

## **BY-LAW NO. 32-2021**

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

**WHEREAS** Section 70.2 of the Planning Act, R.S.O. 1990, Chapter P.13 authorizes local municipalities to pass a by-law to establish a development permit system to control land use development in the municipality; and

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

**WHEREAS** the Town of Carleton Place passed Interim Control By-law 51-2019, further amended by By-law 44-2020, to prohibit the development of townhomes, triplexes, quadplexes and apartment dwellings in excess of 28 feet within a defined area of the established neighbourhoods in the Town; and

**WHEREAS** the Town of Carleton Place commissioned a Neighbourhood Character Assessment for the subject area; and

**WHEREAS** the Town of Carleton Place accepted the recommendations of the Neighbourhood Character Assessment to amend the current Development Permit Policies in Section 4.2 of By-law 15-2015 to reflect the existing mature built form;

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

1. That Section 4.2 of By-law 15-2015 is hereby deleted in its entirety and replaced with the provisions for the "Mississippi Residential Sector", a copy of which is attached hereto as Schedule 'A';
2. This By-Law takes effect from the date of passage by Council and comes into force and effect pursuant to the provisions of the Planning Act, R.S.O. 1990, Chapter P.13.

**READ A FIRST TIME, SECOND TIME AND THIRD TIME AND FINALLY PASSED THIS 23<sup>rd</sup> DAY OF FEBRUARY, 2021.**

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Doug Black, Mayor

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Stacey Blair, Clerk

## **BY-LAW NO. 32-2021**

### **Schedule “A” The Amendment**

All of this part of the document entitled Schedule A - THE AMENDMENT, consisting of the following explanatory text constitutes the “Mississippi Residential District Amendment” of the Town of Carleton Place Development Permit Bylaw.

#### **The Amendment**

### **4.3 MISSISSIPPI RESIDENTIAL SECTOR**

The Mississippi District Residential Policy Area is an established older residential area which is composed of a mix of neighborhoods characterized by a range of housing types. The area, though dominated by single dwelling units, includes semi-detached, duplex, row townhouses and small apartment dwellings located on tree lined streets with several parks, schools, churches, local commercial uses and municipal amenities. The range of dwellings varies from modest single dwellings to stately heritage homes.

The purpose and intent of the following regulatory framework is to provide for appropriate development and redevelopment while recognizing existing neighborhood character and architectural styles.

#### **4.3.1 PERMITTED USES**

- Single Detached Dwellings
- Semi Detached Dwellings
- Existing Institutional Uses
- Existing Commercial Uses
- Parks

#### **4.3.2 DISCRETIONARY USES**

- Duplex Dwellings
- Townhouse Dwellings
- Quadplex Dwellings
- Triplex Dwellings
- Apartment Dwellings
- Seniors Residential Dwellings
- Bed and Breakfast Establishments
- Retirement Home
- Recreation Facilities
- Daycare – home-based
- Office, retail or personal services permitted on Victoria, Beckwith and Allan Streets

### 4.3.3 DEVELOPMENT STANDARDS

#### 4.3.3.1 Single Detached Dwellings

STANDARDS	PROPOSED
Lot Area (minimum)	500m <sup>2</sup>
Lot Coverage (maximum)	50%
Lot Frontage (minimum)	18 metres (60 feet)
Front Yard (absolute)	The median setback of adjacent properties
Exterior Side Yard (absolute)	The median setback of adjacent properties
Interior Side Yard (minimum)	Combined interior yards of 4.5m minimum with a minimum of 1.5 metres on one side (5 feet)
Rear Yard Depth (minimum)	8 metres (26.3 feet)
Usable Landscaped Open Space in the Rear Yard (minimum)	144 square metres (1550 square feet)
Building Height (maximum)	8.5 metres (28 feet)
Minimum Dwelling Unit Area	92.9 square metres (1,000 square feet)
No Encroachment Area from Front or Exterior Side Lot Line	2.5 metres (8.2 feet)
Additional Provisions	<ol style="list-style-type: none"> <li>1. The width of the garage and driveway shall not exceed 30% of the overall lot frontage. The main garage foundation shall be set back a minimum of 6.0 metres (19.6 feet) from the front or exterior side lot line.</li> <li>2. Should the dwelling exceed two storeys in height, all subsequent storeys shall be reduced to 50% of the gross floor area of the floor below and located wholly within the gable or dormers of the roof.</li> </ol>

#### 4.3.3.2 Semi-Detached Dwellings

STANDARDS	REQUIREMENTS
Lot Area (minimum)	250m <sup>2</sup>
Lot Coverage (maximum)	50%
Lot Frontage (minimum)	9 metres (29.5 feet)
Front Yard (absolute)	The median setback of adjacent properties
Exterior Side Yard (absolute)	The median setback of adjacent properties
Interior Side Yard (minimum)	3m (9 feet) No side yard shall be required along the common wall
Rear Yard Depth (minimum)	8 metres (26.3 feet)
Usable Landscaped Open Space in the Rear Yard (minimum)	72 square metres (830 square feet)
Building Height (maximum)	8.5 metres (28 feet)
Minimum Dwelling Unit Area	92.9 square metres (1,000 square feet)
No Encroachment Area from Front or Exterior Side Lot Line	2.5 metres (8.2 feet)

Additional Provisions	<ol style="list-style-type: none"> <li>1. The width of the garage and driveway shall not exceed 40% of the overall lot frontage. When considering the width of the garage calculation for semi-detached dwellings the overall percentage of coverage of any one block can be utilized. For the purposes of this calculation the overall garage width calculation can always be considered for the original block and will survive the severance process. The main garage foundation shall be set back a minimum of 6.0 metres (19.6 feet) from the front or exterior side lot line.</li> <li>2. Should the dwelling exceed two storeys in height, all subsequent storeys shall be reduced to 50% of the gross floor area of the floor below and located wholly within the gable or dormers of the roof.</li> <li>3. The driveway must not extend further than the exterior wall of the garage.</li> <li>4. 50% of the total frontage for semi-detached units must have soft/green landscape elements.</li> </ol>
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#### 4.3.3.3 Duplex Dwellings

STANDARDS	REQUIREMENTS
Lot Area (minimum)	500m <sup>2</sup>
Lot Coverage (maximum)	50%
Lot Frontage (minimum)	18 metres (60 feet)
Front Yard (absolute)	The median setback of adjacent properties
Exterior Side Yard (absolute)	The median setback of adjacent properties
Interior Side Yard (minimum)	Combined interior yards of 4.5m minimum with a minimum of 1.5 metres on one side (5 feet)
Rear Yard Depth (minimum)	8.0 metres (26.2 feet)
Usable Landscaped Open Space in the Rear Yard (minimum)	144 square metres (1550 square feet)
Building Height (maximum)	8.5 metres (28 feet)
Minimum Dwelling Unit Area	92.9 square metres (1,000 square feet)
No Encroachment Area from Front or Exterior Side Lot Line	2.5 metres (8.2 feet)
Additional Provisions	<ol style="list-style-type: none"> <li>1. The width of the garage and driveway for duplex dwellings shall not exceed 30% of the overall lot frontage. The main garage foundation shall be set back a minimum of 6.0 metres (19.6 feet) from the front or exterior side lot line.</li> <li>2. Should the dwelling exceed two storeys in height, all subsequent storeys shall be reduced to 50% of the gross floor area of the floor below and located wholly within the gable or dormers of the roof.</li> </ol>

#### 4.3.3.4 Townhouse Dwellings

STANDARDS	REQUIREMENTS
Lot Area (minimum)	160m <sup>2</sup>
Lot Coverage (maximum)	50%
Lot Frontage (minimum)	6 metres (20 feet)
Front Yard ( <del>minimum</del> -absolute)	The median setback of adjacent properties
Exterior Side Yard ( <del>minimum</del> absolute)	The median setback of adjacent properties
Interior Side Yard (minimum)	3m (9 feet) No side yard shall be required along the common wall
Rear Yard Depth (minimum)	8 metres (26.3 feet)
Usable Landscaped Open Space in the Rear Yard (minimum)	48.0 square metres (516.7 square feet)
Building Height (maximum)	8.5 metres (28 feet)
Minimum Dwelling Unit Area	92.9 square metres (1,000 square feet)
No Encroachment Area from Front or Exterior Side Lot Line	2.5 metres (8.2 feet)
Additional Provisions	<ol style="list-style-type: none"> <li>1. The width of the garage and driveway shall not exceed 50% of the overall lot frontage. The main garage foundation shall be set back a minimum of 6.0 metres (19.6 feet) from the front or exterior side lot line.</li> <li>2. Should the dwelling exceed two storeys in height, all subsequent storeys shall be reduced to 50% of the gross floor area of the floor below and located wholly within the gable or dormers of the roof.</li> <li>3. Notwithstanding the definition of "Dwelling – Townhouse" of the By-law, a "Townhouse" in the Mississippi Residential district shall be defined as follows:  <i>"Means a building that is divided vertically into three or more dwelling units, but not more than 4, attached by common walls extending from the base of the foundation to the roof line, each dwelling unit having a separate entrance."</i></li> <li>4. All multi-unit residential dwellings shall be subject to a Class 3 Development Permit.</li> <li>5. Each primary dwelling unit shall have a front facing entrance.</li> </ol>

#### 4.3.3.5 Tri-plex and Quad-plex Dwellings

STANDARDS	REQUIREMENTS
Lot Area (minimum)	600m <sup>2</sup>
Lot Coverage (maximum)	50%
Lot Frontage (minimum)	24 metres (79 feet)

Front Yard (absolute)	The median setback of adjacent properties
Exterior Side Yard (absolute)	The median setback of adjacent properties
Interior Side Yard (minimum)	Combined interior yards of 4.5m minimum with a minimum of 1.5 metres on one side (5 feet)
Rear Yard Depth (minimum)	8.0 metres (26.2 feet)
Usable Landscaped Open Space in the Rear Yard (minimum)	192 square metres (2000 square feet)
Building Height (maximum)	8.5 metres (28 feet)
No Encroachment Area from Front or Exterior Side Lot Line	2.5 metres (8.2 feet)
Additional Provisions	<ol style="list-style-type: none"> <li>1. No parking shall be allowed in either the front or exterior side yards.</li> <li>2. All multi-unit residential dwellings shall be subject to a Class 3 Development Permit.</li> <li>3. Should the dwelling exceed two storeys in height, all subsequent storeys shall be reduced to 50% of the gross floor area of the floor below and located wholly within the gable or dormers of the roof.</li> <li>4. Pedestrian walks shall be not less than 1.2 metres (4.0 feet) in width and shall be provided wherever normal pedestrian traffic will occur.</li> <li>5. Garbage and refuse pickup and other utility areas shall be provided and shall be located so as not to detract from the aesthetic character of the development and shall be enclosed and shielded from view by fencing, walls or shrubbery of at least 1.5 metres (5.0 feet) in height around the perimeter.</li> <li>6. Approaches to multi-unit dwelling structures and entrance areas shall be landscaped with trees and attractive shrubs. Areas not used for buildings, drives and parking spaces shall be seeded or landscaped and shall be kept in an attractive condition.</li> <li>7. The dwelling house shall have a single, central door on the front façade of the dwelling. Additional entrances may be permitted on the rear façade wall.</li> </ol>

#### 4.3.3.6 Apartment Dwellings

STANDARDS	REQUIREMENTS
Lot Area (minimum)	600m <sup>2</sup>
Lot Coverage (maximum)	50%
Lot Frontage (minimum)	24 metres (79 feet)
Front Yard Build Within Area (absolute)	The median setback of adjacent properties
Exterior Side Yard Build Within Area (absolute)	The median setback of adjacent properties

Interior Side Yard (minimum)	Combined interior yards of 4.5m minimum with a minimum of 1.5 metres on one side (5 feet)
Rear Yard Depth (minimum)	8.0 metres (26.2 feet)
Usable Landscaped Open Space in the Rear Yard (minimum)	192 square metres (2000 square feet)
Building Height (maximum)	8.5 metres (28 feet)
No Encroachment Area from Front or Exterior Side Lot Line	2.5 metres (8.2 feet)
Additional Provisions	<ol style="list-style-type: none"> <li>1. All proposals for Apartment Dwellings and Seniors' Residential Dwellings shall be subject to a Class 3 Development Permit.</li> <li>2. Should the dwelling exceed two storeys in height, all subsequent storeys shall be reduced to 50% of the gross floor area of the floor below and located wholly within the gable or dormers of the roof.</li> <li>3. All development shall be serviced by a public water supply and a public sanitary sewage system. Development applications which propose development on private water and sewage systems shall not be approved.</li> <li>4. Visitor parking spaces shall be delineated through signage.</li> <li>5. A maximum of 40% of the lot area may be used for at grade parking.</li> <li>6. All residential buildings containing more than four (4.0) dwelling units shall be required to be located on an arterial or collector roadway. Notwithstanding the foregoing, a residential building containing more than four (4.0) dwelling units may be permitted to be located on a local roadway but shall be required to gain approval from Council of a Class 3 Development Permit.</li> <li>7. Off street parking areas shall not open directly on to a public street, but shall be provided with access drives or other controlled access. Access drives shall not serve as part of a specified parking area and shall be kept clear of parked vehicles.</li> <li>8. Pedestrian walks shall be not less than 1.2 metres (4.0 feet) in width and shall be provided wherever normal pedestrian traffic will occur.</li> <li>9. Garbage and refuse pickup and other multi-unit utility areas shall be provided and shall be located so as not to detract from the aesthetic character of the development and shall be enclosed and shielded from view by fencing, walls or shrubbery of at least 1.5 metres (5.0 feet) in height around the perimeter.</li> <li>10. All telephone and electric service utilities shall</li> </ol>

	<p>be underground in all multi-unit developments.</p> <p>11. All developments shall be provided with a liberal and functional landscaping scheme. Interior roads, parking areas and pedestrian walks shall be provided with shade trees which are of an appropriate size and character. Open space adjacent to buildings and malls between buildings that are to be utilized by residents and border strips along the sides of pedestrian walks shall be graded and seeded.</p> <p>12. Approaches to multi-unit dwelling structures and entrance areas shall be landscaped with trees and attractive shrubs. Areas not used for buildings, drives and parking spaces shall be seeded or landscaped and shall be kept in an attractive condition.</p> <p>13. Interior development roads, parking areas, dwelling entranceways and pedestrian walks shall be provided with sufficient illumination to minimize hazards to pedestrians and vehicles utilizing the same and shall, where necessary, be shielded to avoid distributing glares to occupants of buildings. Lighting shall be so arranged as to reflect away from adjoining properties.</p>
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#### 4.3.4 Discretionary Use Provisions

1. Bed and Breakfast Establishments may be permitted subject to the following provisions:
  - i. All proposals are subject to a Class IA Development Permit approval stream;
  - ii. A full drawing set shall be required to be submitted for review and consideration prior to approval;
  - iii. The residential character of the neighbourhood shall be maintained.
  - iv. Adequate parking shall be provided as per Section 3.
  - v. The proposed development shall meet the regulatory, design and / or administrative requirements of the designation.
2. Retirement Homes are permitted subject to the development standards outlined in section 4.3.3.6 and the design requirements of Sections 13 and 14.
3. Home-Based Daycare Facilities shall be subject to a Class II Development Permit and shall be required to meet the development standards of the primary use outlined in Section 4.3.3 and the design requirements of Sections 13 and 14.



## The Amendment

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The purpose and intent of the following regulatory framework is to provide for appropriate development and redevelopment while recognizing existing neighborhood character and architectural styles.

#### 4.3.1 PERMITTED USES

- Single Detached Dwellings
- Semi Detached Dwellings
- Existing Institutional Uses
- Existing Commercial Uses
- Parks

#### 4.3.2 DISCRETIONARY USES

- Duplex Dwellings
- Townhouse Dwellings
- Quadplex Dwellings
- Triplex Dwellings
- Apartment Dwellings
- Seniors Residential Dwellings
- Bed and Breakfast Establishments
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- Daycare – home-based
- Office, retail or personal services permitted on Victoria, Beckwith and Allan Streets

#### 4.3.3 DEVELOPMENT STANDARDS

##### 4.3.3.1 Single Detached Dwellings

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