

CORPORATION OF THE TOWN OF CARLETON PLACE

DEVELOPMENT PERMIT BY-LAW 15-2015 as amended

Being a by-law to regulate land use and development on lands within the
Town of Carleton Place
March 2015

Amended by:

By-law 57-2015 (December 2015)
By-law 58-2015 (December 2015)
By-law 38-2016 (September 2016)
By-law 08-2017 (January 2017)
By-law 11-2017 (February 2017)
By-law 25-2017 (April 2017)
By-law 69-2018 (June 2018)
Bylaw 101-2020 (November, 2020)
By-law 24-2021 (January 2021)
By-law 32-2021 (February, 2021)



The Corporation
of the Town of Carleton Place



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1.0 EXPLANATORY NOTE AND INTENT

1.1 DEVELOPMENT PERMIT SYSTEM

The Province, in its 2007 revisions to the Planning Act, has provided for a new development approval framework which combines three (3) existing permitting systems into one (1). A Development Permit By-law replaces zoning, site plan and minor variance approvals in areas of the municipality where a Development Permit By-law has been approved in accordance with the municipality's Official Plan and the Planning Act. The Development Permit System may also include regulations regarding Tree Cutting and Site Alteration. It should be noted that the issuance of a Development Permit does not replace the requirement for building permits under the Building Code Act or approvals for the division of land under Section 50.1 of the Planning Act, R.S.O., 1990 as amended. The Development Permit By-law is governed and authenticated in accordance with 70.2 of the Planning Act R.S.O, 1990 and Ontario Regulation 173/16.

The Development Permit By-law clearly articulates and establishes development requirements, provisions and standards that need to be met before approval (s) can be issued. It provides for a streamlined approach to development approvals and in addition, allows for flexibility within a clearly articulated context. The Council of the Town of Carleton Place decided to move forward with the intent to implement policies of the Official Plan, streamline development and provide for timely reviews of development proposals. These objectives include, but are not limited to; the preservation of the existing small-town character, improvement of commercial areas, increased opportunities and diversity of employment land uses, provision of a wide range of recreational activities and facilities, preservation of a healthy Mississippi River and the conservation of heritage and cultural resources. The Town is divided into distinct areas on schedules that identify specific land use designations. Provisions for new development, infill and construction are outlined within the Development Permit By-law's text. The Development Permit By-law designations are consistent with the designations in the Official Plan and the By-law's provisions implement Official Plan policies and directions provided for in each specific designation.

The Planning Act requires each municipality to update their Official Plan every ten (10) years and thereafter within three (3) years update their Zoning By-law or their Development Permit By-law. The Town undertook an Official Plan review in 2012/2013 and adopted its new Official Plan on April 23, 2014. This Development Permit By-law, adopted on July 29, 2014 and is in full conformity with the 2014 Official Plan as adopted.

1.2 DEVELOPMENT PERMIT SIMILARITIES AND DIFFERENCES WITH EXISTING LAND USE REGULATIONS

The Development Permit By-law outlines requirements, standards and provisions for the control of land use and development in a manner that is similar to a Zoning By-law. In addition, it resembles a Site Plan Control By-law as it allows the municipality to require plans showing the location, massing and conceptual design of any proposed building, structure or comprehensive development.

It differs from traditional land use regulations by allowing discretionary uses, conditional approvals, variations to standard requirements, control of exterior design elements and removal of vegetation in specific areas. This provides staff and Council with flexibility within the context of the By-law to review development proposals and provides for a decision-making process which does not necessarily require any further amendments to this by-law.

1.3 LEGITIMACY AND APPROVAL AUTHORITY

All approvals issued through the Development Permit System must be deemed to be consistent with the policies of the approved Official Plan.

The permitted and discretionary uses, as well as the development and design standards of the Development Permit By-law, were developed through extensive consultation with the citizens of the Town of Carleton Place. It is both staff and Council's responsibility to uphold the principles of this By-law.

The Development Permit By-law provides that Council may delegate its approval authority to staff or to a Committee. The Development Permit By-law identifies Classes of Development and the associated approval authority. Notification requirements specific to each Development Class have been outlined within the By-law. Criteria have been developed for ease of evaluation. The Development Permit By-law provides for up-front appeal procedures. The approval of the By-law itself may be subject to an appeal to the Local Planning Approvals Tribunal (LPAT). Once the By-law is in full force and effect (i.e. no appeals or appeals resolved a development permit cannot be appealed by third parties. Only the applicant may appeal a decision or non-decision of a development permit application.

As with any By-law adopted under Section 34 of the Planning Act this By-law may be amended by Council from time to time or by individuals making an application for an amendment to the By-law.

2.0 ADMINISTRATION

2.1 TITLE

This By-law shall be referred to as the “Town of Carleton Place Development Permit By-Law” or By-Law No. 15-2015.

2.2 SCOPE

The provisions of this by-law apply to all the lands falling within the municipal boundaries of the Corporation of the Town of Carleton Place as identified on the attached schedules which form an integral part of this by-law.

2.3 ADMINISTRATION

This by-law shall be administered by the Director of Development Services or such other person as may from time to time be designated by Council. No permit for the use of land or for the erection or use of any building or structure or the approval of an application for any municipal license within the jurisdiction of the Council shall be issued or given where the proposed building, structure or use would be a violation of any provision of the by-law.

2.4 INTERPRETATION

The provisions of this by-law are minimum requirements except where a maximum requirement is specifically identified.

The Interpretation Act, R.S.O., 1990 applies to this by-law.

Definitions are given in this by-law to aid in the understanding and implementation of the true spirit, intent and meaning of the by-law. They are not to be used to avoid an obligation imposed by the by-law or any requirement enacted in a substantive provision of the by-law.

This by-law makes reference to the Town of Carleton Place Official Plan and should be viewed and interpreted in combination with the Official Plan.

Conversion of metric numbers into imperial is provided for general reference only. Where a discrepancy occurs between the metric number and the approximate imperial conversion, the metric value will constitute the requirement.

2.5 CONFORMITY AND COMPLIANCE WITH BY-LAW

Save as otherwise provided in this by-law, no land, or building, or structure shall be used for any purpose except as hereafter stated in this by-law and in conformity with all of the applicable provisions of this by-law.

Notwithstanding anything in this by-law, no person shall reduce any lot in dimensions, either by conveyance or other alienation of title of any portion thereof, if the effect of such action is to cause the original, adjoining,

remaining or new building, structure, lot or use of land to be in contravention of any provision of this by-law. However, no person shall be deemed to have contravened any provision of this by-law by reason of the fact that any part or parts of any lot has or have been conveyed to or acquired by any Public Authority.

Any use or structure which had been deemed to be a non-conforming use or structure in a predecessor by-law shall be deemed to be non-conforming if also in violation of any of the provisions of this by-law.

2.6 CHANGE IN USE

If the use of a property is altered or changed to a different use, which is permitted within the Development Permit Area, the property or use is subject to all relevant provisions of the Development Permit Area.

2.7 OBLIGATION

Nothing in this by-law shall relieve any person from the obligation to comply with the requirements of the Ontario Building Code Act, and any other by-laws of the Town of Carleton Place, the County of Lanark and Provincial and Federal legislation.

2.8 UNLAWFUL USES

Any use established in violation of a predecessor of this by-law is deemed to have been established unlawfully. If any use which was in violation of any predecessor of this by-law is now in conformity with this By-Law, the Development Permit By-law of the Town of Carleton Place, it shall now be deemed to be a lawful use.

2.9 INSPECTION OF LAND, BUILDINGS AND STRUCTURES

Subject to Section 49 of the Planning Act R.S.O., 1990, the Director of Development Services or other such person as may from time to time be designated by Council or any person acting under his or her instructions, and upon producing proper identification, is hereby authorized to enter, at all reasonable times, upon any property or premises for the purpose of carrying out his /her duties under this by-law.

Notwithstanding any provision of Section 2.09 hereof to the contrary, no officer or employee of the Corporation of the Town of Carleton Place shall enter any room or place actually being used as a dwelling unit without obtaining the consent of the occupier, first having informed the occupier that the right of entry may be refused, except under the authority of a search warrant issued under Section 158 of the Provincial Offences Act.

2.10 ENFORCEMENT AND PENALTIES

Every person, or if the person is a corporation, every director or officer of the corporation, who contravenes any of the provisions of this by-law is guilty of an offence and on conviction thereof shall be subject to penalties in accordance with Section 67 and 67.1 of the Planning Act R.S.O., 1990.

When a person who has been convicted of an offence under this by-law, any court of competent jurisdiction thereafter, may, in addition to any other penalty imposed on the person convicted, issue an order prohibiting the continuation or repetition of the offence or the doing of any act or thing by the person convicted directed towards the continuation or repetition of the offence.

The requirements of this by-law are severable, if any requirements of this by-law are held invalid, the application of such requirements to other circumstances and the remainder of this by-law shall not be affected.

2.11 REVISIONS TO THE BY-LAW

Revisions may be made to this by-law without the need for a Development Permit Amendment in the following cases:

- 1) Correction of numbering, cross-referencing, grammar, punctuation or typographical errors or revisions to format in a manner that does not change the intent of a provision.
- 2) Adding or revising technical information on maps or schedules that does not affect the designation of lands including, but not limited to, matters such as updating and correcting infrastructure information, keys, legends or title blocks; and
- 3) Changes to appendices, footnotes, headings, indices, marginal notes, tables of contents, illustrations, historical or reference information, page numbering, footers and headers, which does not form a part of this by-law and are editorially inserted for convenience of reference only.

The adoption of this by-law shall not prevent any pending or future prosecution of, or action to abate any existing violation of the said by-law if the violation is of any of the provisions of this by-law.

2.12 EFFECTIVE DATE

This by-law shall come into force in accordance with Section 9 of the Development Permit regulation as amended. (Ontario Regulation 608/06.

2.13 REPEAL OF FORMER BY-LAWS

On the day that this by-law comes into full force and effect, By-law 15-2015, as amended, of the Town of Carleton Place passed under Section 34 of the Planning Act, R.S.O., 1990 shall hereby be repealed.

2.14 DEVELOPMENT PERMIT AREA

The entire corporate area of the Town of Carleton Place is designated as the Development Permit Area.

2.15 DEVELOPMENT PERMIT REQUIREMENTS

- 1) Except as outlined in Section 2.16 of this by-law, all development within the Town of Carleton Place and as identified on Schedule "A" to this by-law shall require a development permit, subject to the provisions of this by-law.
- 2) Development Permit applications must be preceded by a pre-consultation with Planning staff. For purposes of this by-law, development means:
 - 1) The construction, erection or placing of one or more buildings or structures on land; or
 - 2) The making of an addition or alteration to a building or structure that has the effect of substantially increasing its size or usability; or
 - 3) The laying out and establishment of:
 - a commercial parking lot; or,
 - site for the location of three or more mobile homes as defined in subsection 46(1) of the Planning Act R.S.O., 1990 as amended; or,
 - site for the construction, erection or location of three or more land lease community homes as defined in subsection 46 (1) of the Act;
 - 4) The removal of vegetation within 30 metres (98.4 feet) of the Mississippi River or existing watercourse.
 - 5) The removal of trees having a caliper of 150 mm or more.

2.16 DEVELOPMENT PERMIT EXEMPTIONS

A Development Permit shall not be required for single dwelling units and semi-detached units provided that such development or proposed development is deemed to be in conformity with the requirements, standards, and provisions within the designated Residential Development Permit Area as shown on Schedule "A", and which is also in full conformity with all of the following

standards:

- 1) Development is setback a minimum 30.0 metres (98.4 feet) from any natural watercourse.
- 2) No site alteration or vegetation removal is permitted within 30.0 metres (98.4 feet) of the Mississippi River or 15m from existing watercourse.

The replacement of a portable classroom on a school site of a district school board is exempt from the requirement for a development permit if the school site was in existence on January 1, 2007.

Development proposals which meet the above-noted criteria, or which meet all of the criteria within the relevant designation where development is proposed may proceed to the Building Department for building permit review, as long as a plot plan with all relevant information has been provided for Planning approval.

2.17 DEVELOPMENT PERMIT CLASSES

Four streams of approval have been developed to provide consistency and transparency and to provide the ability to increase the level of review and approval controls based on the requested variation to the standards, the scale of the proposed development, the need for securities and the potential for off-site impacts.

1) Class 1 Development Permit

A Class 1 Development Permit shall be required for **residential** development and under any one or more of the following circumstances:

- 1) Where the proposed residential development generally meets the requirements, standards and provisions of the Development Permit Area and the Built Form Design Criteria as expressed in Section 14 but requires relief from one of those requirements. In such cases it must be demonstrated that:
 - i) There is no impact to adjacent properties or there is very minimal impact on adjacent properties with no mitigation required; and
 - ii) The development proposal is an appropriate land use and permitted within the residential designation; and
 - iii) The development proposal is in conformity with the Official Plan and the Provincial Policy Statement as amended; and
 - iv) The development's proposed variation from residential area standards is minor.
- 2) Where there is a requirement to formally recognize an existing legal non-conforming use or non-complying setback.

- 3) Where the type, location and scale of the proposed development is such that there is no municipal requirement for a security/performance deposit to guarantee off-site works.
- 4) The proposed development does not result in any significant increased residential density or the need to amend a previously approved site plan or subdivision plan.
- 5) Where the type, location and scale requires the removal of trees having a caliper of 150mm or more, in order to obtain relief from one or more of the standards of the by-law, provided these trees are beyond 30m of the river and unless a Class 2 or 3 application is applied for.

2) Class 1A Development Permit

A Class 1A Development Permit shall be required for development under any one or more of the following circumstances:

- 1) For residential development when the proposed development of a townhouse structure on an infill lot that requires no variances from the by-law's development standards.
- 2) For amendments to existing Development Agreement and Site Plan Control agreements.
- 3) For all non-residential development and under any one or more of the following circumstances:
 - a. Where the proposed non-residential development generally meets the requirements, standards and provisions of the Development Permit Area and the Built Form Design Criteria as expressed in Section 14, but requires relief from one or more of those requirements. In such cases it must be demonstrated that:
 - i. There is no impact to adjacent properties or there is very minimal impact on adjacent properties with no mitigation required; and
 - ii. The development proposal is an appropriate land use and permitted within the residential designation; and
 - iii. The development proposal is in conformity with the Official Plan and the Provincial Policy Statement as amended; and
 - iv. The development's proposed variation from residential area standards is minor.
- 4) Where the applicant is required to formally recognize an existing legal

non-conforming use or non-complying setback.

- 5) Where the type, location and scale of the proposed development is such that there is minimal or no municipal requirement for a security/performance deposit to guarantee off-site works.
- 6) Where development is such that it should be registered on the title of the property.

3) Class 2 Development Permit

Where the development generally meets the requirements, standards, and provisions of the Development Permit Area a Class 2 Development Permit may be required under any one or more of the following circumstances:

- 1) There is no impact to adjacent properties or where the proposed development would result in minor impact(s) on adjacent properties and where such impacts can be mitigated through on-site works;
- 2) The development proposal is an appropriate land use and permitted within the designation;
- 3) The development proposal is in conformity with the Official Plan and the Provincial Policy Statement as amended;
- 4) The development's proposed variation from area standards is minor;
- 5) Where there is a municipal requirement for a security or performance deposit to guarantee off-site works;
- 6) Where residential is proposed that meets the requirements of the Built Form Design criteria as expressed in Section 14 but would result in a density increase and/or the need to amend an existing site plan;
- 7) The proposed development is a discretionary use and/or temporary use;
- 8) The proposed development of a triplex or quadraplex as defined in Section 6.3.12 of the by-law;
- 9) The proposed development of a Bed and Breakfast as defined in Section 3.4 of the by-law;
- 10) The proposed development of a townhouse structure on an infill lot that requires a variance from the development standards;
- 11) Removal of vegetation within 30m of the Mississippi River;
- 12) Residential redevelopment in the Downtown District, including vertical and horizontal expansions of existing permitted residential types as

defined in Section 4.1.6;

- 13) Development which results in a change to a residential use and/or redevelopment of an existing residential or commercial use in the Mississippi Transitional District, including vertical and horizontal expansions of existing permitted uses as defined in Sections 4.2.4 and 4.2.5;
- 14) Extension or expansion of existing prohibited uses as per Section 3.26.2;
- 15) Where the required number of parking spaces are reduced, as per Sections 3.30.3 and 3.30.4;
- 16) Where the use of the land, building or structure is prohibited under this By-law, such land or structure can be extended through a Class 2 agreement provided that the non-conforming use of the building or structure existed on the day of the passing of this By-law and continues to be used for such purposes as per Section 3.27.2.;
- 17) Converted dwellings as per Section 4.4.7.1;
- 18) Accessory Suites, as per Section 3.36, that meet development standards.

4) Class 3 Development Permit

A Class 3 Development Permit shall be required under any one or more of the following circumstances:

- 1) Where the development generally does not meet the requirements, standards and provisions of the Development Permit Area and requires relief from one or more of those requirements provided that:
 - i) Impact(s) on adjacent properties can be mitigated through on-site and/or off-site works; and
 - ii) The development proposal is an appropriate land use within the designation; and
 - iii) The development proposal is in conformity with the Official Plan and the Provincial Policy Statement as amended; and/or
- 2) Where the municipality is contributing to the extension of services in a cost-sharing agreement.
- 3) Where the proposed development generally meets the requirements, standards and provisions of the Development Permit Area and the Built Form Design Criteria as expressed in Section 14, but requires relief from one or more of those requirements.

- i) The request to increase net density on a specific subject property or within a plan of subdivision;
 - ii) The relief of parking or loading requirements;
 - iii) The request to provide for alternate cladding or colour within the Mississippi District;
- 4) Where technical studies and reports are required to ensure full and complete review of the development.
- 5) Where there is a consideration of alternative servicing (septic system) as defined in Section 3.45 of the by-law.
- 6) Where any off-site works such as, but not limited to, the extension of municipal services, road improvements, stormwater management pond are required.
- 7) For all uses not specifically identified within each designation, as per Section 3.33 of this By-law.
- 8) Retirement Homes proposed within the residential district as defined in Section 6.3.14.
- 9) Accessory Suites, as per Section 3.36, that do not meet development standards.

2.18 AMENDMENTS TO THE DEVELOPMENT PERMIT BY-LAW

Where the development cannot meet the tests of the four Classes of Development Permit an amendment to the by-law shall be required. Notice of the proposed amendment shall be published in the newspaper and shall outline the timing for the public meeting and shall require an open house no later than seven (7) days prior to the public meeting. Amendments to the Development Permit By-law are passed under Section 34 of the Planning Act and may be subject to appeal.

2.19 REQUESTS FOR PLANNING COMMITTEE REVIEW FOR CLASS 1 & 1A APPLICATIONS

A Class 1 and Class 1A Development Permit application may be referred to the Committee of the Whole by the Director of Development Services or designate, or the applicant where the Director or the applicant is of the opinion that the application would benefit from a Committee of the Whole review.

If the Director forwards the application to the Committee of the Whole, the applicant shall be advised of the referral decision and the date of the

Committee of the Whole review within ten (10) days of the decision to refer to Committee.

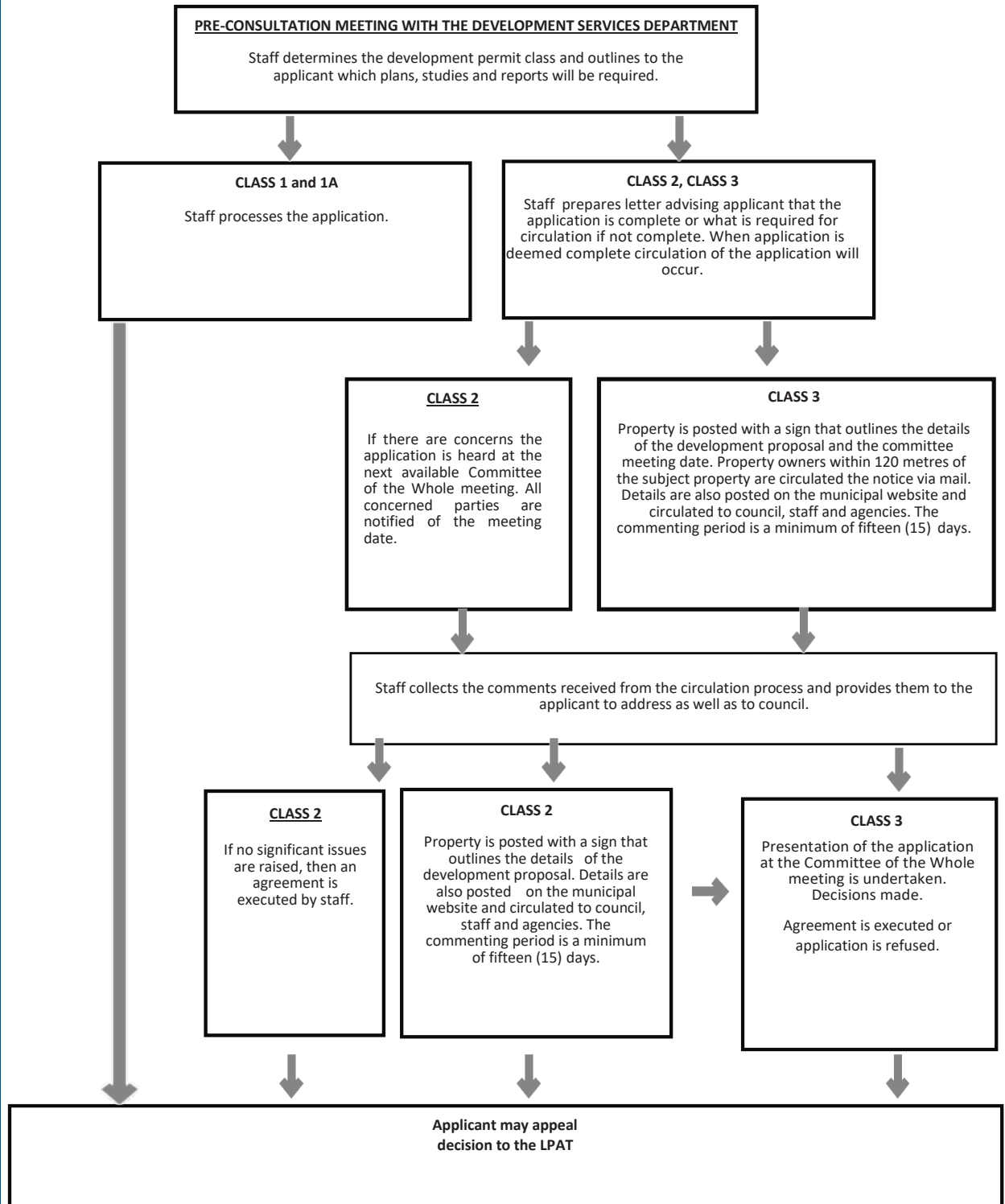
Notification of the Committee of the Whole review will be provided as per Section 2.21.

2.19.1 REQUESTS FOR PLANNING COMMITTEE REVIEW FOR CLASS 2 APPLICATIONS

A Class 2 Development Permit Application may be referred to Committee of the Whole by means of written request to the Director of Development Services. Requests may be forwarded by email or facsimile and must include the name and address of the person or organization requesting the referral to Committee of the Whole as well as the reason(s) for the request.

Staff or the applicant may also request a referral to Committee of the Whole where staff or applicant is of the opinion that there would be a benefit to the community that the application be reviewed by elected officials. Where an application has been referred to the Committee of the Whole, the notice provisions of Section 2.21 shall apply.

2.20 DEVELOPMENT PERMIT REVIEW PROCESS



2.21 APPROVAL AUTHORITY AND PUBLIC NOTICE

Class of Development Permit	Approval Responsibility	Notification Requirements
Class 1 & 1A	Staff	None
Class 1 & 1A	Committee	Written notice provided to applicant
Class 2	Staff / Committee under request	Notice posted on subject property and on website, circulated to staff, agencies and council. Concerned parties updated with council meeting date if required.
Class 3	Committee	Notice posted on subject property and on website, circulated to staff, agencies and council detailing project and committee meeting date. Notice circulated via mail to property owners within 120m of the subject property.

2.22 PRE-CONSULTATION

Applicants shall consult with municipal staff prior to submitting a Development Permit Application. Pre-consultation will provide important information including the identification of required plans, studies and reports in support of an application. Applications will not be accepted without having a pre-consultation meeting with the Development Services Department.

Supporting Studies and Reports

Technical reports, plans and studies, prepared by professionals, may be required to assist in the review process of a Development Permit Application. Applications may be required to submit, but not limited to, the following studies or reports;

- Servicing Options Report;
- Building Materials Samples;
- Building Shadow Impact Assessment Study;
- Coloured Perspective Drawings;
- Concept Plan;

- Construction Traffic Management Plan;
- Cost Estimate for External Works;
- Functional Servicing Report;
- Hydrogeological Study;
- Drainage and/or Stormwater Management Report;
- Environmental Impact Assessment for a natural heritage feature or area;
- Archaeological Assessment;
- Heritage Impact Assessment Report;
- Low Impact Development Studies;
- Record of Site Condition;
- Grading and Drainage Plans;
- Parking and Loading Study;
- Shadow Study; Natural Heritage Evaluation;
- Pavement Marking and Loading Study;
- Photographs of Existing Context;
- Reference Plan;
- Sight-Line Study;
- An influence area study for development in proximity to a waste management facility or industrial use;
- Transportation / Traffic Study;
- Phase I Environmental Study and if necessary further investigation as required;
- Source Water Protection Study;
- Noise and/or Vibration Study;
- A minimum separation distance calculation for an industrial use or a waste management facility;
- MDS I or II calculation;
- Confirmation on sufficient reserve sewage system capacity and reserve water system capacity;
- Vegetation Inventory and /or Tree Preservation Plan;
- Urban Design Brief;
- Utilities Plan/Composite Utilities Plan;
- Tree Preservation Plan;
- Housing Study;
- Site Plan and Landscape Plan
- Others (as required by the Town).

The pre-consultation process may identify any study or report required as part of an application. The Town may also provide written notice of further studies and/or reports necessary for review throughout the planning process. Such studies and/or reports shall be prepared by professionals qualified in the specific discipline in question.

2.23 NOTICE PROVISIONS

The issuance of a Public Notice for Development Permit Applications shall be required for Class 2 and Class 3 applications. Class 1 & 1A applications are

exempt from this process.

Notice of a Class 2 and 3 Development Permit Application shall be issued within 10 days of the receipt of an application that is deemed complete, as described in Section 2.21.

Notice shall be provided by on-site signage and shall include an explanation of the application, a contact name and phone number to obtain additional information and the deadline for the submission of comments. The commenting period shall be no less than 15 days.

Where a Class 1 or Class 1A application is elevated for Committee of the Whole review the notice provisions outlined in Section 2.21 shall apply.

2.24 ISSUANCE OF DEVELOPMENT PERMITS

Class 1 and Class 1A permits shall be issued by the Director of Development Services or designate.

Class 2 permits shall be issued by the Director of Development Services or designate subject to policies outlined in Section 2.25 and 2.26 of this By-law.

Class 3 permits shall be issued by the Director of Development Services or designate upon approval by Committee.

2.25 ISSUANCE OF DECISION

When reviewing an application for Development Permit the Town has the following options outlined under the Planning Act in Section 70.2 and O-Reg 608/06:

- 1) Refuse the application; or
- 2) Approve the application and issue a development permit with no conditions attached; or
- 3) Approve the application and require that conditions be met before issuing a development permit; or
- 4) Approve the application and issue a development permit with conditions attached; or
- 5) Approve the application, require that conditions be met before issuing a development permit and, when the conditions have been met, issue a development permit with conditions attached. O. Reg. 608/06, s. 10(8).

A Development Permit shall be valid for a period of one year from the date of the decision provided that the Development Permit has been signed and/ or

a Development Agreement has been executed and a Building Permit is issued prior to the deadline. One extension of no more than six months may be granted subject to Committee approval.

The proposed development shall, in all cases, be required to occur as illustrated on the approved and stamped drawings including all grading and drainage, servicing, lighting, landscaping and elevation designs. A development agreement, registered on title, may be required prior to final approval for any development application. Amendments to approved agreements require an application process as per Section 2.17.

2.26 CONDITIONS

Conditional approvals may be issued subject to the following:

- 1) The condition(s) shall be clear, precise and quantifiable;
- 2) The condition(s) shall include a clear statement of whether it must be complied with before construction, renovation or change of use of a building;
- 3) That the timing for review of condition fulfillment be outlined.

Technical reports may be required to assist in the review process and any recommendations therein may be imposed as conditions of Development Permit Approval. Such reports may include but are not limited to: Stormwater Management Report, Noise Impact Analysis, Environmental Impact Statement, Tree Preservation Plan, Lighting Analysis, Traffic Impact Analysis and Archeological Assessment. In the event that any recommendations with a submitted technical report exceed the minimum requirements of any section of the by-law the stricter requirement shall be imposed prior to approval.

Conditions which address the following issues or concerns may be imposed.

As a condition to the approval of the plans and drawings the Town of Carleton Place may require the owner of the lands to:

- 1) Provide to the satisfaction of, and at no expense to, the Town of Carleton Place or the upper tier municipality or province as applicable any or all of the following;
 - i) Widening of highways which abut the land.
 - ii) Subject to the Public Transportation and Highway Improvement Act, facilities to provide access to and from the land such as access ramps and curbs and traffic direction signs.
 - iii) Off-street vehicular loading and parking facilities, either covered or uncovered, access driveways, including driveways for

emergency vehicles, and the surfacing of such areas and driveways.

- iv) Walkways and walkway ramps, including the surfacing thereof, and all other means of pedestrian access.
 - v) Facilities are designed to have regard for accessibility.
 - vi) Vaults, central storage and collection areas and other facilities and enclosures for the storage of garbage and other waste material.
 - vii) Easements or property conveyed to the municipality for the construction, maintenance or improvement of watercourses, ditches, land drainage works, sanitary sewage facilities and other public utilities or pathways of the municipality or local board thereof on the land.
 - viii) Grading or alteration with consideration of LID and Green infrastructure in elevation or contour of the land and provision for the disposal of storm, surface and waste water from the land and from any buildings or structures thereon.
- 2) Maintain to the satisfaction of the Town and at the sole risk and expense of the owner any or all of the facilities or works mentioned in paragraphs ii) to viii) of clause 1), including the removal of snow from access ramps and driveways, parking and loading areas and walkways;
 - 3) Enter into one or more agreements with the municipality dealing with and ensuring the provision of any or all of the facilities, works or matters mentioned in clause 1) or 4) and the maintenance thereof as mentioned in clause 2) or with the provision and approval of the submitted plans and drawings; or
 - 4) Enter into one or more agreements with the Town ensuring that development proceeds in accordance with the approved plans and drawings.
 - i) Convey part of the land to the municipality to the satisfaction of and at no expense to the municipality for a public transit right of way.
 - ii) Cash-in-lieu of parking.
 - iii) Cash-in lieu of parkland.
 - 5) Timing of the project which may include an identified period for commencement of construction and a lapsing of approval if project does not start within the identified period.

Applicants may at any time appeal a condition(s) to the Local Planning Appeals Tribunal (LPAT). In addition the applicant may at anytime request that the Local Planning Appeals Tribunal determine whether a specified condition has been fulfilled.

2.27 AGREEMENTS

The Owner or Applicant may be required to enter into a Development Permit Agreement with the Town, to be registered against the lands affected, which shall include but not be limited to:

- 1) The responsibility of each party to execute and complete all works envisioned in the Development Permit Approval,
- 2) Detailed drawings and specifications of the work to be completed, including plans showing the physical relationship to the adjacent properties and public right-of-ways,
- 3) The timing of construction, including commencement and completion,
- 4) Any financial guarantees and / or fees required by the Town to ensure the completion of the works described in the Development Permit.

2.28 HOLDING PROVISIONS

Any parcel or area of land in any designation on the Schedule of this By-law may be further classified with a holding provision through the addition of the suffix "h". The holding classification added to a given designation shall restrict development of the land until such time the holding provision is removed.

Where a holding provision applies, no lands shall be used and no buildings or structures shall be erected or used for any purpose other than uses existing on the date of passing of this By-law. Any change from the holding status shall require an amendment to this By-law and the Town may require that the applicant enter into an agreement for the development of the land prior to the amendment being adopted

3.0 GENERAL PROVISIONS

The General Provisions section of the By-law provides the regulations which apply regardless of the standards provided in the designation which applies to any particular building, structure or use. Whereas the designation provides site specific controls which apply to such items as permitted uses and locational restrictions, general provisions provide regulations more general in nature, which apply to a variety of uses regardless of the designation.

3.1 ACCESS

Subject to other provisions of this By-law, development shall only be permitted on a lot that abuts a publicly maintained roadway, or a privately maintained access road where there exists a legal and binding agreement in place with respect to ownership and maintenance of said access road, or a private road required as part of a condominium plan which defines responsibility for the long-term maintenance of the private road

3.2 ACCESSORY USES, BUILDINGS AND STRUCTURES

Where a lot is devoted to a permitted use, customary accessory uses, buildings and structures are authorized provided that:

- 1) No accessory use, building or structure shall be erected on any lot until the principal use has been established or the principal building or structure has been erected.
- 2) All accessory uses, buildings and structures to a permitted principal use shall be located on the same lot and in the same designation as the principal use.
- 3) The use of any accessory building for human habitation is not permitted except where specifically listed as a permitted use.
- 4) No accessory buildings and structures shall be erected in the required front yard or the required exterior side yard, except as may be permitted elsewhere in this By-law.
- 5) Except where permitted elsewhere in this By-law no accessory building or structure shall be erected closer than 1.0 metre (3.2 feet) to any interior side lot line, rear lot line, or structure, shall not be in the No Encroachment Zone and shall be subject to the requirements of the Ontario Building Code.
- 6) Any building or structure which is attached to the main building shall not be considered an accessory building or structure.
- 7) Accessory uses, excluding outdoor swimming pools, shall not cover

more than 45% of any rear yard or more than 10% of the total lot area in any residential designation or more than 8% of the total lot area in any non- residential zone.

- 8) The maximum height of accessory buildings shall be 4.5 metres (14.7 feet). Notwithstanding the foregoing, the maximum height of accessory structures in the Highway Commercial and Employment designations is limited to 11.0 metres (36 feet).
- 9) Private swimming pools, above-ground and in-ground, outdoor and indoor, shall conform to the provisions of any Swimming Pool By-law 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.

3.3 AUTOMOBILE SERVICE STATIONS, GASOLINE BAR, FUEL PUMP ISLANDS, AND AUTOMOBILE WASHING ESTABLISHMENT

Despite any other provisions contained in this By-law, for all designations within which an automobile service station, gasoline bar, fuel pump island and or automobile washing establishment is permitted, the following shall apply:

3.3.1 Gasoline, Fuel Pump Island Location

The minimum distance between the gasoline pump island, pumps and their related overhead canopies and any pump shall be 6.0 metres (19.7 feet) from any lot and or street line.

Where the lot is a corner lot, no portion of any gasoline pump island shall be located closer than 3 metres (9.8 feet) to the limits of a sight triangle.

3.3.2 Separation of Propane Tanks

No person shall erect or use a tank for the storage of propane for sale at an automobile service station or gas bar or on any other property where vehicle fuel may be dispensed unless a license has been obtained from the Ministry of Consumer and Commercial Relations and the location is in compliance with the requirements under the Technical Standards and Safety Act (TSSA).

3.3.3 Access and Egress

The width of any access or egress, or combined access and egress, measured at the front lot line or exterior side lot line shall not be greater than 12 metres (39.4 feet).

The minimum distance of any access or egress from a street intersection shall be 7 metres (22.9 feet). The minimum distance

between driveways measured along the street line intersected by such driveways shall be 7.5 metres (24.6feet), excluding driveways located in any residential designation.

3.4 BED AND BREAKFAST

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. Parking and amenity areas required for the Bed and Breakfast operation shall be buffered from neighbouring residential uses.

3.5 BOUNDARY INTERPRETATION

When interpreting designation boundaries, as illustrated on Schedule A and forming an integral part of this By-law, the following provisions shall apply:

- 1) A boundary indicated as following a highway, street or lane shall be the centre line of such highway, street or lane;
- 2) A boundary indicated as following a watercourse, creek, stream or the right-of-way of a railway or an electrical, gas or oil transmission line shall be the centre line of such watercourse, creek, stream or right-of-way;
- 3) A boundary indicated as following the shoreline shall follow such shoreline, and in the event of a change in the shoreline, the boundary shall be construed as moving with the actual shoreline;
- 4) A boundary indicated as approximately following lot lines shown on a Registered Plan of Subdivision, Reference Plan, or Township lot lines shall follow such lot lines;
- 5) Where boundary is indicated as approximately parallel to a street line or other feature as stated in clause 1, 2, or 3 above, and the distance from such street or other feature is not indicated, and clause 4 above is not applicable, such boundary shall be construed as being parallel to such street line or other feature, and the distance there from shall be determined according to the scale shown on the applicable Schedule.
- 6) A boundary indicated as following the limits of the Corporation of the Town shall follow such limits.
- 7) In the event a dedicated street, lane or right-of-way shown on any Schedule forming part of this By-law is closed, the property formerly in such street, land or right-of-way shall be included within the designation of the adjoining property(ies). Technical revisions to the by-law mapping will be implemented as required in order to ensure that the boundaries of the designation coincide with the lot and block fabric with

no need to amend this By-law.

3.6 BUILDINGS TO BE MOVED

No building or structure shall be moved within the limits of the Town, or shall be moved from outside the Town into the Town unless the building or structure is a permitted use and satisfies all the requirements of the designation in which it is to be located and then only after any necessary permit has been obtained from the Chief Building Official, Ministry of Transportation and/or the Public Works Department, or other applicable approval authorities.

3.7 CHANGE CAUSING CONTRAVENTION OF BY-LAW

No person shall change the purpose for which any lot, building or structure is used, or erect any new building or structure, or enlarge or reduce an existing building or structure, or sever any lands from any existing lot, if the effect of such action(s) is to cause the original, adjoining, remaining or new use, building or structure or lot to be in contravention of this By-law.

3.8 CONFLICTING STANDARD

Where there are other conflicting requirements in this By-law, the more restrictive standards shall apply unless specifically stated otherwise.

Where any provision of this By-law conflicts with the provisions of any regulation, By-law or statute of any other government authority, the more restrictive standard shall prevail.

3.9 CORNER LOT SIGHT LINES

Notwithstanding any provisions of this By-law to the contrary, within any area de- fined as a sight triangle, the following uses shall be prohibited:

- 1) A building, structure or use which would obstruct the vision of drivers of motor vehicles;
- 2) A fence or tree, hedge, bush or other vegetation the top of which exceeds 1.0 metre in height above the elevation of the centre lines of the abutting streets;
- 3) A parking area;
- 4) A finished grade which exceeds the elevation of the centerlines of abutting streets by more than 0.5 metres.

3.10 DANGEROUS SUBSTANCES

No use shall be permitted which, from its nature or the materials used therein, is declared to be a noxious trade, business or manufacture under relevant Provincial or Federal legislation or regulations.

3.11 DRIVE THROUGH OPERATIONS

A drive through facility may be provided in conjunction with any restaurant, bank or bank machine, a gasoline pump at a gas bar or service station, a

pharmacy or drug store or with any use that is associated with a shopping centre. A traffic impact study shall be required before approval to support the proposed development. The study shall illustrate traffic patterns and controls. Where multiple drive through facilities are proposed all drive through facilities must be considered within the traffic impact study.

A drive through facility is required to provide off street motor vehicle queuing space both leading up to and away from each service bay, window, kiosk, booth or gasoline pump island.

All queuing spaces must be 2.75 metres (9.0 feet) in width by 6 metres (19.7 feet) in length and where such spaces abut a residential use they must be screened by solid fencing at least 1.5 metres (4.9 feet) in height.

All drive through facilities must provide screening from any public right of way to minimize any visual impacts of the use.

Pedestrian walkways should not intersect the drive through aisles, but where they do, they shall have clear visibility, and they must be emphasized by enriched paving or striping.

3.12 DWELLING UNITS

3.12.1 Location

A dwelling unit may be entirely located in a basement subject to meeting the requirements of the Ontario Building Code and the Town of Carleton Place Public Works Department.

The finished floor of any dwelling unit or part of a dwelling unit located in a basement cannot be located below the 100-year flood elevation as defined by the Mississippi Valley Conservation Authority.

3.12.2 Yard Provisions

Where a dwelling unit is located in a non-residential building, such dwelling unit shall comply with the yard provisions of the By-law which apply to the non-residential building.

3.12.3 Established Building Line in Built Up Area

Notwithstanding the yard setback provisions of the By-law to the contrary, where a permitted building is to be erected on a lot in a built-up area, such permitted building may be erected closer to, or further from the street line or the centreline of the street as the case may be if the existing building(s) on the adjacent lot(s) is (are) closer to, or further from the street line or centreline than the By-law provisions permit.

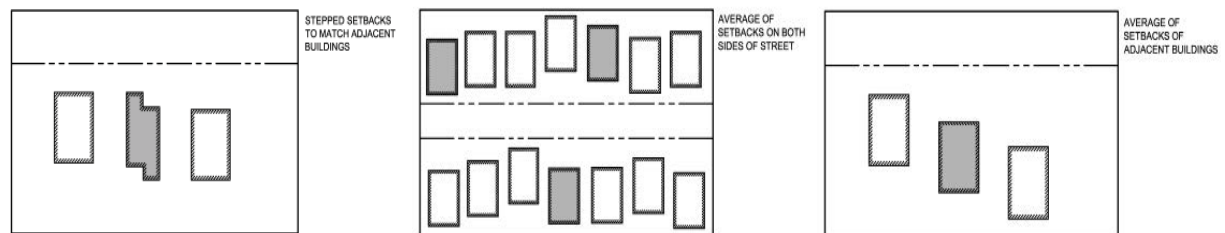
Notwithstanding the foregoing, a permitted garage shall not be located closer to the street line or centreline of the street than the

permitted building.

For a proposed building where buildings on both adjacent lots are closer than By-law provisions would permit, setback and yard provisions are calculated as follows: the sum of the two existing adjacent front yard setbacks divided by two.

For a proposed building where buildings on one adjacent lot is closer than By-law provisions would permit, setback and yard provisions are calculated as follows:

The average setback from the street line of existing buildings on one side of a continuous 100 metres (324 feet) strip of land where three (3) or more lots having street frontage upon the said side of the street have been built upon.



3.13 EXISTING LOTS

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.

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.

3.14 FENCES

Any fence erected hereafter within the municipality shall conform to the provisions of the Municipal By-law as may from time to time be enacted under the *Municipal Act* or the provisions of the Line Fences Act and shall not interfere with the no-encroachment zone.

3.15 EXTERIOR DESIGN

Elements of exterior design are subject to the provisions outlined in Sections 13 and 14 of this By-law. All proposals must include coloured elevation drawings which demonstrate that the overall design of the new development is consistent with the exterior design elements illustrated in Sections 13 and

14 of this By-law. All proposed multi-residential developments within the Mississippi District must demonstrate compatibility with existing built form by means of an Urban Design Brief undertaken by a qualified professional to demonstrate compatibility and consistency with adjacent existing built form(s).

3.16 FRONTAGE ON A PUBLIC ROAD

No person shall erect any building or structure in any designation unless the lot upon which such building or structure is to be erected has sufficient frontage on a public road or street maintained year round, as per the requirements of the applicable designation.

Notwithstanding the foregoing, buildings or structures may be erected on privately maintained access ways by means of a condominium application and approval.

Development and/or redevelopment on privately maintained access roads shall be subject to a legal and binding agreement which shall address ownership and maintenance.

The Town shall not assume any liability for privately maintained roadways 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.

3.16.1 Ministry of Transportation Access Requirements

In addition to all the requirements of the Corporation, all development adjacent to any Provincial Highway shall also be subject to the requirements and permits of the Ministry of Transportation.

3.17 FRONTAGE ON MORE THAN ONE STREET

Where a lot fronts on more than one street and is not a corner lot, the requirement for front yards contained in this By-law shall apply to each yard abutting the street in accordance with the provisions of the designation or designations in which such lot is located.

3.18 GARAGES AND STORAGE SHEDS

Detached garages and storage sheds are subject to the provisions of Section 3.2 of this By-law.

3.19 GROUP HOMES

Group Homes shall be permitted in all designations that allow residential uses provided that they are licensed by the approval authority.

3.20 HEIGHT EXCEPTIONS

Where height limitations are set forth in this By-law, such limitations shall not apply to water tanks, flag poles, lightning rods, lighting standards, ventilators, skylights, mechanical equipment, air conditioning ducts, antennae, satellite dishes, church steeples, belfries, clock towers, chimneys, electrical supply facilities, ornamental roof structures that contain no floor area and communications towers. Notwithstanding the foregoing, limitations prescribed by the Federal Ministry of Transportation or practices recommended by the Ministry with respect to height limitations shall prevail.

3.21 HOME BASED BUSINESS / HOME OCCUPATIONS

A Home-based business may be permitted in any designation where residential uses are permitted subject to the following:

- 1) The home-based business shall clearly be secondary and accessory to the principal residential use;
- 2) The nature and scope of a home-based business shall not change the residential character of the dwelling or property;
- 3) The business is conducted by a person(s) residing on the premises;
- 4) No more than one person, other than a person(s) residing on the premises shall be engaged in the business;
- 5) The home business shall not occupy more than 25% of the total floor area of the dwelling and/or accessory structure used for home-based business purposes;
- 6) There shall be no external display or advertising other than a sign, indicating that a part of the dwelling or dwelling unit is being used for a purpose other than residential. Such sign may be no more than 0.3 square metres (3.2 square feet) and shall be located either on the dwelling or as a free-standing sign which is located no closer than 4 metres (13.1 feet) to the front lot line and is outside of the site triangle;
- 7) The only retail use permitted shall be for those products substantially made on site or accessory and essential to the business;
- 8) Where instruction is carried on, no more than 5 pupils may be in attendance at one time;
- 9) The activity shall not create or become a nuisance, in particular, in regard to noise, odour, vibration, dust, fumes, traffic or parking outside the property limits;
- 10) No mechanical or electrical equipment is used except that which is reasonably consistent with the use of the dwelling;
- 11) One parking space per 20 square metres (215 square feet) of floor area used for the home occupation and one parking space for an

employee shall be provided in addition to the required parking for the residential use. Notwithstanding the above each home occupation shall have a minimum of one parking space dedicated to the home business.

- 12) There shall be no outside storage of materials;

3.22 ILLUMINATION

The use of sensitive lighting practices is required in accordance with the following:

- 1) Illumination shall not cause direct or indirect glare on a street that may interfere with traffic or pedestrian safety;
- 2) Illumination shall not consist of a colour or be so designed or located that it may be confused with traffic signals;
- 3) Illumination shall not cause direct or indirect glare on adjacent properties.

3.23 LANDSCAPING/GREENSPACE

Provisions for landscaped open space with respect to buffering non-compatible land uses are set forth in the specific land use designations of this By-law.

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.

Any land used for landscaped open space shall be included in the calculations of lot area, yard requirements, etc. as set forth in this By-law.

Where landscaping is required as a buffer, such landscaping shall be continuous except for lanes, driveways aisles or walkways which provide access to the lot.

3.24 LAND SUITABILITY FOR USE AND ORGANIC SOILS

Despite any other provisions of this By-law, no habitable building or structure shall be constructed, erected, altered or used on land which, by reason of its low lying, marshy, unstable character or which is located or may be located on organic soil, unless the proponent or applicant for development can demonstrate conclusively, through recognized scientific and/or engineering studies, that the physical constraint can be mitigated or overcome, and that the requirements of the Ontario Building Code with respect to construction can be met and that any requirements of the Public Works Department can be met. A permit from the Mississippi Valley Conservation Authority may also be necessary.

3.25 LOADING SPACE REGULATIONS

The owner or occupant of any lot, building or structure located in an Employment or Commercial designation, which involves the frequent receiving, shipping, loading or unloading of animals, goods, wares, merchandise or raw materials shall provide and maintain on the lot occupied by the building or structure, loading spaces in accordance with the following regulations:

3.25.1 Number of Spaces Required

The number of loading spaces provided shall be in accordance with the floor area of the building or structure as follows:

FLOOR AREA OF THE BUILDING	NUMBERS OF LOADING SPACES
250 square metres or less	0
Exceeding 250 square metres but not more than 1,000 square metres	1
Exceeding 1,000 square metres but not more than 7,500 square metres	2
Exceeding 7,500 square metres	2 plus 1 additional space for each additional 7,500 square metres of floor area, or fraction thereof, in excess of 7,500 square metres

Each loading space shall be at least 9 metres (29.5 feet) long, 3.5 metres (11.4 feet) wide and have a vertical clearance of 4.5 metres (14.7 feet).

The required loading spaces shall be provided on the lot occupied by the building or structure for which the spaces are required and such spaces shall not form part of any street or required parking area, and shall not be located within a required front yard or exterior side yard.

Access and egress to and from loading spaces shall be by means of a driveway at least 3.5 metres (11.4 feet) wide for one way traffic and 6.0 metres (19.6 feet) wide for two way traffic and located within the lot on which the loading spaces are located.

The loading space requirements shall not apply to any building or structure in existence at the date of the passing of this By-law so long as the floor area, as it existed at such date, is not increased. If an addition is made to the building or structure which increases the floor area, then additional loading

spaces shall be provided as required in the chart of Section 3.25.1.

3.25.2 NON-CONFORMING USES AND NON-COMPLYING PROVISIONS AND STANDARDS

3.25.3 Continuance of Existing Uses

Nothing in this By-law shall apply to prevent the use of any land, building or structure for any purpose prohibited by the By-law if such land, building or structure was lawfully used for such purpose on the day of the passing of the By-law so long as it continues to be used for that purpose.

3.25.4 Extension or Expansion of Existing Uses

Where the use of any land, building or structure is prohibited under this By-law, such land, building or structure shall not be extended except through a Class 2 Development Permit, provided that the non-conforming use of the building or structure existed on the day of the passing of this By-law and continues to be used for such purpose.

3.25.5 Prior Building Permits

Nothing in this By-law shall prevent the erection or use of any building or structure for which a building permit has been issued under the Building Code Act prior to the passing of this By-law, so long as the building or structure when erected is used and continues to be used for the purpose for which it was erected and provided the permit has not been revoked under the Building Code Act.

3.25.6 Road Widening

Nothing in this By-law shall prevent the use of any land, building or structure or the erection of any building or structure on a lot which does not comply to the minimum lot frontage and/or lot area and/or front yard setback and in the case of a corner lot, the exterior side yard setback, as a result of a road widening taken by the Town of Carleton Place, Lanark County or the Ministry of Transportation of Ontario, provided all other requirements of this By-law are complied with.

3.25.7 Reconstruction or Repair of Existing Building

A building or structure being used for legal non-conforming use may be reconstructed, renovated, repaired or strengthened to a safer condition where such building or structure was lawfully used for such purpose on the day of

the passing of this By-law and continues to be used for such purpose, provided that the building or structure is constructed in conformity with the requirements of this By-law. Where such building or structure is also an existing legal non-conforming building or structure, the building or structure may be reconstructed, renovated, repaired or strengthened to a safer condition provided that the building or structure does not further reduce any designation requirements.

3.25.8 Addition to Existing Building or Structure

Nothing in this By-law shall prevent the renovation, extension or addition to a building or structure which is used for a purpose specifically permitted within the designation in which such building or structure is located and which building or structure existed at the date of passing of this By-law but which building or structure does not comply with one or more of the designation requirements of this By-law, provided such renovation, extension or addition does not further reduce the requirements of this By-law or any requirements of Ministries or agencies.

3.25.9 Existing Undersized Lots

Despite anything else contained in this By-law, where a vacant lot lawfully created having a lesser frontage and/or area than is required by this By-law is held under distinct and separate ownership from adjoining lots, according to the register for land in the Land Titles or Registry Office, on the date of the passing of this By-law, it may be used for a purpose permitted in the designation in which the said lot is located, provided it can be adequately serviced and that all other applicable provisions in this By-law are met.

3.25.10 Accessory Buildings

Nothing in this By-law shall prevent the erection of a building accessory to an existing non-conforming use provided that such accessory building complies with all relevant provisions of Section 3.2 of this By-law.

3.25.11 Change in Use

The non-conforming use of any land, building or structure shall not be changed except to a use which is in conformity with the provisions of the designation in which the land, building or structure is located and requires a Class 1 Development Permit for residential or Class 1A for non-

residential, as per Section 2.17. Changes to a discretionary use requires a Class 2 application.

3.25.12 Non-Conforming by Reason of Metric Conversion

Existing lots, buildings and uses which cannot meet one or more metric standards in this By-law but which can meet the approximate value of the imperial equivalent standard shall not be deemed non-conforming for this reason only.

3.26 NOXIOUS USES

No use shall be permitted which from its nature or the materials used therein, is declared to be a noxious trade, business or manufacture by the Public Health Act or any regulations made there under.

3.27 OCCUPANCY RESTRICTIONS

All dwelling units are required to obtain an occupancy permit from the Chief Building Official as per the Ontario Building Code.

Human habitation shall not be permitted in any of the following buildings, structures, or parts thereof unless the building, structure or parts thereof meet all requirements of this By-law, the Fire Code, the Ontario Building Code and any other applicable regulations, policies, or Acts:

- 1) Any private garage or other building which is accessory to a residential use subject to Section 3.36 (Secondary suites);
- 2) Any truck, bus, coach or street car body whether or not the same is mounted on wheels;
- 3) Any basement located below the 100-year flood elevation as defined by the Mississippi Valley Conservation Authority;

3.28 OUTSIDE STORAGE AND DISPLAY

No person shall use any lot or part thereof for outside storage, sales or display except as permitted by the By-law and as an area which has been specifically designed and set aside for such purpose, is fully integrated with the main use of the lot and is in accordance with the following:

3.28.1 Outside Storage

- 1) Outside storage is only permitted within the Industrial Campus designation of the By-law.

- 2) Outside storage shall not be permitted within any required front yard and exterior side yard.
- 3) Any areas used for outside storage are to be fenced with wood screening and buffered with soft landscape elements.
- 4) Where outside storage areas abut a designation in which residential uses are permitted, the required setback of the outside storage area shall be 10 metres (32.8 feet) and must also be visually screened from any designation in which residential uses are permitted.
- 5) Any areas used for outside storage shall be in addition to any minimum off- street parking or loading areas required by this By-law.

3.28.2 Outside Display

Any areas used for outside display shall be in addition to any minimum off-street parking or loading areas required by this By-law.

3.29 PARKING AND STORAGE OF VEHICLES

Except as provided herein, no vehicles shall be parked or stored in a Development Permit Area Designation in which residential uses are permitted unless the vehicle is located within a garage, carport, driveway, rear yard or exterior side yard designated parking area or on a street as permitted by Municipal By-law.

- 1) Each standard parking space shall have a minimum width of 2.75 metres (9.0 feet) and a minimum length of 6.0 metres (19.7 feet). Each barrier-free parking space shall have a minimum width of 3.7 metres (12.1 feet) and minimum length of 6.0 metres (19.7 feet).
- 2) Where reduced parking space dimensions are proposed such proposal may be required to provide a Parking Study undertaken by a Traffic Engineer that demonstrates the feasibility of the reduced standards for the development in question. The Parking Study shall address vehicular movements and access and potential impacts on adjacent properties as well as public and/or private roads.
- 3) Unless permitted elsewhere in this By-law, where two or more uses are permitted in any one building or on any one lot, then the off-street parking requirements for each use shall be calculated as if each use is a separate use, and the total number of off-street parking spaces so calculated shall be provided.

- 4) Parking area for more than four vehicles, supplementary regulations:
- a. The parking area shall be constructed of asphalt paving, concrete, paver stones or similar materials and shall be maintained and treated so as to reduce dust, scattering of stones and similar undesirable effects on adjoining properties and shall incorporate drainage facilities that comply with the requirements of the Corporation.
 - b. All ingress, egress, laneways, roadways and aisles must be constructed of asphalt paving, concrete, paver stones or such material as approved by the Director of Public Works.
 - c. Ingress and egress directly to and from every parking space shall be by means of a driveway, land or aisle having a width of at least 6.0 metres (19.7 feet) for two-way traffic and 3.5 metres (11.5 feet) for one-way traffic where parking is angled.
 - d. A minimum 3m (10 feet) landscape buffer strip is required between all parking lots and the property lines in the Residential District. This can be reduced to 2m (6.5 feet) with the inclusion of a 6m (19.7 feet) privacy fence.
 - e. Where an employment use is located adjacent to a residential use a 3m (10 feet) landscape buffer strip shall be provided between the parking lot and the property line.
 - f. In the Employment District, all entrances to parking areas shall be well defined by signage and curbing. Parking lots shall provide landscape elements within islands, along thoroughfares and a minimum of 5m (16.4 feet) of buffered landscape area shall be provided within the 6m (19.7 feet) front yard setback to the parking area.

3.29.1 Motorcycle Parking

Motorcycle parking can be located in areas which may be unsuitable for vehicle parking due to size or shape and not intended for pedestrian traffic, however the parking must be clearly delineated by markings and barriers.

The minimum dimensions for each space intended for motorcycles or similar vehicles must be 1.0 m (3.3 feet) in width and 2.1m (6.9 feet) in length.

Motorcycle parking may be provided in addition to the prescribed spaces required by Section 3.30.3.

3.29.2 Barrier Free Parking

Wherever barrier-free access to a building is required under the Ontario Building Code, one barrier-free parking space shall be provided as per the following chart and shall be included in the total number of parking spaces required under the Schedule for Parking Requirement in Section 3.30.3.

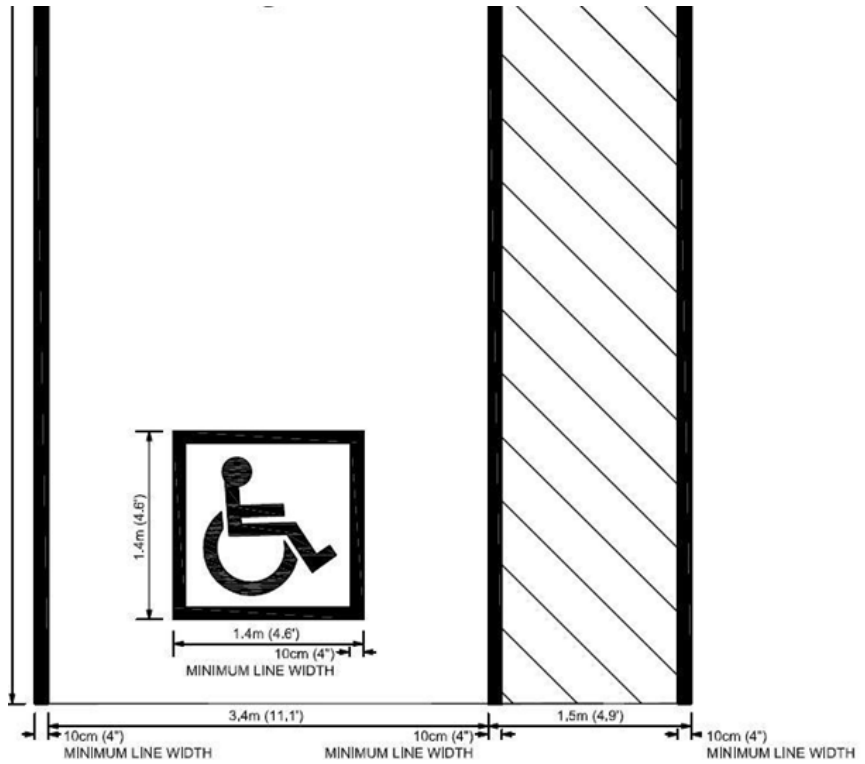
Capacity of Public Parking Area	Minimum Number of Spaces to be Reserved for Physically Disabled Persons
1-5	0
6-99	1
100-199	2
200-299	3
300-399	4
400-499	5
500 plus	6

The barrier free parking spaces shall be:

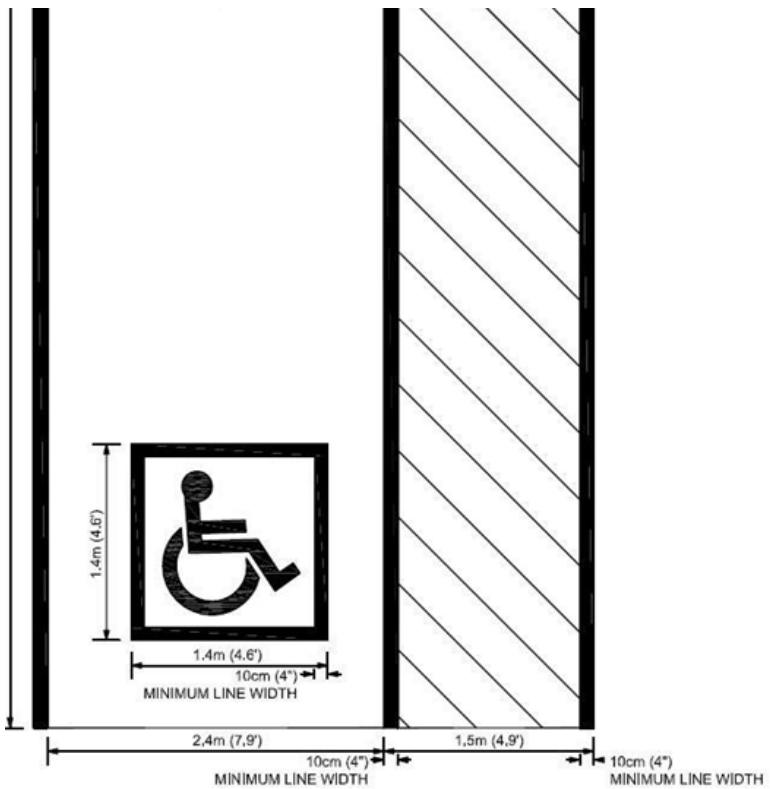
- 1) widths as per Type A and Type B illustrated in the diagrams following;
- 2) a minimum of 25% of Type A spaces to Type B spaces are required;
- 3) a minimum length of 6 metres (19.7 feet);
- 4) hard surfaced;
- 5) level;
- 6) identified by signage;
- 7) accessible via ramps, depressed curbs, or other appropriate means, and
- 8) so placed as to permit easy access to or from a motor vehicle parked therein.

The widths shall be:

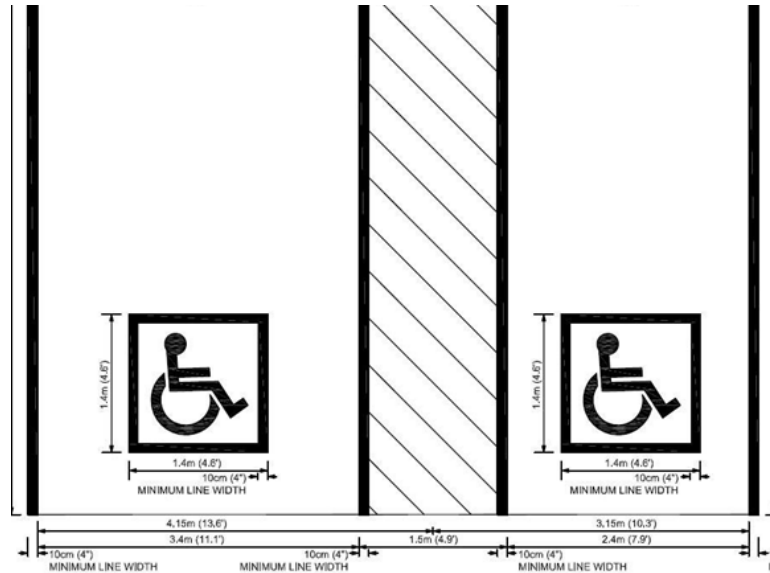
Type A accessible parking space that has a minimum width of 3.4m (11 feet) and a minimum depth of 6m (19.7 feet), with an access aisle of 1.5m (4.9 feet).



Type B accessible parking space that has a minimum width of 2.75 metres (9 feet) and a minimum depth of 6m (19.7 feet), with an access aisle of 1.5m (4.9 feet).



Type A and Type B spaces can share the access aisle between them for two accessible parking spaces.



3.29.3 Location and Number of Spaces

All required parking must be provided outside of the municipal right of way and may not encroach on the municipal sidewalk.

TYPE OF USE	MINIMUM PARKING REQUIREMENTS
Single-detached Dwelling, Semi-detached Dwelling, Duplex Dwelling, Townhomes	2 spaces per dwelling unit, one of which can be provided within a private garage
Accessory Dwelling Unit / Secondary Suite	1 space per dwelling unit
Apartment Dwellings, Senior's Residential Dwelling Unit and all other residential uses not specifically described herein	1.25 spaces per dwelling unit. Visitor parking shall be provided at 0.25 spaces per dwelling unit
Home for the Aged, Nursing Home, Long-term Care Facility, Assisted Living Retirement Home	0.25 per dwelling unit or rooming unit plus 1 per 100 square metres (1,076 square feet) of gross floor area used for medical, health or personal services
Auditorium, auction house,	1 space for every 4 seats,

community centre, commercial sports and/or recreation centre, theatre and similar places of public assembly	fixed or otherwise and where there are no seats, 1 space for every 20 square metres (215 square feet) of assembly space
Building supply store, garden centre, nursery, wholesale outlet, commercial greenhouse	1 space per each 20 square metres (215 square feet) of gross floor area and 1 space for each 35 square metres (376 square feet) of open storage
Clinic, Veterinary Establishment	6 spaces per practitioner
Building Contractor's, Printing and Publishing Establishment, Custom Workshop	1 parking space per 30 square metres (322 square feet) of gross floor area or fraction thereof, with a minimum of 4 spaces provided
Funeral Establishment	7 spaces per 100 square metres (1,076 square feet)
Institution	1 parking space per 100 square metres (1,076 square feet) of display/assembly area or fraction thereof, including basement area used for display, with a minimum of 4 parking spaces provided
Daycare Facility	1 space per employee and 1 space per 5 children
Group Home	1 space per 100 square metres (1,076 square feet), minimum 2 spaces provided
Retail store, personal service business, bank, office.	1 space per 20 square metres (215 square feet) of gross floor area, minimum 5 spaces
Home Occupations	One parking space per 20 square metres of floor area used for the home occupation and one parking space for an employee shall be provided in addition to the required parking for the residential use.
Hotel, Motel, Bed and Breakfast Establishment	1 space per guest unit and plus 1 parking space per 8

	persons designated seating capacity of any accessory eating establishment
Manufacturing or warehouse	1 space for per 95 square metres (1,022 square feet) of Gross Floor Area plus 1 space per every 3 employees per shift
School	Two spaces per classroom
Private School	4 spaces per classroom
Automotive body shop, auto repair garage, automotive service station	3 spaces per service bay and 1 space per employee
Automobile Sales and Service, Automobile Rental Establishment, Recreation Vehicle Sales and Storage, Farm Implement Sales, Commercial Storage	2 spaces per 100 square metres (1,076 square feet) with a minimum of 4 parking spaces The provision of parking for the storage of new and used vehicles, boats or trailers for sale or lease, or service shall not be included as satisfying the provisions of this clause
Restaurant, restaurant drive thru, Brew Pub, night club, bar	1 space per 10 square metres (107.6 square feet) of Gross Floor Area
Place of Worship	1 space for every five seats, fixed or otherwise
All other uses not listed herein	1 space per 25 square metres (269 square feet)

Despite Section 3.30 of this by-law, if the calculation of the minimum parking space requirement results in a fraction, the minimum requirement shall be the next higher whole number.

The minimum parking requirements for Residential and Non-Residential uses required herein may be reduced or waived provided the owner enters into a Class 2 Development Permit and the applicant submits a Parking Study undertaken by a Traffic Engineer to determine suitability of the request.

3.29.4 Cash-in-lieu of Parking

The minimum parking requirements for Residential and Non-Residential uses required herein may be reduced or waived provided the owner enters into a Class 2 Development Permit agreement. The applicant must submit a Parking Study undertaken by a Traffic Engineer to determine suitability of

the request.

A condition of the agreement will be the receipt of payment in accordance with the Fees and Charges Bylaw payable to the Town of Carleton Place, to satisfy cash-in lieu of parking requirements, per required space.

3.29.5 Parking in the Downtown District

Notwithstanding the foregoing, parking requirements in the Downtown District, as shown on Schedule A, shall be reduced to 0 spaces for non-residential uses and 1 space for each permitted residential dwelling unit.

3.29.6 Parking Restrictions in Residential Designations

The use of residential properties for the parking and storage of commercial or recreational vehicles shall be in accordance with the provisions of other relevant municipal By-law(s) as may be from time to time enacted under the Municipal Act.

3.31 PARKING OF BICYCLES

Except as may otherwise be provided for, the minimum number of parking stalls for bicycles, motorcycles or similar vehicles in addition to the required vehicle parking, must be provided as set out in the following:

USE	NUMBER OF REQUIRED SPACES
Apartment Buildings	0.5 space per dwelling unit plus 6 spaces for any development with 20 or more dwelling units, such spaces shall be in accordance with Section 31.1
Schools	1 space per 20 square metres of classroom plus 1 space per 800 square metres of office area; or 8 spaces, whichever is greater.
Offices	4% of required vehicle parking; or 8 spaces, whichever is less
Commercial Uses (unless otherwise noted), including Restaurants (excluding take-out only)	5% of required vehicle parking; or 8 spaces, whichever is greater
Convenience Store	8 spaces
Cinema, Community Centre, Commercial Sports and Recreation Centre	10% of required vehicle parking; or 8 spaces, whichever is greater
Industrial Use	4% of required vehicle parking; or 4 spaces, whichever is less

3.31.1 Bicycle Space Design Standards

All required spaces for bicycles, motorcycles or similar vehicles must be provided in accordance with the following design standards:

- 1) The minimum dimensions for each space intended for bicycles must be 0.6m (2 feet) in width and 1.8m (5.9 feet) in length with a 1.2m (3.9 feet) clear access aisle and 1.2m (3.9 feet) vertical clearance;
- 2) Bicycle spaces shall be secured by a locked door or shall include a securely anchored rack to which the bicycle frame and one wheel can be locked.
- 3) Bicycle parking stalls shall be located close to major building entrances.
- 4) The minimum dimensions for each space intended for motorcycles or similar vehicles must be 1.0m (3.3 feet) in width and 2.1m (6.9 feet) in length;
- 5) Motorcycle parking can be located in areas which may be unsuitable for vehicle parking due to size or shape and not intended for pedestrian traffic, however the parking must be clearly delineated by markings and barriers.
- 6)

3.32 PERMITTED PROJECTIONS

Every part of any yard required by this By-law shall be open and unobstructed by any structure from the ground to the sky except the following structures;

STRUCTURE	MAXIMUM PROJECTION INTO REQUIRED
Chimney breasts, sills, cornices fireplaces, window wells	1 metre (3.2 feet) into any required front, rear or side yard and a maximum width of 3 metres (9.8 feet). Not permitted in no-encroachment zone.
Bay windows, pilasters	1 metre (3.2 feet) into any required front, rear or exterior side yard and a maximum width of 3 metres (9.8 feet). Not permitted in no-encroachment zone.
Canopies which are at least 2.13 metres (7 feet) in vertical clearance above the finished grade.	2 metres (6.4 feet) into any required front, rear or exterior side yard. Not permitted in no-encroachment zone.
Canopies for entrances to	Despite any other provisions in this By-law,

apartment buildings and commercial buildings	a canopy or portico over a major entrance to an apartment building or commercial building may project into the required yard a distance equal to one half (1/2) the setback of the building from the street line. Not permitted in no encroachment zone.
Heat pumps and air conditioners	1 metre (3.2 feet) into any rear yard only
Window awnings	1 metre (3.2 feet) into any required front, rear or exterior side yard. Not in no-encroachment zone.
Accessible ramps and walkways	A Class 1 Development Permit may be required subject to review. Not in no-encroachment zone.
Fire Escapes	1 metre (3.2 feet) into any required front, rear or exterior side yard. Not in no-encroachment zone.

3.32.1 DECKS, PORCHES, VERANDAS AND BALCONIES

Enclosed porches and verandas are subject to the same provisions as the main structure they are attached to.

Notwithstanding the provisions in Sections 3.32.2, 3.32.3 and 3.32.4, the following also applies;

- 1) Stairs used to access decks/porches/verandas shall be setback at least 2.5 metres (8.2 feet) from any lot line or meet the minimum yard setback, whichever is lesser.
- 2) No part of a deck, porch, veranda, balcony and/or stairs shall encroach into the no encroachment zone.

Decks, unenclosed porches, verandas and balconies are subject to the following provisions:

3.32.2 Decks, Unenclosed Porches and Verandas - under 3.0m high

Decks, unenclosed porches and verandas that have a floor height of 3.0 metres (9.8 feet) or less measured from the average grade level adjacent to the deck are permitted in the front, interior side yard, exterior side yard and rear yard provided that they are:

- 1) No closer than the minimum required setback for the main building from the front, interior and exterior side lot line, and
- 2) No closer than 3.0 metres (9.8 feet) from the rear lot line.

3.32.3 Decks, Unenclosed Porches and Verandas - over 3.0m high

Decks, unenclosed porches and verandas that have a floor height of more than 3.0 metres (9.8 feet) measured from the average grade level adjacent to the deck are only permitted in the rear yard provided that the deck is not closer than the required minimum interior and exterior side yard setbacks for the main structure and is no closer than 5.0 metres (16.4 feet) from the rear lot line.

3.32.4 Balconies

Balconies located on the second storey or above shall be no closer than the minimum required setback for the main building from the front, interior and exterior side lot line.

3.33 PROHIBITED USES

Except as specifically permitted in this By-law, the following uses are prohibited:

- 1) No use shall be permitted within the Town which, from its nature or the materials used therein, is declared to be a noxious trade, business or manufacture.
- 2) All uses specifically not identified within each designation are not permitted unless a Class 3 Development Permit is approved.
- 3) Facilities for the housing and care of livestock.
- 4) Septic Systems and Wells except in accordance with Section 3.45.
- 5) Rooming/Boarding Houses.

3.34 PROVISIONAL APPROVALS

Subject to the conditions outlined in Section 2 of this By-law, a Provisional Development Permit may be approved and issued by the approval authority in accordance with the provisions of this By-law.

Provisional approval is defined as approval in principle subject to certain conditions of approval being met to the satisfaction of the Town of Carleton Place.

The applicant shall have maximum of one (1) year from the date of the issuance of a provisional approval to fulfill the condition or conditions of approval before approval lapses. One extension of provisional approval may be given upon submission of a formal request to the Director of Development Services of the Town of Carleton Place. The extension of a provisional approval shall be for a period that can be reasonably considered to be necessary to allow for a proponent to meet the required conditions but such extension shall not exceed a period of one (1) additional year from the date of lapsing of the original provisional approval.

3.34.1 Amendments to Provisional Approvals

Proposed amendments to a Provisional Approval of a

Development Permit will be reviewed in accordance with the relevant sections of this By-law.

3.35 PROVISIONS FOR THE HANDLING AND TRANSFER OF PROPANE AND NATURAL GAS

Facilities relating to the handling and transfer of propane and natural gas, including tanks and associated compressors, pumps and other similar facilities shall not be located in any minimum required front, side or rear yard. All facilities must be setback a minimum of 30.0 metres (98.4 feet) from any residential use.

Notwithstanding the above the 30.0 metre (98.4 feet) setbacks from residential uses may be reduced in accordance with the findings and recommendations of a Noise Impact Assessment Study prepared by a qualified professional which demonstrates that there will be no adverse impact to residential uses and provided that a minimum 6.0 metre (19.7 feet) setback is maintained.

3.36 SECONDARY SUITES

Two (2) additional residential units may be permitted in a detached, semi-detached or townhouse, and one (1) residential unit in a building or structure ancillary to a detached dwelling, semi-detached dwelling or townhouse within the Residential District. No dwelling unit other than a single detached, semi-detached or townhouse dwelling, in the Residential District, shall be permitted to include an additional residential unit(s).

An accessory building, or part of an accessory building, may be used as an additional residential unit, in the Residential District, subject to compliance with the Ontario Building Code, Engineering review and a Development Permit agreement as per Section 2.17.

An additional residential unit(s) is permitted, within the Residential District, only in accordance with the following provisions;

- 1) The addition of the units shall not change the use of the subject lands;
- 2) A maximum of three (3) additional residential units shall be permitted on a residential lot;
- 3) The units shall not be permitted in a dwelling unit used as a private home daycare, a bed and breakfast establishment, or a group home;
- 4) New entrances for the units within an existing dwelling unit shall not be permitted on the front main wall of the main building facing a public road;

- 5) New entrances for the unit(s) in an accessory building shall be accessible from the street by a walkway or driveway in accordance with the Accessibility for Ontarians with Disabilities Act;
- 6) Units located within a primary dwelling, an existing accessory building or a new accessory building shall not exceed forty percent (40%) of the gross floor area of the primary dwelling, exclusive of unfinished basement and garage floor areas.
- 7) Notwithstanding the minimum number of parking spaces required in Section 30, an additional residential unit shall require 1 parking space in addition to the required number of spaces for the main residential building;
- 8) Total lot coverage of all buildings cannot exceed 60%. Accessory building lot coverage cannot exceed 45% of any rear yard. Accessory building lot coverage cannot exceed 10% of the total lot area.
- 9) Additional units shall not be permitted in the 1:100-year floodplain, as defined by the Mississippi Valley Conservation Authority.

3.37 SEQUENCE OF DEVELOPMENT

No accessory use, building or structure shall be erected on any lot until the principal use has been established and the principal building or structure has been erected.

3.38 SETBACKS FROM A NATURAL WATERCOURSE

A setback of 30.0 metres (98.4 feet) is required from any natural watercourse for all development except as follows;

- 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 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 following **shoreline accessory structures** are permitted within the 30.0 metre (98.4 feet) setback:

- 1) A maximum of one (1) boathouse per lot;
- 2) Boathouse to a maximum length of 8.0 metres (26.2 feet) and a

- maximum width of 3m (9.8 feet) and;
- 3) Boatport to a maximum length of 8.0 metres (26.2 feet) and a maximum width of 3m (9.8 feet) and;
 - 4) Storage shed not exceeding 10.0 square metres (107 square feet);
 - 5) No boathouse or boatport shall be used for the provision of sleeping quarters or include a kitchen or be used for the purpose of human habitation;
 - 6) The maximum height of a boathouse or boatport shall not exceed 4.25 metres (13.9 feet).
 - 7) A maximum of one (1) boathouse per lot;
 - 8) The maximum gross area of a boathouse shall not exceed 47 square metres (505.9 square feet);
 - 9) The Mississippi Valley Conservation Authority shall be contacted to determine if a permit is required;
 - 10) The Ministry of Natural Resources and Forestry shall be contacted for a boathouse below the high-water mark of the waterbody, to determine if a permit is required.
 - 11) Dock to a maximum length of 8.0 metres (26.2 feet) and a maximum width of 2 metres (6.6 feet), unless otherwise permitted by Mississippi Valley Conservation Authority and;
 - 12) Stairs and landings, provided that the landings do not exceed the width of the stairs they serve and are not greater in width than 2.5 metres (8.2 feet) and;
 - 13) Docks shall be limited to floating, cantilevered or post dock construction unless otherwise permitted by the Mississippi Valley Conservation Authority;
 - 14) The surface area of a dock shall not exceed 15 square metres (161.5 square feet) in area, unless otherwise permitted by the Mississippi Valley Conservation Authority and any other authority having jurisdiction;
 - 15) A dock shall not be constructed closer than 3 metres (9.8 feet) from the nearest adjacent side lot line where the lot abuts another property and shall not encroach on adjacent lot lines when the lot boundaries are extended into the water;
 - 16) Despite the above, no dock shall be constructed which constitutes a navigation or safety hazard; and
 - 17) The Mississippi Valley Conservation Authority shall be contacted to determine if a permit is required.

No new development shall result in a further reduction in the minimum waterbody setback requirement, compared to the existing structure.

3.39 SOURCE WATER PROTECTION

The Clean Water Act requires protection of an identified Water Intake from significant threats. The Town of Carleton Place obtains its municipal water from the Mississippi River. The Mississippi Rideau Source Protection Plan, 2014 outlines the areas of concern within the Town of Carleton Place that require monitoring and protection. The water intake is protected by zones identified on Schedule A to this By-law as Intake Protection Zones being IPZ 10 and IPZ 9. Properties identified within the three (3) Intake Protection Zones (IPZ) on Schedule A may be prohibited from certain uses or may require that a Risk Management Plan is developed to outline how the property owner will manage a significant threat to the drinking water.

3.39.1 IPZ 10, Prohibited Uses

The following uses are prohibited within the are as identified IPZ 10 on Schedule A of this By-law:

- 1) On-site sewage system;
- 2) Stormwater Management Facility;
- 3) Sewage Treatment Plant;
- 4) Storage of Sewage;
- 5) Licensed Fuel Storage Facility;
- 6) Handling or Storage of Dense Non-Aqueous Phase Liquids (DNAPL's) and Organic Solvents;
- 7) Commercial Pesticide Storage;
- 8) Storage and handling of commercial fertilizer for retail sale of 2500 kg or more;
- 9) Snow dump;
- 10) Road salt storage facility.

3.39.2 IPZ 9, Prohibited Uses

The following uses are prohibited within the areas identified as IPZ 9 on Schedule A of this By-law:

- 1) Commercial Pesticide Storage;
- 2) Sewage Treatment Plant;
- 3) Storage of Sewage;
- 4) Snow dump;
- 5) Road salt storage facility.

3.39.3 General Source Water Protection Provisions

Notwithstanding Section 3.45, the installation of a new private septic system or leaching bed is not permitted within a IPZ 10 zone and properties must be connected to the municipal sewage system. Existing private septic systems will subject to inspections at five-year intervals in accordance with Ontario Building Code.

A Risk Management Plan is required for fuel storage in excess of 2,500 litres in IPZ 10 for prohibited activities / land uses that were already existing on January 1, 2015 when the Source Protection Plan came into effect.

A Stormwater Facility constructed in an IPZ 9 zone is required to be built to Enhanced Level Protection Standards as described in the Stormwater Management Planning and Design Manual, MOECC 2003.

3.40 SPECIAL SETBACKS

The minimum separation distance for any lands designated as Class I, II and III Industrial shall be in accordance with the Ministry of the Environment Guidelines D-6.

The minimum separation distance for any fire hydrant is 1.5m. This includes hardened landscape features and driveways.

3.41 TEMPORARY USES

A Class 2 Development Permit will be required for any temporary use(s). Any temporary use(s) must conform to the Official Plan of the Town of Carleton Place.

Notwithstanding the above, tarpaulin structures shall conform to any municipal by-law as may from time to time be enacted under the Municipal Act.

3.42 USE BY A PUBLIC AUTHORITY UTILITY OR PUBLIC

The provisions of this By-law shall not apply to the use of any land or to the erection or use of any utility installation for the purpose of public service by the Town of Carleton Place, the County of Lanark and/or any public authority, any department of Government of Ontario or Canada, including any Hydro One Networks Inc. facilities pursuant to the Planning Act, or publicly licensed authority provided that where such land, building or structure is located in or abutting a zone in which residential uses of land are permitted;

- 1) No goods, materials or equipment shall be stored in the open;
- 2) Any building erected under the authority of this section shall not be used for the purpose of an office;

- 3) Any building or structure erected in a Residential designation under the authority of this paragraph shall be designed and maintained in general harmony with the residential buildings of the type permitted in the designation.

3.43 VARIATIONS

Variations to this By-law may be permitted subject to a formal application to the Town of Carleton Place. Approval of variations to By-law standards are subject to the following procedures:

- 1) Staff may vary the standards, provisions and requirements of this By-law as per the specific criteria below and Section 2.16 of this By-law and the Official Plan of the Town of Carleton Place;
- 2) Council may vary the standards, provisions and requirements of the Development Permit By-law up to 100% of the stated standards subject to the criteria outlined below and provided that the proposal is consistent with and complies with both the Official Plan of the Town of Carleton Place and the Provincial Policy Statement of the Province of Ontario and any other legislation as applicable.
- 3) All development proposals will be evaluated on the basis of Sections 13 and 14 to ensure appropriate built form design and compatibility.
- 4) The following regulatory standards, provisions and design requirements and/or administrative provisions shall be evaluated and adhered to before approval and issuance of a development permit:
 - 5) Development will be restricted from areas of environmental hazards and/or physical limitations, such as poor drainage, organic soils, food susceptibility and erosion or steep slopes unless the proposal is shown to mitigate the hazard and physical limitations.
 - 6) All development proposals will require demonstration of conformity to the Official Plan of the Town of Carleton Place and the Provincial Policy Statement, 2014. Supporting studies and reports may be required to demonstrate same prior to the approval and issuance of any development permit.
 - 7) All development proposals shall be evaluated with respect to adverse impacts as defined herein. The applicant will be required to demonstrate no adverse impact or provide for buffering to mitigate the adverse impact prior to the approval and issuance of any development permit.
 - 8) Development proposals shall be subject to all requirements of this By-law.

- 9) A Development Permit will be issued by staff when satisfied that all criteria of this By-law have been met or as directed by Council.

Notwithstanding the foregoing, if the criteria of this By-law have not been met the application may be denied. The applicant may appeal the decision to the Local Planning Appeal Tribunal or make application to amend this By-law.

3.44 VEGETATION REMOVAL OR SITE ALTERATION

One of the goals of the Official Plan is to upgrade, maintain and rehabilitate the physical environment and the environmental quality of the water, shoreline and aquatic habitat through maintenance and improvements. As such, the Town, by means of this By-law requires that all development be setback 30.0 metres (98.4 feet) from the Mississippi River, and 15m from wetlands and other related waterways.

Notwithstanding the foregoing if the proposed development can demonstrate no adverse impact to the watercourse by means of an Environmental Impact Statement (EIS) and a Hydrological Study undertaken by a professional qualified to perform the evaluation, the standards outlined above may be varied as determined by the EIS. The EIS will consider 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 depth, slope angle, and vegetation cover; and natural hazards

Street trees and the preservation of tree canopies shall be protected to the greatest extent possible. Accordingly, a Tree Preservation Plan is required in support of development applications.

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.

A Class 1 Development Permit is required where the type, location and scale of a development requires the removal of trees having a calliper of 200mm or more, in order to obtain relief from one or more of the standards of the by-law, provided these trees are beyond 30m of the Mississippi River and unless a Class 2 or 3 application is applied for.

No trees shall be removed within 30m of the Mississippi River unless it can be proven to be a safety hazard.

Notwithstanding the foregoing an exception to allow for a portion of the replacement trees to be planted on public lands can occur. This will require review from the Urban Forest Committee and a Class 2 Development Permit.

No more than one-third (1/3) of the total replacement trees required can be planted on lands other than the proposed development lands.

The caliper size and tree replacement species shall be a condition of development approval. A Tree Preservation Plan may be required to identify any Hackberry Trees. Hackberry Trees shall be protected to the greatest extent possible. If removal is required a replacement ratio of 1-1 is a requirement of this By-law.

3.45 WATER SUPPLY, SEWAGE DISPOSAL AND STORMWATER SYSTEMS

Future development shall proceed on the basis of municipal water and sewers and storm drainage except as otherwise indicated herein. Full municipal services means piped sewage and water services that are connected to a centralized water and waste water treatment facility. Calculations for the uncommitted reserve capacity of water and sewer systems will be required, where necessary, to determine the capacity of services to support new development.

No person shall hereafter erect or use in whole or in part, any building or structure for any residential, commercial or industrial purposes on any land unless the use, building or structure is properly connected to an approved water supply and sewage disposal system

Notwithstanding the foregoing, the Town may consider permitting alternative servicing for specific properties subject to the approval and issuance of a Class 3 Development Permit. This will only be considered in isolated cases where full municipal services cannot be extended due to technical reasons. Alternative servicing may include individual on-site systems or communal services.

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 requirements for septic systems.

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.

4.0 MISSISSIPPI DISTRICT



The Mississippi District is composed of the Town's core area which developed with a focus on the Mississippi River. It includes the Downtown District, the Transitional District, the Mississippi Residential District and four properties known as Strategic Properties. The Mississippi Residential District also includes Community Commercial and Institutional uses which are subject to the provisions of Sections 7.0 and 9.0 respectively.

The purpose and intent of the provisions and regulations in Section 4.0 of this By-law is to ensure that development and re-development will be undertaken in a manner which respects the historical, traditional, and heritage characteristics of this part of Carleton Place, which is valued by all residents as the heart of the Municipality. Prior to submitting development and re-development proposals proponents shall ensure that the Built Form Inventory and Design Criteria as expressed in Sections 13 and 14 have been consulted and properly integrated into submissions.

4.1 DOWNTOWN DISTRICT

The purpose and intent of the Downtown District designation is to provide a flexible regulatory framework which will help ensure the preservation and enhancement of the areas architectural and cultural character while providing for increased economic activity in a mixed-use environment featuring pedestrian oriented commercial uses and increased residential density.

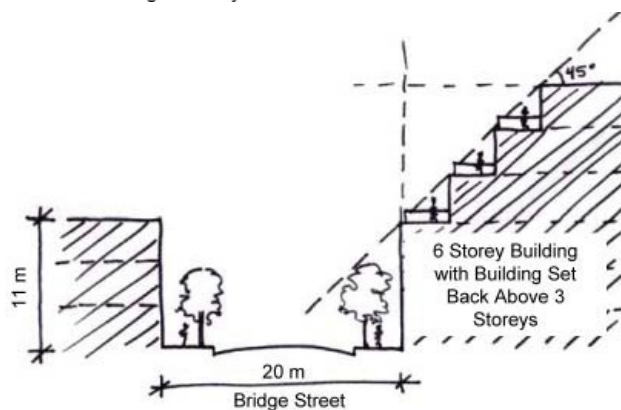
4.1.1 Permitted Uses

Auction House	Outdoor Cafe
Auditorium	Parking Lot
Bank	Personal Service Business
Brew Pub	Pharmacy
Church	Public Market
Commercial Sports and Recreation Establishment	Residential uses subject to 4.1.3, 4.1.4, 4.1.5 and 4.1.6.
Dry Cleaning or Laundry Outlet	Restaurant
Hotel	Retail Store
Nightclub, Bar, Pub	Studio
Office	Theatre, Cinema

4.1.2 Development Standards

STANDARDS NON-RESIDENTIAL USES	REQUIREMENTS
Lot Area (minimum)	Nil
Lot Coverage	Nil
Lot Frontage (minimum)	Nil
Front Yard (maximum)	0.0 metres and shall match the median setback of the adjacent blocks
Exterior Side Yard (maximum)	0.0 metres and shall match the median setback of the adjacent blocks
Interior Side Yard (minimum)	0.0 meters
Rear Yard Depth (minimum)	Nil
Usable Landscaped Open Space in the rear yard (minimum)	Nil
Building Height (maximum)	25.0 metres (82 feet) Buildings over 3 storeys shall be stepped back with each successive storey at 45.0 degrees
No Encroachment Area from front or exterior side lot line	Nil
Parking Spaces	As per Section 3 of this By-law

DOWNTOWN DISTRICT



4.1.3 Additional Provisions

Development and redevelopment shall be subject to the existing site analysis and design criteria of Sections 13 and 14.

4.1.4 Permitted Uses - Residential

The following residential uses are permitted subject to Sections 4.1.5 and 4.1.6

- One or more Dwelling Unit(s) on the upper floor of existing non-residential buildings with frontage on Bridge Street.
- Medium to high density residential uses on lots which are located in the Downtown District but which do not have frontage on Bridge Street.
- Residential dwellings (all types) existing as of the date of passing of this By-law
- Existing residential dwellings may be converted to higher density housing types (for example converting a single dwelling to a duplex dwelling)

4.1.5 Development Standards

- 1) Development standards for permitted residential uses shall be in accordance with Section 6.
- 2) Where development is proposed which would result in a change to a residential use permitted in Section 4.1.4 and / or where development is proposed for a use permitted in 4.1.1, such development shall be subject to a Development Permit agreement.

4.1.6 Additional Provisions – Residential Uses

- 1) Redevelopment, including vertical or horizontal expansions of existing permitted residential types shall be subject to a Class 2 Development Permit.
- 2) Where lots have frontage on Bridge Street the development or redevelopment of land for exclusively residential purposes is not permitted.
- 3) Where lots have frontage on Bridge Street the development of multi-residential structure may be permitted provided street level floors are restricted to non-residential permitted uses.

- 4) Where lots located in the Downtown District are proposed for residential development or redevelopment and where such lots do not have frontage on Bridge Street, street level non-residential uses are not required.
- 5) All development and redevelopment shall be subject to the existing site analysis and design criteria of Sections 14 and 15.
- 6) Each residential unit shall be required to provide 1.0 parking space.
- 7) No parking shall be permitted within the front or exterior side yard setback requirements.

4.1.7 Discretionary Uses

- **School – Commercial**

Notwithstanding Section 3.30.5, four (4) parking spaces are required per classroom for a Private School in the Downtown District as per Section 3.30.3.

4.1.7.1 Discretionary Use Provisions

All discretionary uses are required to submit a full drawing set. All discretionary uses shall be subject to the Class 2 Development permit approval stream.

4.2 MISSISSIPPI TRANSITIONAL SECTOR

The purpose and intent of the Mississippi Transitional Sector is to provide a flexible regulatory framework which will facilitate the evolution of this area into a secondary hub of commercial and residential activity which can provide a transition from the large commercial land uses centered on Highways 7 and 15 to the Traditional Downtown core.

4.2.1 Permitted Uses

Art Gallery	Parking Lot
Auditorium	Personal Service Business Pharmacy
Bank	Pharmacy
Brew Pub	Propane Refilling Outlet
Church	Public Market
Clinical, Medical	Repair Service Shop
Commercial Sports and Recreation Establishment	Retail Store
Dry Cleaning or Laundry Outlet	Residential uses subject to Section 4.2.3, 4.2.4 and 4.2.5
Funeral Establishment	Restaurant
Gas Bar	School, Commercial
Hotel	Studio
Institution	Theatre, Cinema
Laundry Service	Veterinarian Establishment
Office	

4.2.2 Development Standards - Non-Residential Uses

STANDARDS	REQUIREMENTS
Lot Area (minimum)	Nil
Lot Coverage	Nil
Lot Frontage (minimum)	Nil
Front Yard Build Within Area	4.5 metres, minimum (14.7 feet) 7.5 metres, maximum (24.6 feet)
Exterior Side Yard (maximum)	4.5 metres, minimum (14.7 feet) 7.5 metres, maximum (24.6 feet)
Interior Side Yard (minimum)	3.0 metres (9.8 feet), minimum where lot abuts Residential Use
Rear Yard Depth (minimum)	Nil
Usable Landscaped Open Space in the rear yard (minimum)	Nil
Building Height (maximum)	22.0 metres (72 feet)
No Encroachment Area from front or exterior side lot line	Nil
Parking Spaces	As per Section 3 of this By-law

4.2.3 Permitted Uses – Residential

- One or more dwelling unit(s) on the upper floor of existing non-residential buildings.
- Medium to high density residential uses.
- Residential dwellings (all types) existing as of the date of passing of this By-law.
- Existing residential dwellings may be converted to higher density housing types (for example converting a single dwelling to a duplex dwelling)

4.2.4 Discretionary Uses

- Automobile Service Station
- Outdoor Café
- Warehouse Use accessory to any of the permitted uses

4.2.5 Development Standards – Residential

- 1) Development standards for permitted residential uses as per 4.2.1 and 4.2.3 shall be in accordance with Section 6.
- 2) Where development is proposed which would result in a change to a residential use permitted in Sections 4.2.1 and / or where development is proposed for a use permitted in 4.2.3, such development shall be subject to the issuance of a Class 2 Development Permit.

4.2.6 Provisions – Residential Uses

- 1) Redevelopment, including vertical or horizontal expansions of existing permitted residential types shall be subject to a Class 2 Development Permit.
- 2) Redevelopment of an existing commercial building that results in low density residential uses requires a Class 2 Development Permit.
- 3) All development and redevelopment shall be subject to the existing site analysis and design criteria of sections 13 and 14.
- 4) Each residential unit shall be required to provide 1.0 parking space.
- 5) No parking shall be permitted within the front or exterior side yard setback requirements.

4.2.6.1 Provisions - Discretionary Use

- 1) All discretionary uses are required to submit a full drawing set as determined by the Director of Development Services or designate and subject to a Class 2 Development permit approval stream.

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 Dwelling	Existing Institutional Uses
Semi Detached Dwelling	Existing Commercial Uses
	Parks

4.3.2 Discretionary Uses

Duplex Dwelling	Senior's Residential Dwelling
Townhouse Dwelling	Bed and Breakfast Establishment
Triplex Dwelling	Retirement Home
Quadplex Dwelling	Office
Apartment Dwelling	Recreational Facility
Daycare Facilities – home-based	Office, retail or personal services permitted on Victoria, Beckwith and Allan Street

4.3.3 Development Standards

4.3.3.1 Single Detached Dwellings

STANDARDS	PROPOSED
Lot Area (minimum)	500m ²
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:

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.
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.

4.3.3.2 Semi Detached Dwellings

STANDARDS	REQUIREMENTS
Lot Area (minimum)	250m ²
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:

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.
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.

3. The driveway must not extend further than the exterior wall of the garage.
4. 50% of the total frontage for semi-detached units must have soft/green landscape elements.

1.3.1.1 Duplex Dwellings

STANDARDS	REQUIREMENTS
Lot Area (minimum)	500m ²
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:

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.
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.

1.3.1.2 Townhouse Dwellings

STANDARDS	REQUIREMENTS
Lot Area (minimum)	160m ²
Lot Coverage (maximum)	50%
Lot Frontage (minimum)	6 metres (20 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)	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:

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.
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.
3. Notwithstanding the definition of “Dwelling – Townhouse” of the By-law, a “Townhouse” in the Mississippi Residential district shall be defined as follows:

“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.”

4. All multi-unit residential dwellings shall be subject to a Class 3 Development Permit.
5. Each primary dwelling unit shall have a front facing entrance.

1.3.1.3 Tri-plex and Quad-plex Dwellings

STANDARDS	REQUIREMENTS
Lot Area (minimum)	600m ²
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)
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Additional Provisions:

1. No parking shall be allowed in either the front or exterior side yards.
2. All multi-unit residential dwellings shall be subject to a Class 3 Development Permit.
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.
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.
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.
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.

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.

1.3.1.4 Apartment Dwellings

STANDARDS	REQUIREMENTS
Lot Area (minimum)	600m ²
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:

1. All proposals for Apartment Dwellings and Seniors' Residential Dwellings shall be subject to a Class 3 Development Permit.
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.
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.
4. Visitor parking spaces shall be delineated through signage.
5. A maximum of 40% of the lot area may be used for at grade parking.
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.
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.
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.
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.
10. All telephone and electric service utilities shall be underground in all multi-unit developments.
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.
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.

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.

1.3.2 Discretionary Use Provisions

- 1 Bed and Breakfast Establishments may be permitted subject to the following provisions:
 - a) All proposals are subject to a Class IA Development Permit approval stream;
 - b) A full drawing set shall be required to be submitted for review and consideration prior to approval;
 - c) The residential character of the neighbourhood shall be maintained.
 - d) Adequate parking shall be provided as per Section 3.
 - e) 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.

4.4 HIGH STREET RESIDENTIAL SECTOR

The High Street Residential Sector is an established older residential area which is composed primarily of single-family dwelling units some of which date back to the 1900s.

The purpose and intent of the following regulatory framework is to provide for appropriate development and redevelopment while recognizing existing neighbourhood character and architectural styles. Prior to submitting development and re-development proposals, proponents shall ensure that the Built Form Inventory and Design Criteria as expressed in Sections 13 and 14 has been consulted and properly integrated into submissions.

4.4.1 Permitted Uses

Single Detached Dwelling	Duplex Dwelling
Semi Detached Dwelling	

4.4.2 Discretionary Uses

Bed and Breakfast Establishment	Converted Dwellings
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4.4.3 Development Standards - Single Detached Dwelling

STANDARDS	REQUIREMENTS
Lot Area (minimum)	Nil
Lot Coverage (maximum)	60%
Front Yard Build Within Area	18.2 metres (60 feet)
Exterior Side Yard Build Within Area	Match the median setback of adjacent properties
Interior Side Yard (minimum)	1.2 metres (3.9 feet)
Rear Yard Depth (minimum)	8.0 metres (26.2 feet)
Usable Landscaped Open Space	50.0 square metres (538 square feet)
Building Height (maximum)	11.0 metres (36 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)
Parking Spaces	2 spaces per dwelling unit, one of which may be provided within the garage

4.4.4 Development Standards - Semi-Detached Dwelling

STANDARDS	REQUIREMENTS
Lot Area (minimum)	Nil
Lot Coverage (maximum)	60%
Lot Frontage (minimum)	9 metres (29.5 feet)
Front Yard Build Within Area	Match the median setback of adjacent properties
Exterior Side Yard Build Within Area	Match the median setback of adjacent properties
Interior Side Yard (minimum)	1.2 metres (3.9 feet) No side yard shall be required along the common property line or common wall
Rear Yard Depth (minimum)	8.0 metres (26.2 feet)
Usable Landscaped Open Space in the rear yard (minimum)	40.0 square metres (430 square feet)
Building Height (maximum)	11.0 metres (36 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)
Parking Spaces	2 spaces per dwelling unit, one of which may be provided within the garage

4.4.5 Development Standards, Duplex

STANDARDS	REQUIREMENTS
Lot Area (minimum)	Nil
Lot Coverage (maximum)	60%
Lot Frontage (minimum)	9 metres (29.5 feet)
Front Yard Build Within Area	Match the median setback of adjacent properties
Exterior Side Yard Build Within Area	Match the median setback of adjacent properties
Interior Side Yard (minimum)	1.2 metres (3.9 feet) No side yard shall be required along the common property line or common wall
Rear Yard Depth (minimum)	8.0 metres (26.2 feet)
Usable Landscaped Open Space in the rear yard (minimum)	40.0 square metres (430 square feet)
Building Height (maximum)	11.0 metres (36 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)
Parking Spaces	2 spaces per dwelling unit, one of which may be provided within the garage

4.4.6 Additional Provisions - Permitted Residential Uses

- 1) The width of the garage for both single detached dwellings and semi-detached dwellings shall not exceed 45% of the overall lot frontage. The width of the garage for duplex dwellings shall not exceed 60% of the overall lot frontage.
- 2) 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 and shall be even or setback from the front of the dwelling.
- 3) The driveway must not extend further than the exterior wall of the garage and shall be constructed as defined in Section 3.30.
- 4) At least fifty percent (50%) of the total lot frontage must have soft/green landscape elements such as grass, trees and shrubbery.
- 5) All new development proposals must demonstrate consistency and

compatibility with the Built Form Inventory and Community Design Framework in Sections 13 and 14.

4.4.6.1 Additional Provisions – Bed and Breakfast Establishments

Bed and Breakfast establishments may be permitted subject to the following provisions:

- 1) All proposals are subject to Class 2 Development Permit approval.
- 2) A full drawing set will be required to be submitted for review and consideration prior to approval.
- 3) Residential character of the neighbourhood will be maintained.
- 4) Adequate parking, as per Section 3.30, shall be provided and screened year-round.
- 5) Proposed development must meet the provisions, requirements and standards of the single-family designation.

4.4.7 Development Standards – Converted Dwelling

STANDARDS	REQUIREMENTS
Lot Area (minimum)	Nil
Lot Coverage (maximum)	60%
Lot Frontage (minimum)	15 metres (49.2 feet)
Front Yard Build Within Area	Match the median setback of adjacent properties
Exterior Side Yard Build Within Area	Match the median setback of adjacent properties
Interior Side Yard (minimum)	1.2 metres (3.9 feet)
Rear Yard Depth (minimum)	9.0 metres (29.5 feet)
Usable Landscaped Open Space in the rear yard (minimum)	40.0 square metres (322 square feet)
Building Height (maximum)	11.0 metres (36 feet)
Minimum Dwelling Unit Area	83.1 square metres (900 square feet)
No Encroachment Area from front or exterior side lot line	2.5 metres (8.2 feet)
Parking Spaces	1.5 spaces per dwelling unit, one of which may be provided within the garage

4.4.7.1 Additional Provisions – Converted Dwelling

- 1) All multi-unit dwellings are required to provide 0.25 visitor parking spaces per dwelling unit.
- 2) No parking shall be allowed in either the required front or exterior side yards.
- 3) All parking areas must be screened year-round.
- 4) A maximum of 40% of the lot area may be used for at grade parking. Any proposed converted dwelling shall require a Class 2 Development
- 5) Permit process and must submit a Design Brief that demonstrates consistency with surrounding built forms. Impact on adjacent properties will be evaluated in order to maintain existing neighbourhood character.

4.5 STRATEGIC PROPERTY

There are four identified strategic properties which present opportunities for new residential and mixed use residential and commercial development which can complement and support the Downtown District and help provide linkages between the downtown core and the newer commercial and residential districts. The purpose and intent of the following regulations, which apply to each individual property, is to facilitate their renewal and adaptive re-use.

4.5.1 Permitted Uses

Art Gallery	Person Service Business
Brew Pub	Public Square
Commercial Sports and Recreation Centre	Retail Store
Dry Cleaning or Laundry	Medium to high density residential uses
Hotel	Restaurant
Office	Studio

4.5.2 Permitted Uses – Additional Provisions DRS Site, 115 Emily Street

Notwithstanding the above permitted uses, on the property identified as 115 Emily Street, permitted uses shall be restricted to medium to high density residential uses. Non-residential uses listed in Section 4.5.1 are permitted where medium to high density residential uses exist. A maximum of 30% of the developed footprint may be used for the non-residential uses. As of the date of passing of this By-law, existing buildings that have legal non-complying setbacks are permitted.

4.5.3 Permitted Uses – Additional Provisions Woolgrowers Site, 142 Franktown Road

Notwithstanding the above permitted uses the current agricultural related uses will be permitted and redevelopment of the existing buildings shall be restricted to retail commercial uses. Nothing in this Bylaw is intended to restrict the expansion of the existing use.

4.5.4 Permitted Uses – Additional Provisions McArthur Island, 150 Mill Street

In addition to the permitted uses listed in Section 4.5.1 a Retirement Home and Long-Term Care Facility is also permitted.

A maximum of 30% developed net floor space shall be for non-residential uses.

[Bylaw 101-2020] Notwithstanding the permitted uses identified in Section 4.5.1 on the vacant portion of the lands known as “McArthur Island” a holding provision (h) shall apply until such time that the following conditions have been satisfied:

- 1) Submission of a Composite Utility Plan
- 2) Submission of an Environmental Compliance Approval by the Ministry of Environment;
- 3) Submission of detailed designs for all pedestrian bridges and pathway crossings of the Mississippi River;
- 4) Provision of Colour Building Elevations;
- 5) Provision of Updated Landscape Plans;
- 6) Provision of a Record of Site Condition;
- 7) Provision of an updated Traffic Study considering the need to widen the Mill Street Bridge;
- 8) The execution of an Amending Agreement for the property known as 150 Mill Road including but not limited to:
- 9) Financial Conditions;
 - a. Insurance Certificates;
 - b. Performance Bonds;
 - c. Updated Schedules

4.5.5 Permitted Uses – Additional Provisions Findlay Foundry, 28 High Street

A maximum of 30% developed net floor space shall be for non-residential uses.

4.5.6 Permitted Uses – Additional Provisions Braydon Mill, 150 Rosamond Street

A maximum of 30% developed net floor space shall be for non-residential uses.

4.5.6 Development Standards

DEVELOPMENT STANDARDS NON-RESIDENTIAL USES	REQUIREMENTS
Lot Area (minimum)	Nil
Lot Coverage	Nil
Lot Frontage (minimum)	Nil
Front Yard (maximum)	Nil
Exterior Side Yard (maximum)	0.0 meters
Interior Side Yard (minimum)	0.0 meters 3.0 metres (9.8 feet) where lot abuts Residential Use
Rear Yard Depth (minimum)	Nil
Usable Landscaped Open Space (minimum)	20%
Building Height (maximum)	23.7 metres (78 feet) Buildings over 3 storeys shall be stepped back with each successive storey at 45.0 degrees
Parking Spaces	As per Section 3 of this By-law

4.5.7 Additional Provisions

- 1) Medium to high density residential uses shall only be permitted in a mixed-use setting.
- 2) All development and redevelopment shall be subject to the existing site analysis and design criteria of Sections 13 and 14.
- 3) Each residential unit shall be required to provide 1.5 parking spaces. Non-residential parking shall be in accordance with the provisions in Section 3.30.

5.0 EMPLOYMENT DISTRICT



The following designations apply to the Employment lands within the Town of Carleton Place and have been divided into three separate employment areas, each with its own specific character: Health Campus, Business Campus and Industrial Campus.

The purpose and intent of the Employment District is to facilitate appropriate development and re-development which will result in an expanded employment base for the Town of Carleton Place through three land use areas having separate and distinct long-term objectives.

5.1 HEALTH CAMPUS

The Health Campus is located adjacent a block of land reserved for a future new regional hospital. The purpose and intent of the designation is to provide for uses which will serve and complement health related land uses and activities.

5.1.1 Permitted Uses

Accessory, Retail	Laboratory
Auditorium	Longterm Care Facility
Catering Establishment	Medical Clinic
Commercial Sports and Recreation Centre	Medical Equipment and Supply Outlet
Community Health Service	Office
Custom Workshop, Health Related	Parking Facilities
Funeral Establishment	Restaurant
Hotel	School, Commercial
Hospital	Uniform Supply
Hospice	Veterinary Establishment

5.1.2 Discretionary Uses

Daycare Facilities	Laundry Service
Dry Cleaning or Laundry Outlet	Personal Service Business

5.1.3 Development Standards

STANDARDS	REQUIREMENTS
Lot Area (minimum)	Nil
Lot Coverage (maximum)	70%
Lot Frontage (minimum)	Nil
Front Yard (minimum)	6.0 metres (19.6 feet)
Exterior Side Yard (minimum)	6.0 metres (19.6 feet)
Interior Side Yard (minimum)	3.5 metres (11.4 feet)
Rear Yard Depth (minimum)	8 metres (26.2 feet)
Landscaped Open Space (minimum)	10%
Building Height (maximum)	24 metres (78 feet)
Parking Spaces	As per Section 3 of this By-law

5.1.4 Additional Provisions

A minimum 1.5m landscape open area is to be provided around all parking areas. All development shall be subject to the design criteria in Section 13 and 14

5.2 BUSINESS CAMPUS

There are two areas designated as Business Campus. The purpose and intent of the designation is to provide for traditional business park development which will accommodate non-industrial employment uses.

5.2.1 Permitted Uses

Accessory Retail	Communication Facility
Auction House	Custom Workshop
Auditorium	Factory Outlet
Automotive Repair Garage	Funeral Establishment
Automotive Body Shop	Hotel
Catering Establishment	Industrial Use - Class I Light
Commercial Sports and Recreational Establishment	Office
Community Health Service	Sample Showroom School, Commercial Veterinary Establishment

5.2.2 Discretionary Uses

Daycare Facilities	Parking Lot
Distribution Centre	Restaurant
Gas Bar	Wholesale Establishment

5.2.3 Development Standards

STANDARDS	REQUIREMENTS
Lot Area (minimum)	Nil
Lot Coverage (maximum)	70%
Lot Frontage (minimum)	Nil
Front Yard (minimum)	6.0 metres (19.6 feet)
Exterior Side Yard (minimum)	6.0 metres (19.6 feet)
Interior Side Yard (minimum)	3.5 metres (11.4 feet)
Rear Yard Depth (minimum)	8 metres (26.2 feet)
Landscaped Open Space (minimum)	10%
Building Height (maximum)	24 metres (78 feet)
Parking Spaces	As per Section 3 of this By-law

5.2.4 Additional Provisions

All development is subject to the design provisions of Section 13 and 14.

5.3 INDUSTRIAL CAMPUS

There are two areas designated as Industrial Campus. One is located on the northeast side of the limit of the Town and is known as the North Industrial Park and the other is located on the southwest corner of Highway 7 & 15. The purpose and intent of the designation is to provide for traditional industrial employment uses which should generally be set back from more sensitive land uses.

The minimum separation distance for any lands designated as Class 1, 2 and 3 Industrial shall be in accordance with the Ministry of the Environment Guidelines D-6.

5.3.1 Permitted Uses

Auditorium	Gas Bar
Automotive Body Shop	Industrial Class I, II, III
Automotive Repair Garage	Laboratory
Automotive Service Station	Manufacturing
Automotive Washing Establishment	Municipal Garage
Building Contractor's Shop	Printing and Publishing Establishment
Bulk and/or Commercial Storage	Propane and/or Natural Gas Transfer Handling Facility
Commercial Greenhouse	Propane Refilling Outlet
Communications Facility	Recreational Vehicle Sales and Storage
Commercial Sports and Recreation Establishment	Service and Repair Establishment
Custom Workshop	Sawmill or Planing Mill
Distribution Centre	Transportation Depot
Dry Cleaning or Laundry Plant	Warehouse
Fuel Depot	Workshop

5.3.2 Discretionary Uses

Accessory Residential	Parking Lot
Accessory Retail	School Commercial
Automotive Sales	Restaurant
Gate House	Parking Lot

INDUSTRIAL CAMPUS

5.3.3 Development Standards

STANDARDS	REQUIREMENTS
Lot Area (minimum)	Nil
Lot Coverage (maximum)	70%
Lot Frontage (minimum)	Nil
Front Yard (minimum)	6.0 metres (19.6 feet)
Exterior Side Yard (minimum)	6.0 metres (19.6 feet)
Interior Side Yard (minimum)	3.5 metres (11.4 feet)
Rear Yard Depth (minimum)	8 metres (26.2 feet)
Landscaped Open Space (minimum)	10%
Building Height (maximum)	24 metres (78 feet)
Parking Spaces	As per Section 3 of this By-law

5.3.4 Additional Provisions – Discretionary Uses

1. All proposals are subject to a Class 2 Development Permit approval.
2. A full drawing set will be required to be submitted for review and consideration prior to approval.
3. Accessory Residential uses for the specific use of a site caretaker may be permitted subject to the following provisions:
 - i. The health and safety of the resident would not be compromised by means of development approval,
 - ii. A Gatehouse is required as a security measure on site,
4. Where a Gatehouse is required for access control and security, the development standards of Section 5.3.3 shall not apply.
5. Where a restaurant is approved as a discretionary use the following development standards shall apply:
 - i. Maximum Lot Coverage: 40%
 - ii. Minimum Landscaped Open Space: 25%
 - iii. Maximum Building Height: 11 m
 - iv. All other development standards in Section 5.3.3 shall apply.
6. All development is subject to the design provisions of design criteria of Section 13 and 14 of this by-law.

6.0 RESIDENTIAL DISTRICT



The Residential District designation applies to existing residential areas within the Town's boundaries. It applies to a number of different types of housing, from low density single dwellings to row dwellings to apartment buildings. All of the different housing types are permitted within the Primary Residential designation subject to the following standards and subject to the standards illustrated in the Existing Site Analysis and the Design Criteria described and illustrated in Sections 13 and 14.

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.

RESIDENTIAL DISTRICT

6.1 PERMITTED USES

The following uses shall be permitted subject to all of the applicable provisions of this By-law including consistency with existing area development and the ability to meet design criteria as provided in Sections 13 and 14.

Apartments Dwelling	Quadraplex Dwelling
Single Detached Dwelling	Triplex Dwelling
Semi-Detached Dwelling	Townhouse Dwelling
Duplex Dwelling	Senior's Residential Dwelling
Daycare Facilities	

6.2 DISCRETIONARY USES

Bed and Breakfast Establishment	Retirement Home
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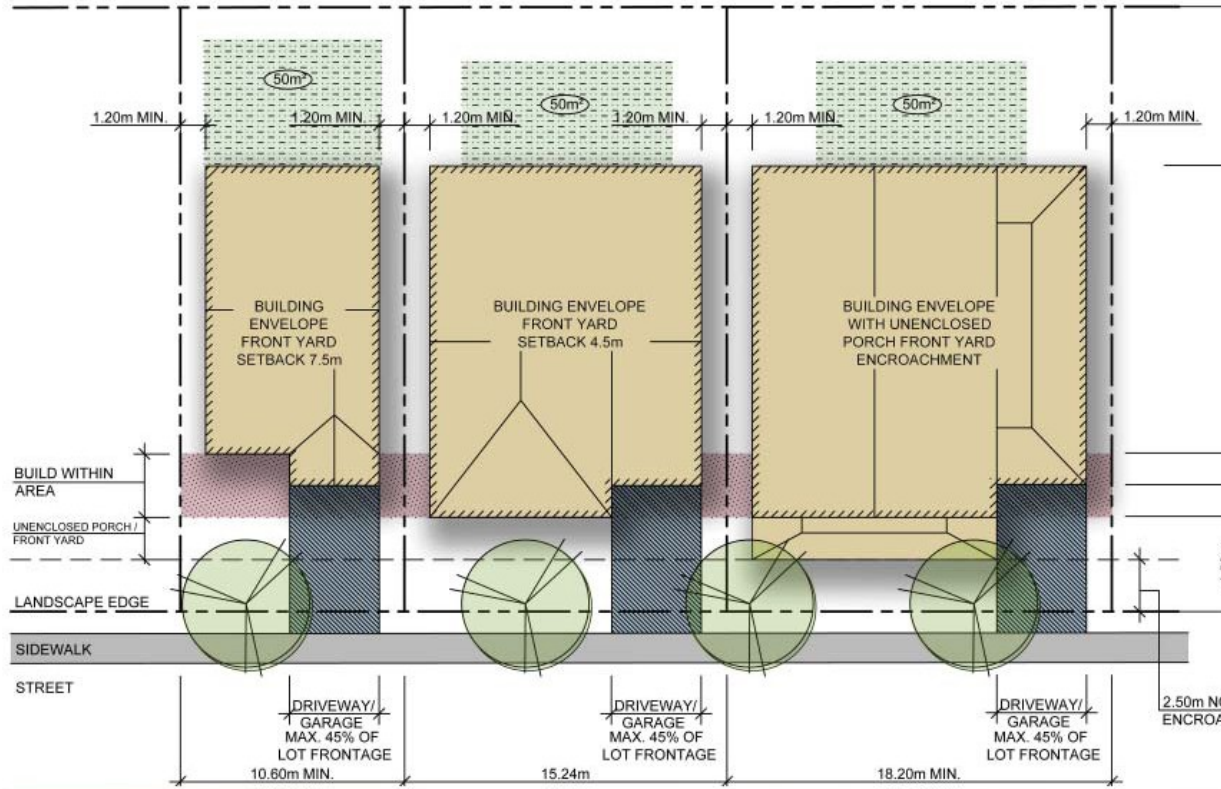
6.3 DEVELOPMENT STANDARDS

6.3.1 Development Standards - Single Detached Dwelling

SITE PROVISIONS	REQUIREMENTS
Lot Area (minimum)	Nil
Lot Coverage (maximum)	60%
Lot Frontage (minimum)	10.6 metres (35 feet)
Front Yard Build Within Area	4.5 metres, minimum (14.7 feet) 7.5 metres, maximum (24.6 feet)
Exterior Side Yard Build Within Area	4.5 metres, minimum (14.7 feet) 7.5 metres, maximum (24.6 feet)
Interior Side Yard (minimum)	1.2 metres (3.9 feet)
Rear Yard Depth (minimum)	7.5 metres (24.5 feet)
Usable Landscaped Open Space in the rear yard (minimum)	50.0 square metres (538 square feet)
Building Height (maximum)	11.0 metres (36 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)
Parking Spaces	2 spaces per dwelling unit, one of which may be provided within the garage





RESIDENTIAL DISTRICT

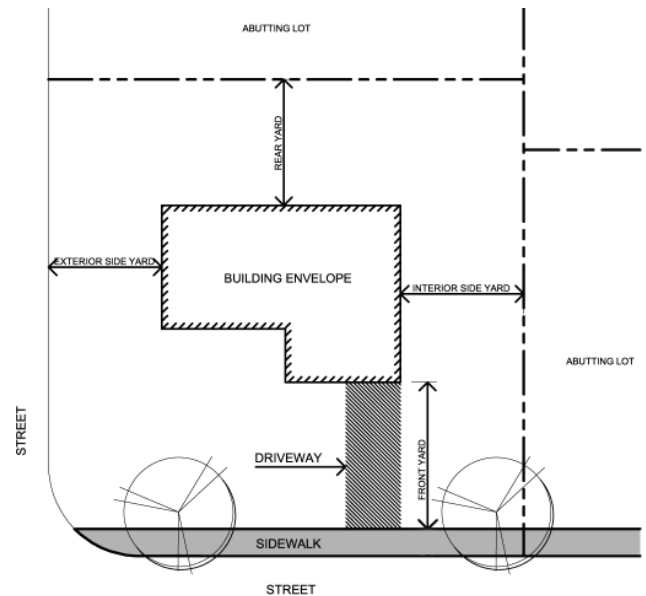
Illustration of Site Provisions



SINGLE DETACHED DWELLING

LEGEND

-  USABLE LANDSCAPED OPEN SPACE (MIN.)
-  DRIVEWAY
-  BUILD WITHIN AREA
-  PROPERTY LINE



RESIDENTIAL DISTRICT

6.3.2 Additional Provisions - Single Detached Dwelling

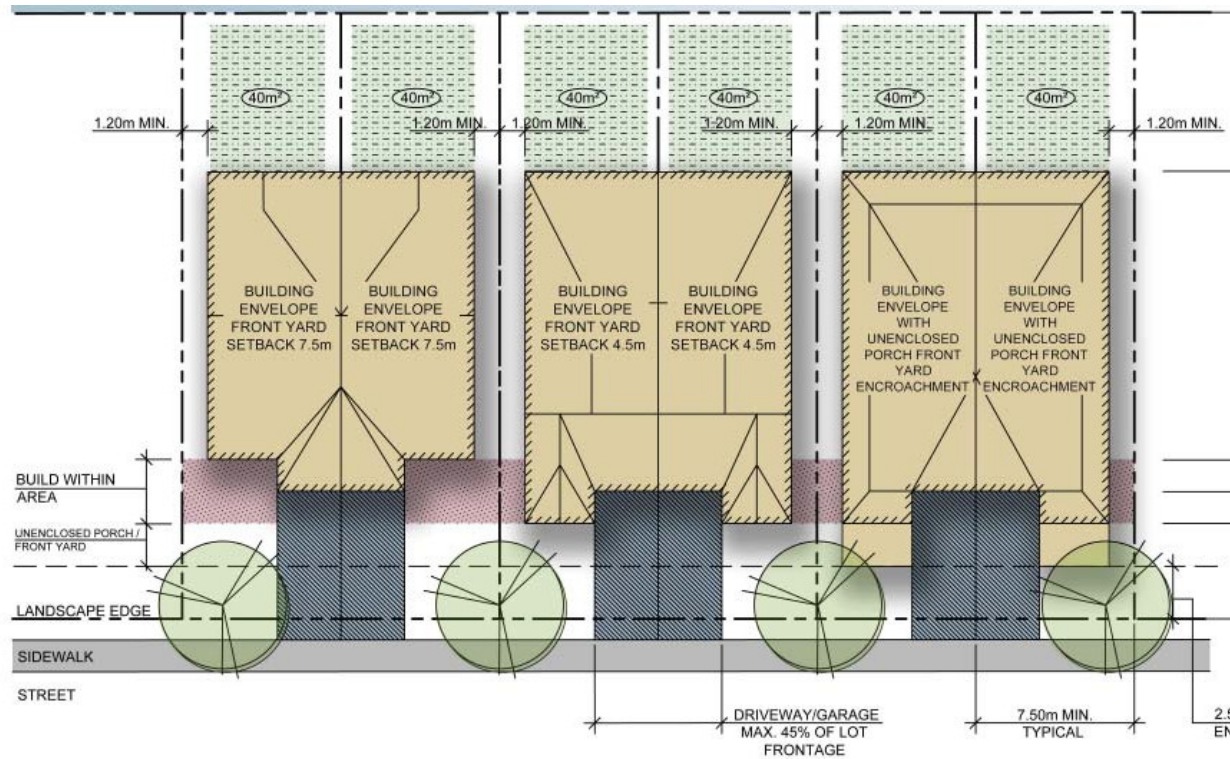
- 1 The interior width of the garage for single detached dwellings shall not exceed 50% of the overall lot frontage.
- 2 The main garage foundation shall be set back a minimum of 6.0 metres (19.6 feet) from the front or exterior side lot line.
- 3 The driveway must not extend further than the exterior wall of the garage and shall be constructed as per Section 3.30.
- 4 At least fifty percent (50%) of the total lot frontage must have soft/green landscape elements such as grass, trees and shrubbery.

6.3.3 Development Standards - Semi-Detached

SITE PROVISIONS	REQUIREMENTS
Lot Area (minimum)	Nil
Lot Coverage (maximum)	60%
Lot Frontage (minimum)	7.5 metres (29.5 feet), per unit
Front Yard Build Within Area	4.5 metres, minimum (14.7 feet) 7.5 metres, maximum (24.6 feet)
Exterior Side Yard Build Within Area	4.5 metres, minimum (14.7 feet) 7.5 metres, maximum (24.6 feet)
Interior Side Yard (minimum) No side yard shall be required along the common property line or common wall	1.2 metres (3.9 feet)
Rear Yard Depth (minimum)	7.5 metres (24.6 feet)
Usable Landscaped Open Space in the rear yard (minimum)	40.0 square metres (430 square feet)
Building Height (maximum)	11.0 metres (36 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)
Parking Spaces	2 spaces per dwelling unit, one of which may be provided within the garage

RESIDENTIAL DISTRICT

Illustration of Site Provisions



SEMI-DETACHED

LEGEND

- USABLE LANDSCAPED OPEN SPACE (MIN.)
- DRIVEWAY
- BUILD WITHIN AREA
- PROPERTY LINE

6.3.4 Additional Provisions - Semi-Detached Dwelling

1. The interior width of the garage for semi-detached dwellings shall not exceed 50% of the overall lot frontage.
2. 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.
3. The driveway must not extend further than the exterior wall of the garage and shall be constructed as per Section 3.30.
4. At least fifty percent (50%) of the total lot frontage must have soft/green landscape elements such as grass, trees and shrubbery.

RESIDENTIAL DISTRICT

6.3.5 Development Standards - Duplex Dwelling

SITE PROVISIONS	REQUIREMENTS
Lot Area (minimum)	Nil
Lot Coverage (maximum)	60%
Lot Frontage (minimum)	15 metres (49.2 feet), per unit
Front Yard Build Within Area	4.5 metres, minimum (14.7 feet) 7.5 metres, maximum (24.6 feet)
Exterior Side Yard Build Within Area	4.5 metres, minimum (14.7 feet) 7.5 metres, maximum (24.6 feet)
Interior Side Yard (minimum)	1.2 metres (3.9 feet)
Rear Yard Depth (minimum)	7.5 metres (24.6 feet)
Usable Landscaped Open Space in the rear yard (minimum)	30.0 square metres (322 square feet) per dwelling unit
Building Height (maximum)	11.0 metres (36 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)
Parking Spaces	2 spaces per dwelling unit, one of which may be provided within the garage

6.3.6 Additional Provisions - Duplex Dwelling

1. The interior width of the garage shall not exceed 45% of the overall lot frontage.
2. 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.
3. The driveway must not extend further than the exterior wall of the garage and shall be constructed as per Section 3.30.
4. At least fifty percent (50%) of the total lot frontage must have soft/green landscape elements such as grass, trees and shrubbery.

RESIDENTIAL DISTRICT

6.3.7 Development Standards - Townhome Dwellings

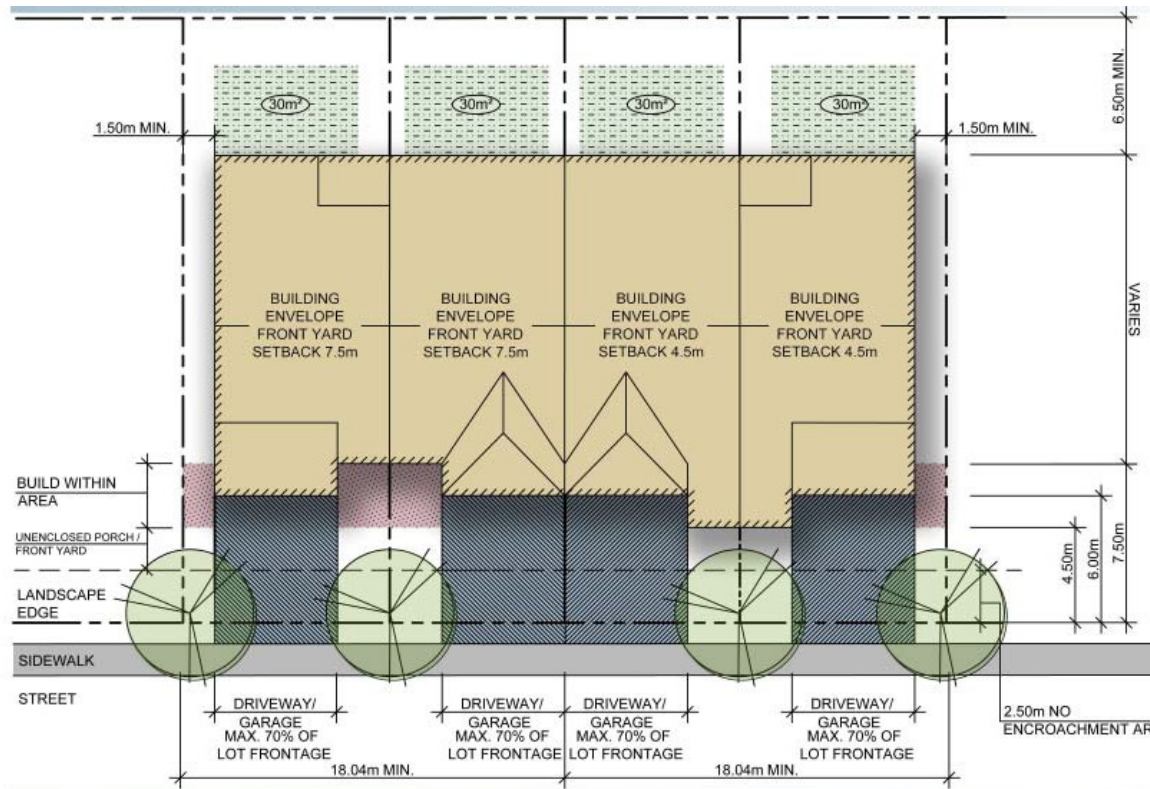
SITE PROVISIONS	REQUIREMENTS
Lot Area (minimum)	Nil
Lot Coverage (maximum)	60%
Lot Frontage (minimum)	5.5 metres (18.04 feet), per unit
Front Yard Build Within Area	4.5 metres, minimum (14.7 feet) 7.5 metres, maximum (24.6 feet)
Exterior Side Yard Build Within	4.5 metres, minimum (14.7 feet) 7.5 metres, maximum (24.6 feet)
Interior Side Yard (minimum) No side yard shall be required along the common property line or common wall	1.5 metres (4.9 feet)
Rear Yard Depth (minimum)	6.5 metres (21.3 feet)
Usable Landscaped Open Space in the rear yard (minimum)	30.0 square metres (538 square feet)
Building Height (maximum)	11.0 metres (36 feet)
Minimum Dwelling Unit Area	83.1 square metres (900 square feet)
No Encroachment Area from front or exterior side lot line	2.5 metres (8.2 feet)
Parking Spaces	2 spaces per dwelling unit, one of which may be provided within the garage

6.3.8 Additional Provisions - Townhome Dwellings

1. The interior width of the garage shall not exceed 70% of the overall lot frontage.
2. 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 and shall be even with or set back from the front of the dwelling.
3. The driveway must not extend further than the exterior wall of the garage and shall be constructed as per Section 3.30.
4. At least twenty-five (25%) of the total front yard of all townhouse units must have soft/green landscape elements such as trees and shrubbery.

RESIDENTIAL DISTRICT

Illustration of Site Provisions



TOWNHOME DWELLINGS

LEGEND

-  USABLE LANDSCAPED OPEN SPACE (MIN.)
-  DRIVEWAY
-  BUILD WITHIN AREA
-  PROPERTY LINE

RESIDENTIAL DISTRICT

6.3.9 Development Standards - Apartment Dwellings

SITE PROVISIONS	REQUIREMENTS
Lot Area (minimum)	Nil
Lot Coverage (maximum)	60%
Lot Frontage (minimum)	35 metres (114 feet)
Front Yard Build Within Area	4.5 metres, minimum (14.7 feet) 7.5 metres, maximum (24.6 feet)
Exterior Side Yard Build Within Area	4.5 metres, minimum (14.7 feet) 7.5 metres, maximum (24.6 feet)
Interior Side Yard (minimum)	3.0 metres (6.5 feet)
Rear Yard Depth (minimum)	7.5 metres (24.6 feet)
Usable Landscaped Open Space in the rear yard (minimum)	20% of the lot area
Building Height (maximum)	14.0 metres (45.9 feet) or four storeys
No Encroachment Area from front or exterior side lot line	2.5 metres (8.2 feet)
Parking Spaces	1.25 spaces per dwelling unit,

6.3.10 Additional Provisions - Apartment Dwellings

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 will not be approved.

All development requires coloured elevation drawings and an Urban Design brief as per provisions outlined in Section 3.15

1. In addition to the parking requirements of Section 3, an additional 0.25 parking space per dwelling unit shall be required, such spaces to be delineated through signage.
2. A maximum of 40% of the lot area may be used for at grade parking.
3. All residential buildings containing more than seven (7.0) dwelling units shall be required to be located on an arterial or collector roadway.

4. 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.
5. All surfaces, other than green space, must be asphalt or other hard surfaced materials as per Section 3.30
6. 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.
7. 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.
8. All telephone and electric service utilities shall be underground in all multi- family developments.
9. 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.
10. Approaches to multi-family dwelling structures and entrance areas shall be provided with trees and attractively shrubbed. Areas not used for buildings, drives and parking space shall be seeded or landscaped and shall be kept in an attractive condition.
11. 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.

RESIDENTIAL DISTRICT

6.3.11 Development Standards – Triplex and Quadplex

SITE PROVISIONS	REQUIREMENTS
Lot Area (minimum)	Nil
Lot Coverage (maximum)	60%
Lot Frontage (minimum)	15 metres (49.2 feet)
Front Yard Build Within Area	4.5 metres, minimum (14.7 feet) 7.5 metres, maximum (24.6 feet)
Exterior Side Yard Build Within Area	4.5 metres, minimum (14.7 feet) 7.5 metres, maximum (24.6 feet)
Interior Side Yard (minimum)	1.2 metres (3.9 feet)
Rear Yard Depth (minimum)	9.0 metres (29.5 feet)
Usable Landscaped Open Space in the rear yard (minimum)	30.0 square metres (322 square feet) per dwelling unit
Building Height (maximum)	14.0 metres (45.9 feet) or four storeys
No Encroachment Area from front or exterior side lot line	2.5 metres (8.2 feet)
Parking Spaces	1.25 spaces per dwelling unit

6.3.12 Additional Provisions - Triplex and Quadraplex

1. Notwithstanding Section 3.30.3, a minimum of 1 visitor parking space shall be required in addition to the spaces required for the individual dwelling units.
2. No parking shall be allowed in either the required front or exterior side yards. Parking areas shall be asphalt or hard surfaced as per Section 3.30.
3. All development proposals shall be subject to a Class 2 Development Permit.
4. Pedestrian walks shall not be less than 1.2m (4.0 feet) in width and shall be provided wherever normal pedestrian traffic will occur. Walkways shall be constructed with hard surfacing materials.
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.

6. Approaches to dwelling structures and entrance areas shall be provided with trees and attractively shrubbed. Areas not used for buildings, drives and parking space shall be seeded or landscaped and shall be kept in an attractive condition.

6.4 Additional Provisions- Discretionary Uses

Bed and Breakfast Establishments may be permitted subject to the following provisions:

1. All proposals are subject to a Class 2 Development Permit approval stream,
2. A full drawing set will be required to be submitted for review and consideration prior to approval,
3. Residential character of the neighbourhood will be maintained,
4. Adequate parking will be provided and screened year-round,
5. Proposed development must meet the provisions, requirements and standards of the single-family designation.

6.5 Additional Provisions - Greenfield Development

1. All permitted uses, development standards and provisions stated in Sections 6.1, 6.2 and 6.3 shall apply as appropriate in new greenfield development.
2. Consistency with the Design Criteria in Section 14 with respect to new residential communities shall be adhered to, and specifically, the criteria respecting the need to provide a balanced mix of housing types and green
3. infrastructure. New development shall include a mix of dwelling types in accordance with the provisions of Section 3.5 of the Official Plan.

6.6 Additional Provisions- Infill Developments

All proposed developments within existing neighbourhoods must demonstrate consistency with Sections 13 and 14 of this By-law by means of an Urban Design Brief and meet all other standards and provisions of the By-law. Proposed multi-residential developments shall consider surrounding built form and minimize impacts to the neighbourhood.

Any land assembly that results in a proposed increased density to the neighbourhood will require a Class 3 Development Permit.

7.0 COMMUNITY COMMERCIAL



The Community Commercial designation applies to small neighborhood scale commercial development intended to serve local needs.

COMMUNITY COMMERCIAL

7.1 PERMITTED USES

Animal Care	Office
Art Gallery	Personal Service Business
Artisan's Studio	Propane Refilling Outlet
Bank	Restaurant
Convenience Store	Retail Store
Dry Cleaning or Laundry Outlet	Studio
Gas Bar	Veterinary Establishment
Laundry Service	

7.2 DISCRETIONARY USES

Automobile Service Station	
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7.3 DEVELOPMENT STANDARDS

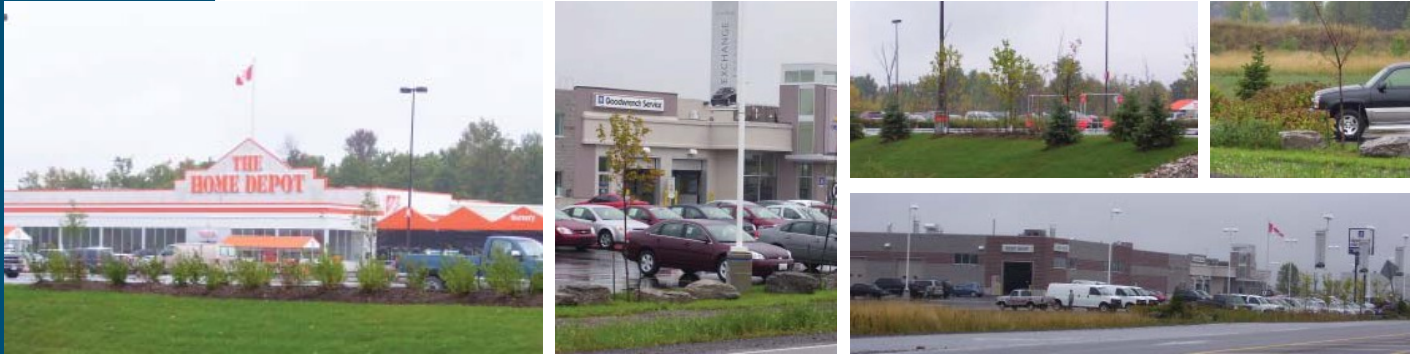
SITE PROVISIONS	REQUIREMENTS
Lot Area (minimum)	Nil
Lot Coverage (maximum)	60%
Lot Frontage (minimum)	15 metres (49.2 feet)
Front Yard Build Within Area	4.5 metres, minimum (14.7 feet) 7.5 metres, maximum (24.6 feet)
Exterior Side Yard Build Within Area	4.5 metres, minimum (14.7 feet) 7.5 metres, maximum (24.6 feet)
Interior Side Yard (minimum)	3.0 metres (6.5 feet) where lot abuts residential use 1.0 metre (3.2 feet) where lot abuts any other designation
Rear Yard Depth (minimum)	9 metres (29.5 feet)
Usable Landscaped Open Space in the rear yard (minimum)	20% of the lot area
Building Height (maximum)	11 metres (36 feet)
No Encroachment Area from front or exterior side lot line	2.5 metres (8.2 feet)
Parking Spaces	As per Section 3.0

COMMUNITY COMMERCIAL

7.4 ADDITIONAL PROVISIONS

1. Uses are limited to a maximum of 2,000 square meters (21,528 square feet).
2. No outside storage is permitted.
3. All discretionary uses are required to submit a full drawing set as determined by the Director of Development Services and subject to a Class 2 Development permit approval stream.
4. Parking areas are to be screened and a minimum of 1.5 metres (4.9 feet) of open landscaped space shall be provided between the street and the parking area.

8.0 HIGHWAY DISTRICT



The Highway District designation is intended to guide the on-going development of regional scale commercial retail facilities located along Highway 7, McNeely Avenue, and Captain A. Roy Brown.

HIGHWAY DISTRICT

8.1 PERMITTED USES

Animal Care	Gas Bar
Automotive Body Shop	Laundromat
Automotive Rental Establishment	Hotel / Motel
Automotive Repair Garage	Night Club / Bar / Pub
Automotive Sales and Service	Office
Automotive Service Station	Personal Service Business
Automotive Washing Establishment	Propane and/or Natural Gas Transfer Facility
Bank	Propane Refilling Outlet
Building Supply Store	School, Private
Commercial Sports and Recreational Establishment	Restaurant
Commercial Storage	Retail Store
Dry Cleaning or Laundry Outlet	Service or Repair Establishment
Equipment Rental Establishment	Theatre, Cinema

8.2 DISCRETIONARY USES

Building Contractor's Shop	Recreational Vehicle Sales and Storage
Farm Implement Sales and Service	

8.3 DEVELOPMENT STANDARDS

SITE PROVISIONS	REQUIREMENTS
Lot Area (minimum)	Nil
Lot Coverage (maximum)	60%
Lot Frontage (minimum)	15.0 metres (49.2 feet)
Front Yard	6.0 metres (19.6 feet)
Exterior Side Yard	6.0 metres (19.6 feet)
Interior Side Yard (minimum)	3.0 metres (6.5 feet) where lot abuts residential use 1.2 metre (3.9 feet) where lot abuts any other designation
Rear Yard Depth (minimum)	6.0 metres (29.5 feet)
Building Height (maximum)	11.0 metres (36 feet)
Landscape Strip	3.0 metres (9.8 feet)
Parking Spaces	As per Section 3.0

HIGHWAY DISTRICT

8.4 ADDITIONAL PROVISIONS

1. All discretionary uses are required to submit a full drawing set as determined by the Director of Development Services and subject to a Class 2 Development Permit approval stream.
2. Landscaping shall be provided along all front, side and rear yards. Five metres (16.4 feet) of landscaped open space shall be provided along all arterial and collector roadways. In addition, 1.5 metres (4.9 feet) of landscaped open space shall be provided between abutting and similar land uses.

9.0 INSTITUTIONAL



The Institutional designation applies primarily to public uses intended to serve the needs of the Town's residents and visitors.

INSTITUTIONAL

9.1 PERMITTED USES

Community Health and Services	Museum
Daycare Facilities	Municipal Office
Emergency Service	Nursing Home
Fire Hall	Place of Worship
Home for the Aged	Police Station
Hospital	Residential Care Facility
Library	Retirement Home
Long Term Care Facility	School

9.2 DEVELOPMENT STANDARDS

SITE PROVISIONS	REQUIREMENTS
Lot Area (minimum)	Nil
Lot Coverage (maximum)	35%
Lot Frontage (minimum)	15.0 metres (49.2 feet)
Front Yard Build Within Area	4.5 metres, minimum (14.7 feet) 7.5 metres, maximum (24.6 feet)
Exterior Side Yard Build Within Area	4.5 metres (minimum) 7.5 metres (maximum)
Interior Side Yard (minimum)	3.0 metres (6.5 feet) where lot abuts residential use 1.2 metre (3.9 feet) where lot abuts any other designation
Rear Yard Depth (minimum)	9.0 metres (29.5 feet)
Building Height (maximum)	22.0 metres (72 feet)
No Encroachment Area from front or exterior side lot line	4.5 metres
Parking Spaces	As per Section 3.0

9.3 ADDITIONAL PROVISIONS

All development shall be subject to the design criteria objectives outlined in Sections 13 and 14.

10.0 NATURAL ENVIRONMENT DISTRICT



The Natural Environment District includes elements of natural heritage which need to be protected and conserved for the sake of sustainability and for the enjoyment of local residents and visitors.

NATURAL ENVIRONMENT DISTRICT

10.1 PERMITTED USES

Building and/or structures intended for flood or erosion control or slope stabilization	Forestry conducted in accordance with good forestry and arboricultural practices
Conservation Uses	Passive Recreation Uses
	Recreational Trails

10.2 DISCRETIONARY USES

Docking Facilities	Structures intended to facilitate passive recreational uses such as boardwalks
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10.3 DEVELOPMENT STANDARDS

Not Applicable

10.4 ADDITIONAL PROVISIONS

1. All discretionary uses are required to submit a full drawing set as determined by the Director of Development Services and are subject to a Class 3 Development Permit approval stream including an Environmental Impact Statement.

11.0 PARKS AND OPEN SPACE



The Parks and Open Space designation provides the regulatory framework for active and passive components of the Town's recreation facilities.

11.1 PERMITTED USES

Cemetery	Marine Facility
Conservation	Public Park
Forestry	Recreational Facility
Marina	Recreational Pathways

11.2 DISCRETIONARY USES

Golf Course	Outdoor Recreational Facility
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11.3 DEVELOPMENT STANDARDS

SITE PROVISIONS	REQUIREMENTS
Lot Area (minimum)	Nil
Lot Coverage (maximum)	20%
Lot Frontage (minimum)	Nil
Front Yard Depth (minimum)	6.0 metres (19.6 feet)
Exterior Side Yard (minimum)	6.0 metres (19.6 feet)
Interior Side Yard (minimum)	6.0 metres (19.6 feet)
Rear Yard Depth (minimum)	8.0 metres (26.2 feet)
Landscaped Open Space (minimum)	10%
Parking Spaces	As per Section 3.0

11.4 ADDITIONAL PROVISIONS

All discretionary uses are required to submit a full drawing set as determined by the Director of Development Services and subject to a Class 2 Development Permit approval stream.

12.0 ENVIRONMENTAL CONSTRAINTS



The Environmental Constraints designation applies to those areas of the Town where development could be hazardous to life and property or alternatively could result in negative environmental impacts.

12.1 PERMITTED USES

Existing Uses	Uses permitted in the underlying designation on lands identified as Flood Fringe as shown in the Official Plan Schedule A
All Buildings and Structures in Existence on the Day of the passing of this By-law	Buildings or Structures intended for Flood or Erosion Control or Slope Stabilization
Conservation Use	Forestry Use

12.2 DISCRETIONARY USES

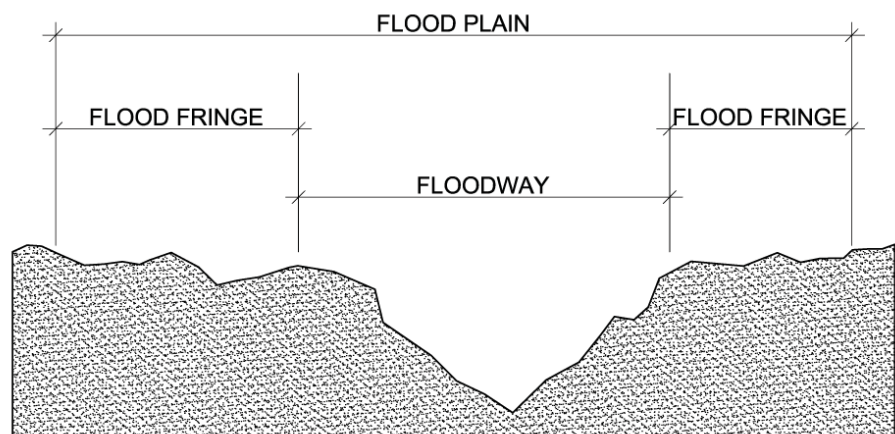
Recreational Pathways	
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12.3 DEVELOPMENT STANDARDS

Not Applicable

12.4 ADDITIONAL PROVISIONS

1. All discretionary uses are required to submit a full set of drawings as determined by the Director of Development Services and subject to a Class 2 Development permit approval stream.
2. Any new building or structure or any expansion of, or addition to, any buildings or structures permitted in the flood plain after the day of the passing of this By-law must incorporate appropriate engineered construction techniques which reduce or eliminate the risks of flood damage or damage from unstable slopes. The specific approval of the Mississippi Valley Conservation Authority must be obtained prior to the issuance of a building permit.



3. Modification of the flood plain through filling, excavation or by other means is prohibited unless otherwise permitted by Mississippi Valley Conservation Authority and the Ministry of Natural Resources.
4. All land under water is within the Environmental Constraint – EC designation and uses of such land shall be limited to only those specifically approved by the Ministry of Natural Resources and Mississippi Valley Conservation Authority.
5. An existing habitable building located in the Environmental Constraint designation may be reconstructed or enlarged subject to the following conditions;
 - a. The reconstructed building or addition must be constructed in accordance with Mississippi Valley Conservation Authority's Regulation Policies and relevant floodproofing requirements.
 - b. The addition must meet all setback provisions of this By-law, including the 30 metre (98.4 feet) from the watercourse or waterbody;
 - c. Prior to approval of the Development Permit the applicant will be required to submit documented approval from all other applicable agencies.
 - d. Any new building or structure or any expansion of; or addition to, any buildings or structure;, or any site alteration, within and adjacent to a steep slope (i.e. greater than 3 metres (9.8 feet) in height and a 5:1 (horizontal:vertical) ratio) may be subject to Ontario Regulation 153/06. The Mississippi Valley Conservation Authority shall be consulted to determine if a permit is required and to ensure that development proceeds in a safe manner.

13.0 BUILT FORM INVENTORY

This section of the bylaw has not been consolidated into an AODA compliant document. Copies of this section of the policy can be provided upon request by contacting the Town of Carleton Place.

14.0 BUILT FORM DESIGN CRITERIA

This section of the bylaw has not been consolidated into an AODA compliant document. Copies of this section of the policy can be provided upon request by contacting the Town of Carleton Place.

15.0 DEFINITIONS

For the purposes of this By-law, the definitions and interpretations given in this section shall govern. In this By-law, the word “shall” is mandatory and not directory; words in the singular include the plural, words in the plural include the singular; the word “used” includes “arranged”, “designed” or “intended to be used”. The word “occupied” shall include “designed to be occupied” and “arranged to be occupied”.

Abutting Means two or more parcels of land sharing a common boundary of at least one point.

Accessory See Uses, Accessory

Adult Entertainment Establishment Any premises or part thereof in which is provided, in pursuance of a trade, calling, business or occupation, goods or services appealing to or designed to appeal to erotic or sexual appetites or inclinations.

Adverse Impacts Means one or more of the following:

1. Impairment of the quality of the natural environment for any use that can be made of it;
2. Injury or damage to property or plant and animal life;
3. Harm or material discomfort to any person;
4. An adverse effect on the health of any person;
5. Impairment of the safety of any person;
6. Rendering any property or plant or animal life unfit for use by humans;
7. Loss of enjoyment of normal use of property; and
8. Interference with normal conduct of business.

Aisle Means a portion of a parking lot which abuts one or more off-street parking spaces to which it provides access and which is not used for the parking vehicles.

Alter Means:

1. To change any one or more of the external dimensions of such building or structure; or
2. To change the type of construction of the exterior walls or roof of such building or structures; or
3. To change the use of such building or structure or the number or types of uses or dwelling units contained therein.

When used in reference to a lot means:

1. To change the boundary of such lot with respect to a street or lane; or
2. To change the grade and drainage pattern of such lot; or
3. To change the use of such lot or the number of uses located thereon.

When used in reference to a shoreline:

1. Means to change, straighten, divert or interfere in any way with the channel of any watercourse.

Animal Care Means a building or part of a building used to provide grooming services for dogs and cats.

Area See Lot, Area

Art Gallery Means the use of land, buildings or structures for the commercial exhibition or retail sale of paintings, sculptures or other works of art or hand-made crafts.

Artisan's Studio Means the use of land, buildings or structures for the creation, finishing, refinishing or similar production of paintings, sculptures or other works of arts or hand-made crafts by the proprietor, together with the sale of such commodities, but does not include any use otherwise defined in this By-law.

Attached Means a building otherwise complete in itself, which depends for structural support, or complete enclosure, upon a division wall or walls shared in common with an adjacent building or buildings.

Attic Means that portion of a building immediately below the roof and wholly or partly within the roof framing and which is not a one-half storey.

Auction House Means premises used for the storage and/or display of goods or materials which are to be sold on the premises by auction.

Auditorium Means a building, structure or part thereof where facilities are provided for athletic, civic, educational, political, religious, or social events. This definition may include an assembly hall, arena, community centre, gymnasium, stadium, theatre or similar use.

Automotive Body Shop Means a building with a service bay, where painting, refinishing, restoration or repairs to the coachwork of motor vehicles are performed, but shall not include an automobile wrecking yard or salvage yard.

Automotive Rental Establishment Means a parking space or parking lot and/or a building or part thereof where motor vehicles are rented or kept or used for rental purposes.

Automotive Repair Garage Means a building used for the storage repair and servicing of motor vehicles, having at least one (1) service bay where repairs essential to the actual operation of a motor vehicle are performed.

Automotive Sales and Service Establishment Means a building and/or lot used principally for the display and sale of new and/ or used motor vehicles and may include the servicing, repair, cleaning of motor vehicles, the sale of automotive accessories and related products and the leasing or renting of motor vehicles, but shall not include any other defined automotive uses.

Automobile Service Station Means a building where gasoline, propane, diesel fuel or oil is kept for sale and where only minor or emergency repairs essential to the actual operation of motor vehicles may also be performed, and where grease, anti-freeze, tires, spark plugs and other automobile accessories may be sold incidentally, and where motor vehicles may also be oiled, greased, or washed, but where no other activities of an automotive repair garage are carried on.

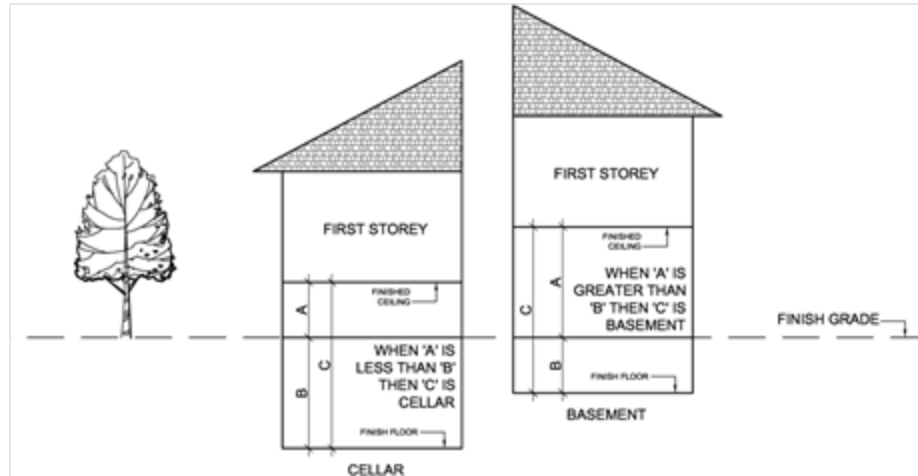
Automotive Washing Establishment Means a building or portion thereof used for washing or cleaning of motor vehicles for gain.

Bachelor Suite Means a self-contained unit in an apartment building, consisting of a bed/sitting room combination, a kitchen, a bathroom and spaces normally accessory thereto.

Bakery Means a factory for providing, producing, mixing, compounding or baking bread, biscuits, ice cream cones, cakes, pies, buns, or any other bakery product of which flour or meal is the principal ingredient, but does not include a restaurant or other premises where any such product is made for consumption on the premises or a bake shop.

Bank Means a chartered bank, finance company office, co-op, trust company, loan company or similar establishment.

Basement Means that portion of a building between two floor levels which is partly underground but which has at least one-half of its height from finished floor to finished ceiling above adjacent finished grade.



Bed and Breakfast Establishment Means a single detached dwelling in which not more than 4 guest rooms each having a minimum floor area of 11 square metres, which are used to accommodate the traveling or vacationing public for gain or profit, and may include the provision of meals to the guest room occupants only.

Bingo Hall Means a building or premise or part thereof used for bingo or a bingo event and is duly registered under the Gaming Control Act and is in compliance with municipal By-laws and approvals.

Boarding or Rooming House Means a dwelling or portion thereof containing rooms in which the proprietor supplies for gain, lodging with or without meals, but does not include a bed and breakfast establishment, a hotel, a hospital, children's home, home for the aged, or other establishment otherwise classified or defined in this By-law.

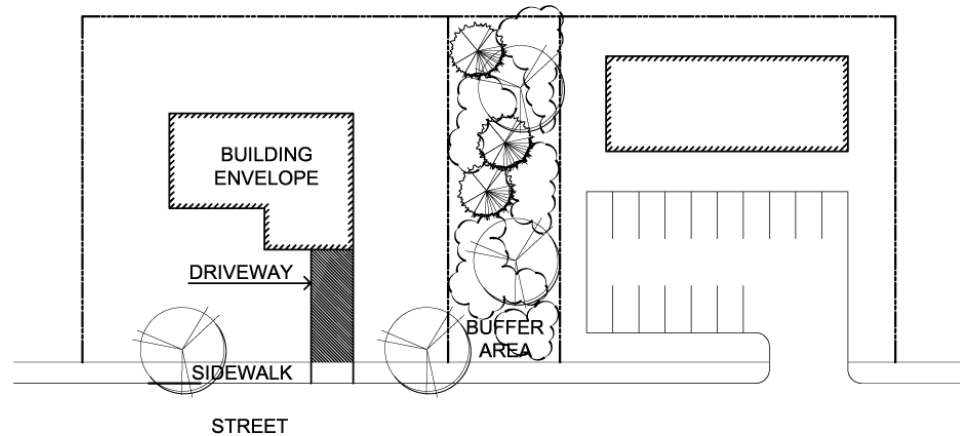
Boat House Means an accessory building used for the purpose of berthing or sheltering and storing boats and related equipment that is enclosed by more than one wall and is built, founded or anchored near or at the ordinary water's edge of a navigable waterway either over water or on the land.

Boat Port Means an accessory building used for the purpose of berthing, or sheltering and storing boats that is roofed, but not enclosed by more than one wall and is built, founded or anchored near or at the ordinary water's edge of a navigable waterway.

Brew Pub Means a building or premise used for the purpose of brewing beer and may include a restaurant and retail use as accessory to the primary use.

Buffer Means a portion of a lot where vegetation is substantially maintained in its natural state or vegetation is planted, or a fence or barrier

is erected for the purpose of obscuring or screening buildings, structures, parking or activity on a lot.



Buffer, Shoreline Means a natural area, adjacent to a shoreline, maintained in its natural predevelopment state for the purpose of protecting natural habitat and minimizing the visual impact of buildings and structures on a lot.

Build Within Area Means an area established between the minimum and maximum horizontal distance separation from a front lot line and/or an exterior side lot line where the main front wall, and or the exterior side wall of a building, shall be constructed.

Building Means any structure used or intended for sheltering any use or occupancy. The word “building” shall include the whole of such structure or part hereof and shall include any building types as regulated by the Ontario Building Code Act.

Building Accessory Means subordinate detached building or structure designed or intended for the better or more convenient enjoyment of the main building, to which it is accessory and which is located on the same lot therewith. An accessory building shall be uninhabitable unless otherwise specifically permitted.

Building Area Means the maximum projected horizontal area of a building at established grade measured to the centre of party walls and to the outside of other walls including air wells, and all other spaces within the building, but excluding open air porches, verandas, steps, cornices, chimney breasts, fire escapes, exterior stairways, breezeways, accessory buildings, ramps and pen loading platforms, balconies and garages.

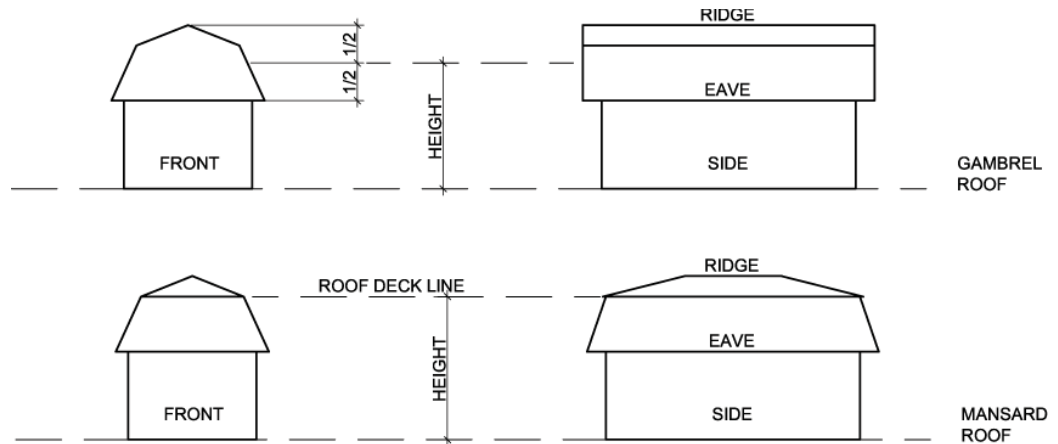
Building By-law Means any By-law of the Corporation passed pursuant to the Building Code Act.

Building Contractor's Shop Means a place of business for persons employed in building trades such as painting, plumbing, electrical work, masonry, metal working and carpentry, or truck, bulldozer, loader and backhoe operating. Such place of business may be used for the storage of equipment, materials and vehicles which are used on construction sites and may include such related uses as office space or maintenance facilities, but shall not include a retail business sales counter nor a wholesale business.

Building Envelope The three dimensional space within which a structure is permitted to be built on a lot as defined by the other standards of this By-law including height, yards and building coverage.

Building Height Means the vertical distance measured between the average finished grade at the base of the building;





The highest point of the roof surface or parapet wall in the case of a flat roof, whichever is the highest, or at all other types of roofs; the mean height level between the base of the roof and the highest point of any other type of roof.

Building Inspector Means an officer or employee of the Corporation charged with the duty of enforcing the provisions of the Building Code Act.

Building Line Means a line within a lot drawn parallel to a lot line establishing the minimum distance between that lot line and any portion of a building or structure which may be erected.

Building, Main Means a building in which is conducted the principle uses of the lot on which it is situated.

Building Separation Means the least horizontal distance permitted between the nearest portions of the walls of any buildings on a lot.

Building Supply Store Means a building where building supplies such as lumber, millwork, siding, roofing, plumbing, electrical, heating, air conditioning, home improvement and similar goods are stored, displayed, or kept for retail sale. This definition shall not include a salvage yard.

Building, Temporary Means a building or structure intended for removal or demolition within a prescribed time not exceeding six months or as set out in a building permit.

Bulk Storage Means the use of land, structures and/or buildings for the purpose of storing and selling coal, fuel oil, chemicals and similar items, but does not include any manufacturing, assembling or processing uses.

Business Office Means a building or part of a building where one or more persons are employed in administering, directing, managing or conducting the affairs of a private enterprise. This definition shall not include any manufacturing operation or any premises used for the repairing equipment, goods, materials or vehicles.

Campground Means an area of land, managed as a unit, providing short term accommodation for tents, recreational vehicles or campers for a set fee but shall not include mobile homes, park model trailers or a mobile home park.

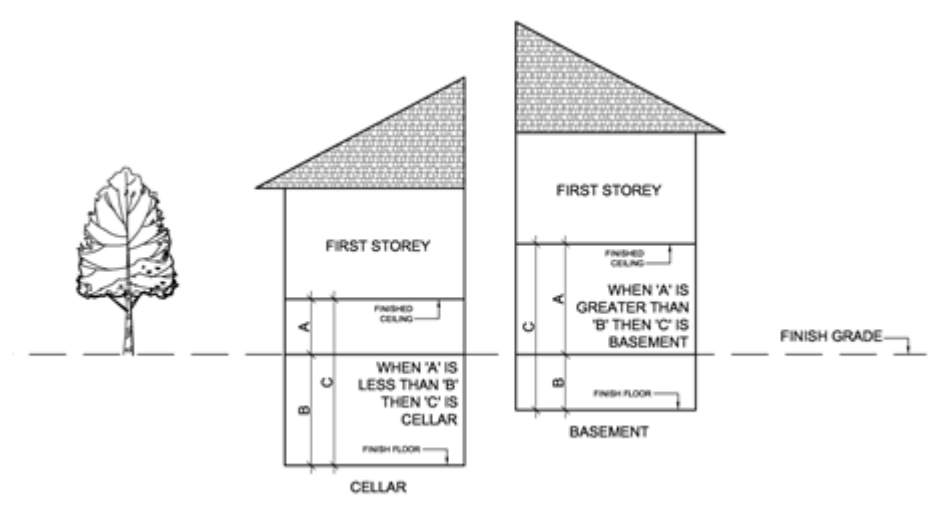
Canopy Means a roof free of enclosing walls over an entrance to a building, structure or gasoline pump island.

Car Port Means a structure open on at least two sides and intended to be used for the sheltering of one or more motor vehicles.

Where a roofed enclosure used for the storage or parking of motor vehicles has more than 60 per cent of the total perimeter enclosed by walls, doors or windows, the enclosure shall be considered a garage.

Catering Establishment Means an establishment in which meals and beverages are prepared to be served for consumption off the premises.

Cellar Means that portion of a building between two floor levels which is partly or wholly underground but which has more than one-half of its height from finished floor to finished ceiling below the finished grade.



Cemetery Means a cemetery within the meaning and as regulated by the Cemeteries Act.

Chief Building Official Means an officer or employee of the Corporation of the Town of Carleton Place charged with the duty of enforcing the provisions of the Building Code Act.

Clinic, Medical Means a building used solely for the purpose of consultations, diagnosis and treatment of patients, by one (1) or more legally qualified physicians, dentists, optometrists, chiropractors, chiropractors or drugless practitioners, together with their qualified assistants and without limiting the generality of the foregoing, the building may include administrative offices, waiting rooms, laboratories, pharmacies or dispensaries directly associated with the clinic, but shall not include accommodation for in-patient care or operating rooms for major surgery.

Commercial Greenhouse Means a building used for the growing of flowers, vegetables, shrubs, trees, and other vegetation for wholesale or retail sale. This definition shall not include any premises for the growing of mushrooms.

Commercial Sports and Recreational Establishment Means an establishment, premises, or building where any recreational, social or cultural uses are operated commercially for profit such as arenas, health clubs, golf courses, open or enclosed skating or curling rinks, open or enclosed pools, open or enclosed badminton or tennis courts, squash courts, bowling alleys, gymnasium, band shell or open theatre, and other similar uses but does not include a casino or bingo hall.

Commercial Storage Means a building or structure in which more than one storage unit is rented and used for the temporary storage of household items, vehicles and/or commercial goods and materials, but does not include any business operation or use associated with the storage. Each unit is physically separated from other units within the building and has its own entrance.

Commercial Vehicle Means a motor vehicle used for commercial trade or government services and without limiting the foregoing includes delivery vehicles, emergency vehicles, motor buses, farm tractors, tractors and tractor trailers and single or multiple axle trucks.

Committee Members of Council assigned to permanent position to deal with planning, land use and development matters.

Communications Facility Means a building used for the transmission of communication signals.

Community Centre Any tract of land or building or buildings or any part of any buildings used for community activities whether used for commercial purposes or not, the control of which is vested in the Municipality, a local board or agent thereof.

Community Health and Service Means the use of building for the provision of social services, health promotion or counselling services.

Conservation Means the use of land for the protection of the natural environment through maintenance or comprehensive management for individual or public use or benefit.

Convenience Store Mean a building or part of a building used primarily for the sale of grocery and confectionery items and incidentally for the sale of such other merchandise as is required to fulfill the day-to-day needs of a surrounding community.

Corporation Means the Corporation of the Town of Carleton Place.

Council Means the Council of the Town of Carleton Place.

County Means the Corporation of the County of Lanark.

Coverage Means the percentage of lot area covered by all buildings.

Custom Workshop Means the use of a building or part of a building for the production or finishing of custom or hand-made commodities in small quantities. Without limiting the generality of the foregoing, a custom workshop includes upholstering, refinishing of antiques or furniture, drapes, Venetian blinds, handmade leather goods, orthopedic and prosthetic appliances, weaving, awnings and where other non-offensive, non-dangerous custom production is carried out but does not include any use otherwise defined in this By-law.

Custom Workshop, Health Related Means the use of a building or part of a building for the production or finishing of custom or hand-made goods that only includes the production of orthopedic, prosthetic appliances and other health related or supportive goods.

Daycare Facilities Means a place wherein the temporary care of children is provided, which is operated as an accessory use within a residential dwelling unit and is not required to be licensed by the Province but shall comply with the applicable provisions of the Day Nursery Act or;

Means a place wherein the temporary care of children is provided in facilities and by staff licensed by the Province of Ontario and operated in accordance with the provisions of the Day Nursery Act.

Deck Means a structure abutting a dwelling or building with no roof or walls except for visual partitions and railings which is constructed on piers or a foundation above-grade for use as an outdoor living area.

Dense Non-Aqueous Phase Liquids (DNAPLs) Means chemical compounds that are denser than water and do not dissolve readily in water. These include: Dioxane – 1 and 4, n Polycyclic Aromatic Hydrocarbons (PAHs), Tetrachloroethylene (PCE or PERC), Trichloroethylene (TCE) and Vinyl Chloride.

Density Means the maximum number of dwelling units allowed by this By-law based on lot area. A fraction of one-half or more in value shall be counted as one dwelling unit.

Detached When used in reference to a building, means a building which is not dependent on any other building for structural support or enclosure.

Development The construction, erection or placing of one or more buildings or structures on land or,

The making of an addition or alteration to a building or structure that has the effect of substantially increasing its size or usability or,

The laying out and establishment of;

1. a commercial parking lot
2. site for the location of three or more mobile homes as defined in subsection 46(1) of the Act,
3. site for the construction, erection or location of three or more land lease community homes as defined in subsection 46 (1) of the Act, or

The removal of vegetation.

Discretionary Uses See Use, Discretionary

Distribution Centre Means a building for the temporary storage of goods, except storage of dangerous goods, for the purpose of sorting, transportation and distribution of goods off-site.”

Docking Facilities Means an accessory structure used for the mooring of marine vessels.

Drainage Means the movement of water, whether by way of the natural characteristics of the ground surface or by an artificial method.

Driveway Means a vehicular access connected to only one public street or thoroughfare and which provides ingress to and/or egress.

Dry Cleaning or Laundry Outlet Means a building or part thereof used for receiving articles to be cleaned off premises.

Dry Cleaning or Laundry Plant Means a building or part of a building where dry cleaning, dry dyeing, cleaning or pressing of articles or goods of fabric may be performed.

Dwelling Means a detached building occupied or capable of being occupied as the home or residence by one or more persons, where food preparation and sanitary facilities are provided and shall include a modular home but shall not include a trailer or motor home.

Dwelling – Apartment Means the whole of a building that contains five (5) or more dwelling units, which units are served by individual entrances from street level or by a common corridor and occupants of which units have the right to use in common one or more of the following: corridors, stairs or yards. It does not include a triplex, quadplex, a group of townhomes or a pair of group of semi-detached, duplex or triplex dwellings, nor any other dwelling otherwise defined herein.

Dwelling – Converted Converted Dwelling means a residential use building that has been altered, but not demolished and replaced, to increase the number of principal dwelling units to four or more.

Dwelling – Duplex Means a building divided horizontally into two (2) dwelling units, each of which has an independent entrance wither directly from the outside or through a common vestibule.

Dwelling - Mobile Home Means any dwelling that is designed and constructed in compliance with CSA Z 240 to be made mobile, and constructed or manufactured to provide a permanent residence for one or more persons, but does not include a travel trailer or tent trailer or trailer otherwise designed.

Dwelling - Park Model Trailer Means a manufactured building designed and constructed in conformance with CAN/CSA –Z241 Series M “Park Model Trailer, as set out in the Building Code, and is used or intended to be used as a dwelling or seasonal dwelling.

Dwelling – Quadplex Means a dwelling that is divided vertically by common party walls into four separate dwelling units, each of which has two common party walls.

Dwelling – Semi-detached Means a building on a single foundation divided vertically into two (2) separate dwelling units by a common wall.

Dwelling – Senior’s Residential Means a multi-residential building that provides dwelling units primarily for the use of the elderly.

Dwelling – Townhouse Means a building that is divided vertically into three or more dwelling units, but not more than eight, attached by common walls extending from the base of the foundation to the roof line, each dwelling unit having a separate entrance.

Dwelling – Triplex Means a building that is divided horizontally into three separate dwelling units each of which has an independent entrance whether directly or through a common vestibule.

Dwelling Unit Means a building occupied or capable of being occupied as the home or residence of one or more persons, where food preparation and sanitary facilities are provided, but shall not include a boarding house, hotel, motel, rental cottage or cabin or similar commercial use of a private or semi-private institution.

Dwelling Unit – Accessory Means a dwelling unit which is part of, and accessory to, a permitted non-residential building other than an automobile service station or commercial garage.

Easement Means the legal right acquired by contract to pass over, along, upon or under the lands of another.

Emergency Services Means the use of a building or parts of a building for the provision of civil services such as ambulance, fire or police.

Equipment Rental Establishment Means a building or part of a building wherein the primary use is the rental of machinery, equipment, furniture, fixtures and other goods, of a size and type which would be used for home improvement, household purposes, agricultural, business, and industrial or similar on-household oriented rental functions.

Erect Means to build, construct, reconstruct, alter or relocate and without limiting the generality of the foregoing shall be taken to include any preliminary physical operation such as excavating, grading, piling, cribbing, filling or draining, structurally altering any existing building or

structure by an addition, deletion, enlargement or extension. Any work for the doing of which a building permit is required under the Ontario Building Code Act.

Established Building Line Means the average setback from the street line of existing buildings on one side of a continuous 100 metres (324 feet) strip of land where three (3) or more of the lots having street frontage upon the said side of the street have been built upon and can also be referred to as median setback.

Established Grade Means the average elevation of the finished level of the ground adjoining all of the walls of the building exclusive of any artificial embankments or berms.

Existing Means existing as of the date of the passing of this By-law

Existing Vegetation Means the plant materials growing upon any lands prior to the erection, alteration or enlargement of any buildings or structures thereon.

Factory Outlet Means a building or part of a building where products or goods are manufactured or produced on site for wholesale or retail sale or are manufactured off-site for wholesale or retail sale.

Farm Implement Sales and Service Means a building and/or lot where new and/or used farm implements are kept for display, sale and/or rental. Accessory uses may include those normally required for performing maintenance on and repair of farm implements, including service centres, service bays, storage of farm implement parts etc.

Farm Supplies Dealership Means a building wherein farm supplies which may include feed, seed, agriculture chemicals, hardware, farm working apparel etc. may be sold or rented.

Fence Means any barrier or structure constructed of chain link metal, wood, stone, metal, brick or other similar materials or combinations of such materials which is erected for the purpose of screening, safeguarding, retaining or enclosing property or delineating property lines.

Finished Grade The average elevation of the finished surface of the ground a ground level measured on any side of a building or structure.

Fire Hall Means a building or structure used for the purposes of supporting the provision of municipal fire protection services and which can include

sleeping and dining facilities for firefighting personnel, vehicle storage, maintenance and repair facilities and office space.

Flea Market Means a street market composed of a series of individual retailer's booths or tables where sundry items, new or secondhand articles, fresh produce or preserves are offered for sale.

Flood Proofing Means a combination of structural changes and/or adjustments incorporated into the basic design and/or construction or alteration of individual buildings, structures or properties subject to flooding so as to reduce or eliminate flood damages.

Floodline or Flood Elevation Means a line established by a one in one hundred year storm as established by flood plain mapping or by the Mississippi Valley Conservation Authority.

Flood Fringe Means an area established by the Mississippi Valley Conservation Authority that is part of the flood plain but may be developed subject to specific conditions.

Floor Area – Gross Means the total area of each floor measured between the exterior faces of the exterior walls of the building and where there are no walls the total area of a floor within the outer perimeter of the floor.

Floor Area – Net The total floor area, as hereinafter defined, exclusive of any portion of the building or structure below finished grade measured between the exterior faces of the exterior walls which is used for heating, the storage of goods or personal effects, laundry facilities, recreational areas, the storage or parking of motor vehicles, exclusive of any private garage, carport, basement, walkout basement, cellar, porch, verandah or sunroom unless such sunroom is habitable during all seasons of the year.

Footprint Means the floor area of a building or structure, measured at grade on a horizontal plane, to the outside edge of walls, or posts in the case of an unenclosed structure, and includes the furthest extent of a deck or a dock.

Forestry Means the activity of creating, managing, using, conserving and repairing forests and associated resources.

Fuel Depot Means land, building or structures used for the bulk storage, distribution and sale of gasoline, propane, heating oil or motor oil.

Full Drawing Set Means the set of plans that is required by this By-law to review and be submitted with any development proposal.

Funeral Establishment Means a building or part of a building wherein undertaking services are offered and may include subsidiary activities such as the sale of caskets and funeral accessories provided such activities are clearly secondary and incidental to the main undertaking service.

Garage, Attached Means a private garage accessory to a dwelling unit on the same lot and attached thereto by a common wall and/or common roof structure.

Garage, Commercial Means a building where all functions of an automotive service station may take place and where major repairs of motor vehicles are performed. Such repairs may include all mechanical repairs as well as body work but shall not include dismantling of motor vehicles for scrap or the storage of motor vehicles awaiting scrapping.

Garage, Detached Means a private garage accessory to a dwelling on the same lot, but not attached to the dwelling by a common wall and/or common roof structure.

Garage, Municipal Means a building which is used for the storage or servicing or minor repairs of equipment essential to the actual operation of motor vehicles owned and maintained by the Town of Carleton Place, the County of Lanark and any department of the Government of Ontario or Canada.

Garage, Parking Means an enclosed structure used for the temporary parking of more than 4 vehicles available for public use either for free, for compensation or as an accommodation to customers.

Garage, Width Means the width of a private garage measured between the interior faces of the walls of the private garage.

Garden Centre Means an outdoor area primarily used for the retail of gardening equipment, products and planting materials.

Gas Bar Means one or more fuel pumps for the sale of motor fuels and related products for motor vehicles together with the necessary pump islands and kiosk and which may include the sale of associated sundry items and may include a propane refilling station.

Gate House Means a building that provides accommodation for security staff and services.

Gazebo Means an accessory freestanding roofed structure with open or screened walls enclosing a single area used for the purpose of relaxation.

Golf Course Means a public or private area operated for the purpose of playing golf and includes a par 3 golf course, but does not include driving ranges, miniature courses and similar uses.

Golf Course, Miniature Means an area of land, building or structure or premises or part thereof operated for profit or gain as a commercial place of amusement in which facilities are provided to simulate the game of golf or any aspect of the game on a small scale, but does not include a golf driving range.

Golf Driving Range Means an open-air recreation facility where golf is practiced from individual tees and which may include accessory structures for the management and operation of the range, and a miniature golf course, but not a golf course.

Grade Means when used with reference to a building, the average elevation of the finished surface of the ground where it meets the exterior at the base of a building and when used with reference to a structure shall mean the average elevation of the finished surface of the ground immediately surrounding such structure, exclusive in both cases of any artificial embankment, and when used with reference to a street, road or highway means the highest elevation of the street, road or highway by the Corporation or other designated authority.

Greenhouse Means a building and/or structure used for the growing of flowers, vegetables, shrubs, trees and similar vegetation including any part of a building, structure or area used for the sale of garden supplies and landscaping materials which may include seeds, bulbs, tools etc. This definition shall not include any premises for the growing of mushrooms.

Group Home Means a single housekeeping unit in a residential dwelling, which is registered with the Municipality, in which three (3) to ten (10) persons (excluding supervisory or operating staff) live together under responsible supervision consistent with the requirements of its residents for a group living arrangement and which is licensed and/or approved under Provincial Statutes and in compliance with municipal By- laws.

Guest Room Means a room or suite of rooms, which contains no facilities for cooking and which is used or maintained for gain or hire by providing accommodation.

Habitable Room Means a room in a dwelling used or intended to be used primarily for human occupancy.

Hereafter Means after the date of the passing of this By-law.

Herein Means in this By-law, and shall not be limited to any particular section of this By-law.

Heritage Site Means buildings, structures or sites designated under the Ontario Heritage Act.

High Water Mark Means the mark made by the action of water under natural conditions on the shore or bank of a body of water, which action has been so common and usual and so long continued that it has created a difference between the character of the vegetation or soil on one side of the mark and the character of the vegetation or soil on the other side of the mark.

Home for the Aged See Nursing Home or Long Term Care Facility.

Home Occupations Means an occupation or enterprise which is carried out as use accessory to the main residential use of a property and is owned and operated only by a person or persons residing on the property, provided that:

1. The use does not create nor become a public nuisance in particular with regard to noise, traffic, parking or health safety;
2. The use is clearly accessory, secondary, incidental and subordinate to the permitted residential use and compatible with surrounding residential and/or non-residential uses;
3. This definition includes such activities as a craft or instructional studio, an office; professional, administrative and consulting services, computer technology uses, instructional services, distribution sales offices arts and crafts, a personal service business, a day nursery, a bed and breakfast establishment. Home based businesses do not include a clinic, any retail or wholesale store or vending outlet, restaurant establishment, tourist establishment, convalescent home, mortuary, funeral establishment, or any use of a workshop, storage yard, contractor's yard or plant;
4. There is no outdoor storage or display to indicate to persons outside that any part of the property is being used for other than residential uses except for an unlit sign subject to other By-laws of the Corporation;

5. Such home occupation is not an obnoxious trade, business or manufacture.

Hospice Means a facility dedicated to end of life care provided by health care professionals.

Hospital Means a hospital as defined by the Private Hospitals Act or a hospital as defined by the Public Hospitals Act.

Hotel Means a building designed or used for the accommodation of the traveling or vacationing public, containing therein five (5) or more guest rooms served by a common building entrance. Accessory uses may include accommodation for permanent staff and one or more beverage rooms, dining rooms, meeting rooms, or similar uses.

Housekeeping Unit Means a room or a suite of rooms within a tourist establishment that is designed to provide accommodation and is equipped with a kitchen. A housekeeping unit is not a dwelling unit.

Human Habitation Means the use of a building or structure for living, sleeping, eating or for food preparation purposes.

Industrial Mall Means a building divided into a number of self-contained units which are occupied by uses which are permitted uses in an Industrial designation.

Industrial Uses Class I, Light Means a place of business for a small scale, self-contained plant or building which produces, manufactures, assembles or stores a product which is contained in a package and has a low probability of fugitive emissions e.g. noise, odour, dust and vibration. Such industries operate in the daytime only with infrequent movement of products and/or heavy trucks and no outside storage. Examples include: electronics manufacturing and repair, high technology industries, furniture repair and refinishing, beverage bottling, package and crafting services, small scale assemble, auto parts supply.

Industrial Uses Class II, Medium Means a place of business for medium scale process and manufacturing with outdoor storage of wastes or materials (e.g. it has an open process) and where there are periodic or occasional outputs of fugitive emissions e.g. noise, odour, dust and vibration. Shift operations occur and there is frequent movement of products and /or heavy trucks during daytime hours. Examples include dry cleaning services, printing establishments, paint spray booths, welding shops, courier and transport services, heavy vehicle repairs, bulk fuel

storage, raw product storage (aggregates, logs/lumber), warehousing, contractor's yard.

Industrial Uses Class III, Heavy Means a place of business for uses characterized as having emissions such as noise, smoke, odour, fumes, vibrations or extensive outside storage as part of their normal operations. Such uses include sawmills, pulp and paper mills, refineries, smelting operations and similar uses which are intended to be secluded from residential or other sensitive land uses in order to limit potential adverse effects on the environment or the surrounding areas and public health.

Infrastructure Means physical structures that form the foundation for development including sewage and water works, waste management systems, electric power, communications, transit and transportation corridors and facilities, and oil and gas pipelines and associated facilities.

Institution Means land, building, structure or part thereof used by any government agency, organization, group or association, for the promotion of religious, charitable, educational, medical, benevolent objectives or public service.

Kenel Means a building or a structure or part of a building or structure used for the breeding, raising and/or boarding of dogs or cats for personal use or for profit or gain.

Laboratory Means a building or part thereof used for medical or dental testing (blood testing, x-rays, MRI's etc.) and specimen depot and analysis.

Landing Means an area at the top of a flight of stairs or between flights of stairs, which does not exceed the width of the associated stairs by more than 1 ½ times, or a maximum width of 2.5 metres (8.2 feet), whichever is less.

Landscape Strip An open unobstructed space free of buildings or structures which is used for the growing and maintenance of grass, flowers, shrubs or other landscaping.

Landscaped Open Space Means a combination of trees, shrubs, flowers, grass or other horticultural elements, together with decorative stonework, paving screening or other architectural elements, 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; but does not include decks, parking areas, traffic aisles or driveways or ramps for vehicles.

Lane Means a subsidiary thoroughfare providing access from within a lot, principally from parking or loading spaces or from a lot to a public street; or

A subsidiary public thoroughfare for the sole use of pedestrians and connecting public streets, open spaces and/or buildings.

Laundry Service Means a building or structure where coin-operated laundry machines are made available to the public for the purpose of laundry cleansing.

Library Means a public building or structure where books and other audio-visual resources may be read, consulted or borrowed.

Licensed Fuel Facility Means a bulk plant, cardlock/keylock or retail outlet including a marina as defined in Ontario Regulation 217/01 (Liquid Fuels).

Loading Space Means a space or bay locate on a lot or within a building which is used or intended to be used for the temporary parking of any commercial vehicle while loading or unloading goods, merchandise, or materials in connection with the use of the lot or any building thereon, and which has unobstructed access not necessarily in a straight line to a street.

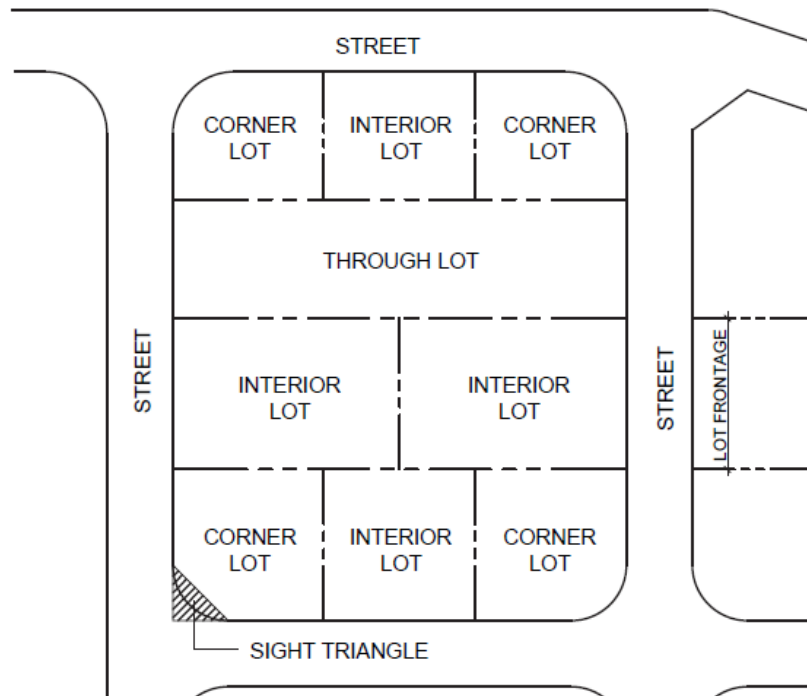
Local Commercial Uses Means uses which provide retail and service commercial uses that serve the daily and weekly requirements and needs of the surrounding residential neighbourhoods.

Long Term Care Facility See Nursing Home

Lot Means a parcel of land;

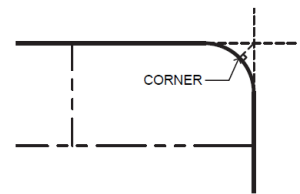
1. The whole of which can be legally conveyed without approval pursuant to the Planning Act, and
2. No part of which can be transferred without such an approval; and
3. Which is not described in a registered condominium description; or
4. Two or more parcels of land which are:
 - a. Deemed to be one lot by this By-law; or
 - b. Required to be transferred together by an agreement made pursuant to the Planning Act; or

5. A parcel of land described as a whole registered description by the Condominium Act, except for a vacant land condominium, in which a unit is considered to be a lot.



Lot Area Means the total horizontal area measured within the limits of the lot lines of the lot.

Lot, Corner Means a lot situated at an intersection of two or more streets, or at the intersection of two parts of the same street which have an interior angle or intersection of not more than one hundred and thirty-five degrees.

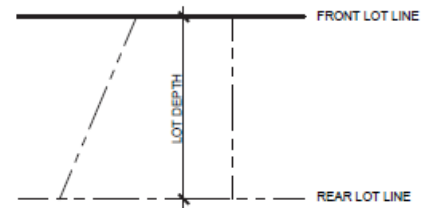


Where such street lines are curved, the angle of intersection of the street lines shall be deemed to be the angle formed by the intersection of the tangents to the street lines, drawn through the extremities of the side lot lines. In the latter case, the corner of the lot shall be deemed to be that point on the street line nearest to the point of intersection of the said tangents.

Lot, Coverage Means the percentage of the lot area covered by the ground floor area of all buildings located on the lot excluding canopies, balconies, overhanging eaves and private open air swimming pools.

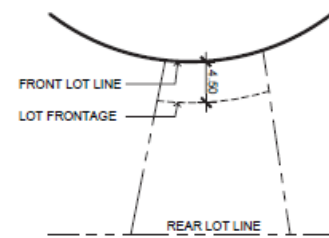
Lot, Depth Means the horizontal distance between the front and rear lot lines.

If the front and rear lot lines are not parallel, "lot depth" means the length of a straight line joining the middle of the front lot line with the middle of the rear lot line.



If there is no rear lot line, "lot depth" means the length of a straight line joining the middle of the front lot line with the apex of the triangle formed by the side lot lines.

Lot, Frontage Means the horizontal distance between the side lot lines measured along the front lot line between the side lot lines. Where such side lot lines are not parallel, it shall be the width of a lot measured between the intersections of the side lot lines with a line 4.5 metres back from and parallel or concentric to the front lot line.



Lot, Interior Means a lot other than a corner or a through lot which has frontage on a public street.

Lot, Irregular Means a lot abutting more than one street, but not otherwise defined herein.

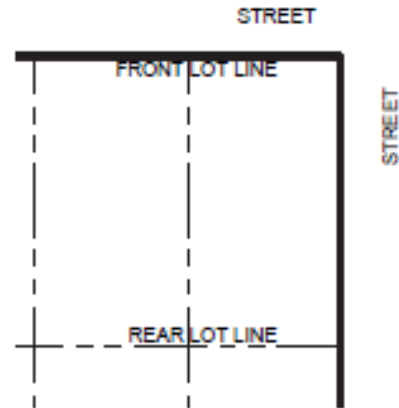
Lot, Line Means a boundary line of a lot.

Lot Line, Exterior Side Means a lot line located between the front and rear lot lines and dividing the lot from a street.

Lot Line, Front Means:

1. In the case of an interior lot, the line dividing the lot from the street.
2. In the case of a corner lot, the shorter lot line abutting a street shall be deemed to be the front lot line.

3. In the case of a corner lot with two street lines of equal lengths, the lot line that abuts the wider street, or abuts a Provincial highway shall be deemed to be the front line, and in the case of both streets being under the same jurisdiction and of the same width, the lot line where the principal access to the lot is provided shall be deemed to be the front lot line.



4. In the case of a lot with frontage on a public street or private road and on a water body, the front lot line shall be measured both on the street line and on the water side.

Lot Line, Rear Means the lot line furthest from, and opposite to, the front lot line, except in the case of a lot with frontage on a waterbody where there is no rear lot line.

Lot Line, Side Means a lot line other than a front, rear or side exterior lot line.

Lot, Through Means a lot having a frontage on two parallel or approximately parallel streets.

Lot, Waterfront Means a lot with one lot line abutting the shoreline of a waterbody.

Lot, Width Means the average horizontal dimension between the two longest opposite sides.

Main Front Wall Means the exterior wall of the building, excluding the front wall of an attached garage, and all structural members essential to the support of a fully enclosed space or roof, that faces the front lot line.

Main Wall Means any exterior wall of a building and all structural members essential to the support of a fully enclosed space or roof exclusive of permitted projections.

Manufacturing Means the use of land, buildings or structures for the purpose of producing, assembling, making, preparing, inspecting, finishing, treating, altering, accessory warehousing or storing of any goods, substance, article or service.

Marina Means a lot, building, structure on a waterfront with or without docking facilities where boats and boat accessories are berthed, constructed, stored, serviced, repaired or kept for sale or rent and where the facilities for the sale of marine fuels, marine equipment, lubricants, bait as well as the sale of foods, provisions or supplies as an accessory use may be provided.

Marine Facility Means a non-commercial building or structure which is used to moor, berth, or store a boat. This definition may include a boat launching ramp, a boat lift, marine railway, dock or boathouse, but does not include any building used for human habitation or a marina. A marine facility shall also include a water intake facility and any flood or erosion control structure.

Median Building Line See Established Building Line

Medical Equipment and Supply Outlet Means a building or structure that provides specialized medical equipment, materials or supplies.

Medical Practitioner Means a doctor, dentist, chiropractor, chiropodist, optometrist, oculist but shall not include a veterinarian.

Minimum Distance Separation Shall mean the “Minimum Distance Separation I and II” of the Ontario Ministry of the Environment and the Ontario Ministry of Agriculture and Food (March 1995 and any subsequent amendments thereto).

Minor Means a variance from any provision of this By-law in respect to the land, building or structure or the use thereof, which is desirable for the appropriate development of the land, building or structure and which maintains the general intent and purpose of the By-law and of the policies implemented by the By-law.

Mobile Home Parcel Means the space for the placement of one mobile home and for the exclusive use of its occupants.

Mobile Home Park Means land which has been provided and designed for the location thereon of two (2) or more occupied mobile homes.

Modular Home Means a single detached dwelling consisting of one or more modules which has been prefabricated or manufactured in compliance with CSA A 277 in a factory remote from the site where it is intended to be used and transported to the site for installation on a permanent foundation, but does not include a Mobile Home or Park Model Trailer as otherwise defined.

Motel Means a building or buildings designed or used for the accommodation of the traveling or vacationing public, containing therein three (3) or more guest rooms, each guest room having a separate entrance directly from outside and may include an accessory eating establishment.

Municipal Garage See Garage Municipal

Municipal Office Means an office occupied and or owned by the municipality and used for municipal purposes.

Municipality See Corporation.

Museum Means the use of land, buildings or structures for the purposes of assembling, preparing and displaying a collection or articles and artifacts illustrating science, art, ancient life or other subjects and includes accessory uses such as facilities for repair, renewing and storage and may include retail outlets for souvenirs and refreshments.

Natural Heritage Features Means features and areas, such as significant wetlands, significant woodlands, fish habitat, significant wildlife habitat and significant areas of natural and scientific interest, which are important for their environmental and social values as a legacy of the natural landscapes of an area.

Negative Impacts Means:

1. In regard to fish habitat, the harmful alteration, disruption or destruction of fish habitat, except where it has been authorized under the Fisheries Act, using the guiding principle of no net loss of productive capacity.
2. In regard to other natural heritage features and areas, the loss of the natural features or ecological functions for which an area is identified.

Nightclub Means a place where food or drink may be served and has an open floor area used for dancing to music, and viewing musical performances or other forms of entertainment.

No Encroachment Area Means an area on a lot where no development shall be permitted, with the exception of surface landscaping, fences and permitted projections.

Non-Conforming or Non-Complying Means any existing use, building, structure or lot which does not conform with the requirements and standards of this By-law.

Nursery See Commercial Greenhouse

Nursing Home, Home for the Aged, or a Long Term Care Facility Means a building or premises used in accordance with the provisions of the Nursing Homes Act, or the Homes for the Aged and Rest Homes Act, the Long-Term Care Act or a home for the aged as provided for under the Charitable Institutions Act respectively and amendments thereto.

Obnoxious Uses Means any use which is a nuisance to the occupant or owner of any neighbouring lands or buildings by reason of the emission from the neighbouring land or building or any part thereof, or the creation thereon, of odours, gasses, dirt, radiation, smoke, noise, vibration, fumes, cinders soot, waste or water carried waste, or depositing or leaving unsightly objects or chattels thereon.

Office Means a building, structure or part thereof used for the purpose of providing accommodation for the performance and transaction of business including administrative, clerical and professional activities.

Office, Public Administration Means the use of a building for the business and administration of a public authority.

Official Plan Means the Official Plan of the Town of Carleton Place or parts thereof and amendments thereto and any Official Plan which may be adopted by the Corporation or the County of Lanark.

One Hundred Year Flood Means that flood, based on an analysis of precipitation, snow melt, or a combination thereof, having a return period of 100 years on average, or having a 1% chance of occurring or being exceeded in any given year.

Open Space Means the open, unobstructed space on a lot including landscaped areas, pedestrian walkways, patios, pools or similar areas but not including any deck, driveway, ramp, parking spaces or aisles, loading spaces or maneuvering areas and similar areas.

Open Storage Means storage or display of goods, merchandise or equipment outside of a building or structure on a lot or portion thereof. This definition shall not include the open storage of goods or equipment incidental to a residential occupancy of a lot, a parking area or parking

space or the outdoor display of a limited number of samples of goods, merchandise or equipment for the purpose of sales and advertisement.

Open Storage Area Means an area within or outside of a building used or intended for use for the open storage of goods, merchandise or equipment which may or may not be intended for immediate sale.

Organic Solvents Means carbon-based substances that are capable of dissolving or dispersing other substances. These include: carbon tetrachloride, chloroform, methylene chloride (dichloromethane) and pentachlorophenol.

Outdoor Café Means an outdoor area adjoining a restaurant, a bar or a tavern, consisting of outdoor tables, carts and related decorations and fixtures, and where meals or beverages are served to the public for consumption on the premises. An outdoor café may be located within the public road right-of-way where an encroachment agreement exists between the operator and the Municipality.

Outdoor Display Area Means a portion of a lot used for exhibiting in an orderly manner, completely assembled or finished merchandise, equipment, goods or products sold by a retail or wholesale business on the same lot.

Outdoor Recreational Facility Shall mean an establishment which provides recreational activities primarily located outside of a building such as golf driving range, miniature golf, lawn bowling, tennis court, model airplane flying or similar activities. A Go cart Track is not included within this definition.

Owner Means the person or organization who owns the land in or on which a land use is located and who may be responsible for the establishment or operation of that land use.

Park Means an area of land, whether enclosed or not, maintained by the Corporation or other public authority for the enjoyment, health and well-being of people and open to the public with or without charge and, for the purposes of this definition, includes tourist campground facilities.

Parking Area Means a lot or portion thereof required in accordance with the provisions of this By-law for the temporary storage or parking of motor vehicles accessory or incidental to uses in all designations and shall not include the storage or parking four (4) or more motor vehicles for hire and gain, display or for sale.

Parking Facilities Means an area where vehicles are parked and may be covered or uncovered.

Parking Lot A parking area forming the principal use of a lot.

Parking Space Means an area used for the temporary parking of one motor vehicle and includes spaces for the handicapped.

Permitted Means permitted by this By-law.

Permitted Uses Means a use which is listed under the heading “Permitted Uses” in the designation where such use is located. It should be noted that unless the use has been specifically identified as permitted or discretionary it is not permitted.

Person Shall include an individual, an association, a chartered organization, a firm a partnership, a corporation, an agent or trustee and the heirs, executors or other legal representatives of a person to whom the context can apply according to law.

Personal Service Business Means a place where:

1. A service is performed for the personal grooming and personal effects or clothing of the consumer, including a hair styling salon, spa, tanning salon, pet grooming services, shoe repair shop; tailor shop or dressmaker shop; or licensed massage therapy service; or
2. A consultation or information service is provided by a professional, including a travel agency or an interior decorator.

Pharmacy A retail outlet which dispenses drugs by prescription.

Place of Worship Means a building or an open area dedicated to religious worship.

Playground Means a park or part thereof which is equipped with active recreational facilities oriented to children.

Police Station Means a building or structure used for the purposes of supporting the provision of public police protection services and which can include sleeping and dining facilities for police personnel, vehicle storage, maintenance and repair facilities and office space.

Printing and Publishing Establishment Means a building or part thereof used primarily for printing, regardless of the method, and publishing of

newspapers, periodicals, books, maps and similar publications and also includes the sale and servicing of printing and duplicating equipment.

Private Club Means a building or part of a building used as a meeting place by an association of persons who are bona fide members, which owns, hires or leases the building or part thereof, the use of such premises being restricted to members and their guests for social, cultural, recreational, business or athletic purposes.

Private Road Means a private right-of-way over private property which affords access to at least two (2) abutting lots and which is not maintained by a Public Authority.

Propane/Compressed Natural Gas Transfer and Handling Facility Means a transfer facility that is licensed under the provisions of the Energy Act, Regulation 514-96.

Consumer outlet propane/compressed natural gas facility means a non-retail facility licensed under the Energy Act, R.S.O., where vehicles, appliance and other equipment of the business or establishment to which the said facility belongs are refueled with petroleum fuels (propane and natural gas).

Gas cylinder handling facility means a facility licensed under the Energy Act, R.S.O., where bottled gases are handled and stored in cylinders and where there is no element of transfer.

Bulk propane storage depot means a propane transfer facility that has an aggregate capacity in excess of 47571 litres (2000 US gallons).

Propane Refilling Outlet Means a facility for the refilling or exchange of portable propane tanks designed for home use and may include facilities for the refueling of propane fueled vehicles.

Public Access Point Means public land designated by the appropriate authority and developed and maintained by the authority as a public access to a navigable water body.

Public Authority Means any School Board, Public Utility Commission, Transportation Commission, Public Library Board, Board of Parks and Management, Board of Health, Board of Commissioners of Police, or other board or commission or committee of a local authority established or exercising any power or authority under any general or special statute of Ontario with respect to any of the affairs or purposes of a municipality or a

portion thereof and includes any committee or local authority established by By-law of the municipality.

Public Market Means the use of a building, structure or lot for the purpose of selling any or all of produce, fish, seafood, fruits, meats, dairy product, plants and crafts, but does not include a flea market.

Public Service Area Means the area served by City-owned and operated water and wastewater services.

Public Square Means an open landscaped public space commonly found in the heart of a neighborhood or community capable of being used for community gatherings including festivals, concerts and special events and may include accessory retail uses on a temporary basis.

Public Street Means a public or common highway affording the principal means of access to abutting properties which has been dedicated to and/or assumed by a public authority.

Public Use Means a building, structure or lot used for public services by the Town of Carleton Place or the County of Lanark and any Boards or Commissions thereof, and any Ministry or Commission of the Governments of Ontario or Canada, any telephone, telegraph or railway company, any company supplying natural gas, Ontario Hydro, and Conservation Authority, Public Utilities Company or similarly recognized agencies.

Public Utility Means a water works or water supply system, sewage works, electrical power or energy generating transmission or distribution system, street lighting system, natural or artificial gas works or supply system, a transportation system or a telephone system, scientific research system, and includes any lands, buildings or equipment required for the administration or operation of any such system and which is operated by a public authority or a publicly governed company.

Putrescible Means able to decompose quickly enough to cause odours and attract flies, such as putrescible waste.

Recreation Facility Means the use of a building or open space area for recreation purposes.

Recreational Trailer Means a structure designed to provide temporary living accommodation for travel, vacation or recreational use and to be driven, towed or transported and without limiting the generality of the

foregoing includes folding camping trailers, travel trailers and motor homes.

Recreational Vehicle Shall mean any vehicle so constructed that is suitable for being attached to a motor vehicle for the purpose of being drawn or is self-propelled, and is capable of being used on a short term basis for living, sleeping or eating accommodation of persons. The term recreational vehicle includes the following: motor homes, travel trailers, tent trailers, camper, motor homes but does not include a mobile home, recreational equipment such as boats, snowmobiles, personal water craft, all terrain vehicles or other equipment used for recreational purposes.

Recreational Vehicle Sales and Storage Means a building and/or lot which is used for the display, storage and/or sale of boats, trailers, campers and other recreational vehicles or recreational equipment.

Recycling Depot or Transfer Station Means a special waste management facility which serves as a temporary storage site for clean materials such as glass, paper, cardboard, plastic, metal and other similar products which will be transferred to another location for reuse. This definition does not include any other type of waste management system.

Redevelopment Means a removal or rehabilitation of buildings or structures and the construction, reconstruction or erection of other buildings or structures in their place.

Religious Institution See Place of Worship

Repair Shop See Service and Repair Establishment

Residential Care Facility Means a facility that provides custodial care to persons who because of physical, mental or emotional disorders cannot live independently.

Restaurant Means:

1. **Fast-food restaurant** which means a restaurant that sells food and beverages over a counter to its customers for consumption in the restaurant, for consumption in a motor vehicle on the premises, or for consumption off the premises;
2. **Full-service restaurant** which means a restaurant that sells and serves food and beverages to patrons seated at tables, for consumption on the premises; and

3. **Take-out restaurant** which means a restaurant that does not have seating capacity for diners and instead:
 - a) sells food and beverages over the counter for pick-up by the consumer for consumption off the premises, or
 - b) delivers food and beverages directly to the consumer for consumption off the premises, whether located in a building, a motor vehicle or a trailer.

Retail Outlet, Accessory Means a building or part of a building accessory to a permitted use, in which goods, wares, merchandise, substances, articles or things are offered or kept for retail sale to the public.

Retail Store Means a building wherein goods, wares, merchandise, substances or articles are offered for sale to the general public, and may include the limited storage and display of goods, wares, merchandise, substances or articles. A retail store may include the sale of food stuffs; such as baking, dairy, fruit or vegetables and meat.

Retirement Home Means a residence providing accommodations primarily for retired individuals or couples where each private bedroom or living unit has a separate private bathroom and separate entrance from a common hall but where common facilities for the preparation and consumption of food are provided, and common lounges, recreation rooms and medical care facilities may also be provided.

Re-vegetation Means the planting or planting and regeneration of native vegetation in order to restore a shoreline buffer.

Road See public street.

Road Allowance Means a public highway and includes the surface of which is not improved for use by vehicular traffic and is not maintained by a Public Authority.

Salvage Yard Means a lot and/or building or portion thereof where used goods, wares, merchandise, articles, motor vehicles, machinery or parts thereof are processed or sold for further use, dismantled or abandoned. This definition may include a junkyard, a scrap metal yard, a recycling depot and an automobile wrecking yard on the premises.

Sample and Showroom Means a building or part of a building used for the display of samples, patterns or other goods for viewing by the consumer and where purchase orders are taken.

Sanitary Sewage Works Means a system of underground conduits, operated by the Corporation or by the Ministry of Environment and which carries sewage to a sewage treatment facility.

Satellite Dish/Receiver Means a structure designed, used or intended to be used to send or receive signals to or from a satellite.

Sawmill or Planing Mill Means a building, structure or area where timber is cut or sawed, either to finished lumber or as an intermediary step.

Sauna Means an accessory building or structure not exceeding 10 square metres (107 square feet) wherein facilities are provided for the purpose of a steam bath and may include a change room and shower and may be constructed as part of a boat house.

School Shall mean a public educational establishment operated by a School Board.

School, Private Means an educational establishment, other than a School, wherein teaching or instruction is offered for gain in such fields as academics, dancing, music, art, sports, business or trade, and any other such specialized school conducted for gain, and also includes such fields as a studio for photography and arts and crafts.

Seat Means a place on or in which one sits. Where provided by benches, forms or pews, each 0.6 linear metre (2.0 feet) of seating space shall be the equivalent of one (1) seat.

Seating Capacity Means the number of persons which can be accommodated in a building or structure or part thereof in a seated position on chairs, benches, forms or pews.

Secondary Suite Means a separate self-contained dwelling unit located within a single dwelling, a duplex, a semi-detached dwelling or a townhouse or ancillary building.

Senior's Residential Dwelling Means a dwelling or collection of dwellings used primarily by the aged.

Sensitive Land Use Means buildings, amenity areas or outdoor spaces where routine or normal activities occurring as reasonable expected times

would experience on or more adverse effects from contaminant discharges generated by a nearby facility and includes a dwelling, day care centre and an educational or health facility.

Service or Repair Establishment Means the use of a building for the servicing or repairing of articles, goods or materials, and includes sales accessory to the principal use. A service or repair shop does not include the manufacture of articles, goods or materials or include a use otherwise defined by this By-law.

Setback Shall mean:

1. With reference to a road or street, the least horizontal distance between the front lot line and the nearest building line.
2. With reference to an interior lot or a through lot, the space between the front lot line and the nearest portion of the main wall of a building.
3. With reference to a corner lot, the space between the nearest portion of the main wall of a building and the street line, and the space between the side lot line abutting the flanking street, and the nearest portion of the main wall of a building.

Sewage and Water Systems

Full Municipal Sewage and Water Services Means piped sewage and water services that are connected to a centralized water and waste water treatment facility.

Communal Services Means sewage works and sewage systems and water works that provide for the distribution, collection or treatment of sewage or water but which; are not connected to full municipal sewage and water services; are for the common use of more than five residential units/lots; are owned, operated, and managed by a municipality or, another public body, or a condominium corporation or single owner which has entered into an agreement with the municipality or public body, pursuant to Section 51 of the Planning Act, providing for municipal/public body assumption of the communal services in the event of default by the owner.

Individual On-Site Systems Means individual autonomous water supply and sewage disposal systems that are owned, operated and managed by the owner of the property upon which the system is located and which do not serve more than five residential units/lots.

Partial Services Means connection to one communal service or full municipal service where the other connection will be to an individual on-site system.

Shoreline Means those lands extending from the average annual water level which have potential and direct significant impact on near shore waters and the shore ecosystem through run-off, and where land use activity is primarily water oriented.

Shoreline Structure Means a boat house (wet or dry), a boat port, a float plane hangar, a sauna or steam bath, a dock or wharf, a gazebo, a utility or storage shed or a viewing deck.

Side Wall Means the exterior wall of a building; and all structural members essential to the support of a fully enclosed space or roof.

Sight Triangle Means a triangular space, free of buildings, structures and obstructions, formed by the street lines abutting a corner lot and a third line drawn from a point on a street line to another point on a street line, each such point being the required sight distance from the point of intersection of the street lines as specified in this By-law.



Sign Shall mean any writing., letter work or numeral, any pictorial representation, illustration, drawing, image or decoration, any emblem, logo, symbol or trademark or any device with similar characteristics which:

1. Is a structure, or part of a structure, or which is attached thereto or mounted thereon; and
2. Which is used to advertise, inform, announce, claim, give publicity or attract attention.

Site Alteration Means a change to the existing topography by more than 0.3 metres (1 foot) and over an area exceeding 9.29 square metres (100 square feet).

Solid Waste Disposal Site See Waste Disposal

Steep slope Means a slope of more than 30%.

Storage, Establishment Means the use of land, buildings or structures for the primary purpose of storing of chattels such as boats or heavy equipment. A storage establishment may include accessory structures for the management and operation of the establishment, but does not include the overnight accommodation of humans or any use otherwise defined in this By-law.

Storage, Outdoor Means the use of an area of land outside of a building or structure intended for the storage of equipment, chattels, goods or materials integral to a principal use on a regular basis for a time period greater than 72 hours.

Storage Shed Means an accessory building used for the storage of household items and equipment incidental to a residential occupancy.

Storey Means that portion of a building other than a cellar or basement included between the surface of any floor and the surface of the floor, roof deck, ceiling or roof immediately above it.

First Storey means the storey with its floor closest to finished grade and having its ceiling at least 1.5 metres (4.92 feet) above finished grade.

One-half Storey means that portion of a building situated wholly or partly within the roof and in which there is a vertical dimension of at least 2.0 metres (6.56 feet) (measured from finished floor to finished ceiling) over a floor area equal to at least 50% of the floor area of the storey next below.

Attic means that portion of a building situated wholly or partly within the roof but which is not a one-half storey.

Basement means any storey below the first storey which is at least 50% above finished grade (measured from finished floor to finished ceiling).

Cellar means any storey below the first storey which is more than 50% below finished grade (measured from finished floor to finished ceiling).

Straight Line Projection Means the straight-line extension or projection of a lot line.

Street or Road Means a public or common highway affording principal means of access to abutting properties. This definition shall not include a private land or private right-of-way.

Street Allowance Shall have a corresponding meaning to that of Public Street or Private Road.

Street Line Means the limit of the road or street allowance and is the dividing line between a lot and a Public Street or Private Road.

Structure Means anything constructed or erected, either permanent or temporary, the use of which requires location on the ground or attachment to something having location on the ground. For the purposes of this By-law, a fence not exceeding 2 metres (6.56 feet) in height, garbage cans, signage and benches shall be deemed not to be a structure.

Studio Means a building or part thereof used, as the workplace of a photographer, artist, or artisan or for the instruction of art, music, languages or similar disciplines.

Swimming Pool Means an outdoor or indoor pool used for swimming, wading, diving or recreational bathing which is at least 60 centimetres (23.5 inches) in depth, but does not include a hot tub, spa or whirlpool.

Tarpaulin Structure Means a supporting metal pole frame structure with a fabric cover made of canvas nylon or similar material. Such structure must be ancillary to a main permitted use and can be dismantled and moved.

Temporary Use Means a use established for a fixed period of time by By-law under Section 38 of the Planning Act, R.S.O., 1990, as amended, with the intent to discontinue such use upon the expiration of the time period.

Theatre, Cinema Theatre means a building or part of a building which is used for the presentation of live, dramatic or musical performances or entertainment.

Cinema means a building or part of a building devoted to the showing of motion pictures.

Top of Slope Means the point of line which is the beginning of a significant change in the elevation of the land surface, and from which the land surface slopes downward toward an existing (or abandoned) watercourse (or lake).

Transport Trailer Means any vehicle so constructed that it is suitable for being attached to a motor vehicle or tractor and capable of being used for transporting goods, materials or livestock, despite that such vehicle is jacked up or its running gear is removed.

Transportation Depot Means land, or a structure or a building where commercial vehicles are kept for hire, rental and/or lease, or stored and/or

parked for remuneration and/or from which such vehicles are dispatched for hire as common carriers and where such land, structure or building may be used for the storage and/or distribution of goods, wares, and merchandise.

Unclassified Wetland Means lands that are seasonally or permanently covered by shallow water, as well as lands where the water table is close to or at the surface. In either case the presence of abundant water has caused the formation of hydric soils and has favoured the dominance of either hydrophytic or water tolerant plants. The edge of a unclassified wetland shall be defined as being where greater than 50% of the plant community consists of hydrophytic or water tolerant species. For the purpose of this By-law, such areas have not been classified as being of Provincial significance under the Provincial Policy Statement. Lands being used for agricultural purposes, that are periodically “soaked” or “wet”, are not considered to be unclassified wetlands in this definition.

Uniform Supply and Sales Means the use of a building or structure that supplies uniforms to professionals.

Use Means the purpose for which land, buildings or structures may be arranged, designed, designated, intended, maintained or occupied; and

The occupation, business, activity, or operation carried on, or intended to be carried on the land or in a building or structure for which it is arranged, designed, designated, intended, maintained or occupied.

Use, Accessory Means a use customarily incidental and subordinate to the main use or main building and located on the same lot with such principal use or principal building.

Use, Discretionary Means a use which may be permitted, subject to a municipal review to confirm that the use is both desirable and appropriate in the proposed location on the basis of the physical and functional design of the structure(s) and use(s) and subject to the provisions of the applicable Area Designation.

Use, Principal Means the predominant purpose for which any land, building or structure, or part thereof is used, designed, arranged, occupied or maintained.

Utility Means a public utility as defined in the Highway Traffic Act.

Vegetation Means healthy, woody vegetation which measures at least 4 feet in height.

Vegetation Removal Means the removal of healthy, woody vegetation of at least 4 feet in height, but does not include trimming, pruning and removal of such woody vegetation if it presents a hazard to life or property.

Vehicle Means a motor vehicle, traction engine, farm tractor, road-building machine, bicycle and any vehicle drawn, propelled or driven by any kind of power, including muscular power, but does not include a snowmobile, ATV or a street car.

Veterinary Establishment Means a building or part of a building used by a veterinary surgeon where animals, birds or other livestock are treated and where domestic animals and/or birds may be kept for treatment.

Warehouse Means a building or structure or portion thereof used or intended to be used for the bulk storage of goods, merchandise, or material.

Waste Disposal Site Means a site which is licensed or approved by the Ministry of the Environment and/or its agents where garbage, refuse, domestic or industrial waste, excluding radioactive or toxic chemical wastes is disposed of or dumped. This definition shall include waste transfer stations and recycling depots. (See also Recycling Depot).

Waste Disposal Site Influence Area Means the area where the possible effects of a Waste Disposal Site, including landfill-generated gases, ground and surface water contamination by leachate, odour, litter, contaminant discharges from associated vehicular traffic, visual impact, dust, noise, other air emissions, fires, surface runoff, and vectors and vermin, are most likely to occur.

Water Frontage Means a lot which has one or more lot lines abutting a navigable watercourse, bay or lake.

Water Works System Means the supply and distribution system of underground or underground piping and related storage or reservoir, including pumping and purification appurtenances and water filtration plant which is owned and operated by the Corporation or by its designate.

Watercourse Means the natural channel for a perennial or intermittent body of water, including a river or stream with well defined banks and a bed.

Wholesale Establishment Means a building, structure or part thereof used or intended to be used for the bulk storage and sale of quantities of

goods, commodities, wares, merchandise, or materials for resale or business use.

Wildlife Habitat Means areas where plants, animals and other organisms live, and find adequate amounts of food, water shelter and space needed to sustain their populations. Specific wildlife habitats of concern may include areas where species concentrate at a vulnerable point in their annual life cycle; and areas which are important to migratory or non-migratory species.

Woodlands Means treed areas that provide environmental and economic benefits such as erosion prevention, water retention, provision of habitat, recreation and the sustainable harvest of woodland products. Woodlands also include treed areas, woodlots or forested areas and vary in their level of significance.

Workshop Means a building, structure or part thereof where manufacturing is performed by a tradesman, requiring manual or mechanical skills and may include a carpenter's shop, a locksmith's shop, a gunsmith's shop, a tinsmith's shop, a commercial welder's shop or similar uses.

Yard Means the area between a main wall of a building and a lot line that, except for landscaping or accessory buildings and projections specifically permitted elsewhere in this By-law, is unobstructed above grade.

Yard, Front Means a yard extending across the full width of the lot between the front lot line and a line drawn parallel or concentric thereto and through the point of the main wall of a main building closest to the front lot line.

Yard, Rear Means a yard extending across the full width of the lot between the rear lot line and a line drawn parallel or concentric thereto and through the point of the main wall of the main building closest to the rear lot line. Where there is no rear lot line, the Yard, Rear shall be measured from the intersection of the side lot lines to the closest point of the main wall of the main building. In the case of a lot on a waterbody, the rear yard shall be considered to be on the opposite side of the principle access to the building.

Yard, Required Means the minimum and maximum yard required by the standards, provisions and requirements of this By-law.

Yard, Shoreline Means a yard extending across the full width of the lot situated between the shoreline and a line parallel thereto and passing

through the nearest point of the outside edge of walls or posts of a building or structure, including any attached or directly adjacent deck, or the nearest open storage on the lot.

Yard, Interior Side Means a yard extending from the front yard to the rear yard between the side lot line and a line drawn parallel or concentric thereto and through the point of the main wall of a building closest to the side lot line.

Yard, Exterior Side Means a side yard adjacent to a public street. In the case of an irregular lot, if a proposed building or structure conforms to the yard requirements but would be located closer to the property limit than the minimum distance required, the minimum distance required shall be applied between the property limit and the closest part of the building or structure.

Yard, Side Interior Means a side yard other than an exterior side yard.



DEVELOPMENT PERMIT BY-LAW

SCHEDULE A –
