tax roll against the property and collected in the same manner as property taxes in accordance with 15.4(4) of the Building Code Act. S.O. 1992, c23 and the Municipal Act, 2001.

44. VALIDITY

44.1 If an article of this By-law is for any reason held to be invalid, the remaining articles shall remain in effect until repealed.

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

44.3 This By-law may be referred to as “The Property Standards By-Law”.

44.4 By-Law # 2005-048 and all amendments thereto are hereby repealed.

44.5 This By-law shall come into force and take effect on the date of passage by Council.

READ A FIRST, SECOND AND THIRD TIME, AND FINALLY PASSED THIS 9TH DAY OF FEBRUARY, 2011.

Mayor

Clerk
BY-LAW 2011-


THE COUNCIL OF THE CORPORATION OF THE TOWN OF BRACEBRIDGE ENACTS AS FOLLOWS:

1. That the action of the Council at its Meeting held on February 9, 2011, and in respect to each recommendation contained in the Minutes of the Standing Committees of Council; being the General Committee and Development Services Committee, and, in respect to each resolution and other action passed and taken by the Council at its said meetings, which include Public Meetings and Special Council Meetings is, except where prior approval of the Ontario Municipal Board is required, hereby adopted, ratified and confirmed; and,

2. That the Mayor and Officers of the Corporation are hereby authorized and directed to do all things necessary to give effect to the said action or to obtain approvals where required, and to execute all documents as may be necessary in that behalf, and the Clerk is hereby authorized and directed to affix the Corporate Seal to all such documents.

READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED THIS 9th DAY OF FEBRUARY 2011.

Mayor

Clerk