

Section	Subject	Discussion
1.0	EXPLANATORY NOTE AND INTENT	
	Comment	Paragraph 4 “The Development Permit may (change to “shall”) include regulations regarding Tree Cutting and Site Alteration.”
	Response	✗ No action. We do regulate tree cutting – this sentence is a generality.
2.0	ADMINISTRATION	
2.10	Enforcement and Penalties	Comment
		It is recommended that this section include a requirement for security deposits. Eg. Require a security deposit to ensure the Environmental Impact Statement is followed. -The contractor must show that all the requirements such as fencing around identified trees and waterways have been completed before contractors begin work and through out the development work. If not, the security deposit is forfeited to the Town.
	Response	✗ Noted. This is a comment more appropriately reflected in case-by-case development agreement.
2.16	Development Permit Exemptions	Comment
		Can ARUs be added as an exception?
	Response	✓ Yes. This change has been reflected in the draft by-law. The Town intends to streamline the approval of ARUs. One ARU in a permitted residential building will no longer require a Development Permit Application (the second and third eligible ARUs on a property will however require an approval process).
	Comment	Has there been consideration for adding Townhomes to the list of exceptions? It’s my understanding that historically at least in new plans of Subdivision that developers have not been required to submit DP applications for standard Townhome construction.
	Response	✗ Townhouses that are proposed on infill lots will require a DP1A to review the suitability of the housing typology and to ensure an adequate review of the available municipal services are in place to support the infill. However, a Townhouse within a plan of subdivision

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			(greenfield development) will not require a Development Application (unless of course the proposed Townhouse requires variations to the development standards). As such, no material change to the draft by-law will be made.
		Comment	Previous response indicated there is an exemption for DP applications on townhomes in a plan of subdivision (provided no variances are being requested). Can you confirm where this wording was included?
		Response	✓ That is correct. Only a Townhouse proposed on an infill lot will require a planning application to appropriately review access, traffic, servicing etc. A Townhouse block that was approved as part of a plan of subdivision will not require a Development Permit application if it meets all the standards and provisions listed within the Development Permit By-law.
2.17	Development Permit Classes	Comment	Instead of "...no adverse impacts or minimal adverse impact...", I believe the established term is "undue adverse impact." Also applies elsewhere.
		Response	✓ Staff agrees with the use of the term “undue”. The change will be reflected in the draft by-law.
		Comment	I believe the term “appropriate land use” is subjective and therefore unhelpful. The word “permitted” is likely adequate here. Also applies to 2.17.2 3) and 2.17.3 1).
		Response	✓ Text has been added to the draft by-law to clarify the intent of this provision.
		Comment	The statement “in order to obtain relief from one or more of the standards of the By-law” could be out of place here as this is a confusing provision.
		Response	✓ This section of the by-law has been revised. The statement in question no longer appears in the by-law.
		Comment	Has the ability to have "the nature of the residential ownership model" registered on title been confirmed by a solicitor?

		Response	✓ The intent of this provision is to ensure that some form of agreement is registered on the Title of a property, in the event that the development is proposed to be any form of non-market housing (e.g. the ownership model). In a Class 1A Development Agreement, this condition of ownership can be listed – the agreement is then registered on Title will require the rental model to prevail through the life of the development.
		Comment	Developments requiring "multiple technical studies and reports" should not necessarily trigger Committee involvement. Many Class 2 Development Permit applications (and even some Class 1 applications) require multiple technical studies and reports. Further, Committee may be less qualified than staff to objectively assess the contents of technical studies in the first place.
		Response	✓ This provision has been removed from the draft by-law.
		Comment	Amend subsection 2.17.3. to require, a Class 2 Development Permit : for a change to another permitted use, discretionary use, or temporary use, and for any proposal for alteration of site where removal of trees of a caliper in excess of 150 mm is proposed.
		Response	✗ The purpose of the Class 2 DP is to not have similar notification requirements as a Class 3. It would not be appropriate to identify one community with a different notification requirement than other communities. As such no change to the draft by-law has been made
2.19	Amendments to the Development Permit By-law	Comment	Are the “tests for variation” identified anywhere?
		Response	✓ Section 2.17 of the by-law lists the tests for variation (through Class 1, 1A and 2 Development Permit Applications).
2.18	Variations	Comment	It should be made clear within the preamble that variations are considered and granted as part of the normal Development Permit review/approval process, not some other variance process. In fact, it might be more appropriate to swap sections 2.18 and 2.19 to promote this understanding.

		Response	✓ The sections have been re-ordered for a more logical progression through the type of planning applications (most minor to most major).
2.20	Requests for Committee of the Whole Review for Class 2 Applications	Comment	It is clear within the latter part of this provision that staff or the applicant can request that an application be referred to Committee of the Whole, but who else can make this request - the public? Committee? Council?
		Response	✓ Additional language has been added to the draft by-law to specify what parties can make the request.
		Comment	Perhaps a section 2.24.1.1 could be added that addresses what happens when a request to refer a Class 2 Permit application to Committee is granted.
		Response	✓ Clarifications have been added to Section 2.20 regarding how the request for Committee review occurs: <i>“In the event that a Class 2 Development Permit Application has received a request to be referred to the Committee of the Whole, the application shall be processed as a Class 3 Development Permit as prescribed in this By-law.”</i>
2.21	Public Notice Requirements	Comment	Amend chart for Class 2 under Public Notice Requirements (applications in the Health Campus) to require the same mailed circulation requirements for Public Notice as proposed for Class 3 development applications . i.e. “Notice circulated via mail to property owners within 120 m of the subject property. Concerned parties updated with Council meeting date.”
		Response	✗ The intent of the Class 2 DP, and the DPS in general is to streamline the process for development applications. Similar to the previous comment, it is not appropriate to have different notification requirements for one neighborhood than the rest of the community. As such no change to the draft by-law has been made.
		Comment	Subsections 1, 2 and 3 -Refer to the applicant may appeal the decision to the Ontario Land Tribunal – in Class 2 and 3 applications – could there be reference to the public being able to do the same?

		Response	<p>✗ The purpose of the Class 2 DP is to streamline the process which includes appeals. Under Ontario Regulation 173/16, Community Planning Permits (12), only the applicant may appeal a decision to the OLT.</p> <p>As such no change to the draft by-law has been made.</p>
2.27	Issuance of Decision	Comment	Please consider elaborating on the decision-making authority for Committee and Staff within this section. Specifically, does Staff have the authority to refuse an application?
		Response	<p>✓ Yes. Staff has delegated authority to refuse an application. As a practice, Staff does their best to advise a potential applicant when a proposal will not be supported by Staff (before a formal application is made).</p>
		Comment	Committee sometimes modifies applications (e.g. number of dwelling units, parking spaces, etc.) during the approval meeting. Can the by-law address Committee's powers in this regard?
		Response	<p>✗ These types of discussions during Committee meetings are more akin to a negotiation process, as an attempt to not refuse the subject application. In effect, it is not the Committee modifying the application, more so the applicant agreeably amending it on their own behalf in the presence of Committee. As such no change to the draft by-law will be made to this effect.</p>
		Comment	Add wording in third paragraph reflecting mailed notice requirements as per Section 2.21 herein
		Response	<p>✓ This has been addressed by adding wording to reflect mailouts.</p>
		Comment	Add reference to the public also having the right to appeal
		Response	<p>✗ Under Ontario Regulation 173/16 Community Planning Permits (12), only the applicant may appeal a decision to the OLT.</p> <p>As such no change to the draft by-law has been made.</p>

2.28	Provisional Approvals	Comment	Section 2 referred here. Should this be Section 2.30? Is provisional approval simply an approval with conditions, pursuant to Section 2.30? This is a bit unclear.
		Response	✓ Changes have been to this section to add clarity.
2.32	Holding Provisions	Comment	Recommend “no lands shall be used, no buildings or structures shall be erected, and no vegetation shall be removed. Rationale: If lands are being suspended from further development and no structures may be erected, it is imperative that no vegetation be removed to ensure the integrity of the natural environment and protect biodiversity.
		Response	✗ The Town has tree cutting by-laws and the DP has a required permit for cutting mature trees, as such a Holding is not the appropriate tool to achieve this
		Comment	Suffixes h3 and h4 are mentioned. Are there h1 or h2 holds? There doesn’t appear to be anything included on Schedule ‘A’.
		Response	✓ Holding symbols -h1 and -h2 are shown on Schedule ‘A’.
2.22	Pre-consultation	Comment	Commencing development prior to pre-consultation requires a fine.
		Response	✗ The Town cannot require pre-cons per provincial legislation nor does the Planning Act permit the use of fines as a means of penalty.
		Comment	Recommend adding “shall be required to conform to "Green Development Standards check list"
		Response	✗ The Town will not require all development to conform to the checklist in its entirety. All developments will require the checklist be completed.
		Comment	Recommend adding “may be required to submit an Energy Modeling Report”

		Response	✗ This requirement is not presently in the OP, and thus could be a challenge to justify as an addition it in the DP, at this time cannot be included. At this time, staff have the latitude in both policies to request additional reports and documents as appropriate. This may change as a result of amendments to the Planning Act through Bill 17, but if it is not adopted as presented, staff can continue to request reports as necessary.
		Comment	Recommend adding “shall conform to Lanark County's Climate Action Plan and the Town's forthcoming Climate Action Plan”
		Response	✗ This recommendation is pre-mature without the adoption of a local Climate Action Plan. When the action plans inform physical/tangible development standards, those specific items get built into the DP. If Council adopts such a plan staff can proceed with an additional amendment to the DP Bylaw to recognize the provisions as appropriate.
2.30	Conditions	Comment	Cash-in lieu of parkland- This allowance has been abused in the past. There must be criteria established regarding the size of development that can utilize this provision.
		Response	✗ Noted. Policies on the use of cash-in-lieu of parkland are found in the Official Plan and Parkland Dedication Bylaw. Consider amendments to other documents.
2.33	Transition Provisions	Comment	Transition clause as worded is unclear. Please clarify if the intention is that the Development Permit By-Law in effect at the time of Draft Plan approval of a subdivision will continue to apply provided the plan is registered within 5 years from the passing of the Development Permit By-Law. Wording should ensure that the Developer can continue to construct what was included and considered in the subdivision approvals.
		Response	✓ Staff agrees. The Transition will be revised accordingly to ensure that a complete applications (DP1 through DP3, draft and registered plans of subdivision), will be evaluated under the regulatory scope of the Development Permit By-law that was in place at the time of the application being deemed complete or draft approval.
		Comment	We are seeking assurance that our currently approved developments will be subject to the existing Development Permit By-law 15-2015 as in place at the time these applications have been approved. We would be happy to share examples from other municipal Zoning By-laws and we would like an opportunity to discuss the details of a Transition provision with you further.

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		Response	✓ Yes – transitional provisions have been included in the draft by-law and we are happy to draw inspiration from examples that could be shared.
3.0	GENERAL PROVISIONS		
3.1	Access and Egress	Comment	Add subsection 4) In the Health Campus DPA all Access and Egress shall be to the internal subdivision road (Costello)
		Response	✗ Such recommendations would normally be part of a traffic study, where the study can evaluate the site specific proposed development within the context of existing conditions and should be substantiated from a traffic study. The Town cannot also force an adjacent landowner to access a site from an adjacent property owner.
3.2	Accessory Uses, Buildings and Structure	Comment	Add: “Accessory structures shall incorporate climate-resilient design features, such as permeable surfaces and reflective roofing materials, to mitigate urban heat and manage stormwater runoff.”
		Response	✗ The Development Permit By-law cannot dictate building code requirements. As such, this proposed change will not be reflected in the draft by-law.
		Comment	Add: “Green roofs or solar panels on accessory buildings shall be encouraged in residential and non-residential zones to enhance environmental sustainability and reduce energy costs.”
		Response	✓ Language was added to the draft by-law to reflect the comments received.
		Comment	Change to add language: “9) Private swimming pools, above-ground and in-ground, outdoor and indoor, shall conform to the provisions of any Swimming Pool By-law environmental and safety measures as may from time to time be enacted by Council in accordance with the Municipal Act. Indoor pools which are not an integral part of a dwelling unit or part of a municipal or private recreational facility shall conform with the accessory building requirements contained in Section 3.2 of this by-law 87-2019.”

		Response	<p>✗ The Town's Pool By-law contains its own safety measures, and this provision directs one to the Pool By-law.</p> <p>As such, this proposed change will not be reflected in the draft by-law.</p>
		Comment	Attached garages should not be precluded from being located closer than 6.0 metres from an exterior side lot line. Perhaps this provision is intended to address the vehicular entrance / front face of the garage?
		Response	<p>✓ This provision has been removed from the draft by-law.</p>
		Comment	<p>Subsection 5 says no accessory buildings or structures shall be permitted in a front or exterior side yard.</p> <p>Also see comments on Section 3.19 below</p> <p>Subsection 9 deals with maximum height of accessory buildings in the Highway Commercial and Industrial Employment DPA and sets 11 m as a maximum</p>
		Response	<p>✓ The through lots would be considered to have two frontages.</p> <p>No, this only apply to the Highway Commercial and Industrial Employment DPA.</p>
3.4	Additional Residential Units	Comment	In general, policy should be considered that would allow flexibility in widening driveways when accommodating ARUs. Reviewing a combination of minimum parking space dimensions for driveways and/or increasing maximum driveway widths would create greater flexibility for accommodating ARUs and give better parking arrangements other than tandem parking
		Response	<p>✗ The Town is not considering expanding on the permitted widths of driveways as part of this amendment. However, the draft by-law does, in effect, remove the parking requirement for an ARU. Where an ARU is proposed, the parking requirement of the primary/initial residential unit is reduced to 1 space (otherwise the requirement is 2 spaces) and the ARU requires 1 space – essentially nullifying the parking requirement of the ARU.</p>
3.6	Basement Residential Units	Comment	Perhaps this section can be renamed more appropriately.

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		Response	✓ The Section is now more aptly named “Basement Residential Units”.
		Comment	Is the “Yard Provision” subsection necessary?
		Response	✓ Yes.
3.7	Bed and Breakfasts	Comment	<p>Change to add language: “A bed and breakfast establishment, as herein defined, shall be a permitted use within all single detached residential dwellings provided all other provisions of this By-law can be met. All Bed and Breakfast establishments shall be subject to the approval of a Class 2 Development Permit. Signage for Bed and Breakfast establishments shall be in accordance with the dimensions stated in Section 3.21. All Bed and Breakfast establishments shall adhere to indoor air quality standards, ensuring proper ventilation.</p> <p>Parking and amenity areas required for the Bed and Breakfast operation shall be buffered from neighbouring residential uses.</p> <p>All bed and breakfast establishments must comply with the following regulations:</p> <ul style="list-style-type: none"> • Ontario Food Premises Regulation (O. Reg. 493/17) – Applies if the establishment has five or more bedrooms. • Small Drinking Water System Regulation (O. Reg. 319/08) – Ensures water safety for guests. • Ontario Public Pool Regulation (O. Reg. 565/90) – Governs the operation of any public pool on the premises.”
		Response	<p>✗ Indoor air quality standards would be governed by the Ontario Building Code and should not be governed through a Development Permit By-law.</p> <p>Also, several regulations were identified. These regulations are already in force and effect, therefore there is no need to reference them.</p> <p>As such, this proposed change will not be reflected in the draft by-law.</p>
3.8	Boundary Interpretation	Comment	Add: “Where street, lane, or right-of-way closures occur, active transportation and pedestrian safety considerations shall be incorporated to maintain connectivity and accessibility.”
		Response	✗ This type of language is more appropriate for an Official Plan or Transportation Master Plan.

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			As such, this proposed change will not be reflected in the draft by-law.
3.9	Buildings to be Moved	Comment	Add: “Prior to relocation, buildings and structures shall be assessed for structural integrity, hazardous materials (such as lead, asbestos, or mould), climate change impacts and overall suitability to ensure safety and public health compliance.”
		Response	<p>✗ The Development Permit By-law does is not the tool to govern over the inner workings of a building. These items are regulated by the Ontario Building Code.</p> <p>As such, this proposed change will not be reflected in the draft by-law.</p>
3.13	Corner Lot Sight Triangles	Comment	Currently a 4.5 x 4.5m sight triangle is utilized for plans of subdivisions. The 4.5m dimension is consistent with the exterior side yard setback requirements and therefore can easily be accommodated. Increasing from 4.5m will require garages and driveways to be pushed further to the interior of the unit to ensure the driveway doesn’t conflict with the 6x6m measurements. The 6x6m triangle may not be desirable for a number of reasons including the provision of stair access to potential ARU basement units which are commonly placed behind the garages for more functional interior layouts. In addition the current dimensions of 4.5 x 4.5m triangles which are typically conveyed with various development applications still provide ample sight lines for vehicles, generally producing approximately a 9m+ setback from the edge of asphalt of the road to the home/driveway.
		Response	✓ The draft by-law has been amended to require a 4.5 x 4.5 m corner sight triangle.
3.14	Drive Through Operations	Comment	Restrict drive-through facilities in and near residential areas as well as the Downtown, Mississippi and Natural Environment Districts.
		Response	✓ Uses that commonly are accompanied by drive thrus are not permitted within the “pure” residential DAPs (Res. And Miss Res). No clarification needed here.
	Existing Lots	Comment	Change to add language: “Where there is a developed existing lot that does not meet the minimum setback requirements of the designation, construction of additions or accessory structures shall be permitted provided that the proposal complies with all other provisions of the By-law. The existing non-compliance must be recognized through a Class 1 or 1A Development Permit agreement. Any proposed additions or accessory structures should consider fire safety measures, ventilation, and access to natural light to maintain healthy indoor environments and prevent overcrowding. Where land acquisition by any public authority results in a change to the configuration of a lot that would otherwise conform to the By-law but will not conform when land acquisition is complete, such lot shall

			be deemed to comply. In cases of land acquisition, considerations should be made to ensure that changes do not reduce access to green space, walkability, or essential services while also optimizing intensification and opportunities for affordable housing.”
		Response	<p>✕ The Development Permit By-law does is not the tool to govern over the inner workings of a building. These items are regulated by the Ontario Building Code.</p> <p>This section of the By-law is related to the Town acquiring land from private parties (ex: road widenings). As such, I believe the second comment made is misinformed under the guise of private parties acquiring land.</p> <p>As such, this proposed change will not be reflected in the draft by-law.</p>
	Fences	Comment	Can it be made clear that this section does not apply to noise barriers? It might be appropriate to make this clear within the definition section as well.
		Response	✓ Language has been added to the draft by-law to add these clarifications.
	Frontage on a Private Road	Comment	It might be helpful if this section also addresses situations where access is provided by way of a private road/street administered by way of a Joint Use and Maintenance Agreement.
		Response	<p>✓ Staff are of the opinion that the existing language in the draft by-law (carried forward from the existing by-law) does in fact express the issue raised in the comment:</p> <p><i>“2) Notwithstanding the foregoing, buildings or structures may be erected on privately maintained access ways by means of a condominium application and approval.</i></p> <p><i>3) Development and/or redevelopment on privately maintained access streets shall be subject to a legal and binding agreement in place which shall address ownership and maintenance of said access street.</i></p> <p><i>4) The Town shall not assume any liability for privately maintained streets and shall not be responsible for maintenance or snow removal. In some cases, public services such as school bussing and protection to person/property, including police, fire and ambulance services may be unavailable or limited due to physical constraints posed by either the road itself or maintenance levels.”</i></p>

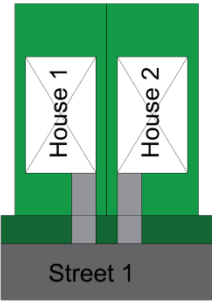
	Frontage on More than One Street	Comment	Given that there are both minimum and maximum yard depths for some front yard requirements in the by-law, this section should be revised to permit exceedance of maximum required depth for one of the yards in the even that there is a long lot.
		Response	✓ The Town is of the opinion that buildings located at intersections of two streets should be oriented to the street on both plains to create a desirable streetscape at a human scale.
		Comment	Request wording to ensure maximum setback for development off Lake East be maintained. Subsection 1 wording for through lots would seem to reduce the setback for development in the Health Campus DPA from 8 metres to 6 metres – do you agree?
		Response	✓ Yes, this interpretation is correct.
	Home-Based Business	Comment	Decreasing to 10% of total floor is extremely limiting. This dramatic 25% -> 10% decrease seems to be against the spirit of the recent OP change which generally increased the permissibility of businesses to operate in residential areas. I am supportive of the other changes made in this section, but please consider leaving this as 25%.
		Response	✗ This proposed change stems from the requirements of the Ontario Building Code. Mercantile uses, retail uses (Group 'E' as defined in the Ontario Building Code), are reviewed under the Building Code in a way that after a given occupancy require items like washrooms and accessibility requirements to name a few. The threshold for this evaluation is at 10% of the residential unit – after that limit a house is no longer a house. A variance to permit a mercantile use to occupy more than 10% of the residential unit could be entertained, however the Building Code would supersede any planning requirement, and the property owner would require compliance to the Building Code. As such the 10% baseline for these types of home-based businesses will be included in the draft by-law. Adversely, office type uses (Group 'D' as defined in the Ontario Building Code) can still occupy up to 25% of a residential unit – same as the existing provision.

			This discretion has been added into the draft by-law so as to not lead property owners through the process of a home-based retail use at the planning level, but then have the application be review differently at the building permit level.
	Illumination	Comment	Install motion sensors on exterior lights as part of "sensitive lighting practices".
		Response	✗ This provision is best added to the “Property Standards By-law” which prescribes onsite lighting provisions.
		Comment	Ban any upwards illumination on non-heritage buildings that does not illuminate areas where people walk or drive.
		Response	✗ This provision is best added to the “Property Standards By-law” which prescribes onsite lighting provisions, or alternatively through the adoption of a “Dark Skies Policy”, similar to the bylaw used in Mississippi Mills.
		Comment	Subsection 3) Illumination shall not cause direct or indirect glare on adjacent properties (suggest wording be added to indicate how this might be achieved?) i.e lighting in yards abutting Residential DPA’s shall be fully Cut-Off (FCO) fixtures; utilize light /glare shields and or light shrouds/hoods
		Response	✓ Most lighting studies cannot demonstrate that light is completely cut off at a lot line, nor would it be reasonable to do so. Often for certain types of uses, insurance companies require certain types of lighting. The Town cannot compel a landowner of a building to change the lighting as a result of the actions of an adjacent landowner. Wording has been added to the draft by-law regarding the suggested methods of addressing lighting mitigation.
	Landscaping/ Greenspace	Comment	Change to add language: “In any Residential, Commercial, Institutional or Employment designation any portion of any front yard which is not used for any other permitted use shall be exclusively devoted to landscaped open space. Landscaped open spaces should incorporate native and drought-resistant vegetation and tree cover to improve air quality, reduce heat island effects, and support biodiversity. Where landscaping is required as a buffer shall be continuous except for lanes, driveways aisles or walkways which provide access to the lot. Buffers shall include options of tree cover and vegetation that reduce noise pollution and provide additional health and environmental benefits.”

		Response	<p>✓ Language will be added to the By-law to reflect the requested changes related to native species.</p> <p>The Urban Forest River Corridor Committee (Committee of Council) reviews all planning applications that have a landscape plan or tree preservation plan. The Town leans on their technical and expertise when reviewing planning applications.</p>
		Comment	Note: landscaping should use native species unless otherwise directed by the Town.
		Response	<p>✓ Language will be added to the By-law to reflect the requested changes related to native species.</p>
		Comment	<p>Other provisions within the By-law require various percentages of the frontage to have soft/green landscape elements. Those provisions seem more practical, as they allow for walkways and driveways, do not require navigating what’s considered a “permitted use,” and also allow for an amount of hard landscaping, which is sometimes imperative in order to ensure a development is functional.</p> <p>Suggestion to re-work.</p>
		Response	<p>✓ Staff agrees with this sentiment. This section of the draft by-law has been amended to elaborate on what “permitted uses” within a landscaped/greenspace area are.</p>
		Comment	<p>Subsection 4) Where landscaping is required as a buffer, such landscaping shall be continuous except where intersected for driveways.....”</p> <p>Request adding subsection 4.a) Notwithstanding subsection 4 above in a Health Campus DPA in a yard abutting Lake East such landscaping buffer shall not be intersected and shall also adhere to the policies of 3.25 subsection 5).</p> <p>Requested to enhance noise mitigation from the Health Campus uses to existing residential development and deter access to Lake East</p> <p>See request to add “buffer” in Section 4.4.3 Development Standards in the Health Campus DPA</p>
		Response	<p>✗ This stretch of Lake East has at least one property its only access on Lake East and would rely on access to Lake East. This request would prevent any access to this property.</p>

			As such no change to the draft by-law has been made.
	Land Suitability for use and Organic Soils	Comment	Add: “Proponents shall assess potential contamination risks, groundwater quality impacts, and soil-borne pollutants that could pose public health hazards, ensuring climate resilient adaptation solutions and appropriate remediation measures are implemented.”
		Response	<p>✗ Although a good point, this comment isn't appropriate for this section of the By-law. This section speaks to a natural hazard, in particular it relates to whether or not organic soils would have bearing capacity for a building or structure given their instability. The comment you made relates to groundwater quality impacts and climate resiliency which is not appropriate in this section. What is described in this comment is akin to a Phase 2 ESA, hydrogeologic report, etc which can be requested with a complete application. It would not be reasonable or realistic to ask for this on every application.</p> <p>As such, this proposed change will not be reflected in the draft by-law.</p>
	Loading Spaces	Comment	<p>3.27.1 2) Request sentence</p> <p>“In a Health Campus DPA on a lot with a lot line on Lake East, a loading space must be located outside of the minimum 10 metre landscaped buffer required off Lake East.” Minimize visual and noise impacts on existing residential.</p> <p>See request and rational for 10 metre landscaped buffer off Lake East in Section 4.4.3 Development Standards in the Health Campus DPA.</p>
		Response	<p>✓ The through lots on Lake East technically have two frontages, and therefore, two front yards, therefore as per the by-law’s requirements, loading spaces are not permitted in a front yard. A buffer is not required as a proposed building would serve as the buffer.</p>
	No Encroachment Area	Comment	Please add “retaining walls” to the list of exceptions.
		Response	<p>✓ This change has been made in the draft by-law.</p>

	Bicycle Space Design Standards	Comment	Add: “Covered or sheltered bicycle parking shall be considered where feasible. Bicycle parking areas shall include adequate lighting and security measures, such as surveillance cameras or well-trafficked locations, to enhance safety and deter theft.”
		Response	✓ Language will be added to the By-law to reflect the requested changes related to encouraging design criteria.
3.33	Parking and Storage of Vehicles	Comment	Dimensions - Various municipalities provide some allowances for a set percentage of parking stalls to be reduced from the full size dimensions. This can be a great opportunity to recognise common challenges in underground parking where space can be limited and some flexibility to the space dimension can be very beneficial, or other instances where increased landscaping can be offered amongst other benefits. Reduced parking stall dimensions have been shown to still function appropriately in other municipalities where they are utilized.
		Response	✗ Staff is of the opinion to maintain the baseline parking stall dimensions previously established in the 2015 Development Permit By-law (being, 2.75 m wide by 6.0 m deep). On occasion, the Town will consider reductions to parking space dimensions, however the Town is of the opinion that said reductions should be reviewed on a case-by-case basis and the best way to evaluate the appropriateness of such a request is by a Class 2 Development Permit. As such, no material change to the draft by-law will be made.
		Comment	Access and Egress- Previous wording of this policy (in the existing DP) recognises that the policy requiring a minimum distance between driveways was not intended for the residential district. This requirement will significantly impact standard residential construction practices. For example it is very common the have driveways adjacent to each other on separate properties only setback by the required side yard setbacks. See below quick example of a common housing arrangement that appears would not be accommodated by the proposed bylaw. Accommodating other forms of housing (semis and townhomes will be also increasingly difficult if not impossible to accommodate while satisfying this wording). Please confirm the intent of this policy.
		Response	✓ Staff agrees that the driveway configuration demonstrated in your comment is a common practice in new subdivision. The intention of the provision is to create on-street parking in new residential areas. Ensuring adequate spacing of driveways along a street is the easiest way to achieve this.



			As such, the provision has been amended in the draft by-law to only require that 1 edge of a proposed driveway to be setback 6 metres from an adjacent driveway (whereas the opposite edge of the same driveway can be less than the 6 metres, as shown in your example).
		Comment	Could you please confirm reasoning on why 1.5 parking stalls per unit is still being required for strategic properties where other section of the by-law have requirements less than 1.5? Allowing less parking may increase opportunities for other elements rather than just more asphalt on these strategic lands.
		Response	✓ Staff agrees. Similar to the parking requirements of apartment units in the Residential Development Permit Area, the draft by-law will be amended to require a minimum 1.25 parking units per residential unit in the Strategic Properties.
		Comment	is the intent of this to limit the cumulative area of surface parking lots to 40%? If yes, what areas are included in the calculation?
		Response	<p>✓ Yes – the parking area is to be limited to 40% of the lot area. The areas that will contribute to this calculation will be the physical area occupied by parking spaces (not counting driving aisles).</p> <p>Further, the provision in the by-law has been slightly updated in the draft, as follows:</p> <p>“Unless a maximum parking allotment is prescribed in this By-law, at grade parking shall have a maximum surface area equal to 40% of the total lot area.</p>
		Comment	Parking Maximums - Is this new provision meant to be a minimum requirement? If it is a maximum then it seems this new provision would prohibit a developer from providing parking in excess of 4 spaces per 100 m2 of overall GFA. Based on quick calculations, this is significantly less than what is typically being provided for various uses in the Highway District and would probably not work for a shopping centre. Surely that is not the intention especially when reading 3.31.1(2). Please clarify.
		Response	<p>✓ Yes – the Town did some calculations to determine the appropriateness of a maximum standards. For instance;</p> <ul style="list-style-type: none"> - a large big box store having a GFA of 11,000 m2, that building could have a maximum 440 parking spaces. - a large big box store having a GFA of 8,500 m2, that building could have a maximum 340 parking spaces - a large grocery store having a GFA of 6,600 m2, that building could have a maximum 264 parking spaces - a medium big box store having a GFA of 555 m2, that building could have a maximum 23 parking spaces - a smaller retail use in a strip mall setting having a GFA of 120 m2, that building could have a maximum 5 parking spaces

			<ul style="list-style-type: none"> - a medium restaurant) having a GFA of 356 m2, that building could have a maximum of 11 parking spaces <p>Based on the background research related to this specific provision, the Town is comfortable with moving forward with the prescribed parking maximums in the Highway Commercial areas.</p> <p>The By-law still includes the same provisions as previously to the effect of “variations to the prescribed parking standards can be amended by means of a Class 2 Development Permit, supported by a Parking Study prepared by a qualified individual”. This Study could make reference to a specific tenant’s leasing requirements in terms of parking supply, if need be.</p> <p>The overall intent is to avoid creating oceans of parking.</p>
		Comment	<p>There is a reference to background research that the Town has undertaken relating to this provision. Is this information available publicly? It would be helpful to know what was reviewed to determine the proposed maximum rate and further, if this rate is applicable in other municipalities that are comparable to the Town in terms of the available modes of transportation and/or a lack of public transportation.</p>
		Response	<p>✓ In a previous comment/response, there was allusion to “background research” followed by a list of uses, their GFA and the maximum permitted parking per the new draft provisions. In this Town response, the background research was based on the review of aerial photography to determine the parking requirement and then contrasting it to what is currently provided for those examples. The reference to “background research” was more of an exercise to demonstrate appropriate examples of how the draft provisions would reflect existing establishments in Town, than it is a study.</p> <p>However, there was a Town initiated Parking Study done in 2020 (study attached). Generally speaking, the study found that commercial properties were significantly overprovisioned with parking (utilization of around 50-60%) and recommended specific decreases in these requirements.</p>
		Comment	<p>Parking Maximums - What is the reasoning behind implementing a cap on the parking provided for retail uses, and more specifically, what is the rationale for a maximum of one space per 20 m2 of GFA, whereas that is currently the minimum? This number appears to be less than what is typically being provided in for various uses and is well under what certain retailers require for their operations. We would request that the maximum be increased but would first like to understand how the current proposed maximum was established.</p>
		Response	<p>✓ Yes – the Town did some calculations to determine the appropriateness of a maximum standards. For instance;</p> <ul style="list-style-type: none"> - a medium retail use in a strip mall setting having a GFA of 285 m2, that space could have a maximum 15 parking spaces.

			<ul style="list-style-type: none"> - a small retail use in a strip mall setting having a GFA of 108 m2, that space could have a maximum 6 parking spaces. - A stand-alone corner store having a GFA of 235 m2, that building could have a maximum 12 parking spaces. <p>Based on the background research related to this specific provision, the Town is comfortable with moving forward with the prescribed parking maximums for retail uses outside of the Highway Commercial areas.</p> <p>The By-law includes the same provisions as previously to the effect of “variations to the prescribed parking standards can be amended by means of a Class 2 Development Permit, supported by a Parking Study prepared by a qualified individual”. This Study could make reference to a specific tenant’s leasing requirements in terms of parking supply, if need be.</p> <p>The overall intent is to avoid creating oceans of parking.</p>
		Comment	With respect to the proposal to implement a cap on the number of parking spaces for retail uses, we continue to have concerns. It appears that it’s recognized that certain retail users will likely need to provide parking in excess of the maximums outlined in the draft, and this will trigger the need for a parking study where such a study would otherwise not be required. Is this correct?
		Response	✓ Yes that is correct. Should a development require parking in excess of the prescribe maximum, a Class 2 Development Permit will be required. A justification for the variation would need to be supported by a parking study (or equivalent).
		Comment	It is also not clear what the maximum rate is intended to be for retail stores. In the table, the maximum parking rate for a retail store is noted as one (1) parking space per 20 square metres of gross floor area, whereas at Section 3.33.3, 7) it states “Notwithstanding the table below, in the Highway Commercial Development Permit Area, as shown on Schedule ‘A’, parking requirements shall be limited to a maximum of 1 parking space per 25 m2 for all non-residential permitted uses.” In your 11,000 square metre example, these two maximums would result in 550 and 440 parking spaces, respectively.
		Response	<p>✓ These two provisions are mutually exclusive. For instance, a permitted Retail use in any Development Permit Area (other than the Highway Commercial) will be subject to the requirement listed in the table (being, a max of 1 parking space per 20 m²). Conversely, a permitted Retail use in the Highway Commercial Development Permit Area is subject to the “notwithstanding clause”, meaning in replacement of the requirement listed in the table (being, a max of 1 parking space per 25 m²).</p> <p>As such, in the 11,000 m2 GFA example, in the Highway Commercial Development Permit Area would call for 440 parking spaces (per the draft provision). Currently, this example site has roughly 640 parking spaces available to patrons which has been determined to be excessive by the Town putting additional pressure on stormwater infrastructure and taking away from potential landscaped areas.</p>

		Comment	It's unclear to me if the changes recommended in the Parking Study that were undertaken by the Town in late 2022 were reflected here. Generally speaking the study found that commercial properties were significantly overprovisioned with parking (utilization of around 50-60%) and recommended specific decreases in these requirements. Those changes make sense and are justified, but it's not clear to me if they were reflected here.
		Response	✓ Yes. The Town is reflecting the results of the 2022 Parking Study in the direction of proposing parking maximums in the Highway Commercial Development Permit Area.
		Comment	Daycare facility: Why do 5 children require a parking space? Given the need to round-up and a typical home daycare with 6 children, this would require 2 parking spaces. Note that many schools do not provide parking for parents to pick up their children - only staff parking.
		Response	✗ Staff are of the opinion that the 1 space per 5 children at a “stand-alone” Daycare Facility (not a home-based) is appropriate. At peak times (drop-off and pick-up), it is possible that multiple vehicles come to a site within a small window of time. You can imagine that a medium daycare (ex: 50 kids) with the minimum 10 parking spaces could be a busy parking area. As such, no change to the draft by-law will be made for Daycare Facility parking.
		Comment	If I understand this correctly, residential parking requirements are higher for strategic properties (1.5 per) than they would be for apartments in Transitional/downtown (1 + 0.25 per). This doesn't make a lot of sense, and most strategic properties are in or adjacent to these transitional/downtown sections. Please consider aligning the requirements in this section to be equivalent to elsewhere, namely 1 + 0.25. If there is a specific property that needs more parking for some reason, it can be addressed individually to that property.
		Response	✓ Staff agrees. Similar to the parking requirements of apartment units in the Residential Development Permit Area, the draft by-law will be amended to require a minimum 1.25 parking units per residential unit in the Strategic Properties.
		Comment	3.31.1 General Provisions for Parking <i>e. Where an employment commercial or industrial use is located adjacent to a residential use a 3m landscape buffer strip shall be provided between the parking lot and the property line.</i>

			<p>We consider that a private road (min 3m) between a parking lot and a residential project should be considered as a buffer strip and a 3m landscape buffer strip should not be requested as an addition setback. Also, a landscaping design can review in detail as part of a development application.</p> <p>The provision is also unclear on which property the buffer should be provided.</p>
		Response	<p>✗ The Town does not agree that a private road should qualify as a buffer between buildings and a lot line, specifically as a “landscape” buffer. In effect, the driving aisle or private road presents the same adverse impact as a parking lot to an adjacent residential use (vehicle noise, lights, exhaust). As such, this proposed change will not be reflected in the draft by-law.</p> <p>The Town agrees with your second point. Additional language is included in the draft by-law to provide clarification on the buffer strip.</p>
		Comment	<p>3.31.1 General Provisions for Parking</p> <p><i>g. At grade parking shall have a maximum surface area equal to 40% of the total lot area.</i></p> <p>Considering the provisions for maximum parking ratios, maximum buildable ground coverage, setbacks, green spaces, tree canopy, etc. there should not be a need further constraint of maximum surface area. A maximum surface area can have major consequences on functional and operational viability of a commercial center. The commercial parking entrances, two lane drive aisles, loading areas, emergency/fire department requirements, etc. can sometimes total more than 40% of a future development parcel, although all the other provisions are respected. We are convinced that with all the other requirements applicable, a future development would meet Town’s sustainable development vision without compromising real needs for regional commercial development.</p>
		Response	<p>✓ Additional language is included in the draft by-law to provide clarification on the provision.</p>
		Comment	<p>It is recommended that this section include mention of permeable paving to reinforce Section 7 Green Development Standards.</p>
		Response	<p>✗ Noted. No changes resulting from this comment.</p>
		Comment	<p>Strengthen language to encourage or require permeable pavement.</p>

		Response	✓ Added to the list of permitted parking surface treatments (it's now encouraged)
		Comment	Specify that “landscape elements” must be native, drought-resistant plant species.
		Response	✓ All landscape plans are reviewed by the UFRCC AND the ToR for tree preservation refer to native species already
		Comment	Require trees or shrubs in parking lot islands, again specifying drought-resistant native species.
		Response	✓ DP in the parking lot section, already requires landscaped islands
		Comment	Require a minimum topsoil depth of 15 cm (6 inches) to ensure healthy trees and plants and reduce the need for watering.
		Response	✓ This requirement is included in the acceptance of landscaping plans and stated in Development/Subdivision Agreements. It is not an appropriate requirement for inclusion in the Development Permit Bylaw.
		Comment	Ban the use of reverse driveways (sloping downwards towards the house or building) unless the applicant can prove a suitable degree of flood protection (for 100 year flood) is provided .
		Response	✓ In the event of a proposed reverse driveway, there are plenty of checks and balances through OBC that the Town is comfortable with. In the event of a reverse driveway in a flood plain, the regulation of the MVCA will take precedent (which is explained elsewhere in the DP), and the reverse driveway would almost surely not be allowed. No change to the draft
		Comment	6 metre fence must be a typo. Also, suggestion to require a shorter fence combined with the reduced two metre landscape buffer, as tall fences generally aren't pleasant features within the urban landscape.

		Response	<p>✓ The typo has been corrected.</p> <p>The following provision has been added to the by-law:</p> <p><i>“The buffer can be reduced to a minimum width of 2 m where a 1.8 m privacy fence is constructed on the same property that the parking lot is located”.</i></p>
		Comment	Is there a separate provision that requires a fence to be located between residential and commercial or industrial land uses, regardless of parking?
		Response	<p>✓ No. There are screening requirements for storage and other features elsewhere in the by-law.</p>
		Comment	For this section, can it be clarified that separate regulations apply for parking provided on public property (i.e. within the public right-of-way)?
		Response	<p>✗ This by-law is to regulate the development of private property. In the rare case that a development application is proposing the parking of vehicles in the public right-of-way, those types of development standards can be dealt with on a case-by-case basis. As such no change will be made to the draft by-law regarding this matter.</p>
		Comment	<p>Provision 3.34 1) establishes that a drive aisle for a Planned Unit Development must be 6.0 metres (presumably as a minimum). Provision 3.34 5) permits parallel parking within private ways having a minimum width of 8.5 metres. This equates to parking spaces of 2.5 metres in width.</p> <p>Please make reference to 3.34 5) within 3.31.2 so there’s no confusion that a reduced width is acceptable to the Town.</p>
		Response	<p>✓ The Planned Unit Development section has been amended significantly since the first draft by-law.</p> <p><i>“Where private driving aisles are proposed:</i></p> <p><i>a. The minimum width of a driving aisle shall be 6 m. The driving aisle will consider the area where vehicular circulation will occur and will not consider the width of a parallel parking space, should a parallel parking space be proposed in the aisle.”</i></p>

			Additionally, <i>“Parallel Parking Spaces shall have a minimum width of 2.85 m and a minimum length of 6.7 m”</i>
		Comment	0 parking spaces should also be required for non-rental residential units in the Downtown Development Permit Area.
		Response	✗ In the absence of public transit, the Town is of the opinion that 1 parking space per residential unit is an appropriate standard. As such, no change has been made to the draft by-law.
		Comment	Maximum parking spaces are recommended for many non-residential uses. Has a traffic engineer provided commentary on this?
		Response	✓ There was a Town initiated Parking Study done in 2020 (study attached). Generally speaking, the study found that commercial properties were significantly overprovisioned with parking (utilization of around 50-60%) and recommended specific decreases in these requirements.
		Comment	Required parking spaces should be able to be provided within private garages in general. In my opinion, the by-law shouldn't seek to regulate this for certain unit-types.
		Response	✓ Staff agrees with this comment – changes have been made to the draft by-law to reflect this comment.
	Permitted projections	Comment	It is noted that there is no maximum projection of a balcony into a rear yard.
		Response	✓ Clarifications have been added to the draft by-law regarding this matter.
	Planned Unit Development	Comment	We are not sure we correctly understand the definition of a Planned unit development (PUD). We are questioning if these requirements would apply to a mix-use project on our property. To the extent that this would apply to a future development on current property, we have difficulty to see how a retailer could only serve the residents of the PUD and not exceeding a cumulative retail area of 150 m2. We consider that these PUD provisions are applicable to a senior residence per example.

		Response	✓ Planned Unit Development will be defined as a use and listed as discretionary in certain areas; however their development standards will vary in case-by-case scenarios. The draft by-law has amended this section to permit a more flexible application of PUDs.
		Comment	Planned Unit Developments do not appear to be permitted in any Development Permit Area. Planned Unit Developments (“planned unit townhomes”) are expressly referred to within the 2023 Official Plan Update as medium and high-density use types.
		Response	✓ PUDs have been listed as a Discretionary Use in the Residential Development Permit Area. Given the varying and unique nature of a PUD, the Discretionary label will allow Staff to have an adequate review process and also allow for a the Notice of Application (sign posted on site) to be posted for a more fulsome consultation of the neighbouring property owners. As such, a PUD will always require a case-by-case review (through the DP2 process) , and 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. Although the Official Plan refers the “Planned Unit Townhomes”, this reference is not permitting a use, morse so the reference in the Official Plan is qualifying a typology of housing.
		Comment	It is noted that there does not appear to be any density provisions that apply to Planned Unit Developments.
		Response	✓ The density of a proposed PUD shall conform to the density established in the Town’s Official Plan.
		Comment	Planned Unit Development A PUD is only permitted in a Development Permit Area if included as a permitted use in that Development Permit Area”. The by-law then does not include any reference to PUDs within any area. 1) Recommend adding allowances in the By-Law for PUDs either as permitted uses or discretionary permitted uses. 2) PUDs have been permitted historically in the Town across a wide range of existing properties and it’s unclear why the By-law as written is precluding PUDs as a use. Can the Town provide the rational for this proposed change in policy?

		Response	<p>✓ PUDs have been listed as a Discretionary Use in the Residential Development Permit Area. Given the varying and unique nature of a PUD, the Discretionary label will allow Staff to have an adequate review process and also allow for a the Notice of Application (sign posted on site) to be posted for a more fulsome consultation of the neighbouring property owners. As such, a PUD will always require a case-by-case review (through the DP2 process) , and 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.</p> <p>PUDs may have historically been historically approved under the lens of a different defined use. The Town wants to build into the by-law some baseline standards for how they will be treated going forward. As such, the definition and development standards were introduced in the draft by-law.</p>
		Comment	<p>Planned Unit Development</p> <p>A 6m landscape buffer around all property lines seems unwarranted. Should the setbacks and screening requirements already included in other sections of the bylaw for a particular built form (apartment, stacked townhome, parking lots etc) not be sufficient to address buffering to adjacent properties?</p>
		Response	<p>✓ Staff agrees that other sections of the by-law are sufficient to appropriately distance structure making part of a PUD from lot line. As such, this provision will be removed from the draft by-law.</p>
	Outdoor Storage and Display	Comment	<p>Upon review of subsection 1) Open Storage is not permitted in the Health Campus DPA Please confirm that this is indeed the case.</p>
		Response	<p>✓ Yes that is correct.</p>
	Setbacks from a Natural Watercourse	Comment	<p>Change to add language: “1) Where it can be demonstrated through an Environmental Impact Study (EIS) prepared by a qualified professional that there will be no adverse impacts to the watercourse or it’s climate resilience role due to development or site alteration, the 30.0 metre (98.4 feet) setback may be reduced in accordance with the recommendations of the EIS that considers the overall intent of the minimum setback requirement, an assessment of the overall development capacity, conveyance, and function of the waterbody; the sensitivity of the waterbody; cumulative impacts; biophysical conditions such as soil dept, slope angle, and vegetation cover, and natural hazards. The EIS should also assess potential public health risks related to water contamination, flood hazards, and vector-borne diseases associated with altered watercourses.”</p>

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	Sourcewater Protection	Comment	Add: “This plan shall include regular municipal water quality testing and public reporting (O. Reg. 170/03) conducted within Intake Protection Zones to ensure early detection of contaminants and transparency in water safety measures.”
		Response	<p>✗ A Development Permit By-law does not regulate this item – the item raised is in relation to an operational procedure and has no impact from a land use regulation perspective.</p> <p>As such, this proposed change will not be reflected in the draft by-law.</p>
	Vegetation Removal or Site Alterations	Comment	<p>Change to add language: “Street trees and the preservation of tree canopies shall be protected to the greatest extent possible prioritizing native and climate-resilient species to enhance biodiversity, reduce air pollution, and support mental and physical well-being. Accordingly, a Tree Preservation Plan is required in support of development applications.</p> <p>Tree planting and tree preservation will occur so that all areas of the Town are provided with sufficient number of trees to maintain high standards of amenity and appearance. Where new development will result in the loss of existing wooded areas, a condition of development approval shall require that the lost trees be replaced at a 1-3 ratio (1 new tree for every 3 trees removed). The replacement ratio will only apply to trees having a caliber of 200mm or more. The new trees will be planted within the boundary of the proposed development and incorporate green infrastructure such as rain gardens and permeable surfaces alongside tree preservation efforts to improve stormwater management and mitigate flooding risks.”</p>
		Response	✓ Language will be added to the By-law to reflect the requested changes.
		Comment	What is the definition of “Mississippi River Wetlands”?
		Response	✓ Any wetland associated with the Miss. River.
		Comment	Does it only refer to the Mississippi River floodplain?
		Response	✓ This is not to do with floodplain.
		Comment	Does it include water courses flowing to the Mississippi River?

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		Response	✓ Includes all waterbodies and watercourses		
		Comment	We have concerns that this change will remove necessary protection of water courses and wetlands flowing into the Mississippi River. There needs to be the 30 m setback from all of these water courses and wetlands.		
		Response	✗ This is aligned with OP policy which has been amended to reflect 15m.		
		Comment	Any EIS must be carefully read before being accepted. In the past an EIS for a development/SWM pond upstream of the Town’s drinking water intake had the river flowing in the wrong direction and not toward the intake. This error was discovered by a member of the public 1.5 years after it was prepared. This was an embarrassing discrediting of the report.		
		Response	✓ Noted. A Qualified professional is required to stamp/sign the report.		
		Comment	Sentence 1 “...sufficient number of trees to maintain high standards of amenity and appearance add “and ecological benefits”		
			Sentence 2 “Where new development will result in the loss of existing wooded areas ...lost tree replaced at a 1-3 ratio (one new tree for every three trees removed” must be removed and replaced with the following sliding scale for tree replacement:		
			Size of original tree	# of replacement tree(s) required	Size of replacement tree(s)
			20 cm (200mm)	1	60 mm
			21 cm-40 cm (210-400mm)	2	60 mm
			41 cm-59 cm (410-590 mm)	3	60 mm
			60 cm + (600 mm +)	4	60 mm
		Response	✓ Noted. We made these changes as recommended.		

		Comment	Amend “Urban Forest Committee” to “Urban Forest/River Corridor Advisory Committee” Hackberry trees -remove last sentence- “If removal is required....”
		Response	✓ Changes have been included in the draft.
		Comment	Recommend adding “soil removal and refuse filled backfill” bylaw to all development guidelines contained within the document and in the ‘Natural Environment District.
		Response	✗ The tool to achieve this would be a municipal Site Alteration by-law, not a development permit
		Comment	<p>Subsection 3 requires a Tree Preservation Plan in support of development applications.</p> <p>Subsection 4) provides that where new development requires tree removal that the lost trees be replaced and sets out a ratio for the number of replacement trees.</p> <p>Subsection 6) should be reworded to clarify that removal of one tree having a caliper of 150 mm requires a Class 1 review. (this will not trigger a mailed notice to the public)</p> <p>How many trees could be removed as a Class 1 review before it is considered a Class 2 or 3 review which would trigger mailed notice and public input? While the policies are well intended, past activity on the daycare lot has raised concerns with the effectiveness and enforcement mechanism’s available to the Town to ensure tree preservation plans are adhered to. In this case no development application was filed with the Town and if there was a tree preservation plan at the time of the original development of the lot on which is now operated as a daycare, such plan was insufficient to retain the tree cover. Are there provisions where tree plans are breached or ignored to have some form of landscaped buffer installed on a lot to mitigate the noise and light impacts on abutting residential?</p>
		Response	<p>✗ If the property owner or the abutting landowner have not breached any standards or requirements of the Development Permit By-law in place at the time of the occurrences, then it is not an issue that can be dealt with as part of this by-law amendment.</p> <p>However, the new provisions would prevent clear cutting which has been noted as an issue.</p> <p>The intent is to ensure that the removal of mature trees is considered as a Class 1 Development Permit application.</p>

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	Systems Water Supply, Sewage Disposal and Storm Water	Comment	<p>Change to add language: “Where residential development on private services is proposed, it shall be on lots which are sufficiently large to satisfy the Lanark, Leeds and Grenville Health Unit municipal requirements for septic systems. Alternative servicing must include provisions for regular water quality testing and long-term monitoring to promote climate resilience, adaptation to prevent contamination risks to groundwater and nearby drinking water sources.</p> <p>In isolated cases where full municipal services cannot be extended due to technical constraints and where development is proposed on private services the applicant will be required to submit a hydrogeology study demonstrating the sites suitability for private services as well as a Servicing Options Study to the Town for review prior to any further consideration of the proposed development. The study shall demonstrate conclusively that fully serviced development is technically not feasible and in addition that proceeding on private services will not result in unplanned extensions to municipal services. In addition, the applicant will be required to submit any permits and/or certificates required by any external agency prior to consideration of the permit application. Stormwater management strategies incorporating green infrastructure, such as permeable pavements and retention ponds, to reduce runoff contamination and prevent urban flooding shall be considered.”</p>
		Response	✓ Language will be added to the By-law to reflect the requested changes.
		Comment	Specific mention should be made within this section to private servicing networks/features that form part of Planned Unit Developments and developments with condominium tenure, so that it is clear that these are acceptable to the Town.
		Response	✗ The Town is of the opinion that private services (well and septic) would not be supported in relation to a proposed PUD.
4.0	DEVELOPMENT PERMIT AREAS		
4.1	Mississippi Development Area		
		Comment	<p>General Comment: Upon review of the Development Standards for each of the Development Permit Areas it is noted that many have no minimum lot area or minimum lot frontage requirements.</p> <p>How are requests for infill lots assessed in the absence of same?</p>

		Response	<p>✓ Applying no minimum lot area and lot frontage was intentional. By not having these requirements it allows for infill development to occur on varied lot sizes.</p> <p>The applications will be reviewed against the other standards, provisions and regulations in the Development Permit By-law to ensure the development is appropriate.</p>
		Comment	Include “which respects and enhances the natural environment” in the introduction
		Response	✓ Done - change made to text
		Comment	Incorporate more bicycle parking on municipal properties and encourage local businesses to increase their bicycle parking through CIP and other municipal grants.
		Response	✗ More suitable for inclusion in the OP policy or the Community Improvement Plan.
	High Street Residential	Comment	Add: “New developments and renovations shall incorporate energy-efficient and climate-resilient design features, such as improved insulation, heat-resistant materials, and adequate ventilation, to enhance occupant health and comfort and decrease vulnerability to climate change.”
		Response	✓ Language will be added to the By-law to reflect the requested changes to encourage energy efficiency and climate resilient design.
	Strategic Properties	Comment	Strategic Properties Identification - Section 4.1.5 notes “four identified strategic properties”, but the accompanying land use map identifies five such zones. Within these five zones, there appear to be nine individual parcels. For example, the area at 150 Rosamond Street comprises two parcels: one containing the Braydon Mill (to the north) and one currently vacant (to the south). As you move through refinement of the by-law, I suggest clarifying both the total number of strategic properties zones and the total number of parcels within the strategic properties land use designation
		Response	✓ Noted – the Town has updated the text within the by-law to acknowledge the 5 Strategic Properties which reflects what is shown on Schedule ‘A’.

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			The Town will not delve into the number of parcels included in either Development Permit Area. Regardless of the number of parcels within an identified Strategic Property, the provisions of an identified Strategic Property are intended to apply to either parcel of land within said Development Permit Area. Further, through consent or lot consolidation, the parcel count could change within a Development Permit Area. It is the opinion of the Town that identifying the number of parcels would be a non-material change to the content of the by-law.
		Comment	Section 4.1.5.1 – Permitted Uses - I suggest that all uses listed in this section be permitted as of right for the 150 Rosamond Street properties. I also recommend adding light industrial uses to the list. The Braydon Mill is a purpose-built industrial building and could be suitable for light industry, maker space, storage, a contractor's shop, custom workshop, or similar production, distribution, or repair uses.
		Response	<p>✓ The uses listed in this section <u>are</u> permitted for 150 Rosamond Street.</p> <p>The permitted uses listed in the Development Permit By-law must conform to the permitted uses listed in the Town's Official Plan. Adding a light industrial use to the list would not conform to Section 3.1.2 of the Official Plan and therefore cannot be added into the permitted uses listed in the Development Permit By-law.</p>
		Comment	Section 4.1.5.8 – Braydon Mill, 150 Rosamond Street - The section currently states: "development or redevelopment of the properties shall be limited to residential uses in a mixed-use environment." This seems to imply that other uses listed in 4.1.5.1 would not be permitted. I recommend removing the requirement for a "mixed-use" environment in this case to allow for a 100% residential or 100% non-residential building. This would broaden potential uses for the existing heritage-designated industrial building or the vacant parcel and facilitate adaptive reuse and redevelopment through increased land use flexibility.
		Response	<p>✓ The Development Permit By-law must conform to the Official Plan; in Section 3.1.4.4, Policy 2.1 states that the development or redevelopment of 150 Rosamond Street shall be limited to mixed use residential.</p> <p>As such, the Town will not be removing the mixed-use language from the Development Permit By-law.</p>
		Comment	Public Space Access- Section 4.1.5.3(4) refers to access to public spaces including the Mississippi River and the Ottawa Valley Rail Trail. Is this meant to be public access or building occupant access? Additionally, what is the specific expectation for "access"? I recommend clarifying this section for ease of implementation as it relates to the 150 Rosamond properties.

		Response	<p>✓ The Draft By-law has been amended to change that sentence to now read:</p> <p>“Where possible, the development of Strategic Properties shall include access and connections to adjacent public spaces including, but not limited to, municipality owned parks, the Mississippi River, and the Ottawa Valley Rail Trail”</p> <p>The intention with this provision is to make an effort to acknowledge the system of trails and open spaces available to residents in the Town. If a development had on-site paths, sidewalks, parking lots, the Town would encourage a site plan acknowledge the opportunity to incorporate said features where possible.</p> <p>In the case of 150 Rosamond, it is anticipated, that on fully private property, the site plan may be designed in a way to incorporate the river into the design of the site.</p> <p>In the case of the vacant parcel, elevation changes will likely make it impossible to physically connect to the OVRT. However, is a development was proposed here, rear yard balconies looking out over the river would satisfy this provision.</p> <p>This provision by no means has the intention of having private lands dedicated for public use.</p>
		Comment	<p>Lot Coverage: Please identify the rationale behind the proposed 70% lot coverage standard, which is not found in the current by-law. I suggest retaining the current standard.</p>
		Response	<p>✓ The primary purpose of maximum lot coverage is to prevent overcrowding and excessive impervious surfaces, ensuring adequate space for green areas, parking, light, and air circulation. It also helps manage stormwater runoff.</p> <p>The 70% lot coverage standard prescribed in the Strategic Properties is the highest lot coverage allowable in the entire by-law. With the intent to allow relatively larger buildings on the Strategic Properties with the aim to maximise the usability of the properties. In contrast, Apartment Buildings have a maximum lot coverage of 60%. The vision for Strategic Properties is some typology of mixed-use apartment style building – and so, the Strategic Properties are the locations in Town allowing the relatively largest apartment style buildings.</p> <p>On the Brayden Mill site, the existing building occupies roughly 41% of the lot area. The minimum required parking area for the 6 residential units would be roughly 149 m² or 6%. Meaning the standard included in the draft by-law would permit a navigable path to expand the existing building and still have some space for the minimum parking.</p> <p>The Town is satisfied with the 70% lot coverage prescribed on 150 Rosamond Street.</p>

		Comment	Density: Please clarify the rationale for limiting residential density to 1 unit/250 m ² of lot area. This would allow for only approximately 5.76 units on the Braydon Mill parcel and 3.49 units on the vacant parcel. Adaptive reuse at such low densities is not feasible. I also note significant variations in permitted densities across Strategic Property zones and suggest that no density limit be imposed.
		Response	<p>✓ These density provisions are derived directly from Official Plan policies; specifically, Section 3.1.4.4, Policy 2.1.</p> <p>Anything in excess of this prescribed density would require an Official Plan Amendment and subsequent Development Permit Amendment applications at the time of development.</p> <p>As such the Town will not be changing the prescribed density in the draft by-law.</p>
		Comment	Commercial Net Floor Area: Please clarify the purpose of the minimum and maximum commercial floor area requirements. Could the Braydon Mill be used entirely as a hotel, light industrial space, or residential units? I suggest removing min/max requirements to preserve flexibility.
		Response	<p>✗ The intent of the limiting standards of the commercial component in the mixed-use setting is to ensure the occupancy/use of the sites are primarily residential.</p> <p>Without a Class 3 Development or developer lead Development Permit By-law Amendment, no, the site could not be used solely as a hotel or light industrial use.</p> <p>The Town will not be removing the maximum and minimum standards listed in the by-law.</p>
		Comment	Front Yard Setback: The language referencing “Established Building Line” is unclear, particularly since the Braydon Mill is adjacent to an existing industrial building and the vacant parcel has no adjacent buildings. The current language is confusing and may not reflect the actual context of the Rosamond parcels. I suggest removing it.
		Response	<p>✓ In the case of the Brayden Mill property, if an addition to the front of the building was proposed, the setback would be determined by measuring the average setback of the residential buildings on Rosamond Street ending at Gemmill Street (per the Established Building Line in a Built Up Area section in the General Provisions of the Development Permit By-law).</p>

			With respect of the vacant lot, the same logic would apply and an average setback of residential buildings on Rosamond Street would be used to determine an appropriate setback for new infill development.
		Comment	Exterior Side Yard: Both parcels lack nearby buildings to define an “established building line”. Given their unique contexts, this standard appears unnecessary. I suggest eliminating this requirement.
		Response	<p>✓ It’s a good point you make. For the Brayden Mill site, the established exterior side yard setback is likely 0 m (or close to). However, in the even of possible demolition or expansion (expansion of a legal non-complying setback), the Town will default to it’s standard 4.5 metre setback for buildings along a corner side yard.</p> <p>This change has been added into the draft.</p>
		Comment	Interior Side Yard: Neither parcel abuts residential uses. The proposed language does not reflect the actual built context. I suggest removing it.
		Response	<p>✓ Noted – the Town will make this change to the draft by-law.</p>
		Comment	Building Height: The proposed reduction in height from 23.7 m to 16 m seems counter to the goal of facilitating redevelopment. Previous strategic property approvals allowed for 7-storey buildings. Please clarify the rationale for limiting the Rosamond properties to 5 storeys.
		Response	<p>✓ This item was debated by Council during the Official Plan review. While it was determined that the Official Plan document itself would not speak directly to the number of permitted stories, aside from requiring a step-back of 45* for buildings over 3-stories, the consensus from Council and community consultation indicated that 5 stories was appropriate. As a result, Staff were directed to move forward with incorporating reductions to the height of strategic properties in the Development Permit By-law consistent with feedback received in the earlier policy work.</p>
		Comment	<p>Vacant Parcel Proposal</p> <p>Please find attached project data for our three-townhome proposal. Note that this project is lower in both height and density than permitted under the current townhouse standards. I would appreciate your comments on how the proposed by-law changes would impact this proposal.</p>

Total comments received – 187

Total comments incorporated/addressed in draft bylaw – 131

Total comments no addressed in draft bylaw - 56

		Response	<p>✓ As part of the Development Permit By-law review/re-write, the Town will not be reviewing a conceptual plan. The Town may provide this free service as time permits, alternatively you can engage the services of a qualified professional to infer on how the contents of the draft by-law would affect your concept.</p> <p>The Town would like to draw attention to the fact that the concept plan for the vacant land included use of the publicly owned right of way for the storage of private vehicles. This type of request does not qualify as a variation to the contents of the Development Permit By-law, that type of request is falls outside the scope of this project and would require further approvals of Council to permit you to make use of the right-of-way.</p>
		Comment	<p>Lot Frontage – DRS, Woolgrowers and Brayben Mill have “No Minimum” whereas McArthur and Findlay state required Minimum frontage of 20M. Why??</p>
		Response	<p>✓ Lot provisions are still subject to evaluation for the undeveloped properties identified as "Strategic Properties". These policies are intended to be considered in a separate Development Permit Amendment as part of the conclusion of the Interim Control By-law process.</p> <p>Both the McArthur Island and Findlay Foundry properties have been approved for apartment complex uses and as such a minimum frontage of 20m was introduced to ensure that the approved land uses maintain sufficient frontage on a road (public or private) to be serviceable.</p> <p>Should you choose to pursue additional severances of the site you will need to demonstrate adequate road frontage for the lands by way of either a public road or a private condominium road (in accordance with the Official Plan subdivision policies). If a frontage of less than 20m is proposed, a variance could be considered where it is demonstrated to be appropriate and maintain the intent of the policy.</p>
		Comment	<p>Usable Landscape Open Space – On all Strategic Properties there is a requirement of “Usable Landscape Open Space”. This is not a defined term. There is a definition for “Landscape Strip” and “Landscape Open Space” which does not include areas left natural, due to requirements of MVCA or MOE. Cutting out Natural Landscape and throwing in the word “usable” is leaves too much room for interpretation.</p>
		Response	<p>✓ Thank you for identifying the absence of a definition for this term. We will add clarity by way of the following definition:</p>

			<i>Landscaped Open Space, Usable: means outdoor areas designed for recreation or outdoor living. This may include lawns, gardens, decks, porches, balconies, and other areas that can be used by residents for outdoor activities.</i>
		Comment	Strategic Property Development Standards - The 70% lot coverage can be impacted on small lots. Given that there is a requirement of 20% Usable Landscape Open Space and excludes parking it may just be a redundant number.
		Response	<p>✓ 70% lot coverage, which is limited by definition to buildings and structures on the land, is a standard condition in many of the performance standards. This threshold is comparable to other dense residential development in recognized "Targeted Growth Areas" including the Downtown District and Transitional District.</p> <p>It's purpose is to ensure that each lot has sufficient area of buffering, parking, stormwater management and landscaping. On a case-by-case basis variances can be considered to permit higher coverages where it can be demonstrated to be appropriate.</p>
		Comment	Strategic Property Development Standards - We question how the density numbers were arrived at? Findlay Foundry is established at 1 res unit per 66M2, McArthur 1 unit per 93M2 and other 3 res units 1 per 250M2.
		Response	<p>✓ In reviewing the maximum density prescribed for both the Findlay Foundry and McArthur Island sites, Staff consulted the existing Development Agreements and used the previous approved unit counts in order to calculate each permitted density. In the case of McArthur Island, the existing approval recognizes 253 residential units across the site with an additional 198 retirement home units and 144 long-term care units.</p> <p>253 units across the development site which has an area of 49,252m2, results in an approximate density of 1 dwelling unit per 193m2 of lot area. We will amend the type-o in the current table which states "1 unit per 93m2".</p> <p>The Amended Official Plan does not recognize quasi-residential uses (long-term care/retirement) as components of the density calculation which is why they were not used in the calculation of permitted density (Policy 3.4.3.14 of the Official Plan).</p>
		Comment	Strata Plans - For a town to vehemently force mixed use designations/requirements on specific properties and yet not allow Strata Plans as a format of Title Ownership is absolutely bewildering. I do not necessarily see this topic covered in this documents, but since you're forcing mixed use onto properties through this document, Council needs to consider altering the relevant document/regulation that governs Severance and subdivision to enable Strata Plans as form of ownership versus the godforsaken Condominium Act. There is very good reason CMHC will not lend funding on condominium properties.

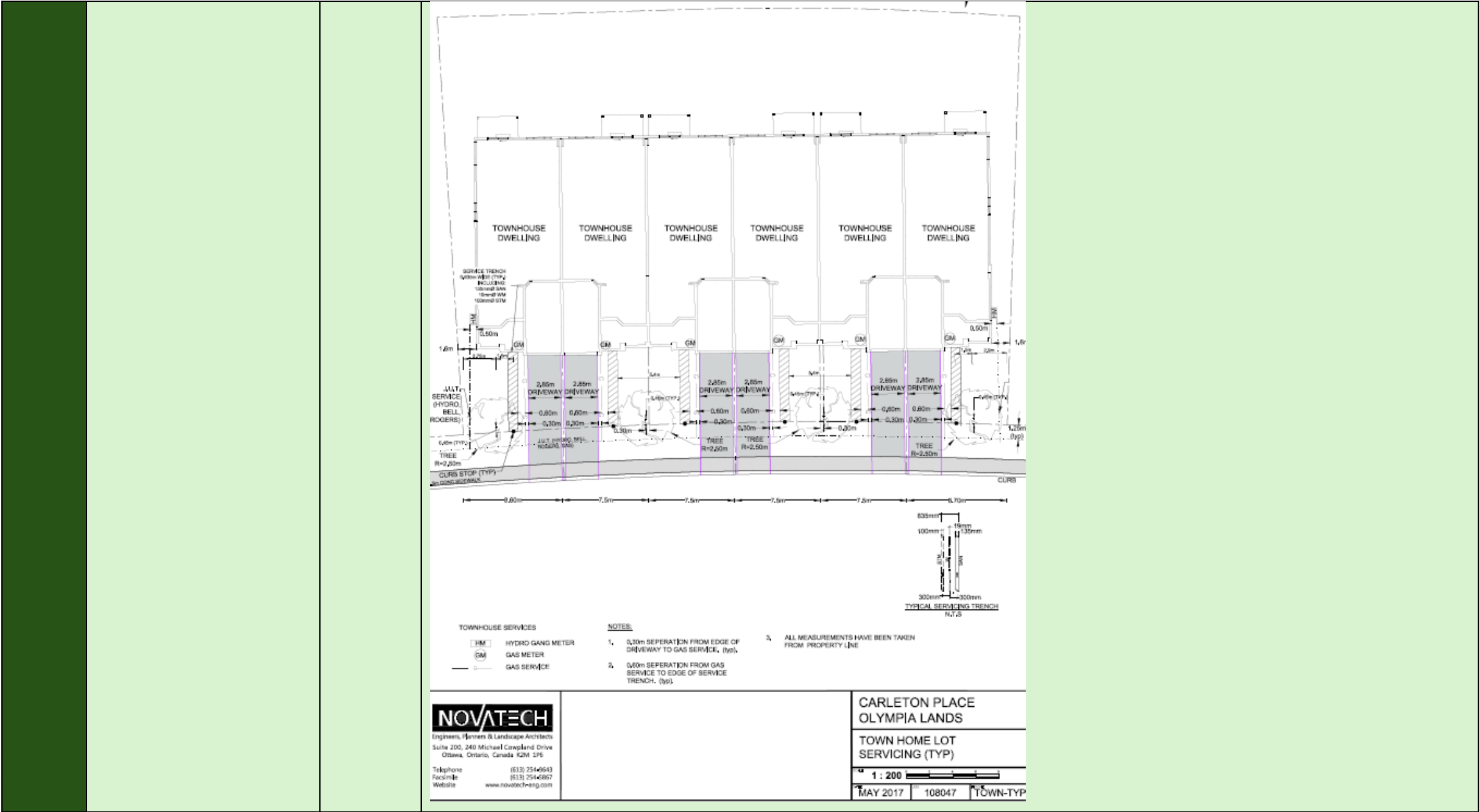
		Response	<p>✗ Objection noted.</p> <p>However, the use of Strata Plans is a matter of policy in both the Town of Carleton Place and Lanark County Official Plans and not part of the content of the Development Permit By-law.</p> <p>As such no material change will be made to the draft by-law.</p>
4.2	Residential Development Permit Area		
		Comment	<p>Change to add: “The purpose and intent of the Residential District is to promote compatible residential development within neighbourhoods. Infill development must consider existing built forms and fit into the surrounding landscape with minimal impact. While considering diversity of housing options, universal accessibility, energy efficiency and indoor air quality improvements.”</p>
		Response	<p>✗ Accessibility is governed by the Accessibility for Ontarians with Disabilities Act. A Development Permit By-law is not the tool that governs air quality improvements in the manner you describe.</p> <p>As such, this proposed change will not be reflected in the draft by-law.</p>
		Comment	<p>Residential District Development Permit Area (Preamble)</p> <p>The word "Primary" should be removed.</p>
		Response	<p>✓ Agreed – the word has been removed from the draft by-law.</p>
		Comment	<p><u>Residential District: Single Family</u></p> <p>Lot minimum 450 sq m does not reflect common single family home design and appears to be modelled over traditional historic plans of subdivision whereby lots are generally 15x50=450 sq m. Reduction to the Lot area minimums should be considered to reflect common lot size configurations in new subdivisions which commonly have a target lot depth of 30. It is recommended that the minimum lot area be based on the minimum lot frontage proposed (11m) multiplied by common lot depths in historic and recent subdivisions (27m deep would offer some flexibility for irregular lot geometries) which would provide approximately 300 sq m minimum lot size.</p>

		<p><u>Residential District: Semi Detached</u></p> <p>1 - Proposed lot area minimums will effectively eliminate the possibility of constructing a semi on historic lots throughout Carleton Place.</p> <p>2 - Lot minimum areas will result in required frontages more consistent with single family homes in order to achieve the minimum area requirements.</p> <p>3 - Similar to the comment made under single family homes lot minimums should be based on minimum lot frontage multiplied by the commonly used lot depth targets of approximately 30m with a slight reduction to accommodate some flexibility (i.e 27m).</p> <p><u>Residential District: Townhouse Dwellings</u></p> <p>1 - Lot area minimums will result in excessively large lots significantly larger than that needed to accommodate traditional two storey townhomes and still significantly larger than that required to accommodate typical bungalow townhomes.</p> <p>2 - Increased minimum areas and lot frontages will result in significant cost increases for homeowners looking to purchase this entry level product as the cost of land is proportional to the size of the lot required per unit.</p> <p>3 - Similar to the comment made under single family homes lot minimums should be based on minimum lot frontage multiplied by the commonly used lot depth targets of approximately 30m deep lots with a slight reduction to accommodate some flexibility (i.e 27m).</p> <p><u>Development Standards – Lot Areas and Frontages</u></p> <p>The minimum required lot area of 450 square metres is too large. Conventionally, lots for standard single detached dwellings in municipalities with full municipal services like Carleton Place are often less than 300 square metres.</p> <p>Please confirm the planning/policy rationale behind increasing the minimum required frontage from 10.6 metres to 11 metres.</p> <p>The minimum required lot area of 320 square metres is too large. Based on the minimum required frontage of 7.5 metres and a standard designed lot depth of 30 metres, the minimum area should be 225 sq. m.</p> <p>The minimum required lot area of 330 square metres is too large. Based on a conventional minimum width/frontage requirement for townhouses of 5.5 metres (for example) and a standard designed lot depth of 30 metres, the minimum area should be 165 square metres.</p>
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			<p>Please confirm the planning/policy rationale behind increasing the minimum required lot frontage from 5.5 to 7.5 metres. Conventionally, not very many townhouse dwellings are 7.5 metres in width.</p> <p>Having a separate minimum required frontage for an end unit is not necessary as the interior/exterior side yard setbacks will already ensure that the lot is wider. Further, it is noted that the frontage proposed of 8.5 metres is wider than the minimum required frontage of 7.5 metres proposed for a semi-detached unit, which seems odd.</p> <p>Please confirm the planning/policy rationale behind increasing the minimum required rear yard depth from 6.5 metres to 7.5 metres?</p>									
		Response	<p>✓ <u>Minimum Lot Areas</u></p> <p>Stemming from the foundational work undertaken in the Town’s Official Plan Amendment 08, Carleton Place is looking to define and develop a local typology of dwellings which is consistent with the visions 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.</p> <p>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.</p> <p>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 454m2).</p> <p>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 333m2).</p> <p>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 111m2).</p> <p>These parameters have been reflected within the performance standards of the Development Permit Bylaw to align the documents conformity with the Official Plan.</p> <p>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:</p> <table><tr><td>Municipality</td><td>Single</td><td>Semi</td><td>Street Townhome</td><td>Apartment* as measured by lot area per unit</td></tr></table>					Municipality	Single	Semi	Street Townhome	Apartment* as measured by lot area per unit
Municipality	Single	Semi	Street Townhome	Apartment* as measured by lot area per unit								

			Carleton Place (new)	450m2	320m2	330m2	110m2
			Mississippi Mills (urban)	360-540m2	320m2	110-180m2	137m2
			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
			<u>Minimum Frontage</u>				
			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.				
			Municipality	Single	Semi	Street Townhome	Apartment
			Carleton Place (new)	11m	7.5m	7.5 (interior) 8.5m (exterior)	35m
			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
			The Town has included a functional servicing sketch illustrating the rationale of the proposed lot frontages.				



		Comment	Development Standards - Single Detached Dwelling Please confirm the planning/policy rationale behind increasing the minimum required backyard area from 50 to 80 square metres?
		Response	✓ The requirement of a minimum rear yard area has been removed from all Development Permit Areas. The minimum rear yards are now a function of the minimum required rear yard depth and the minimum lot frontage.
		Comment	Development Standards - Duplex Dwelling The minimum required lot area appears to be too large.
		Response	✓ Duplexes have since been removed entirely from the by-law. As such this comment is non-material.
		Comment	Development Standards - Townhouse Dwellings, All Types Please confirm if the maximum density of 90.9 units per hectare (1 unit per 110 sq. metres of lot area) is intended to apply to additional dwelling units. The minimum required lot frontage and area will only enable a maximum density of 30 units per hectare.
		Response	✓ Additional units are not included in the calculation of density within a townhouse block.
		Comment	Additional Provisions for Apartment Dwellings The requirement for all residential buildings containing more than seven dwelling units to be located on an arterial or collector roadway might impede logical low-rise apartment development on local roads. For example, Pegasus is proposing eight unit back-to-back townhouse-style dwellings on local roads that are appropriate and sensitive to the local context. Within Pegasus' Carmichael Farm subdivision, a cluster of three-storey 12-unit terrace flats / stacked townhouses are proposed on a local road. Low-rise apartment buildings (with common corridors) can also be appropriate for local roads.
		Response	✓ Staff agrees with this position. The provision will be amended in the draft by-law to remove this requirement to preclude apartment buildings on local streets (non arterial and collector). However, the amended provision will include language that states that the Town

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			reserved the right to evaluate the appropriateness of an apartment building on a local road (this may be demonstrated through a TIS, as you propose, or other appropriate means).
		Comment	<p>Development Standards – Apartment Dwellings</p> <p>The step back building height requirement for buildings with more than three storeys should be revisited. Conventional softening of height impact on the public realm involves podium designs, usually with one considerable step back. This comment applies to eight other sections of the by-law.</p>
		Response	✗ The Town maintains the stepback approach, if, at the time of a tall building's proposal there was an alternative building massing, that could be considered by means of a Development Permit to vary the stepback requirement.
		Comment	<p>Garages (Residential Development Permit Area)</p> <p>This section appears to include four provisions that should be separated.</p> <p>Rather than referring to the “exterior garage wall,” the setback from the street should be measured from the face of the garage entrance (garage door), as there are often tasteful design features that project beyond the face.</p>
		Response	✓ Language has been added to the by-law to provide clarification on the requirement.
		Comment	<p>Apartments on Arterial and Collector Roads</p> <p>1 - With respect to the following wording: “All residential buildings containing more than seven dwelling units shall be required to be located on an arterial or collector roadway.”</p> <p>2 - Can consideration be made to recognise that in some cases these residential buildings may be proposed not directly on an arterial or collector, but rather have appropriate access to an arterial/collector as demonstrated by a traffic study. This will provide flexibility on where this form of construction could be accommodated</p> <p>Apartments on Arterial and Collector Roads</p>

			Apartments should be permitted on roads other than collectors and arterials provided there is adequate means of transportation capacity. Is the intent to preclude apartment construction throughout the Town except on arterial and collector roads? And if so, can the reasoning be provided?
		Response	✓ Staff agrees with your position. The provision will be amended in the draft by-law to remove this requirement to preclude apartment buildings on local streets (non arterial and collector). However, the amended provision will include language that states that the Town reserved the right to evaluate the appropriateness of an apartment building on a local road (this may be demonstrated through a TIS, as you propose, or other appropriate means).
		Comment	Apartment Dwellings - Add: "Include dedicated indoor and outdoor bicycle storage and access to electric charging stations for apartment residents."
		Response	✗ The Development Permit By-law is not the tool to regulate the inner workings of a building. Bicycle storage will be required outdoors and can be voluntarily constructed indoors. Charging stations will be encouraged but will not be a base requirement of the By-law. As such, this proposed change will not be reflected in the draft by-law.
		Comment	Apartment Dwellings - Add: "Outdoor green spaces shall include adequate seating, shade and accessible recreational areas."
		Response	✗ The Town allows developers to prepare a liberal landscape plan that may or may not include features such as seating. In public parks, seating and shade accommodations are always taken into consideration, however in the case of private property, the Town will not be mandating any specifics in terms of seating or shading measures. As such, this proposed change will not be reflected in the draft by-law.
		Comment	Apartment Dwellings - Add: "12) All multi-family buildings should incorporate proper ventilation systems and air filtration to improve indoor air quality and reduce exposure to pollutants, allergens, and airborne illnesses."

		Response	<p>✓ This type of item is governed by the Ontario Building Code and does not fall under the regulation limits of a Development Permit By-law.</p> <p>As such, this proposed change will not be reflected in the draft by-law.</p>
		Comment	<p>Permitted Uses in the Residential Development Permit Area</p> <p>Please add “Planned Unit Developments” as a permitted use.</p>
		Response	<p>✓ PUDs have been listed as a Discretionary Use in the Residential Development Permit Area. Given the varying and unique nature of a PUD, the Discretionary label will allow Staff to have an adequate review process and also allow for a the Notice of Application (sign posted on site) to be posted for a more fulsome consultation of the neighbouring property owners. As such, a PUD will always require a case-by-case review (through the DP2 process) , and 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.</p>
	Health Campus		
		Comment	<p>General Comment: Upon review of the Development Standards for each of the Development Permit Areas it is noted that many have no minimum lot area or minimum lot frontage requirements.</p> <p>How are requests for infill lots assessed in the absence of same?</p>
		Response	<p>✓ Applying no minimum lot area and lot frontage was intentional. By not having these requirements it allows for infill development to occur on varied lot sizes.</p> <p>The applications will be reviewed against the other standards, provisions and regulations in the Development Permit By-law to ensure the development is appropriate.</p>
		Comment	<p>The purpose and intent of the Development Permit Area is to provide for uses which will serve and compliment health related land uses and activities.</p>

		Response	✓ No action required.
		Comment	<p>Request is to remove the following new proposed uses from the Health Campus DPA:</p> <p>Restaurant, Drive Through</p> <p>Restaurant, Fast Food</p> <p>Few if any lots remain undeveloped in the Health Campus DPA. An existing strip mall provides food and coffee service to the businesses in the area. Drive Through and Fast Food restaurants are not “healthy” food choices and as such do not compliment health related uses and activities. Establishment of such uses would generate increased traffic volumes in the area unrelated to the health related land uses and activities. There is extensive opportunity for Drive Through and Fast Food restaurants to locate in other DPA’s (Highway Commercial and Business). Those areas are located on Arterial and Provincial Roads built to handle the traffic volumes generated by such uses. Drive Through and Fast Food uses produce odours (frying food), noise (traffic and speakers) and light impacts both from building lighting, signage and automobile headlights.</p>
		Response	✓ Changes to the definitions of Restaurants has been made as well as ensuring only over the counter take out will be permitted in the Health Campus Development Permit Area.
		Comment	Request is to remove: Restaurant, Full Service See Rational for removal of uses in Section 4.4.1
		Response	✓ Restaurant, Full Service has been removed.
		Comment	<p>Request to amend Standards and Requirements for the Health Campus DPA as follows:</p> <p>Lot Area (minimum) – existing lot area</p> <p>Lot Frontage (minimum) – existing lot area</p> <p>Add new Standard to require</p> <p>Treed Buffer (minimum) – 10 metres along lot line abutting Lake East</p>

			<p>Rational for existing lot area and lot frontage as minimums: Discourages Lot creation. Lot creation opportunities will also be precluded by the location of the existing buildings, setback minimums and the requirement to maintain a 10 metre minimum treed buffer to Residential DPA's</p> <p>In the case of other lots in the subdivision the treed buffer requirement is to ensure existing tree cover remains along Lake East to mitigate impact on the Residential DPA at the time of any proposed Class 1, 2 or 3 Development applications</p>
		Response	<p>✗ There is at least one property along Lake East which fronts on Lake East. Applying a 10 metre treed buffer on properties that only have frontage off Lake East Road would not be appropriate and would limit the development potential of the property.</p> <p>As such no change to the draft by-law has been made.</p>
		Comment	<p>5.1.7.1 General Design Elements</p> <p>Add new Subsection to 5.1.7.1.1) a.</p> <p>i) On lots in the Health Campus DPA All buildings shall be oriented with access and egress from the internal subdivision road (Costello). So as not to increase traffic on Lake East next to the Residential DPA</p>
		Response	<p>✗ This is not practical as at least one lot in the Health Campus Development Permit Area does not have access to Costello.</p> <p>As such no change to the draft by-law has been made.</p>
		Comment	<p>Add the following as a subsection to 5.1.7.1 3) g.</p> <p>i) On lots in the Health Campus DPA all structures, parking lots and loading zones will be buffered and screened by existing trees or newly planted trees designed and maintained in a staggered and undulating manner to create a more natural looking landscape and other landscape materials providing an element of all season screening (minimum depth 10 metres) along Lake East and the Residential Development Permit Area.</p> <p>Wording modeled after 3.32.1 4) and other wording found in the DPA's related to providing buffering to mitigate impacts to other Residential DPAs</p>

		Response	✗ Staff is of the opinion that the existing landscaping requirements are sufficient. Also, it is noted that there is at least one property which only has frontage on Lake East. As such no change to the draft by-law has been made.
		Comment	All exterior lighting shall be designed and directed so as not to impact any Residential DPA utilizing Cut-Off (FCO) fixtures; utilize light /glare shields; or light shrouds/hoods Mitigate light pollution on Residential DPAs.
		Response	✓ This has been addressed by adding language in the Illumination Section.
	Employment District		
		Comment	Add: “The three separate employment areas shall prioritize active transportation infrastructure and amenities.”
		Response	✓ Language will be added to the By-law to reflect the requested changes.
		Comment	Require a minimum of half of all landscaped open space to include drought resistant native trees, shrubs or plants
		Response	✓ This comment can be incorporated into the planting guide provided by the Urban Forest Committee respecting plantings.
	Community Commercial		
		Comment	Add: “Landscaped areas shall prioritize tree planting and green infrastructure to improve air quality, reduce heat islands, and support pedestrian-friendly environments.”
		Response	✓ Language will be added to the By-law to reflect the requested changes.
		Comment	Add: “5) Commercial developments shall include safe, well-lit pedestrian pathways and bicycle parking to encourage active transportation and improve accessibility.”

Total comments received – 187

Total comments incorporated/addressed in draft bylaw – 131

Total comments no addressed in draft bylaw - 56

		Response	✓ Language will be added to the By-law to reflect the requested changes.
		Comment	Based on the revised list and the related definitions, it appears that a restaurant that serves alcohol may no longer be permitted in the Highway Commercial DPA. There are a number of establishments within the Highway Commercial /Highway District Area that are licensed to serve alcohol. Restaurant, Full Service will be permitted, but that definition speaks only to refreshments (and it is not clear what that includes), whereas Restaurant, Bar, which speaks to alcohol, is not included. Is that intentional? My clients request that Restaurant, Bar be added to Highway Commercial as a permitted use to reflect the current reality of existing licensed restaurants in the area and allows for maximum flexibility. I note historically Night Club/Bar/Pub was a permitted use.
		Response	✓ Restaurant, Bar has been added to the list of permitted uses in the Highway Commercial Development Permit Area.
		Comment	The Town, as part of the recent review process for 450 McNeely Avenue (DP3-03-2024), added Medical Clinic, Pharmacy, and Veterinarian Establishment to the list of permitted uses for those lands. My clients request that Clinic, Pharmacy, and Veterinarian Establishment be added as permitted uses in Highway Commercial to reflect the current reality and allow maximum flexibility. It was noted at the time that the 450 McNeely application was approved that these uses were appropriate for Highway District. I believe a number of these uses exist in the HCDPA already. I also noted that Pharmacy was removed as a definition but was added as a permitted use to the Community Commercial DPA. Was it intended that Pharmacy remain a defined term or use?
		Response	✓ In the wake of DP3-03-2024, the three definitions have been added to the as-of-right permitted uses in the Highway Commercial Development Permit Area. Further, the term “Clinic” now takes into consideration a traditional “pharmacy”. And so the definition and use of “pharmacy” will be removed from the By-law going forward, and in its place the term “Clinic” will appear.
		Comment	Permitted uses - With the addition of residential permission in the area, it becomes logical for other uses associated with residential services to be permitted, such as Daycare Facilities, Veterinary clinic and indoor recreational / entertainment / party spaces. These additional services will enhance the living experience for the local residents support the local economics and help reduce the commuting requirements for such services further away which is also consistent with our green stewardship.

		Response	✓ The town understands that these are common inner workings of a residential building (apartment), and would be as of right permitted in a permitted residential apartment building, should the use be permitted in the Development Permit Area.
		Comment	<p>5.2.7 Highway District Commercial, Health Campus, and Business Campus Development Permit Areas</p> <p>3) Buffering & Landscaping</p> <p>We consider that a private road (min 3m) between a parking lot and a residential project should be considered as a buffer strip and a 3m landscape buffer strip should not be requested as an addition setback. Also, a landscaping design can review in detail as part of a development application.</p> <p>The provision is also unclear on which property the buffer should be provided. Is it assumed that the buffer would be required fully on the property which redevelops first?</p>
		Response	<p>✗ The Town does not agree that a private road should qualify as a buffer between buildings and a lot line, specifically as a “landscape” buffer. In effect, the driving aisle or private road presents the same adverse impact as a parking lot to an adjacent residential use (vehicle noise, lights, exhaust). As such, this proposed change will not be reflected in the draft by-law.</p> <p>The Town agrees with your second point. Additional language is included in the draft by-law to provide clarification on the buffer strip.</p>
	Environmental Constraints		
		Comment	Add: “Flood-resistant building designs shall incorporate resilient materials and elevated structures where feasible to minimize long-term health risks related to water damage, mould growth, increased mosquitoes breeding ground, contaminating drinking water systems and structural instability.”
		Response	<p>✗ Some of these comments have already been addressed in this section by requiring appropriate engineered construction to reduce or eliminate the risks of flooding.</p> <p>Mosquitos and mould are not items that By-law can address.</p> <p>As such, this proposed change will not be reflected in the draft by-law.</p>

	Parks and Open Space		
		Comment	<p>Possible new sections:</p> <p>Open spaces shall be designed to provide for a diverse range of active and passive recreational opportunities.</p> <p>Design should provide for safe movement and be integrated into the public road system for security and casual surveillance.</p> <p>Parks and open spaces should form part of a network, providing major components in shaping existing and new areas of the Town, and providing a variety of options for interconnectivity between new and existing trail and park systems.</p> <p>Trails and open spaces shall be provided along the waterways wherever possible and shall be linked to other parks, trails and open spaces throughout the Town.</p> <p>Provision for both pedestrians and cyclists shall be considered in the design of all new trail systems.</p> <p>Naturalized and indigenous plantings should be utilized in order to reduce maintenance and ensure survival.</p> <p>Neighbourhood parks should be designed to include elements for all generations and areas for unorganized play. Elements of accessible design should be integrated into the parks systems.</p> <p>Consideration for abutting residential uses when evaluating lighting will be required to allow for privacy without jeopardizing security.</p> <p>Parks are encouraged to include public art and interpretive displays to celebrate the rich cultural heritage of the Town of Carleton Place.</p>
		Response	✓ Noted
	Environmental Constraints		
		Comment	Additional Provisions- “Floodway/Floodplain and Flood Fringe” should be changed to “Floodplain/Floodway and Flood Fringe” for consistency and because the Floodplain is made up of the Floodway and Flood Fringe.
		Response	✓ Noted. Made the Change.
		Comment	“50% in gross floor area or 50 square metres” We assume this size was determined with/from guidance of the MVCA.

		Response	✓ Yes.
	Definitions		
		Comment	Flood Proofing-Why has this definition been removed when the term is referred to in Sec. 4.11?
		Response	✓ Added it back.
		Comment	High Water Mark-Where is this term used in the document?
		Response	✓ This is found in Section 3.41 Setbacks to a Watercourse or Waterbody.
		Comment	One Hundred Year Flood-Where is this term used in the document?
		Response	✓ It does not appear and can be removed.
		Comment	Vegetation Removal-Why is this definition being removed?
		Response	✓ Noted. Undeleted.
		Comment	Conservation: Recommend adding “for individual or public use or benefit or for the protection of biodiversity or enhancement of climate resiliency.”
		Response	✗ Term used is “Conservation Area” – no change at this time as consultation with the MVCA is warranted.
		Comment	Landscaped open space: Recommend changing definition to “means land that contributes toward stormwater management, tree canopy cover, and biodiversity by being used for the growth and maintenance of grass, flowers, trees, shrubbery, natural vegetation and

			native species and other landscaping and includes any buffer strip, surfaced walk, surface patio, green roof, swimming pool or similar area, but does not include any access driveway, ramp, parking area or any open space within any building or structure.”
		Response	✓ Note that new definition has been added for “Usable Landscaped Open Space” in order to help clarify the distinction of spaces.
		Comment	Trail: means pedestrian and nature trails, bicycle trails, multi-use trails, fitness trails, nature trails for the disabled, or cross-country skiing trails.
		Response	✓ Definition added
		Comment	Urban agriculture: means the growing of food at a small scale, including but not limited to, community gardens and backyard chickens and includes small-scale sales of urban agricultural products.
		Response	✗ This term is used in the by-law so no change made
		Comment	Definitions - "Dwelling, Multiple" Should not limit the number of units.
		Response	✓ The defined use has been removed from the by-law entirely.
		Comment	Definitions - "Townhouse, Stacked" Should conclude with "...entrance to the exterior" (not "interior").
		Response	✓ Language has been added to the by-law to provide clarification on the requirement.
		Comment	Definitions - "Private Road or Private Lane" Should include Parcels of Tied Land in addition to "lots."

		Response	✓ Staff agree. This change has been made to the draft by-law.
		Comment	Definitions - "Street, Private" Suggestion to not limit this to dwellings/dwelling units.
		Response	✓ Staff agree. This change has been made to the draft by-law.
		Comment	Definitions - "Waterbody" This definition should also exclude stormwater management ponds.
		Response	✓ The definition has been amended in the draft by-law to reflect this comment.
		Comment	Buffer Definition is being amended to add "...on a lot to minimize the visual impact." Suggest adding "noise, light mitigation" as impacts as well.
		Response	✓ Language has been added to the definition to include the recommended wording.
		Comment	Custom Workshop, Health Related Definition is proposed to be removed. Request is to retain the definition. The use remains listed as a permitted use in the Health Campus DPA and as such the definition will help clarify the term
		Response	✓ The definition is remaining in the DP.
		Comment	Landscape Open Space Definition reads in part... "...all of which is designed to enhance the visual amenity of a property and/or to provide a screen to mitigate any objectionable adjacent land use..." Amend definition to reflect the reverse situation as well– such as mitigating the impacts of incompatible uses from Residential DPAs.

			To clarify that the provision for the Landscape Open Space works both ways
		Response	✓ The opinion of Staff is that the way it is currently defined it would apply to all uses in all Development Permit Areas.
		Comment	Definitions of Lot Lines and Yards If possible, these need to be more clearly defined. Even with my experience working with by-laws I am still confused as to the determination of lot lines and yards particularly on through lots. Suggest inserting a diagram to help identify lot lines and yard as an interpretation aid To assist in interpreting the by-law.
		Response	✓ A diagram has been added to the draft by-law to assist in the interpretation of the By-law.
7.2	Green Development Checklist		
		Comment	First, we salute the Town to implement sustainable development initiatives. We are also sensitive and proactive regarding sustainable development in all new projects. The REIT has published an ESG report since 2023 which among other things describes our green initiatives. However, after having read this section, we are deeply concerned that green checklist, in its current form, would become a major deterrent to development considering the anticipated costs associated with its implementation.
		Response	✓ The Green Development Checklist will be required as part of a complete application, however “acting” on the checklist will be done voluntarily. The language in the By-law has changed to the following: <i>“The GDS Checklist is requested for all Development Permit Applications and may be submitted to municipal staff during the pre-consultation process (Development Permit By-law Section 2.22). It provides clarity on the Town’s desire for sustainable development. Complying with the requirements of the GDS Checklist are encouraged.”</i>
		Comment	7.2.2 Ecology and Biodiversity-We support the inclusion of these policies.
		Response	✓ Noted.

	Schedule A		
		Comment	<p>The subject lands are identified as "Future Development" on Schedule "A." It does not appear as though there are any associated provisions.</p> <p>Given that Pegasus intends to develop this property in the near to medium term, and that there does not appear to be any Official Plan policy directing the establishment of a Future Development area, please remove the "Future Development" overlay from Pegasus holdings.</p>
		Response	✓ The Future Development layer has been removed from Schedule 'A' and from the content of the draft by-law.