

## **COMMUNICATION 136069**

Received From: Tyler Duval, MCIP RPP, M.Pl., Senior Planner  
Addressed To: Committee of the Whole  
Date: June 24<sup>th</sup>, 2025  
Topic: New Development Permit By-law – Final Draft

### **SUMMARY**

#### *Development Permit By-law - Purpose and Effect*

The purpose of the New Development Permit By-law is to repeal and replace By-law 15-2015, being the Town of Carleton Place Development Permit By-law. The intent of the new By-law is to have an up-to-date Development Permit System that is in alignment with the most recent land use planning trends, standards of the development industry and to ensure consistency and conformity with updated legislation.

Although the By-law is considered “new”, many elements from the current Development Permit By-law 15-2015 have been carried forward into the new draft By-law. The majority of the new content in the draft By-law is generally related to the following:

- General changes including typographical errors, grammar, omissions and wording;
- Clarify administration, interpretation, enforcement, application classes, application requirements, application process and agreement/permit requirements;
- Expanding general provisions where gaps were identified;
- Refining Development Permit Area provisions and design guidelines to reflect industry standards;
- Updating the list of defined terms used in the by-law.

Schedule ‘A’ to the By-law, being the Development Permit Areas Schedule, has also been updated to capture any Development Permit Amendments that occurred since the previous review of the Development Permit By-law.

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

### **BACKGROUND**

In 2015, the Town of Carleton Place adopted Development Permit By-law 15-2015 being a by-law that regulates land use and development on lands within the Town. Since the date of adoption, the Development Permit By-law has been updated and amended several times (most recently in 2021).

The *Planning Act* requires municipalities to ensure that its land use implementation by-laws (such as Development Permit or Zoning By-laws) are kept up to date and in conformity with the Official Plan that enables it.

Given the fact that the Town of Carleton Place has recently passed a substantial Official Plan Amendment, Staff commenced the process of preparing an update to the

Development Permit By-law in 2023 with the intent to remain true to the intent and policies of the new Official Plan.

### Development Permit System Reviews

Municipalities are required to update their Development Permit By-law (or Zoning By-law) no less than three (3) years after the approval of an Official Plan update/amendment under Section 26 of the *Planning Act*.

In June 2023, the Town of Carleton Place passed By-law 63-2023 to adopt Official Plan Amendment No.8 (OPA-02-2023) having the effect of amending the Official Plan for the Town of Carleton Place.

In making an amendment to a Development Permit By-law, 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.

## **PUBLIC ENGAGEMENT**

Consultation of the proposed By-law has occurred over the past 12 months. 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.

### Initial Consultation – Online Survey

In August 2024, the Town commenced an initial consultation process by means of a kick-off Town-issued pamphlet and online survey. This effort served two (2) purposes; first to notify residents, local business owners and developers of the upcoming Development Permit Amendment process and secondly, to gauge their respective experiences with the By-law to date. The survey was crafted intentionally to gauge, at a high level, the “user-friendliness” of the Town’s existing Development Permit By-law.

The survey included questions along the lines of;

- “Have you ever consulted the By-law”,
- “What sections of the By-law are appealing (should be carried forward)?”
- “What sections of the By-law are problematic (should be re-examined)?”

Town Staff circulated the project kick-off pamphlet and survey to known local builders, builders and planning consultants in addition to having notices published on the Town’s website and e-newsletter (CP Scoop).

### Second Consultation

In January 2025, a second online survey was made available for parties interested in the Development Permit By-law update. The survey was slightly more technical in its content than the high-level predecessor. This survey was built in a way to gauge how the Town’s

character and built form are supported through the contents of the Development Permit By-law. For instance, this survey contained questions along the lines of:

- “What is your favourite building/site in Town and what do you like about its design”,
- “What is your least favourite building/site in Town and what do you not like about its design”,
- “Is there anything new that the Town should bring forward into the Development Permit By-law in terms of urban design

Town Staff circulated this second survey to known local builders, builders and planning consultants in addition to having notices published on the Town’s website and e-newsletter (CP Scoop).

This survey was completed by far more respondents than the initial survey, likely due to the project’s natural momentum and word-of-mouth outreach. The results indicated that preserving the small-town character of the Town is desirable.

#### Statutory Consultation

In accordance with *Section 34* of the *Planning Act*, the Town circulated the notice of the proposed Development Permit Amendment in the local e-newsletter (CP Scoop), on the Town’s website and to all parties who indicated they wished to be notified of major project milestones. Notice was for both an Open House and Public Meeting, as prescribed by the *Act*. The notice was circulated for the required 20 days prior to hosting the Public Meeting. All information and materials including a copy of the draft by-law, were posted on the Town’s website for the required 20 days prior to the Public Meeting.

The Open House was conducted on Tuesday, April 15<sup>th</sup>, 2025, in the Council Chambers of the Town Hall. Representatives of two (2) Committees of Council attended the Open House to discuss the direction of the proposed By-law in regard to their respective mandates (Environmental Advisory Committee, and Urban Forest/River Corridor Committee. One member of the local development community attended the Open House. In addition to 10 display panels, copies of the tracked-change draft By-law were available for review, and comment sheets were provided.

A Public Meeting was conducted on Tuesday, April 22<sup>nd</sup>, 2025, in the Council Chambers of the Town Hall. A summary of the project to date and a brief overview of some key policy changes was presented at the meeting. No parties registered to speak at the Public Meeting. 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.

Although the in-person Open House and Public Meeting events may have been poorly attended, the Notice garnered many digital submissions from residents and stakeholders regarding the published materials. In response to the draft By-law, 187 total comments were received from 13 individual parties.

Staff considered the comments submitted in response to the first draft By-law and was able to incorporate many of the suggestions into what would become a second draft of the By-law. Given the healthy feedback received and the substantial revisions made to

the initial draft By-law, Staff elected to host a second Public Meeting with the intention of keeping the public process as transparent as possible.

The second Public Meeting was conducted on Tuesday, June 10<sup>th</sup>, 2025 in the Council Chambers of the Town Hall. A summary of the project to date and a brief overview of some key policy changes were presented at the meeting. No parties registered to speak at the Public Meeting. 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](#).

Of the 187 total comments received, 131 of them (70%) were able to be incorporated into the final draft By-law. 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 the *Specific Areas of Discussion* section of this report for consideration by Council.

## COMMENTS

### Evaluation

#### *Provincial Planning Statement (2024)*

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.

The current draft of the Development Permit By-law has been subject to a consistency review with the 2024 Provincial Planning Statement which was presented in an [Interim Report](#) to Council for information on January 28<sup>th</sup>, 2025.

The PPS recognizes municipal Official Plans and Development Permit By-laws as important tools for implementing the policy direction of the PPS and for achieving comprehensive, integrated, and long-term planning. Planning authorities are directed to keep their policies and by-laws up to date with their Official Plans and with the PPS.

#### *County of Lanark Sustainable Communities Official Plan*

The County of Lanark adopted its *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 and application land use by-laws. 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*.

The current draft of the Development Permit By-law has been subject to a consistency review with the SCOP, as amended, which was presented in an [Interim Report](#) to Council for information on January 28<sup>th</sup>, 2025.

### *Carleton Place Official Plan (2015)*

The Development Permit By-law is the Town's land use planning tool that implements the policy direction of the Official Plan. Most recently, the Official Plan has been updated by means of OPA 08, which is in essence the inciting event leading to the Development Permit By-law update.

OPA 08, being a 5-year Comprehensive Review under Section 26 of the *Planning Act*, brought forward updates to the Town's Official Plan in relation to the following items:

- Recognition of the Anishinaabe Peoples as the first inhabitants of the Town, and the duty to consult indigenous communities on issues related to natural and cultural heritage matters.
- Amendments to the densities and character of development policies relating to several Districts within Carleton Place:
  - Mississippi District,
  - Highway District
  - Employment District
  - Residential District,
- Policies encouraging Green Infrastructure.
- Policies supporting Affordable Housing.
- Policies supporting the conformity with the Transportation Master Plan and Parks, Recreation, & Culture Master Plan.

The proposed Development Permit By-law was drafted in a way that would address any implementation gaps that may have presented themselves as a result of OPA 08.

### *Specific areas of discussion:*

The nature of a new By-law has the effect of repealing and replacing the current Development Permit By-law in force and effect. As such, the entirety of the By-law is considered new content – even though many sections of the new draft By-law contain suitable language that was carried forward from the current By-law (By-law 15-2015). Of the variety of comments received during the public consultation for this project, the topics that were most frequently discussed included the following (in no particular order):

- Planned Unit Developments
- Minimum Lot Dimensions (Lot Frontages and Lot Areas)
- Transitional Provisions (related to approvals that would pre-date the new By-law)
- Strategic Properties

The following sub-sections will highlight Staff's position on each of the key discussion topics. The complete list of comments and submissions are also appended to this report.

### ***Planned Unit Developments***

Planned Unit Developments will be defined as a use and have been listed as a Discretionary Use in the Residential Development Permit Area. Given the varying and unique nature of a Planned Unit Development, the Discretionary label will allow Staff to have an adequate review process and also allow for the Notice of Application (sign posted on site) to be posted for a more fulsome consultation of the neighbouring property owners.

As a Discretionary Use, an application for a Planned Unit Development will always require a case-by-case review (through the DP2 process). Staff is of the opinion that a Discretionary Use is the best solution to simplify the application process for developers without a Class 3 development Permit application process.

Planned Unit Developments may have historically been approved under the lens of a different defined use. The Town wants to incorporate into the new By-law some baseline standards for how these proposed developments will be treated going forward. As such, the definition and development standards were introduced in the draft By-law.

### ***Minimum Lot Areas***

Stemming from the foundational work undertaken in the Town's OPA 08, Carleton Place is looking to define and develop a local typology of dwellings which is consistent with the vision and objectives of the local community. The Town takes pride in its small-town identity with an emphasis on building a mixture of appropriate residential densities in a sustainable and economically viable land use pattern while protecting and enhancing our natural environment.

OPA 08 specifically established new definitions and unit ranges for low-, medium- and high-density-built forms based on a growth management strategy adopted by Council.

Low-density uses, including single, semi, duplex and triplex dwellings are recognized with a maximum density of 22 units per gross ha (or a maximum of approximately 1 unit per 454m<sup>2</sup>).

Medium-density uses, including street fronting townhomes, stacked townhomes or low-rise apartment dwellings are recognized with a maximum density of 30 units per gross ha (or a maximum of approximately 1 unit per 333m<sup>2</sup>).

High-density uses, which may include stacked towns, back-to-back towns, planned unit townhomes or apartment dwellings may be permitted up to a maximum density of 90 units per gross ha (or a maximum of approximately 1 unit per 111m<sup>2</sup>).

These parameters have been reflected within the performance standards of the Development Permit By-law to align the document's conformity with the Official Plan.

Staff have also performed an environmental scan of lot areas from adjacent small towns to ensure that the minimum lot areas are reasonable and consistent with new subdivision developments. The analysis can be found below:

**Figure 1 – Lot Area Comparisons**

<b>Municipality</b>	<b>Single</b>	<b>Semi</b>	<b>Street Townhome</b>	<b>Apartment* as measured by lot area per unit</b>
<b>Carleton Place (new)</b>	<b>450m<sup>2</sup></b>	<b>320m<sup>2</sup></b>	<b>330m<sup>2</sup></b>	<b>110m<sup>2</sup></b>
Mississippi Mills (urban)	360-540m <sup>2</sup>	320m <sup>2</sup>	110-180m <sup>2</sup>	137m <sup>2</sup>

Smiths Falls	420	210	200m (exterior) 150m interior)	200m2
Perth	325- 450m2	232m2	250m (exterior) 165m (interior)	464.52 m2 for 1st 4 units plus 46 m2 for each additional unit
Brockville	250- 360m2	200- 270m2	180m2	133m2

### ***Minimum Frontages***

The purpose of minimum frontage provisions is to ensure that each typology of building can accommodate all necessary services and amenities within the front yard. In particular, the Town requires each frontage to have sufficient room for: driveways providing access to a garage or parking, side yard setbacks, street tree plantings, and utility trenches for services. Without sufficient frontage, these components become cramped causing conflict or in some cases result in the sacrifice of urban street tree plantings.

Minimum frontages, particularly for street fronting townhomes, are also important to ensure that sufficient space is available between driveways to accommodate on-street parking.

Staff conducted both an environmental scan of lot frontage from adjacent municipalities as well as an analysis of servicing plans for existing dwellings to illustrate the minimum functional frontage requirements to accommodate all services and amenities.

**Figure 2 – Lot Frontage Comparisons**

<b>Municipality</b>	<b>Single</b>	<b>Semi</b>	<b>Street Townhome</b>	<b>Apartment</b>
<b>Carleton Place (new)</b>	<b>11m</b>	<b>7.5m</b>	<b>7.5 (interior) 8.5m (exterior)</b>	<b>35m</b>
Mississippi Mills (urban)	12-18m	10m	4.5-6m	30m
Smiths Falls	15m	9m	5.5m	30m
Perth	10m-	7.62	6m	7.5m
Arnprior	13.5m	8m	6m	30m
Brockville	9-15m	7.5 – 12m	6m (interior) 9m (exterior)	25m

### ***Transitional Provisions***

Town Council, Staff and the development community alike had a shared desire for the new By-law to include a Transitional Provision that would stipulate how developments that were granted approvals pre-dating the passing of a new Development Permit By-law would be treated.

Generally speaking the intent of the Transitional provision in the draft By-law will state that development applications (i.e. subdivisions and development permits) that were deemed a complete application (or have received approval) shall be evaluated under the scope of the Development Permit By-law that was in force and effect on the day the application was deemed complete.

### ***Strategic Properties***

In addition to the adoption of the new Development Permit By-law, staff have also been working on a study of “Strategic Properties” within the Town as part of an Interim Control By-law adopted by Council in December 2023. The work associated with Strategic Properties will be presented to Council separately and includes options to add new sites to the inventory of identified properties. As an interim measure as part of the new Development Permit By-law adoption, staff have amended the existing strategic properties to reflect the following:

- Align the performance standards and uses of the existing properties with the amendments made in OPA 08 to the “Strategic Properties” designation in the Official Plan;
- Recognize existing development approvals in effect at Findlay Foundry and McArthur Island;
- Align the performance standards for non-approved properties with other updated community wide standards (i.e. reduction in parking requirements for apartment dwellings)

Council will receive a separate report from the Director of Development Services in August 2025 to consider additional amendments to this section of the By-law.

### **Summary**

Having reviewed and assessed the presented draft By-law, Staff are satisfied that the proposal complies with the provisions of the Planning Act, the Provincial Policy Statement 2024, the County of Lanark Sustainable Communities Official Plan, and the Town of Carleton Place Official Plan, as amended.

### ***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 adopt the updated Development Permit By-law as presented by Staff in Communication 136069.**
2. THAT Council pass a resolution to provide direction to staff to amend the draft Development Permit By-law as instructed.
3. THAT Council defer the decision to adopt the updated Development Permit By-law until further information is provided as directed by Council through resolution. (NOTE: this is not recommended as the Town could be vulnerable to losing CMHC Housing Accelerator Fund (HAF) funding if the By-law is not approved before the end of June, 2025) as a number of the initiatives included in the HAF application pertain to the passing of a new Development Permit By-law.



4. THAT Council deny the adoption of the updated Development Permit By-law as proposed. (NOTE: this is not recommended as the Town could be vulnerable to losing CMHCs HAF funding if the By-law is not approved before the end of June, 2025)

**STAFF RECOMMENDATION:**

THAT Council pass a by-law to adopt the updated Development Permit By-law as presented in Communication 136069 by the Senior Planner dated June 24, 2025.

**ATTACHMENTS**

1. Statutory Public Comments Summary
2. Track-change Development Permit By-law Amendment
3. Schedule 'A' of the Development Permit By-law