

BY-LAW NO. 99-2023

BEING AN INTERIM CONTROL BY-LAW OF THE CORPORATION OF THE TOWN OF CARLETON PLACE TO CONTROL THE DEVELOPMENT OR REDEVELOPMENT OF PROPERTIES DESIGNATED “STRATEGIC PROPERTIES” IN DEVELOPMENT PERMIT BY-LAW 15-2015 FOR A PERIOD OF ONE YEAR

WHEREAS Section 38 of *The Planning Act*, R.S.O. 1990 as amended, authorizes the Council of a Municipality to pass an Interim Control By-law that may be in effect for one year, which prohibits the use of land, buildings or structures within the municipality or within the defined area thereof for such purposes as set out in the By-law, but only if the Council of the municipality has directed that a review or study be undertaken with respect to land use planning policies that apply to the subject area;

AND WHEREAS the Council of the Town of Carleton Place directs that a study be undertaken to review Development Permit regulations and associated land use policies pertaining to all properties subject to the “Strategic Properties” designation identified in Schedule “A” of Development Permit By-law 15-2015;

AND WHEREAS the Council of the Town of Carleton Place seeks to control the development or redevelopment of any “Strategic Property” while the study is being completed;

NOW THEREFORE the Council of the Corporation of the Town of Carleton Place enacts as follows:

1. This Interim Control By-law applies to all lands, buildings and structures located within the areas outlined on Schedule A attached to this By-law (the study area);
2. No land, building or structure identified within this By-law shall be subject to a Development application in accordance with the provisions of Section 2.15 of Development Permit By-law 15-2015.
3. For the purposes of this By-law, the following definitions shall apply:
 - a. “Complete” for the purposes of Sections 5 and 7 means:
 - i. For a building permit means an application for a Building permit which satisfies the requirements set out in Building By-law 23-2022 or its successor by-law;
 - ii. For an Official Plan and Development Permit means an application which satisfies the requirements of the Planning Act, the Town of Carleton Place Official Plan and has been deemed complete by the Town of Carleton Place.
 - b. “Development” means:
 - i. the construction, erection or placing of one or more buildings or structures on land,
 - ii. the making of an addition or alteration to a building or structure that has the effect of substantially increasing its size or usability,
 - iii. the laying out and establishment of,

1. a commercial parking lot,
 2. sites for the location of three or more mobile homes as defined in subsection 46 (1) of the Act,
 3. sites for the construction, erection or location of three or more land lease community homes as defined in subsection 46 (1) of the Act, or
 4. sites for the location of three or more trailers as defined in subsection 164 (4) of the Municipal Act, 2001,
 - iv. site alteration, including but not limited to,
 1. alteration of the grade of land, and
 2. placing or dumping fill, or
 - v. the removal of vegetation.
- c. "Redevelopment" means a removal or rehabilitation of buildings or structures and the construction, reconstruction or erection of other buildings or structures in their place.
4. This By-law shall come into force and take effect immediately upon the passage thereof and shall be in effect for one year from its passage unless otherwise extended in accordance with Section 38 of the Planning Act or repealed by Council at an earlier date.
 5. For greater certainty, if a building permit application filed in accordance with the Ontario Building Code Act was Complete on or before the date of passage of this By-law, then this By-law does not preclude the issuance of said building permit.
 6. Official Plan Amendment and/or Development Permit applications within the Study Area which could permit lands to be developed or redeveloped shall be deemed contrary to this By-law and are prohibited.
 7. Any Complete application for an Official Plan Amendment or Development Permit Approval under the Planning Act within the Study Area that exists on or before the date of passage of this By-law shall be exempt from this By-law and be eligible to apply for building permits in accordance with the approved Development Permit for the lands.

READ A FIRST TIME, SECOND TIME AND THIRD TIME AND FINALLY PASSED THIS 5th DAY OF DECEMBER 2023.

Toby Randell, Mayor

Stacey Blair, Clerk

SCHEDULE A
TO BY-LAW 99-2023

