

BY-LAW NO. XX-2025

A BY-LAW OF THE CORPORATION OF THE TOWN OF CARLETON PLACE TO AMEND BY-LAW 15-2015 BEING THE DEVELOPMENT PERMIT BY-LAW FOR THE TOWN OF CARLETON PLACE.

WHEREAS the Council of the Corporation of the Town of Carleton Place passed Development Permit By-law 15-2015 (the “**Development Permit By-law**”) to regulate the development and use of lands within the Town;

AND WHEREAS the Development Permit By-law contains provisions establishing a maximum validity period of one (1) year for Development Permits and a concurrent one (1) year time limit for fulfilling conditions imposed in connection with the issuance of a Development Permit as well as provisions limiting the approval of extensions;

AND WHEREAS Council has determined that the one (1) year validity period and one (1) year time limit for fulfilling conditions currently contained in the Development Permit By-law are unnecessarily restrictive and that additional flexibility with respect to extensions to validity periods and time limits for fulfilling conditions is desirable;

AND WHEREAS pursuant to Section 4(1) of Ontario Regulation No. 173/16, the Development Permit By-law is deemed to be a by-law passed under Section 34 of the *Planning Act*, R.S.O. 1990, Chapter P.13, which provides for amendments to by-laws;

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

GENERAL

1. All capitalized terms contained in this By-law have the meanings given to them in the Development Permit By-law unless otherwise stated herein.

AMENDMENTS

2. Section 2.25 of the Development Permit By-law is hereby amended by deleting the following language:

A Development Permit shall be valid for a period of one year from the date of the decision provided that the Development Permit has been signed and/or a Development Agreement has been executed and a Building Permit is issued prior the deadline. One extension of no more than six months may be granted subject to Committee Approval.

3. Section 3.34 of the Development Permit By-law is hereby amended by deleting the following language:

The applicant shall have maximum of one (1) year from the date of the issuance of a provisional approval to fulfill the condition or conditions of approval before approval lapses. One extension of provisional approval may be given upon submission of a formal request to the Director of Development Services of the Town of Carleton Place.

The extension of a provisional approval shall be for a period that can be reasonably considered to be necessary to allow for a proponent to meet the required conditions but such extension shall not exceed a period of one (1) additional year from the date of lapsing of the original provisional approval.

4. The following new provision is hereby added to the Development Permit By-law as Section 2.29:

2.29 VALIDITY PERIODS, TIME FOR FULLFILMENT OF CONDITIONS AND EXTENSIONS

- 1) A Development Permit, including a Provisional Development Permit, shall be valid for a period of three (3) years from the date of the approval granted pursuant to Section 2.25;
- 2) If a Provisional Development Permit has been issued pursuant to Section 2.25 and the applicant has not, within a period of three (3) years from the date of the approval, fulfilled any conditions required to be met prior to issuing a Development Permit including, if applicable, the execution of a Development Permit Agreement, the Provisional Development Permit shall lapse;
- 3) An applicant may, prior to expiry of the validity period set out Section 2.29 1) above or the lapsing period set out in Section 2.29 2) above, request one or more extension(s) of the validity period and/or lapsing period, which request may be granted:
 - i) by the Director of Development Services, in their sole and absolute discretion, for a cumulative total extension of no more than one (1) year, taking into account any prior extension(s) granted; and,
 - ii) by resolution of Council, for any period in excess of one (1) year, in its sole and absolute discretion, provided that no extension shall be provided which extends the validity period or lapsing period beyond a date which is more than seven (7) years from the date of the approval granted in accordance with Section 2.25.
- 4) Any request made by the applicant in accordance with Section 2.29 3) shall be accompanied by:
 - i) a rationale for the requested extension;
 - ii) any other supporting information or material requested by the Director of Development Services; and,
 - iii) any fee payable pursuant to Town of Carleton Place By-Law No. 74-2024 (Fees and Charges), as amended or replaced.

- 5) Any decision made by the Director of Development Services or by Council with respect to a request for an extension pursuant to this Section 2.29 is final.

TRANSITION AND EFFECTIVE DATE

5. This By-law shall apply to any valid Development Permit or any Provisional Development Permit which has not expired or lapsed and which is currently in effect in the Town of Carleton Place.
6. This By-Law takes effect from the date of passage by Council and comes into force and effect pursuant to the provisions of the *Planning Act*, R.S.O. 1990, Chapter P.13.

READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED THIS XX DAY OF APRIL, 2025.

Toby Randell, Mayor

Stacey Blair, Clerk