

Communication 134054

Received From: Niki Dwyer, MCIP RPP, Director of Development Services
Addressed To: Committee of the Whole
Date: May 26th, 2023
Topic: Official Plan Review – Final Amendment Proposal

1.0 SUMMARY

Official Plan Amendment - Purpose and Effect

The purpose of the Amendment is to undertake an update to the [Town's Official Plan](#) which was adopted in 2015. The intent of the amendment is to adopt the new population projections assigned by the County of Lanark, perform a consistency and conformity review of updated legislation, and to undertake an amendment to five (5) specific policy sections:

1. Policies 3.1 and 3.2 – Mississippi District
2. Policy 3.3 – Highway District
3. Policy 2.5 – Residential District
4. Policy 4.1 – Green Infrastructure
5. Policy 6.21.1 – Affordable Housing

Changes to Schedules A and B of the Official Plan are also proposed to reflect the policy changes referenced above.

The proposed amendment is general in nature and will impact all properties within the Town of Carleton Place.

2.0 BACKGROUND

2.1 Official Plan Reviews

The [Planning Act](#) prescribes that municipalities shall revise their Official Plan no less frequently than 10-years after it comes into effect and ever 5-years thereafter (*Section 26*). The purpose of the review is to ensure that the Official Plan continues to conform to provincial plans or does not conflict with them, as the case may be; has regard to matters of provincial interest as prescribed; and is consistent with the [Provincial Policy Statement](#).

In addition to the consistency review, the *Planning Act* also prescribes that a lower-tier municipality must amend their Official Plan to conform to the upper-tier Official Plan within 1-year of the upper-tier amending policies which would require implementation at the lower-tier (*Section 27*).

The lower-tier also maintains the ability to make municipal-led amendments to the Official Plan where they deem necessary (*Section 17*). In making said amendment, the *Planning Act* prescribes a process by which the review must take place including the provision of notice in the prescribed manner, the conducting of an Open House and Public Meeting, and evaluation of comments received regarding the proposed amendment. Following the passing of the amendment, a participant who is unsatisfied in the public process may choose to appeal certain matters of the amendment not exempt from appeal as described in *Section 17*.

2.2 Comprehensive Review Requirements

In 2020, the Town of Carleton Place commenced a “Comprehensive Review” in accordance with Section 26 of the Planning Act. JLR Richards and Associates (“JLR”) was retained to review the current Official Plan for changes necessitated by several recent policy amendments including the [County’s Sustainable Communities Official Plan \(SCOP\)](#); the *2020 Provincial Policy Statement* and multiple revisions to the *Planning Act* which had occurred between 2015-2020.

2.2.1 Land Needs Background Study

In order to understand the land use needs of the community in the context of updated population projections which had been adopted by the County of Lanark in 2019 ([SCOP Amendment No. 8](#)), JLR commenced their review with a focused growth analysis to consider both recent development patterns (densities, locations, available lands, etc.) as well as a survey of residents to understand their preference for outward vs. inward directions of growth.

The Land Needs Background study presents three (3) options for policy amendment to accommodate the population and employment needs for the next 20-years. In all 3 scenarios, JLR concluded that the Town had an existing surplus to meet the land needs of the community for the 20-year timeframe. As a result, no annexation of additional land was required in order to accommodate growth.

The three (3) growth scenarios can be summarized as follows:

- *Growth Scenario 1:* Infill & Intensification of vacant lands and strategic properties in the existing built-up area only, excluding all greenfields.
- *Growth Scenario 2:* Growth including urban greenfields in addition to all other vacant land within the existing built-up area, including a future residential district.
- *Growth Scenario 3:* Growth including both urban greenfields and rural greenfields (e.g. annexed lands) in addition to all other vacant land within the existing built up area.

The complete [Land Needs Background Study](#) can be found appended to this report.

On September 15, 2021, Committee of the Whole provided staff direction to move forward with Option 2 as the preferred scenario. This direction was re-affirmed by the current Committee of the Whole on March 10, 2023.

The policy recommendations associated with Growth Scenario 2 have been consolidated in the track-change draft of the amendment.

2.2.2 Policy Conformity Review

In addition to the land needs review, JLR also analyzed the 2015 Official Plan and identified policy areas requiring updates in accordance with *Section 27* of the *Planning Act*. A summary table of changes has been appended to this report and the recommendations have been consolidated into the track-change draft of the amendment. Changes to update the Official Plan to conform to upper-tier and provincial policies are not subject to appeal in accordance with the *Planning Act*.

2.3 Policy Specific Amendment

In addition to undertaking the consistency and conformity review, Council directed staff to undertake a policy specific amendment of the Official Plan to update certain sections which were felt to be inhibiting the Town's ability to influence growth in a manner more consistent with local public interests. This component of the amendment was undertaken in accordance with *Section 17* of the *Planning Act* and was specific to the following policy sections:

1. Policies 3.1 and 3.2 – Mississippi District
2. Policy 3.3 – Highway District
3. Policy 2.5 – Residential District
4. Policy 4.1 – Green Infrastructure
5. Policy 6.21.1 – Affordable Housing

In order to inform the “local public interests” in need of review, staff recommended the establishment of a local citizen and stakeholder “Ad Hoc Committee” appointed by Council to bring forward policy recommendations and general ideas of community development that staff could use to inform policy recommendations.

Committee members were asked to review the existing Official Plan policies provided, walk or drive through the identified policy area subject to discussion and think critically about how these policies have, or have not, been applied to developments within the past 10-years. Staff posed questions such as: *Has development in the last 10 years reflected this policy mandate?; Does this policy seem relevant today?; Does this policy reflect the type of development I want to see in the community?.*

In addition to the recommendations of the Ad Hoc Committee, staff asked JLR to retain the services of Altus Group Economic Consulting to provide professional recommendations on the commercial needs of the community based on a supply analysis, population forecasts and comparable analysis. A copy of the final report is appended to this report. This report has been used to inform policy amendments consolidated into the track-change draft of the amendment.

3.0 PUBLIC ENGAGEMENT

Consultation of the proposed amendment has occurred over the past 3-years of the review. This report will summarize the initial consultation methodology and findings and provide a more detailed analysis of comments received during this final stage of consultation.

3.1 Initial Consultation

In 2021, the Town commenced an initial consultation process to assist in identifying key local issues as well as to answer the question “*How and where should growth occur in Carleton Place?*”. As the COVID-19 pandemic continued to be a reality, public engagement occurred exclusively through online means. In order to gather feedback from residents, the Town circulated a survey, conducted a virtual Open House and a virtual Public Meeting. During this consultation, staff received 446 submissions with

comments and questions. A thorough breakdown of the Initial Consultation can be found in the [“As We Heard It Report – August 2022”](#) appended to this report.

3.2 Targeted Consultation

As noted above, in response to considerable interest by the community to re-consider certain policies areas which were identified by Council, staff recommended the establishment of an Ad Hoc Committee. The Committee met 5-times virtually over a 6-month period with some of the meetings garnering as many as 1,200 views on social media. The anecdotal observations and debates by the Committee were analyzed by staff and incorporated into draft policy recommendations which were summarized in the *“As We Heard It Report – August 2022”* which is appended to this report. The policy recommendations have been consolidated in the track-change draft amendment also found appended to this report.

3.3 Statutory Consultation

In accordance with *Section 17* of the *Planning Act*, the Town circulated notice of proposed Official Plan Amendment in the local newspaper, CP Scoop, and on the Town’s website. Notice was circulated for the required 20 days prior to hosting the public meeting. In addition to conducting a public meeting, staff elected to also host a non-statutory Open House. All information and materials including a copy of the proposed plan, were posted on the Town’s website for the required 20 days prior to the public meeting.

The in-person Open House was conducted on Thursday, April 27th, 2023 in the Auditorium of the Town Hall. The engaged and inquisitive crowd of 20 people asked questions of staff and two (2) councillors about the proposed amendment and viewed the information available on display. In addition to 10 display panels, copies of the track-change official plan were available for review, and comment sheets were provided for residents to leave comments on what they did or did not like in the plan.

Following the Open House, the display panels were digitized for public viewing and commenting on the Town’s website. This served as an additional [“Virtual Open House”](#) which was similarly advertised on social media to residents.

An in-person Public Meeting was conducted on Tuesday, May 9th, 2023 in the Council Chambers of the Town Hall. Staff presented a summary of the project to date and a brief overview of some key policy changes. Eight (8) residents registered to speak at the public meeting, of which four (4) chose to provide comments. Minutes of the Public Meeting are available on the Town’s [website](#) or by request through the Clerk’s office. An archived video recording of the meeting can be found on the Town’s [Facebook page](#).

In response to the public notice, the Town received 22 comment submissions from residents and stakeholders regarding the published materials. A complete summary and analysis of the impact of comments received can be found appended to this report. Certain re-occurring questions have also been included in Section 4.2 this report for consideration by Council.

4.0 COMMENTS

4.1 Evaluation

4.1.1 *Provincial Policy Statement (2020)*

The PPS provides policy direction on matters of provincial interest related to land use planning and development. As per Section 3(5)(a) of the *Planning Act, R.S.O. 1990*, all planning decisions must be consistent with the PPS.

At the date of this report, the PPS consistency review has been completed to conform to the *2020 Provincial Policy Statement*. A summary of amendments to conform to the PPS has been appended to this report and consolidated into the track-change draft amendment.

It is acknowledged that a [draft amended PPS](#) has been circulated by the Ministry of Municipal Affairs and Housing (“MMAH”) for comment. This commenting period is scheduled to close on June 5, 2023, following which the draft PPS may be adopted as presented or adopted with modifications. It is the recommendation of the author, that should Carleton Place Council approve the draft Official Plan Amendment as presented before the end of 2023, the County of Lanark perform the final consistency and conformity review of the text prior to final approval.

4.1.2 *County of Lanark Sustainable Communities Official Plan*

The County of Lanark adopted their *Sustainable Communities Official Plan (SCOP)* in 2012. The *SCOP* is intended to be accessible and broad in its policy context relying extensively on the implementation of its policy directives through local Official Plans. Municipalities are required to ensure that their own Official Plans are in conformity with the *SCOP* in accordance with *Section 27* of the *Planning Act*.

In 2019, the County adopted *SCOP* Amendment No. 8 to assign population projections to the lower-tier municipalities. The Projected Population assigned to the Town of Carleton Place was 20,964 residents by the year 2038. This represented a 97% increase from the 2016 census population of 10,644 people.

At the time of adoption, the County passed a resolution acknowledging that they would undertake a review of the population projections in 2023. In accordance with this commitment, the County is presently undertaking a review of the population projections in collaboration with an external consulting firm.

Staff have consolidated the draft amendment to reference the amendments by *SCOP Amendment No. 8* and have reconciled the land needs based on these figures. However, it is acknowledged that further amendments may be required if the County adopts new population projections prior to approving the Town’s Official Plan Amendment.

Staff have reviewed all of the additional amendments to *SCOP* since the original adoption of the *Carleton Place Official Plan* in 2015 and conclude that no further amendments are required to be made to demonstrate conformity with the upper-tier plan.

4.1.3 Carleton Place Official Plan (2015)

The discussion below is intended to provide a summary of the overall intent of policy changes made to each of the sections subject to review. The analysis is not exhaustive or inclusive of specific wording changes to each of the policy amendments. In addition to the summary included below, specific questions raised during the consultation and the intent of policy language has been included in the Statutory Public Comments Summary table appended to this report.

1. Mississippi District

The Mississippi District is composed of four (4) subdistricts and one overlay; Downtown Core, Transitional, Mississippi Residential, Strategic Properties and the Thoroughfare overlay.

Policy changes to the Downtown Core recognize an emphasis on the creation of “greenspace” both on the ground and vertically, shared and diminished parking prominence in the landscape, higher density residential uses, and a strong emphasis on pedestrian-oriented shopping and tourism-based commercial uses.

The Downtown Core is then supported by high-density residential units and service-based industries in the Transitional designation which will also act to buffer potential conflicts between the Core and the adjacent residential uses.

The Mississippi Residential designation is a protected designation which seeks to limit uses to low-density residential uses and implement policy recommendations that were made in the Neighbourhood Character Assessment in 2019 during the Interim Control By-law which prohibited infill developments in excess of 3-stories.

Finally, the Town continues to recognize the four (4) strategic properties which were identified in 2015 when the Official Plan was adopted. Changes to these policies have been made to conform with densities recognized in Growth Option 2. Additionally, a policy framework which allows for the consideration of additional strategic properties has been outlined and may be utilized for future Official Plan Amendments to consider the designation of other Strategic Properties.

2. Highway District

Arguably, the single most impactful change proposed in the amended Official Plan is the integration of medium and high-density uses into the Highway District. Acknowledging that the Town still requires land available for large-scale commercial businesses, supplemental and secondary uses may also include residential dwellings which do not conflict with the primary commercial functions of the site. Such residential uses may be considered on any Highway District property provided it is demonstrated that the integration of the use can meet certain performance tests identified within the Official Plan including: adequate landscaped open space for residents; provision of affordable housing units; sufficient private parking; and frontage on public or condominium roads.

3. Residential District

Changes to the Residential District seek to identify that development occurring in the older existing neighbourhoods of Carleton Place should be reviewed in a different policy framework to that occurring on the periphery of the Town. As a result, the policies have

been broken into “Infill” and “Greenfield” sections in addition to the overall policies which will apply in all cases of development. Overall, Residential development shall occur in such a manner as to encourage a mixing of densities and uses, with the concentration of higher-density uses in locations where the larger buildings can be fully serviced by transportation networks and the massing of such structures can be balanced with public spaces or used to buffer lower density uses from commercial and employment lands.

Policies have been added to ensure the mitigation of adverse impacts on existing residences and encourage the Town to continue to be proactive in conceptualizing how new neighbourhoods can integrate with the existing community.

4. Green Infrastructure

The Town takes great pride in protecting and enhancing its urban forest canopy. Significant amendments have been made to the Tree Canopy Policy to move from a compensation framework into a no-net-loss policy. Going forward, every tree in excess of 15cm in diameter is required to be replaced with a like tree. This is in addition to the protection of the Town’s official tree, the Hackberry and recognizes ongoing efforts to harvest and replenish a Hackberry grove throughout Carleton Place.

Additionally, the proposed amendment includes greater focus on climate change adaptation, resilience and mitigation. Notably, recognising the importance of alternative energy sources, carbon sequestration and natural cycle reinstatement (i.e.. low-impact design) have been incorporated. Opportunities for local self-sufficiency have also been recognized through the development of policies for local-food production and processing; 15-minute communities; and the establishment of car-independent neighbourhoods.

5. Affordable Housing

Changes to Section 6.21 largely recognize that the Town needs to partner with community stakeholders and other agencies to provide more affordable and attainable housing locally. The use of the term “attainable housing” is reflective of the new language adopted by MMAH in [Bill 23](#) but is still undefined by the province. Additional changes seek to encourage small footprint dwellings, renovations which may make use of existing buildings thus keeping construction costs lower, mixed-use buildings integrating residential uses into under-utilized sites, and enabling policies which allow the municipality to administer incentive programs to encourage the incorporation of affordable housing into market housing developments.

6. Official Plan Schedules A & B

Schedule A – Land Uses

The most significant changes pertain to the enlargement of the “Transitional Sector” as discussed by both the Ad Hoc Committee and Council. The Transitional Sector has been expanded East, West and North from Bridge Street. Changes have also been made to expand the roads to be considered “Thoroughfares and Gateways” to be more consistent with recommendations made in the [Transportation Master Plan](#) for arterial and collector roads. Finally, a “Greenfields” Overlay has been introduced to certain large parcels of land intended for future development.

Schedule B – Infrastructure

Changes to this schedule include the expansion of road networks and trails in accordance with the *Transportation Master Plan* and [Recreation and Culture Master Plan](#). [Floodplain mapping](#) has also been reconciled to be consistent with new mapping developed by the Mississippi Valley Conservation Authority in 2020.

4.2 Specific areas of discussion:

4.2.1 What is the difference between Net and Gross Density?

Historically, the Official Plan has prescribed all densities as “Net Density” calculations, the definition of which includes lands which are utilized for residential development exclusive of roads, easements, infrastructure services and required parkland (Policy 3.5.4.1).

The Land Needs Background Study by JLR refers to both “Gross” and “Net” densities depending upon the scale of the development under review. Gross density presents a more comprehensive understanding of the overall land use of an area – particularly in mixed-use communities or subdivisions where the built-form of the neighbourhood may change considerably from street to street. Net densities consequently can be more appropriate when examining the compatibility of infill developments within built-up neighbourhoods.

To assist in administering the new “Net” and “Gross” density calculations in the new policies, staff have amended the Official Plan to include definitions of the parameters of each.

4.2.2 What is the definition of Strategic Properties?

During the public consultation, it was identified that the Official Plan does not include a definition of “Strategic Properties”. There are four (4) Strategic Property sites identified both in text and on Schedule A: Findlay Foundry, McArthur Island, the former DRS site, and the Wool Growers collective. Aside from their unity as former industrial operations which would be incompatible with the residential uses in accordance with the D-Series guidelines applied today to light employment operations, the sites share few similarities. The intent of the “Strategic Properties” designation is presently stated in the Official Plan as follows:

“These areas present opportunities for new residential and mixed used residential and commercial development which can complement and support the Central Business District and help provide linkages between the downtown core and the newer commercial and residential districts.”

In light of this, the Land Needs Background Study by JLR identified all four (4) sites as targeted growth areas which would provide targeted densities of 40 units per net hectare and provide high-density residential uses on the sites.

Two (2) comments raised in consultation warrant specific consideration prior to concluding this review.

Q1: Can all or some of the Strategic Properties be eliminated from the Official Plan?

A1: While it is within Council's purview to remove Strategic Properties from the Official Plan, the ramifications of this decision would result in the need for a new Land Needs Background Study to reconcile the loss of residential units provided by these sites on other lands (including possibly the need for boundary expansion and annexation). It is Staff's recommendation that the decision to remove a Strategic Property from the Official Plan be dealt with through a specific policy amendment to analyze the merits of each property specifically.

Q2: Each of the Strategic Properties are very different. Can site specific provisions be introduced for the sites?

A2: Much like the discussion of height below, there are certain overarching policies that make sense to incorporate into the Official Plan regarding site specific development, however, overall design and performance standards should be identified within the Development Permit By-law. Staff suggest that should Council wish to examine the undeveloped Strategic Properties (i.e. those which have not filed for or received development approval) and establish more specific characteristics a municipally-led, a site specific Development Permit By-law Amendment would be the appropriate mechanism for review.

4.2.3 Does Council wish to address matters of height (as a number of stories) in the Official Plan?

The Town's current Official Plan recognizes that up to seven (7) stories may be permitted in the Downtown Core. No other land use designation identifies a permitted or prescribed height, instead leaving the implementation to the performance standards of the Development Permit By-law. While Official Plans do not typically provide quantifiable performance standards within their policies, it is arguably permissible to include provisions which provide an overall massing limit for further refinement at the Development Permit level (i.e.. Floor Area Ratios, Densities, Number of Stories).

Direction by Council to date has included a preference to recognize up to six (6) stories in the Downtown District and five (5) Stories in the Transitional District, with step-backs after three (3) stories in both cases. The height of buildings in all other designations (Residential, Highway Commercial, Mississippi Residential etc.) would be managed through the Development Permit By-law.

Public comments raised at the public meeting noted a desire to see all development capped at three (3) stories.

While Staff have drafted the amendment to include the referenced stories in the Downtown District and Transitional District, it may be advantageous to simply remove the references and consistently refer to the Development Permit By-law for heights.

4.3 Summary

Having reviewed and assessed the presented draft Amendment, Staff are satisfied that the proposal complies with the provisions of the Planning Act, the Provincial Policy

Statement 2020 and the County of Lanark Sustainable Communities Official Plan, as amended.

4.3.1 Options for Decisions:

The following summary outlines the recommended (displayed in bold text) and alternative available options for Council's consideration:

1. **THAT Council pass a by-law to amend the Official Plan as presented by Staff in Communication 134054.**
2. THAT Council pass a resolution to provide direction to staff to amend the draft Official Plan as instructed.
3. THAT Council defer the decision to amend the Official Plan until further information is provided as directed by Council through resolution.
4. THAT Council deny the decision to amend the Official Plan as proposed.

5.0 STAFF RECOMMENDATION:

THAT Council pass a by-law to amend the Official Plan as presented in Communication 134054 by the Director of Development Services dated May 23, 2023.

6.0 ATTACHMENTS

1. Statutory Public Comments Summary
2. Updated Track-change Official Plan Draft Amendment
3. Official Plan Schedules A and B
4. Neighbourhood Character Assessment
5. Land Needs Background Study
6. Atlas Commercial Needs Background Report
7. As We Heard It Report
8. 2023 Consultation Package