

BY-LAW NO. 51-2019

AN INTERIM CONTROL BY-LAW OF THE CORPORATION OF THE TOWN OF CARLETON PLACE TO CONTROL THE ERECTION OR DEVELOPMENT OF STACKED TOWNHOUSES, APARTMENTS, TRIPLEX AND QUADPLEX UNITS WITHIN DEFINED AREAS OF THE TOWN OF CARLETON PLACE FOR A PERIOD OF ONE YEAR.

WHEREAS Section 38 of *The Planning Act*, R.S.O. 1990 as amended, authorizes the Council of a Municipality to pass an Interim Control By-law that may be in effect for one year, which prohibits the use of land, buildings or structures within the municipality or within the defined area thereof for such purposes as set out in the By-law, but only if the Council of the municipality has directed that a review or study be undertaken with respect to land use planning policies that apply to the subject area;

AND WHEREAS Council for the Town of Carleton Place directs that a study be undertaken to review Development Permit regulations and associated land use policies pertaining to multi-storey, multi-residential developments in established residential neighbourhoods of Carleton Place;

AND WHEREAS the Council of the Town of Carleton Place seeks to control the erection or development of any multi-storey, multi-residential developments within defined areas of the municipality, while the study is being completed;

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

1. This Interim Control By-law applies to all lands, buildings and structures located within the area outlined on Schedule A attached to this By-law (the study area);
2. No land, building or structure subject to this By-law shall be used for a "Intensified Residential Use".
3. For the purposes of this By-law, the following definitions shall apply:
 - a. "Complete" for the purposes of Sections 5 and 7 means:
 - i. For a building permit means an application for a Building permit which satisfies the requirements set out in Building By-law 15-2018 or its successor by-law;
 - ii. For an Official Plan and Development Permit means an application which satisfies the requirements of the Planning Act, the Town of Carleton Place Official Plan and has been deemed complete by the Town of Carleton Place.
 - b. "Dwelling" means a stacked townhouse, triplex, quadplex or apartment residential building.
 - c. "Intensified Residential Use" means the erection or development of stacked townhouse, apartment, triplex or quadplex dwellings which exceed 28 feet in height

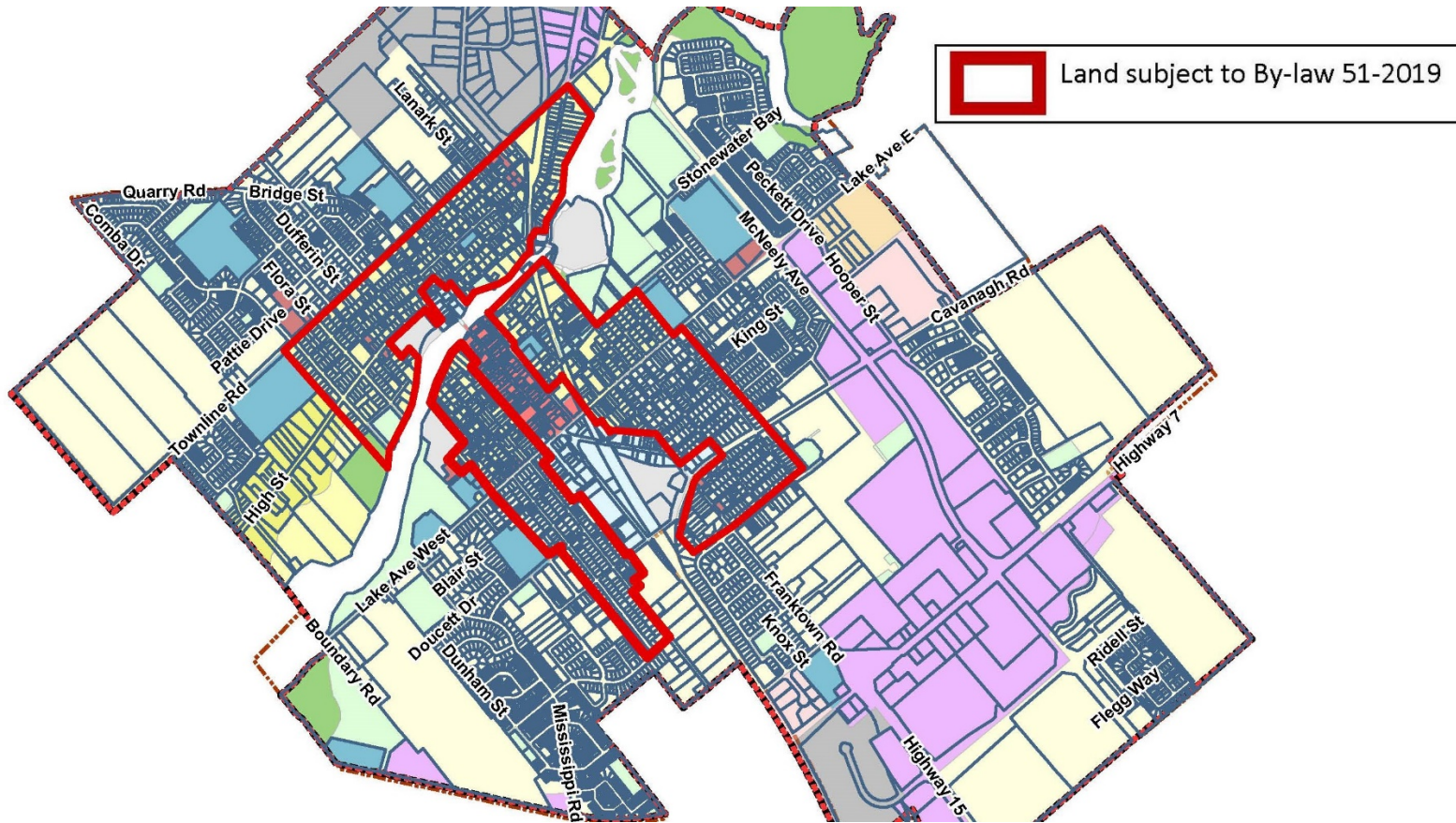
4. This By-law shall come into force and take effect immediately upon the passage thereof, and shall be in effect for one year from the passage of this By-law unless otherwise extended in accordance with Section 38 of the Planning Act, or repealed by Council at an earlier date.
5. For greater certainty, if a building permit application filed in accordance with the Ontario Building Code Act was Complete on or before the date of passage of this By-law, then this By-law does not preclude the issuance of said building permit.
6. Official Plan Amendment and/or Development Permit applications within the Study Area which could permit lands to be used for an Intensified Use shall be deemed contrary to this By-law and are prohibited.
7. Any Complete application for an Official Plan Amendment or Development Permit Approval under the Planning Act within the Study Area that exists on or before the date of passage of this By-law shall be exempt from this By-law and be eligible to apply for building permits in accordance with the approved Development Permit for the lands.

READ A FIRST TIME, SECOND TIME AND THIRD TIME AND FINALLY PASSED THIS
14th DAY OF MAY 2019.

Doug Black, Mayor

Stacey Blair, Clerk

SCHEDULE A
TO BY-LAW 51-2019



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