Town of Carleton Place
Development Permit By-law

Adopted by By-law 53-2025 (June 24, 2025)
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Table of Contents

1.0 EXPLANATORY NOTE AND INTENT 9

1.1 DEVELOPMENT PERMIT SYSTEM 9

1.2 DEVELOPMENT PERMIT SIMILARITIES AND DIFFERENCES WITH EXISTING LAND USE REGULATIONS 10

1.3 LEGITIMACY AND APPROVAL AUTHORITY 10

2.0 ADMINISTRATION 11

2.1 TITLE 11

2.2 SCOPE 11

2.3 ADMINISTRATION 11

2.4 INTERPRETATION 11

2.5 CONFORMITY AND COMPLIANCE WITH BY-LAW 11

2.6 CHANGE IN USE 12

2.7 OBLIGATION 12

2.8 UNLAWFUL USES 12

2.9 INSPECTION OF LAND, BUILDINGS, AND STRUCTURES 12

2.10 ENFORCEMENT AND PENALTIES 12

2.11 REVISIONS TO THE BY-LAW 13

2.12 EFFECTIVE DATE 13

2.13 REPEAL OF FORMER BY-LAWS 13

2.14 DEVELOPMENT PERMIT AREA 13

2.15 DEVELOPMENT PERMIT REQUIREMENTS 13

2.16 DEVELOPMENT PERMIT EXEMPTIONS 14

2.17 DEVELOPMENT PERMIT CLASSES 14

2.17.1 Class 1 Development Permit 14

2.17.2 Class 1A Development Permit 15
2.17.3 Class 2 Development Permit 16
2.17.4 Class 3 Development Permit 17
2.18 VARIATIONS 17
2.19 AMENDMENTS TO THE DEVELOPMENT PERMIT BY-LAW 18
2.20 REQUESTS FOR COMMITTEE OF THE WHOLE REVIEW FOR CLASS 2 APPLICATIONS 18
2.21 APPROVAL AUTHORITY AND PUBLIC NOTICE 19
2.22 PRE-CONSULTATION 19
2.23 SUPPORTING STUDIES AND REPORTS 20
2.24 DEVELOPMENT PERMIT REVIEW PROCESS 21
2.24.1 Class 1 and Class 1A Development Permit Application Process 21
2.24.2 Class 2 Development Permit Application Process 21
2.24.3 Class 3 Development Permit Application Process 22
2.25 NOTICE PROVISIONS 22
2.26 ISSUANCE OF DEVELOPMENT PERMITS 23
2.27 ISSUANCE OF DECISION 23
2.28 PROVISIONAL APPROVALS 23
2.28.1 Amendments to Provisional Approvals 24
2.29 VALIDITY PERIODS, TIME FOR FULFILLMENT OF CONDITIONS AND EXTENSIONS 24
2.30 CONDITIONS 25
2.31 AGREEMENTS 27
2.32 HOLDING PROVISIONS 27
2.33 TRANSITION PROVISIONS 27
3.0 GENERAL PROVISIONS 29
3.1 ACCESS AND EGRESS 29

3.2 ACCESSORY USES, BUILDINGS, AND STRUCTURES 29

3.3 ACCESSORY RESIDENTIAL UNIT TO A NON-RESIDENTIAL USE 30

3.4 ADDITIONAL RESIDENTIAL UNITS 31

3.5 AUTOMOTIVE RELATED USES 32

3.5.1 Gasoline, Fuel Pump Island Location 32

3.5.2 Separation of Propane Tanks 32

3.6 BASEMENT RESIDENTIAL UNITS 32

3.6.1 Location 32

3.6.2 Yard Provisions 32

3.7 BED & BREAKFAST 32

3.8 BOUNDARY INTERPRETATION 33

3.9 BUILDINGS TO BE MOVED 33

3.10 BUILT FORM DESIGN GUIDELINES 34

3.11 CANNABIS PRODUCTION 34

3.12 CONFLICTING STANDARD 34

3.13 CORNER LOT SIGHT TRIANGLES 34

3.14 DRIVE-THROUGH OPERATIONS 35

3.15 ESTABLISHED BUILDING LINE IN BUILT UP AREA 35

3.16 FENCES 36

3.17 FIRE ROUTE ACCESS 36

3.18 FRONTAGE ON A PUBLIC STREET 37

3.19 FRONTAGE ON MORE THAN ONE STREET 37

3.20 GROUP HOMES 37

3.21 HEIGHT EXCEPTIONS 37

3.22 HOME-BASED BUSINESS 38

3.23 HOME INDUSTRY 40

3.24 ILLUMINATION 40

3.25 LANDSCAPING/GREENSPACE 41

3.26 LAND SUITABILITY FOR USE AND ORGANIC SOILS 41

3.27 LOADING SPACE REGULATIONS 41

3.28 NO ENCROACHMENT AREA 42

3.29 NON-CONFORMING USES AND NON-COMPLYING STRUCTURES 42

3.29.1 Legal Existing Buildings and Structures 42

3.29.2 Legal Existing Lots 43

3.29.3 Legal Existing Uses 44

3.29.4 Acquisition by a Public Authority 44

3.29.5 Prior Building Permits 44

3.29.6 Accessory Buildings 44

3.30 NOXIOUS USES 45

3.31 OCCUPANCY RESTRICTIONS 45

3.32 OUTDOOR STORAGE AND DISPLAY 45

3.32.1 Outdoor Storage 45

3.32.2 Outdoor Display 46

3.33 PARKING AND STORAGE OF VEHICLES 46

3.33.1 General Provisions for Parking 46

3.33.2 Dimensions of Parking Spaces 48

3.33.3 Number of Parking Spaces 48

3.33.4 Barrier Free Parking 52

3.33.5 Cash-in-lieu of Parking 53

3.33.6 Parking Restrictions in Residential Designations 54

3.33.7 Motorcycle Parking 54

3.33.8 Bicycles Parking..... 54

3.33.9 Bicycle Space Design Standards 55

3.34 PERMITTED PROJECTIONS..... 55

3.35 DECKS, PORCHES, AND VERANDAS..... 56

3.35.1 Decks – 3 m in height (or greater): 57

3.35.2 Decks – under 3 m in height:..... 57

3.35.3 Decks – under 0.6 m in height:..... 57

3.36 PLANNED UNIT DEVELOPMENT 57

3.37 PROHIBITED USES 59

3.38 PROVISIONS FOR THE HANDLING AND TRANSFER OF PROPANE AND NATURAL GAS..... 60

3.39 RENEWABLE ENERGY & STORAGE SYSTEMS..... 60

3.40 SEQUENCE OF DEVELOPMENT..... 60

3.41 SETBACKS FROM A WATERCOURSE OR WATERBODY..... 60

3.42 SOURCE WATER PROTECTION 62

3.43 SPECIAL SETBACKS 62

3.44 TEMPORARY USES..... 62

3.45 USE BY A PUBLIC AUTHORITY..... 62

3.46 VEGETATION REMOVAL OR SITE ALTERATION..... 63

3.47 WATER SUPPLY, SEWAGE DISPOSAL, AND STORMWATER SYSTEMS 64

3.48 SUBDIVISION PRE-BUILT HOUSING..... 65

4.0 DEVELOPMENT PERMIT AREAS..... 66

4.1 MISSISSIPPI DISTRICT..... 67

4.1.1 Downtown Development Permit Area..... 67

4.1.2 Mississippi Transitional Development Permit Area..... 70

4.1.3 Mississippi Residential Development Permit Area 73

4.1.4 High Street Residential Development Permit Area 75

4.1.5 Strategic Properties 77

4.2 RESIDENTIAL DEVELOPMENT PERMIT AREA 84

4.3 INDUSTRIAL EMPLOYMENT DEVELOPMENT PERMIT AREA 91

4.4 HEALTH CAMPUS DEVELOPMENT PERMIT AREA 92

4.5 BUSINESS DEVELOPMENT PERMIT AREA 93

4.6 COMMUNITY COMMERCIAL DEVELOPMENT PERMIT AREA 95

4.7 HIGHWAY COMMERCIAL DEVELOPMENT PERMIT AREA 96

4.8 INSTITUTIONAL DEVELOPMENT PERMIT AREA 98

4.9 NATURAL ENVIRONMENT DEVELOPMENT PERMIT AREA 100

4.10 PARKS AND OPEN SPACE DEVELOPMENT PERMIT AREA 101

4.11 ENVIRONMENTAL CONSTRAINTS DEVELOPMENT PERMIT AREA 102

5.0 BUILT FORM DESIGN GUIDELINES 104

5.1 BUILT FORM DESIGN CRITERIA 104

5.1.1 Downtown and Mississippi Transitional Development Permit Area 104

5.1.2 Mississippi Residential Development Permit Area 112

5.1.3 High Street Residential Development Permit Area 114

5.1.4 Residential Development Permit Area 118

5.1.5 Industrial Employment Development Permit Area 123

5.1.6 Community Commercial Development Permit Area 126

5.1.7 Highway Commercial, Health Campus, and Business Campus Development Permit Areas 129

5.1.8 Institutional Development Permit Area 132

6.0 DEFINITIONS 134

7.0 GREEN DEVELOPMENT STANDARDS CHECKLIST 159

7.2 GREEN DEVELOPMENT CHECKLIST 160

7.2.1 Energy Conservation and GHG Emissions Reduction 160

7.2.2 Ecology and Biodiversity 163

7.2.3 Water Conservation 165

7.2.4 Waste Reduction and Management 166

7.2.5 Community Design 166

8.0 HERITAGE PAINT COLOUR PALETTE 167

1.0 EXPLANATORY NOTE AND INTENT

1.1 DEVELOPMENT PERMIT SYSTEM

In 2007, the Province provided a new development approval framework which combines three existing permitting systems into one. A Development Permit By-law replaces the more traditional Zoning By-law, Site Plan Control 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. As per Section 6.13 of the Official Plan, the entire corporate area of the Town of Carleton Place shall be subject to the Development Permit By-law. 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 articulates and establishes development requirements, provisions, and standards that need to be met before approvals can be issued. It provides for a streamlined approach to development approvals and in addition, allows for flexibility within a clearly articulated context.

The Development Permit By-law 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 Council of the Town of Carleton Place decided to move forward with their first Development Permit By-law in 2008. The intent was to implement policies of the Official Plan, streamline development and provide for timely reviews of development proposals. Additional objectives include, but were 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.

Similar to a Zoning By-law, the Development Permit By-law divides the Town into distinct areas on schedules that identity specific land uses. In the context of this Development Permit By-law, these are called Development Permit Areas; the equivalent of 'Zones' in a Zoning By-law. The Development Permit Areas conform to the Designations outlined in the Official Plan. The provisions of the By-law implement the Official Plan policies and direction provided for each specific Development Permit Area.

The Planning Act requires each municipality to update their Official Plan every ten years and thereafter within three years update their Zoning By-law or their Development Permit By-law. The Town undertook a five-year review of the 2013 Official Plan and adopted Official Plan Amendment (OPA 8) which was approved on May 8th, 2024. Development Permit By-law, adopted on June 25th,2025 is in full conformity with the 2013 Official Plan.

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 for the municipality to require supporting

materials such as plans showing the location, massing and conceptual design of any proposed building, structure or use.

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 conform with the policies of the 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 the responsibility of Staff and Council to uphold the principles of this By-law.

The Development Permit By-law provides Council the opportunity to delegate its approval authority to staff or to a Committee of Council. 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 Ontario Land Tribunal (OLT) by any person or public body who participated in the planning process to adopt the By-law. Once the By-law is in full force and effect (i.e., no appeals or appeals resolved), it cannot be appealed within the first five years following adoption. 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. 53-2025.

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 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

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. The provisions of this By-law are outlined as either minimums or maximums and shall be applied in such manner.

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.

Where a defined term listed in this By-law is reversed anywhere in this By-law, it is done for the ease and convenience of locating and identifying the term with other like terms. Such an inversion or lack thereof shall not be considered an interpretive statement by the Town. (example “private school” and “school, private").

If the calculation of any required performance standard results in a fraction (or value ending in a decimal), the minimum requirement shall be the next higher whole number.

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.

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 2.9 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 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, in addition to any other remedy or penalty imposed on the person convicted, any court of competent jurisdiction, thereafter, may make an order prohibiting the continuation or repetition of the

offence by the person convicted. 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 Development Permit Area of lands including, but not limited to, matters such as updating and correcting infrastructure information, keys, legends, or title blocks;

3) Changes to appendices, footnotes, headings, indices, marginal notes, tables of contents, illustrations, historical or reference information, page numbering, footers and headers, which do 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 Community Planning Permit regulation as amended (Ontario Regulation 173/16).

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

This By-law applies to all lands within the corporate area of the Town of Carleton Place, as shown on the schedules that make part of this By-law.

2.15 DEVELOPMENT PERMIT REQUIREMENTS

1) Unless exempt by the provisions listed 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 should be preceded by a pre-consultation with Planning staff.

2.16 DEVELOPMENT PERMIT EXEMPTIONS

1) A Development Permit shall not be required for single detached or a semi-detached house, provided that the proposed development is deemed to comply to all applicable requirements, standards, and provisions of this By-law, and which is also in full conformity with all of the following standards:

    a) Development is setback a minimum 30 m from any watercourse.

    b) No site alteration or vegetation removal is permitted within 30 m of any watercourse.

2) 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.

3) Development proposals which meet the above-noted criteria, and all other applicable criteria listed throughout the entirety of this By-law, may proceed to make an application for a Building Permit, provided a plot plan with all relevant information has been provided for Planning approval.

2.17 DEVELOPMENT PERMIT CLASSES

Four classes of development have been developed to provide consistency and transparency through the review and approvals process. The different classes 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.

2.17.1 Class 1 Development Permit

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

1) Where the proposed residential development generally meets all requirements, standards and provisions of the Development Permit By-law but requires relief from one or more of those requirements, standards and provisions. In such cases it must be demonstrated that:

    a) There are no undue adverse impacts or minimal adverse impact to adjacent properties with no mitigation required;

    b) The proposed development is permitted within the Development Permit Area;

    c) The proposed development is in conformity with the Official Plan and the Provincial Planning Statement as amended; and

d) The requested variation(s) to the provisions and performance standard(s) is minor in nature.

2) Where a permitted building or structure is proposed in the No Encroachment Area, as described in Section 3.26.

3) For the removal of a tree having a caliper of 150 mm or more, provided said tree is beyond 30 m of a watercourse, unless the removal of the tree is subject to a Class 2 or Class 3 Development Permit application.

2.17.2 Class 1A Development Permit

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

4) For amendments to existing Development Agreements and Site Plan Agreements.

5) Where a townhouse block is proposed on an infill lot and no variations to the development standards and provisions of this By-law are required.

6) Where the proposed non-residential development generally meets the requirements, standards and provisions of the Development Permit By-law but requires relief from one or more of those requirements. In such cases it must be demonstrated that:

   a) There are no undue adverse impacts or minimal adverse impact to adjacent properties with no mitigation required;

   b) The proposed development is an appropriate and permitted land use within the Development Permit Area;

   c) The proposed development is in conformity with the Official Plan and the Provincial Planning Statement as amended; and

   d) The requested variation(s) to the provisions and performance standard(s) is minor in nature.

7) For the removal of vegetation within 30 m of the Mississippi River.

8) Where the proposed development is such that it should be registered on the title of the property.

9) Where the proposed development is a temporary use, including residential dry builds and model home.

10) Where a proposed multi-unit residential development would normally require the approval of a Class 2 or Class 3 Development Permit, but said development identified as a form of purpose-built rental, non-market housing or any similar ownership model deemed appropriate by the Town. In this occurrence, the Town will require the nature of the residential ownership model be registered on the Title

of the property.

11) Where two or more Additional Residential Units are proposed.

2.17.3 Class 2 Development Permit

A Class 2 Development Permit shall be required for development under any one or more of the following circumstances:

12) Where the proposed development **generally does not meet** the requirements, standards, and provisions of the Development Permit By-law but requires relief from one or more of those requirements, standards or provisions. In such cases it must be demonstrated that:

    a) There are no adverse impacts or minimal adverse impact to adjacent properties with no mitigation required;

    b) The proposed development is an appropriate and permitted land use within the Development Permit Area;

    c) The proposed development is in conformity with the Official Plan and the Provincial Planning Statement as amended; and

    d) The requested variation(s) to the performance standard(s) is minor in nature.

13) Where the nature of a proposed development requires the Town to hold financial security of performance deposit to guarantee the required works described in the application.

14) Where the proposed development is a discretionary use.

15) Where an apartment building that requires no variations to the development standards and provisions of this By-law are required is proposed on an infill lot.

16) Where a townhouse block that requires variations to the development standards and provisions of this By-law is proposed on an infill lot.

17) For a proposed residential development or redevelopment in the Downtown or Mississippi Transitional Development Permit Areas, including vertical and horizontal expansions of existing legal non-complying residential uses.

18) Where a proposed development results in the physical extension, expansion or enlargement of a legal non-complying structure, and where the proposed development increases the extent or degree of the non-complying structure.

19) Where a proposed development results in the intensification, extension, or expansion of a legal non-conforming use. This includes an addition to a building where a legal non-conforming use takes place, even in the event that the proposed addition meets the applicable requirements, provisions and

performance standards of the Development Permit By-law.

20) Where a development proposes a reduction to the parking standards of the Development Permit By-law.

21) For an application that proposes to remove a Holding Symbol (-h) from a specific site.

2.17.4 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:

    a. Impact(s) on adjacent properties can be mitigated through on-site and/or off-site works; and

    b. The development proposal is an appropriate land use within the Development Permit Area; and

    c. The development proposal is in conformity with the Official Plan and consistent with the Provincial Planning Statement as amended.

2) Where the municipality is contributing to the extension of services in a cost-sharing agreement.

3) Where there is a consideration of alternative servicing (well or septic system) as defined in Section 3.46 of the By-law.

4) Where a proposed development will require any off-site works such as, but not limited to, the extension of municipal services, road improvements, or stormwater management pond.

5) Where land assembly is proposed to result in increased density to the neighbourhood.

6) Where the proposed use of a development is not included in the list of permitted uses of a specific Development Permit Area.

2.18 VARIATIONS

Variations to this By-law as per Section 2.17 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 2.17 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 conforms with both the Official Plan of the Town of Carleton Place and the Provincial Planning Statement, 2024 (as amended) and any other legislation as applicable.

3) 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:

    a) Development will be restricted from areas of environmental hazards and/or physical limitations, such as poor drainage, organic soils, flood susceptibility and erosion or steep slopes unless the proposal is shown to mitigate the hazard and physical limitations.

    b) All development proposals will require demonstration of conformity to the Official Plan of the Town of Carleton Place and the Provincial Planning Statement, 2024 (as amended). Supporting studies and reports may be required to demonstrate same prior to the approval and issuance of any Development Permit.

    c) 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.

    d) Development proposals shall be subject to all requirements of this By-law.

    e) 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 Ontario Land Tribunal or make application to amend this By-law.

2.19 AMENDMENTS TO THE DEVELOPMENT PERMIT BY-LAW

Where a proposed development cannot meet the tests for variation to the baseline development standards and development criteria included as described in this By-law, an amendment to the By-law shall be required. Notice of the proposed amendment shall be circulated per the requirements of the *Planning Act*, as amended.

2.20 REQUESTS FOR COMMITTEE OF THE WHOLE 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 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, the applicant, or a member of Council 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.

In the event that a Class 2 Development Permit Application has received a request to be referred to the Committee of the Whole, the application shall be processed as a Class 3 Development Permit as prescribed in this By-law.

2.21 APPROVAL AUTHORITY AND PUBLIC NOTICE

Development Permit Class	***Approval Authority***	***Public Notice Requirement***
Class 1 & 1A	Staff	None
Class 2	Staff/Committee as described in Section 2.20	Notice posted on subject property and on website, circulated to staff, technical review agencies and council. In addition to the above notification requirements, all proposals related to Legal Non-Conforming and Legal Non-Complying uses and structures will require a notice of application be circulated via mail to property owners within 60 m of the subject property. Concerned parties updated with council meeting date if required.
Class 3	Committee	Notice posted on subject property and on website, circulated to staff, technical review agencies and council. Notice circulated via mail to property owners within 120 m of the subject property. Concerned parties updated with council meeting date if required.

2.22 PRE-CONSULTATION

Applicants should consult with municipal staff prior to submitting a Development Permit

Application. This pre-consultation will provide important information including the identification of required plans, studies, and reports in support of an application. To ensure timely review of applications, the Town strongly advises that applicants participate in a pre-consultation meeting with the Development Services Department, prior to application submission.

2.23 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:

- Archaeological Assessment
- Building Code Matrix
- Building Materials Samples
- Building Shadow Impact Assessment Study
- Coloured Perspective Drawings
- Concept Plan
- Confirmation of sufficient reserve water and sewage system capacity
- Construction Traffic Management Plan
- Cost Estimate for External Works
- Drainage and/or Stormwater Management Report
- Emergency Vehicle Plan / Fire Access Route
- Environmental Impact Assessment for a natural heritage feature or area
- Environmental Site Assessment
- Functional Servicing Report
- Grading and Drainage Plans
- Green Development Standards Checklist
- Heritage Impact Assessment Report
- Housing Needs Assessment
- Hydrogeological Study
- Illumination and Traffic Signal Plan
- Influence area study for development in proximity to a waste management facility or industrial use
- Low Impact Development Studies
- MDS I or II calculation
- Natural Heritage Evaluation
- Noise and/or Vibration Study
- Others (as required by the Town)
- Parking and Loading Study
- Pavement Marking and Signage Plan
- Photographs of Existing Context
- Planning Rationale Report
- Record of Site Condition
- Reference Plan
- Servicing Options Report
- Shadow Study
- Sight-Line Study
- Site Plan and Landscape Plan
- Source Water Protection Study
- Transportation/Traffic Study
- Urban Design Brief
- Utilities Plan/Composite Utilities Plan
- Vegetation Inventory and/or Tree Preservation Plan

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 required for review throughout the planning process. Such studies and/or reports shall be prepared by professionals qualified in the specific discipline in question.

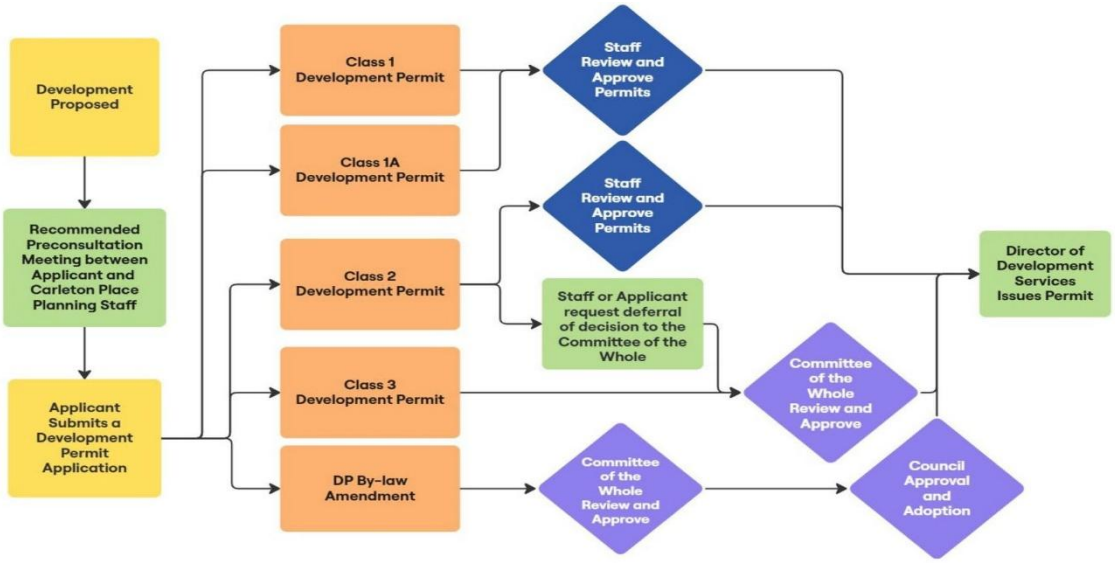


Figure 1 - A process chart for a development permit review.

2.24 DEVELOPMENT PERMIT REVIEW PROCESS

After the Class of Development Permit required for a subject application is determined, the following process shall take place leading up to a decision on a given application:

2.24.1 Class 1 and Class 1A Development Permit Application Process

1) Application deemed complete – when a commissioned application form, application fees, and all supporting documents have been submitted to Staff, the application will be deemed complete and ready for review.

2) Internal review of the application – including review from technical agencies as required on a case-by-case basis (e.g., upper-tier municipality, utility companies, conservation authorities, Provincial ministries).

3) Staff will prepare a summary of the application's review. Any outstanding items related to the detailed design of the proposal are to be addressed by the applicant.

4) Once all items identified in the Staff review are addressed, a decision on the application is made by Staff.

5) The applicant may appeal the decision to the Ontario Land Tribunal.

2.24.2 Class 2 Development Permit Application Process

1) Application deemed complete – when a commissioned application form, application fees, and all supporting documents have been submitted to Staff, the application will be deemed complete and ready for review.

2) A Notice of Application is prepared and posted/circulated as described in this By-law. The Notice of Application will include a minimum 15 day commenting period for all commenting agencies and members of the public.

3) Review of the application – including review from technical agencies as required on a case-by-case basis (e.g., upper-tier municipalities, utility companies, conservation authorities, Provincial ministries).

4) Staff will prepare a summary of the application's review, after the commenting and review period has taken place. Any outstanding items related to the detailed design of the proposal are to be addressed by the applicant.

5) Once all items identified in the Staff review are addressed, a decision on the application is made by Staff.

6) The applicant may appeal the decision to the Ontario Land Tribunal.

2.24.3 Class 3 Development Permit Application Process

1) Application deemed complete – when a commissioned application form, application fees, and all supporting documents have been submitted to Staff, the application will be deemed complete and ready for review.

2) A Notice of Application is prepared and posted/circulated as described in this By-law. The Notice of Application will include a minimum 15-day commenting period for all commenting agencies and members of the public.

3) Review of the application – including review from technical agencies as required on a case-by-case basis (e.g., upper-tier municipalities, utility companies, conservation authorities, Provincial ministries).

4) Staff will prepare a summary of the application's review, after the commenting and review period has taken place. Any outstanding items related to the detailed design of the proposal are to be addressed by the applicant.

5) Once all items identified in the Staff review are addressed, Staff will prepare a report for the next available Committee of the Whole meeting agenda. The Staff Report will include a recommended decision on the application.

6) The Committee of the Whole will make a decision on the application.

7) The applicant may appeal the decision to the Ontario Land Tribunal.

2.25 NOTICE PROVISIONS

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

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.

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.

2.26 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.

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

2.27 ISSUANCE OF DECISION

When reviewing an application for a Development Permit, the Town has the following options outlined under the *Planning Act* in Section 70.2 and O. Reg. 173/16:

1) Refuse the application;

2) Approve the application and issue a Development Permit with no conditions attached;

3) Approve the application and require that conditions be met before issuing a development permit;

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. 173/16.

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.

The applicant may appeal Council or the delegated authority's decision on a development permit application within 20 days from the date of the notice of decision. In the case that Council or the delegated authority fails to make a decision regarding a development permit application within 45 days of receiving the application, the applicant may appeal the non-decision to the Ontario Land Tribunal. O. Reg. 173/16, s. 12.

2.28 PROVISIONAL APPROVALS

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.

2.28.1 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.

2.29 VALIDITY PERIODS, TIME FOR FULFILLMENT OF CONDITIONS AND EXTENSIONS

1) A Development Permit, including a Provisional Development Permit, shall be valid for a period of three (3) years from the date of the approval granted pursuant to Section 2.27.

2) If a Provisional Development Permit has been issued pursuant to Section 2.27 and the applicant has not, within a period of three (3) years from the date of the approval, fulfilled any conditions required to be met prior to issuing a Development Permit including, if applicable, the execution of a Development Agreement, the Provisional Development Permit shall lapse.

3) An applicant may, prior to expiry of the validity period set out Section 2.29 1) above or the lapsing period set out in Section 2.29 2) above, request one or more extension(s) of the validity period and/or lapsing period, which request may be granted:

    a) By the Director of Development Services, in their sole and absolute discretion, for a cumulative total extension of no more than one (1) year, taking into account any prior extension(s) granted; and,

    b) By resolution of Council, for any period in excess of one (1) year, in its sole and absolute discretion, provided that no extension shall be provided which extends the validity period or lapsing period beyond a date which is more than seven (7) years from the date of the approval granted in accordance with Section 2.25.

4) Any request made by the applicant in accordance with Section 2.29 3) shall be accompanied by:

    a) a rationale for the requested extension;

    b) any other supporting information or material requested by the Director of Development Services; and,

    c) any fee payable pursuant to Town of Carleton Place By-law No. 74-2024 (Fees and Charges), as amended or replaced.

5) Any decision made by the Director of Development Services or by Council with respect to a request for an extension pursuant to this Section 2.29 is final.

2.30 CONDITIONS

1) Conditional approvals may be issued subject to the following:

    a) The condition(s) shall be clear, precise and quantifiable.

    b) 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.

    c) The condition shall not deal with the following aspects of buildings and structures:

        i. Interior design.

        ii. The layout of interior areas, other than interior walkways, stairs, elevators and escalators to which members of the public have access from streets, open spaces and interior walkways in adjacent buildings.

        iii. The manner of construction and construction standards.

    d) That the timing for review of condition fulfillment be outlined.

2) Technical reports may be required to assist in the review process and any recommendations therein may be imposed as conditions of Development Permit Approval.

3) 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.

4) 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:

    a) 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, trails, bike lanes and sidewalks including the surfacing thereof, and all other means of active transportation 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 wastewater from the land and from any buildings or structures thereon.

b) 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 provision 1), including the removal of snow from access ramps and driveways, parking and loading areas and walkways;

c) 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 provision 1) or 4) and the maintenance thereof as mentioned in provision 2) or with the provision and approval of the submitted plans and drawings; or

d) 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 right of way.

ii. Cash-in-lieu of parking.

iii. Cash-in lieu of parkland.

e) 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.

5) Applicants may at anytime request that the Ontario Land Tribunal determine whether a specified condition has been fulfilled.

2.31 AGREEMENTS

The Owner or Applicant may be required to enter into a Development 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 described in the Development 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 Agreement.

2.32 HOLDING PROVISIONS

Any parcel or area of land in any Development Permit Area 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 Development Permit Area 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 a Class 2 Permit and the Town may require that the applicant enter into an agreement for the development of the land prior to the amendment being adopted.

Where any parcel or area of land in any Development Permit Area has the suffix “h3”, no land shall be used and no buildings or structures shall be erected or used until the hold is removed, subject to confirmation of proper municipal services (piped sewage and water service).

Where any parcel or area of land in any Development Permit Area has the suffix “h4”, no land shall be used and no buildings or structures shall be erected or used until the hold is removed, subject to a transportation impact assessment (TIA).

2.33 TRANSITION PROVISIONS

1) Nothing in this By-law shall prevent the issuance of a building permit for a development or use of a lot or a building/structure for which a complete application for a building permit was received by the Town on or before the date of passing of this By-law, provided that the development or use complies, or the building permit application is amended to comply with the provisions, standards and regulations of the Development Permit By-law 15-2015 as it read prior to the passing of this By-law.

2) Nothing in this By-law shall prevent the approval of an application which has been

deemed to be complete under the Planning Act and was received by the Town on or before the date of passing of this By-law, provided that the proposed development or use of a lot complies with Development Permit By-law 15-2015, or the application is amended to comply with Development Permit By-law 15-2015. A complete application applies to the following applications:

a) Any application under Section 70.2 of the *Planning Act*.

b) Any application pursuant to Section 53 of the *Planning Act*.

c) Any Draft Plan of subdivision pursuant to Section 51 of the *Planning Act* or a description under the Condominium Act.

d) Any Part Lot control exemption pursuant to Section 50 of the *Planning Act*.

3) For the purpose of this Section, a complete application means an application which could have been approved or granted on the date immediately prior to the passing of this By-law. A complete application does not include documents submitted as part of a Pre-consultation.

4) Building permits may be issued where development or use of a lot received final approval under Section 2.33.2 provided that the development or use complies with provisions, standards and regulations of Development Permit By-law 15-2015 as it read prior to the passing of this By-law.

5) Section 2.33 is repealed in its entirety ten years after the coming into force of the By-law.

3.0 GENERAL PROVISIONS

The General Provisions section of the By-law provides the regulations which apply regardless of the standards provided in the Development Permit Area which applies to any particular building, structure or use. Whereas the Development Permit Area 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 Development Permit Area.

3.1 ACCESS AND EGRESS

1) 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 m.

2) The minimum distance of any access or egress from a street intersection shall be 7 m.

3) Residential driveways within a Plan of Subdivision shall be located as follows:

    a) For interior lots, at least one edge of a proposed driveway must be setback a minimum of 6 m from an adjacent driveway, measured along the street line intersected by such driveways. The opposite edge of said driveway may be setback at a lesser distance than the prescribed 6 m.

    b) For corner lots, a residential driveway shall be setback a minimum distance of 7 m from the intersecting street edge.

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 Development Permit Area 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) Any building or structure which is attached to the main building shall not be considered an accessory building or structure.

5) No accessory buildings or structures shall be erected in a front yard or exterior side yard.

6) Except where permitted elsewhere in this By-law no accessory building or structure shall be erected closer than 1.2 m to any interior side lot line, rear lot line, or structure.

7) Accessory uses, excluding outdoor swimming pools and uncovered platforms (decks), shall not cover more than:

    a) The lesser of:

        i. 45% of any rear yard; or,

        ii. 15% of the total lot area in any residential Development Permit Area or 8% of the total lot area in any non-residential zone Development Permit Area.

8) Notwithstanding (7), accessory uses, excluding outdoor swimming pools and uncovered platforms (decks) shall contribute to the total lot coverage of a property as prescribed in the development standards of the Development Permit Area.

9) The maximum height of accessory buildings shall be 4.5 m.

    a) Notwithstanding (9), the maximum height of accessory structures in the Highway Commercial and Industrial Employment Development Permit Areas is limited to 11 m.

    b) Notwithstanding (9), the maximum height of an accessory structure used for residential purposes shall be 7 m.

10) Private swimming pools, above-ground and in-ground, outdoor and indoor, shall comply 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 comply with the accessory building requirements contained in Section 3.2 of this By-law.

11) Commercial communication towers and wind turbines are not permitted as an accessory structure to residential use.

12) Green roofs or solar panels on accessory buildings shall be encouraged in residential and non-residential Development Permit Areas to enhance environmental sustainability and reduce energy costs.

13) A Shipping container shall only be permitted as an accessory building or structure in the Industrial Employment Development Permit Area. One shipping container is a permitted accessory structure in the Industrial Employment Development Permit Area.

3.3 ACCESSORY RESIDENTIAL UNIT TO A NON-RESIDENTIAL USE

Where an accessory residential unit is specifically permitted accessory to a non-

residential use, such use shall only be permitted in accordance with the following provisions:

1) Adequate municipal sewage and water services shall be available.

2) The residential unit shall be distinctly separate from the non-residential use, including separate entrance, washroom, and kitchen facilities.

3) A maximum Gross Floor Area of the accessory residential unit shall be no greater than 50% of the non-residential use.

4) The residential unit shall be located above or behind the primary non-residential use in relation to the front and/or exterior lot line(s).

5) No residential unit shall be located within a portion of a non-residential building which has flammable fluids or hazardous materials stored in bulk for commercial purposes.

6) No residential unit shall be located within a building used for an Automotive Body Shop, Automotive Gas Bar, Automotive Sales and Service Establishment, or Automotive Service Station.

3.4 ADDITIONAL RESIDENTIAL UNITS

1) A total of 4 Additional Residential Units may be permitted on a property where a legally exiting single detached house, semi-detached house, or townhouse exists, subject to the following:

    a) 3 Additional Residential Units may be permitted within the confines of a house.

    b) 1 Additional Residential Unit may be permitted within a building or structure ancillary to a legally existing house.

2) 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 as per Section 2.17.

3) Additional Residential Unit(s) shall not change the use or nature of the subject property.

4) Additional units shall not be permitted in the 1:100-year floodplain, as defined by the Mississippi Valley Conservation Authority.

5) Additional Residential Units shall not be subject to any maximum provisions of the primary unit in this By-law.

3.5 AUTOMOTIVE RELATED USES

An automotive related use shall be qualified as a service station, gasoline bar, fuel pump island and or automotive washing establishment.

Notwithstanding any other provisions contained in this By-law, for all Development Permit Areas within which an automotive related use is a permitted use, the following shall apply:

3.5.1 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 m 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 to the limits of a sight visibility triangle.

3.5.2 Separation of Propane Tanks

No person shall erect or use a tank for the storage of propane for sale at an automotive 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 Public and Business Service Delivery and the location is in compliance with the requirements under the *Technical Standards and Safety Act* (TSSA).

3.6 BASEMENT RESIDENTIAL UNITS

3.6.1 Location

A residential 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 residential unit or part of a residential unit located in a basement cannot be located below the 100-year flood elevation as defined by the Mississippi Valley Conservation Authority, as determined by the Ministry of Natural resources or a site-specific study.

3.6.2 Yard Provisions

Where a basement residential unit is located in a non-residential building, such residential unit shall comply with the development standards which apply to the non-residential building.

3.7 BED & BREAKFAST

1) A Bed and Breakfast establishment, as herein defined, shall be a permitted use within all single detached house provided all other provisions of this By-law can be met.

2) There shall be no external display or advertising other than a sign indicating the presence of a Bed and Breakfast. Such an unlit sign may be no larger than 0.3 m^2 and shall be located no closer than 4 m to the front lot line and is outside of a

corner sight triangle.

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

4) All Bed and Breakfast establishments must comply with all applicable Town, County, and Provincial Policies and legislation.

3.8 BOUNDARY INTERPRETATION

When interpreting Development Permit Area boundaries on Schedule 'A' of this By-law, the following provisions shall apply:

1) A boundary indicated as following a highway, street or lane shall be the centreline 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 centreline 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 provision 1, 2, or 3 above, and the distance from such street or other feature is not indicated, and provision 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 Development Permit Area 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 Development Permit Area coincide with the lot and block fabric with no need to amend this By-law.

3.9 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 Development Permit Area in which it is to be located

and then only after any required permit has been obtained from the Chief Building Official, Ministry of Transportation and/or the Public Works Department, or other applicable approval authorities.

3.10 BUILT FORM DESIGN GUIDELINES

Unless otherwise specified in this By-law, all development shall comply to the Built Form Design Guidelines described in Section 5.0 of this By-law to ensure appropriate built form design and compatibility.

3.11 CANNABIS PRODUCTION

Where permitted by this By-law, a licenced cannabis production facility, and associated buildings or structures, shall be permitted subject to the following:

1) No facilities nor associated buildings and structures are permitted within 150 m of any of the following uses:

    a) residential uses
    b) schools
    c) daycares
    d) recreation facility
    e) places of worship
    f) park

2) All facilities and associated buildings and structures shall be setback 30 m from all lot lines.

3) No open storage is permitted.

4) The wholesale of cannabis is permitted. Direct sale of cannabis is permitted as an accessory retail use, where it is secondary to the production use, on the same property in which the facilities are located, and subject to the provisions of the applicable Development Permit Area.

5) All facilities and associated buildings are subject to the provisions of the applicable Development Permit Area.

6) All cannabis production facilities shall be fully licenced by Health Canada.

3.12 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 statue of any other government authority, the more restrictive standard shall prevail.

3.13 CORNER LOT SIGHT TRIANGLES

1) On a corner lot, no obstruction to the vision of motor vehicle operators higher than

0.75 m above grade including but not limited to buildings, structures or vegetation is permitted within the triangle formed by that part of the lot lines measured along each street from the intersection of those lines at the street corner, or the projection of those lines.

2) A corner lot sight triangle shall be measured in the following way: the triangle formed by that part of the lot lines measured along each street from the intersection of those lines at the street corner, or the projection of those lines, for the distance of 4.5 m, and a line drawn between those two lines to form the base of the triangle.



Figure 2 - Calculation of a Sight Triangle

3.14 DRIVE-THROUGH OPERATIONS

1) A drive through facility may be provided in conjunction with any restaurant, bank, automotive gas bar, retail store or with any use that is associated with a shopping centre. A Traffic Impact Assessment, prepared by a qualified professional 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 Assessment.

2) 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.

3) All queuing spaces must be 2.75 m in width by 6 m in length and where such spaces abut a residential use they must be screened by solid fencing at least 1.5 m in height.

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

5) 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.

3.15 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 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.

The determination of the established building setback for a block shall be in accordance with the following:

1) Determine the residential block by identifying all residential buildings on either side of the street where the proposed building is to be located. The boundary (or termination) of the block is located at the street corner of the nearest intersection in either direction of the subject lot.

2) Determine the average front yard setback of the residential block by measuring the distance between each applicable residential building to the centreline of the road. The average shall be calculated by dividing the sum of each setback measure by the number of measurements taken to determine the sum (i.e., Established Building Line = sum of the setbacks / number of setbacks measured).

The existing dwellings used in the above calculation are required to have their front yard on the same street as the frontage of the lot of where the proposed building is to be located.

Notwithstanding the foregoing, a permitted accessory building or structure shall not be located closer to the street line or centreline of the street than the permitted building.

3.16 FENCES

Any fence erected hereafter within the Town shall comply 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 any sight visibility triangles.

1) Notwithstanding any other provision of this By-law, no fence erected in any Development Permit Area shall exceed 2.5 m in height.

2) Any fence located in a front yard shall not be constructed higher than 1 m.

3) The above provisions do not apply to barriers engineered for noise mitigation.

3.17 FIRE ROUTE ACCESS

1) Where required by the Ontario Building Code or Ontario Fire Code, fire access routes shall not be obstructed by vehicles, gates, fences, building materials, vegetation, signs or any other form of obstruction.

2) Fire access routes shall be maintained so as to be immediately ready for use at all times by fire department vehicles.

3) Signage that is acceptable to the Chief Fire Official shall be displayed to indicate fire access routes.

3.18 FRONTAGE ON A PUBLIC STREET

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

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

3) Development and/or redevelopment on privately maintained access streets shall be subject to a legal and binding agreement in place which shall address ownership and maintenance of said access street.

4) The Town shall not assume any liability for privately maintained streets and shall not be responsible for maintenance or snow removal. In some cases, public services such as school bussing and protection to person/property, including police, fire and ambulance services may be unavailable or limited due to physical constraints posed by either the road itself or maintenance levels.

5) All development adjacent to any Provincial Highway shall also be subject to the requirements and permits of the Ministry of Transportation.

3.19 FRONTAGE ON MORE THAN ONE STREET

1) In the case of a through lot, or corner through lot, the minimum required front yard setback applies to both the front and/or rear lot lines, in accordance with the provisions of the Development Permit Area in which such lot is located. The minimum required rear yard setback does not apply.

2) In the case of a corner through lot, the minimum required exterior side yard setback applies to the street that is most perpendicular to the other two streets, in accordance with the provisions of the Development Permit Area in which such lot is located.

3.20 GROUP HOMES

1) Group Homes shall be permitted in all Development Permit Areas where residential uses are a permitted use, provided that they are licensed by the appropriate approval authority.

2) The maximum number of residents permitted applies to the whole of the residential use building and not to individual units within the residential building in which the group home is located.

3.21 HEIGHT EXCEPTIONS

Where height limitations are set forth in this By-law, the maximum height limits do not apply to the structures listed below or to any other similar structures that may require a height in excess of maximum height limits in order to serve their intended purpose, unless

otherwise specified in the By-law and provided these structures are erected only to such height or area as is necessary to accomplish the purpose they are to serve and that is necessary to operate effectively and safely:

- Bridge
- Industrial Chimney or Smokestack
- Clock tower, church spire, steeple, or belfry
- Construction equipment during the construction process
- Mechanical and service equipment penthouse, elevator penthouse, or stairway penthouses
- Flagpole
- Communication transmission and distribution towers forming part or all of a utility installation
- Landscaped areas, roof-top gardens, and terraces and associated safety guards and access structures
- Ornamental dome, skylight, cupola, or parapet solar panels
- Utility poles
- Water tower

Notwithstanding the foregoing, limitations prescribed by the Federal Ministry of Transportation or practices recommended by the Ministry with respect to height limitations shall prevail.

3.22 HOME-BASED BUSINESS

A Home-based business, which may also be referred to as a Home Occupation, may be permitted in any Development Permit Areas 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) Except as otherwise permitted in this section, the home business shall not occupy more than the area noted in the table below:

Subsidiary Occupancy Classification as Defined in the Ontario Building Code	Total Floor Area of the Residential Unit ≤ 200 sqm	Total Floor Area of the Residential Unit ≥ 200 sqm
Group D, Business and Personal Services; and Group F3, Low Hazard Industrial	Permitted up to a maximum of 25% of the floor area of the residential unit	Permitted up to a maximum of 10% of the floor area of the residential unit
Group E Mercantile; and Group F2 Medium Hazard Industrial	Permitted up to a maximum of 10% of the floor area of the storey in which it is located	Permitted up to a maximum of 10% of the floor area of the storey in which it is located

6) Notwithstanding (5) above, a Bed and Breakfast may occupy greater floor area than the principal residential use.

7) Notwithstanding (5) above, Daycare Facilities are a permitted Home-Based Business and are not subject to the maximum area limitations.

8) There shall be no external display or advertising other than a sign, indicating the presence of a Home-Based Business. Such unlit sign may be no more than 0.3 m^2 and shall be located no closer than 4 m to the front lot line and is outside of the site triangle.

9) The only retail use permitted shall be for those products substantially made on site or accessory and essential to the business.

10) Where instruction is carried on, no more than five pupils may be in attendance at one time.

11) 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.

12) No mechanical or electrical equipment is used except that which is reasonably consistent with the use of the dwelling.

13) One parking space per 20 m^2 of floor area used for the home occupation 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. This required space may be located in the existing driveway of a residential property.

14) Outside storage and outdoor sales and display area is prohibited.

15) The business of storing automobiles, buses, boats, recreation, and any other types of vehicles is specifically prohibited.

3.23 HOME INDUSTRY

Where permitted as a discretionary use, the following regulations apply to home industries:

1) Only dry light industrial uses are permitted as a home industry.

2) A maximum of three, on-site, non-resident employees are permitted per principal residential unit.

3) Home industries are permitted in the principal residential unit, accessory residential units, garage, and accessory buildings to a cumulative maximum of 150 m^2, excluding outdoor storage associated with the home industry.

4) Notwithstanding the above, within a residential unit or second unit, the cumulative size of all home industries per unit must not exceed 25% of the unit's gross floor area or 40 m^2, whichever is greater.

5) Any number of businesses may exist subject to the other provisions of this Section.

6) No part of the home industry use may be located within a required yard setback.

7) The activity shall not create or become a nuisance, in particular, in regard to noise, odour, vibration, dust, fumes, traffic or parking outdoor the property limits.

8) Outdoor storage associated with the home industry shall be:

    a) limited to a maximum cumulative 5% of the lot area or 30 m^2, whichever is the lesser.

    b) restricted to the rear or interior side yard adjacent to the rear yard.

    c) shall be no higher than 1.5 m.

    d) screened from view from any abutting public street, or abutting property, with an opaque screen, hedge or fence, with a minimum height of 1.5 m.

9) On-site storage of hazardous chemicals or explosives is prohibited.

10) No outdoor storage may lead to the creation of a salvage yard or storage yard.

11) One parking space shall be required for each non-resident employees and must be in addition to any require parking by the principal use.

3.24 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. This may be achieved through Fully Cut-Off (FCO) fixtures; utilize light/glare shields and or light shrouds.

3.25 LANDSCAPING/GREENSPACE

Provisions for landscaped open space with respect to buffering non-compatible land uses are set forth in the specific Development Permit Areas of this By-law. The following additional provisions apply:

1) In any Development Permit Area, any portion of any front yard which is not used as a driveway, drive aisle, walkway, retaining wall, or any other feature/structure deemed to be essential to the function of the site, shall be exclusively devoted to landscaped open space.

2) Landscaped open spaces should incorporate native species of vegetation and tree cover to improve air quality, reduce heat island effects, and support biodiversity.

3) 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.

4) Where landscaping is required as a buffer, such landscaping shall be continuous except for where intersected for driveways, drive aisles, walkways, retaining walls or any other feature/structure deemed to be essential to the function of the site.

5) Buffers should include options of tree cover and vegetation that reduce noise pollution and provide additional health and environmental benefits.

3.26 LAND SUITABILITY FOR USE AND ORGANIC SOILS

Notwithstanding 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. A permit from the Mississippi Valley Conservation Authority may also be required.

3.27 LOADING SPACE REGULATIONS

The Owner or occupant of any lot, building or structure located in an Employment or Commercial Development Permit Area, 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:

1) 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	Number of Loading Space Required
250 m^2 or less	0
Exceeding 250 m^2 but not more than 1,000 m2	1
Exceeding 1,000 m^2 but not more than 7,500 m^2	2
Exceeding 7,500 m^2	2 plus 1 additional space for each additional 7,500 m^2 of floor area, or fraction thereof, in excess of 7,500 m^2

2) Each loading space shall be at least 9 m long, 3.5 m wide and have a vertical clearance of 4.5 m.

3) 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 front yard or exterior side yard.

4) Access and egress to and from loading spaces shall be by means of a driveway at least 3.5 m wide for one way traffic and 6 m wide for two-way traffic and located within the lot on which the loading spaces are located.

5) 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 3.33.1.

3.28 NO ENCROACHMENT AREA

Within any Development Permit Area, other than the Downtown and Mississippi Transitional, no building or structure may be erected within 2.5 m of the front or exterior lot line unless approved by a Class 1 Development Permit. This does not include Permitted Projections and Porches, Decks, Verandas, and Balconies and retaining walls.

3.29 NON-CONFORMING USES AND NON-COMPLYING STRUCTURES

3.29.1 Legal Existing Buildings and Structures

1) A building or structure that does not meet the standards, provisions, and regulations of this By-law, but which was legally erected or altered in accordance with the By-laws in force at the time of construction may be enlarged, reconstructed, renovated, or repaired without the need for a Development Permit provided that:

   a) It does not further increase the extent or degree of non-conformity,

including required parking; and

b) It complies with all other applicable provisions of this By-law.

2) In order for reconstruction permitted per subsection 1) above, the Owner has to demonstrate intent to reconstruct.

3) Subsection 1) shall additionally apply for a width of landscaping that does not meet the minimum landscaping requirements of this By-law, but only for the width of landscaping legally existing on the effective date of this By-law.



Figure 3 - Potential area where a legal non-complying building could be expanded without the need for a Development Permit.

4) Notwithstanding the above, in the case that a legally existing building or structure is found to have been located over a lot line onto another parcel of land or road, the legal non-complying building or structure shall not be permitted to be reconstructed, rebuilt, enlarged, or extended in such a way as to further reduce compliance to this By-law.

3.29.2 Legal Existing Lots

1) A lot in existence prior to the effective date of this By-law that does not meet the minimum lot area or lot frontage requirements of the applicable zone is permitted to be used and buildings and structures, including accessory buildings and structures, be erected provided the use conforms with the By-law and the buildings and structures comply with all other provisions of the By-law.

2) A person may build an addition, reconstruct, renovate, or repair a building on a lot that is legally non-complying with respect to lot area or lot frontage if:

a) The construction plans conform to all other provisions of this By-law;

b) The Owner has demonstrated an intent to maintain the existing use; and,

c) No additional residential units or second units are created.

3.29.3 Legal Existing Uses

1) Nothing in this By-law applies to prevent the use of any land, building, or structure for any purpose prohibited by this By-law if such land, building, or structure was lawfully used for such purpose on the day of the passing of the By-law, provided it continues to be used for that purpose.

2) A legal existing use, in a building or on a lot that does not comply with the standards, provisions, and regulations of this By-law, may change to another permitted use without the need for a Development Permit provided that the standards, provisions, and regulations of this By-law are no more restrictive for the new use.

3.29.4 Acquisition by a Public Authority

1) No existing lot, building or structure shall be deemed to have come into contravention with any regulations or provisions of this By-law by reason that any part or parts of the lot has or have been conveyed to or acquired by any public authority.

   a) This provision shall not apply where the conveyance of any part or parts of the lot to any public authority is required as a condition of an approval required for the creation of a lot, the construction of a new building or structure, or addition to a building.

2) Where subsection 1) above applies and a new building or structure is proposed:

   a) Lot area, lot depth, lot frontage, and lot coverage shall be calculated using the original lands conveyed to or acquired by the public authority; and,

   b) All other regulations shall be calculated using the remaining lands not conveyed to or acquired by the public authority.

3.29.5 Prior Building Permits

1) 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*.

3.29.6 Accessory Buildings

1) 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.

3.30 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.

3.31 OCCUPANCY RESTRICTIONS

All residentials 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 unless the approval of a Development Permit would permit it.

2) Any truck, bus, coach or streetcar 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, the Ministry of Natural Resources, or a site-specific study to the satisfaction of the Town.

3.32 OUTDOOR STORAGE AND DISPLAY

No person shall use any lot or part thereof for outdoor 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:

3.32.1 Outdoor Storage

1) Outdoor storage is only permitted within the Industrial Employment Development Permit Area of the By-law.

2) Outdoor 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 or screened from view and buffered with soft landscape elements, as approved by the Town.

4) Where outdoor storage is located on a property in the Residential or Mississippi Residential Development Permit Area, the required setback of the outdoor storage area shall be 10 m and must also be visually screened from any Mississippi Residential or Residential Development Permit Area in which residential uses are permitted.

5) Any areas used for outdoor storage shall be in addition to any minimum off-street parking or loading areas required by this By-law.

3.32.2 Outdoor Display

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

3.33 PARKING AND STORAGE OF VEHICLES

All motor vehicle parking and storage within any Development Permit Area in the Town of Carleton Place shall be provided as outlined herein unless otherwise specified in this By-law.

3.33.1 General Provisions for Parking

1) Parking for a motor vehicle for a residential use shall be located within a garage, carport, driveway, rear yard, or interior side yard designated parking area.

2) The parking requirements as outlined in this section shall apply for each use, building or structure on a lot. When there is more than one use on a single lot or for a building containing more than one use, the parking requirements shall be the sum total of the requirements for each of the component uses or buildings, unless otherwise permitted by this By-law.

3) Any driveway or aisle leading to a required parking lot shall be unobstructed, available, and exclusively always used for the purpose of allowing vehicles in and out of a parking lot, unless otherwise specified by this By-law. Notwithstanding the above, the clear unobstructed width of a driveway or aisle through a vehicular entrance door serving one parking space may be reduced up to 100 mm less than the required width of the required parking stall.

4) Any parking required by this By-law shall be located on the same lot on which the use is located.

5) Notwithstanding the above provision, parking may be located on a different lot where restrictions deem it not possible to provide all the required parking on the same lot. In the event that the minimum required parking for a specific development is located on a separate property, a legal instrument highlighting the details of the parking agreement shall be registered on the applicable property, to the satisfaction of the Town.

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

7) 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.

8) When 4 or more motor vehicle parking spaces are required, parking shall be provided by means of a parking lot, subject to the following:

    a) The parking area shall be constructed of asphalt paving, concrete, paver stones, permeable 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 Town.

    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.

    c) Ingress and egress directly to and from every parking space shall be by means of a driveway, lane or aisle having a width of at least 6 m for two-way traffic and 3.5m for one-way traffic.

    d) A minimum 3 m landscape buffer strip is required between the edge of a parking lot and a property line in the Mississippi Residential and Residential Development Permit Areas. The buffer can be reduced to a minimum width of 2 m where a 1.8 m privacy fence is constructed on the same property that the parking lot is located.

    e) Where a non-residential use is located adjacent to a residential use, a 3 m landscape buffer strip shall be provided between the parking lot and the property line. This landscape buffer may be included within the required yard setback.

    f) All entrances to parking areas shall be well defined by signage and curbing.

    g) Parking lots shall provide landscape elements within islands, along thoroughfares.

    h) In a front yard, a minimum 5 m landscape buffer shall be required between the front lot line and a parking lot.

    i) Unless a maximum parking allotment is prescribed in this By-law, at grade parking shall have a maximum surface area equal to 40% of the total lot area.

9) Where electric vehicle, family, or other specialty parking spaces are provided in a commercial parking lot, they shall:

    a) Have dimensions in accordance with Section 3.33.2.
    b) Be provided in addition to the number of parking spaces and barrier-free parking spaces required by the provisions of Section 3.33.3 and 3.33.4.

10) Notwithstanding any other provision in this By-law, a Parking Lot, or Winter Overflow, may be permitted in any Development Permit Area to accommodate for the fact that overnight parking during the winter season is prohibited on municipal

streets.

3.33.2 Dimensions of Parking Spaces

1) Parking spaces shall have the following dimensions:

Parking Space Type	Requirement*
Angled Parking Spaces	a minimum width of 2.7 m and a minimum length of 6 m
Tandem Parking Spaces	a minimum width of 2.75 m and a minimum length of 11 m (includes the length of 2 spaces)
Parallel Parking Spaces	a minimum width of 2.75m and a minimum length of 6.7 m
All other parking spaces	a minimum width of 2.75 m and a minimum length of 6 m

* All required parking spaces require a vertical height clearance of 2.4 m

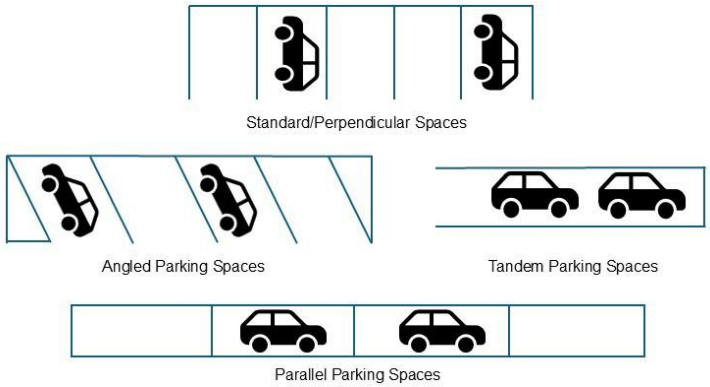


Figure 2 - Parking Space Types.

3.33.3 Number of Parking Spaces

Parking spaces are to be provided in accordance with the following:

1) Notwithstanding the provisions 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.

2) Required parking spaces may be provided in a driveway, parking area, parking lot, parking garage or any combination thereof.

3) Notwithstanding the table below, in the Downtown Development Permit Area as shown on Schedule ‘A’, parking requirements shall be reduced to 0 spaces for non-residential uses and one space for each permitted residential dwelling unit.

4) Notwithstanding the table below, in the Downtown Development Permit Area as shown on Schedule ‘A’, parking requirements shall be reduced to 0 spaces for purpose-built rental units within an Apartment Building.

5) Notwithstanding the parking requirements outlined in the tables below, where a proposed non-residential use is located in the Mississippi Transitional and Strategic Property Development Permit Area, as shown on Schedule 'A', the minimum parking requirements shall be reduced by half the requirement prescribed in the table.

6) Notwithstanding the parking requirements outlined in the tables below, where the proposed use is located in the Mississippi Transitional Development Permit Area, as shown on Schedule 'A', the minimum parking requirements for residential uses shall be reduced by a rate of 1 space per residential unit.

7) Notwithstanding the table below, in the Highway Commercial Development Permit Area, as shown on Schedule 'A', parking requirements shall be limited to a maximum of 1 parking space per 25 m2 for all non-residential permitted uses.

8) Notwithstanding the parking requirements outlined in the tables below, where an Additional Residential Unit is approved, the required parking spaces shall be:

    a) 1 parking space for the primary residential unit, and
    b) 1 parking space for each Additional Residential Unit.

9) The minimum parking requirements for Residential and Non-Residential uses required herein may be reduced or waived by payment of cash in-lieu 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.

Residential Uses	Parking Requirements
House, Single Detached; House, Semi-Detached; Townhouse (unless specified below)	2 parking spaces per House.
Townhouse, Stacked; Townhouse Back-to-Back	1 parking space per House; and 0.25 parking spaces per residential unit for visitor parking.
Additional Residential Unit; Accessory Residential Unit	1 parking space per Additional Residential/Accessory Residential Unit.
Apartment Building	1 parking space per residential unit, and 0.25 parking spaces per residential unit for visitor parking.
Residential Care Facility; Long-Term - Care Facility; Nursing Home; Retirement Home; Home for the Aged	0.5 parking spaces per individual resident unit and one per 100 m^2 of gross floor area used for medical, health, or personal services.
Group Home	1 parking space per 100 m^2 Minimum: 2 parking spaces.

Non-Residential Uses	Parking Requirements
Auction House; Auditorium	Maximum: 1 space for every 20 m^2 of gross floor area of assembly floor area with a Minimum of 4 parking spaces.
Automotive Body Shop; Automotive Service Station; Automotive Washing Establishment	Maximum: 2 parking spaces per service bay; and 1 parking space per employee. Minimum: 4 parking spaces.
Automotive Sales and Service Establishment; Automotive Rental Establishment,	Maximum: 1 parking space per 50 m^2 of gross floor area. Minimum: 4 parking spaces. The parking spaces prescribed by this table shall not be used for storage of new and used vehicles, boats or trailers for sale or lease, or service.
Automotive Gas Bar	1 parking space per island fuel pump.
Bank	Maximum: 1 parking space per 20 m^2 of gross floor area. Minimum: 5 parking spaces.
Bed and Breakfast Establishment	1 parking space per guest room; and 1 parking space per 8 persons designated seating capacity of any accessory eating establishment.
Building Supply Store	Maximum: 1 parking space per 20 m^2 of gross floor area; and 1 parking space per 35 m^2 of open storage. Minimum: 4 parking spaces.
Childcare; Daycare Facility	1 parking space per employee; and 1 parking space per 5 children licensed capacity.
Clinic	1 parking space per 20m^2 of gross floor area; and 1 parking space per employee.
Commercial Greenhouse; Garden Centre; Nursery	1 parking space per each 20 m^2 of gross floor area dedicated to commercial space; and 1 parking space for each 35 m^2 of gross floor area of open storage.

Commercial Sports and Recreation Establishment; Theatre	1 parking space for every 20 m^2 of gross floor area.
Commercial Storage	Maximum: 1 parking spaces per 50 m^2 of gross floor area. Minimum: 4 parking spaces.
Contractor's Shop; Custom Workshop	Maximum: 1 parking space per 30 m^2 of gross floor area. Minimum: 4 parking spaces.
Funeral Home	7 parking spaces per 20 m^2 of gross floor area.
Golf Related Uses	2 parking spaces per hole/tee box; and, 1 parking space per 50 m^2 of indoor gross floor area of assembly spaces related to the use.
Home Based Business	As per Section 3.22.
Home Industry	As per Section 3.23.
Hotel; Motel	1 parking space per guest unit; and, 1 parking space per 8 persons designated seating capacity of any accessory eating establishment.
Manufacturing	1 parking space for per 95 m^2 of gross floor area.
Office	1 parking space per 20 m^2 of gross floor area. Minimum: 5 parking spaces.
Personal Service Business	1 parking space per 20 m^2 of gross floor area. Minimum: 3 parking spaces.
Place of Worship	1 parking space per 25 $m^{2;}$ and 1 parking space per 50 m^2 for any additional accessory assembly area.
Printing and Publishing Establishment	1 parking space per 30 m^2 of gross floor area. Minimum: 4 parking spaces.
Retail Store	Maximum: 1 parking space per 20 m^2 of gross floor area. Minimum: 5 parking spaces.

Restaurant, Full-Service; Restaurant, Bar; Nightclub	1 parking space per 10 m^2 of gross floor area.
Restaurant, Drive Through; Restaurant, Fast Food, Restaurant; Take Out	1 parking space per 20 m^2 of gross floor area; and, Minimum of 4 parking spaces.
Research and Development Facility	1 parking space per 50 m^2 of gross floor area.
School, Public	2 parking spaces per classroom.
School, Commercial or Private	4 parking spaces per classroom.
Veterinary Establishment	1 parking space per each 20 m^2 of gross floor area; and, Minimum: 4 parking spaces.
Warehouse	1 parking space for per 95 m^2 of gross floor area.
Wholesale Outlet	1 parking space per each 20 m^2 of gross floor area and 1 parking space for each 35 m^2 of open storage.
Institutional Use (not specified in this table)	1 parking space per 100 m^2 of display/assembly area (including basement area used for display). Minimum: 4 parking spaces.
All other uses not listed herein	1) parking space per 25 m^2 of gross floor area.

3.33.4 Barrier Free Parking

1) Wherever barrier-free access to a building is required under the Ontario Building Code, one barrier-free parking space shall be provided. The following chart outlines number of barrier-free parking spaces required to be included within the total number of parking spaces prescribed in Section 3.33.3.

Capacity of Public Parking Area	Minimum Number of Required Barrier-Free Spaces
1-12	1 Type A
13-100	4% of the total number of parking spaces required.

101-200	1 parking space; plus 3% of the total number of parking spaces.
201-1,000	2 parking spaces; plus 1% of the total number of parking spaces.
1,001 and greater	11 parking spaces; plus 1% of the total number of parking spaces.

2) Barrier-free parking spaces shall have the following dimensions:

Barrier-Free Parking Space	Requirement
Type A	minimum width of 3.4 m minimum depth of 6 m
Type B	minimum width of 2.75 m minimum depth of 6 m

3) An equal number of Type A and Type B barrier-free parking spaces shall be required.

    a) Where the minimum number of barrier-free parking spaces required is odd, the additional accessible parking space remaining shall be a Type B accessible parking space.

4) The barrier free parking spaces shall be:

    a) Hard surfaced;
    b) Level;
    c) Identified by signage;
    d) Accessible via ramps, depressed curbs, or other appropriate means;
    e) Located to permit easy access to or from a motor vehicle parked therein.

5) Each barrier-free parking space shall have an accessible path of travel by means of an access aisle with a width of 1.5 m and which runs the length of the parking space and is marked by high-tonal contrast lines.

    a) Adjacent barrier-free parking spaces can share the access aisle between them.

6) A Type A barrier-free parking space shall have signage identifying the space as “van accessible”.

3.33.5 Cash-in-lieu of Parking

The minimum and maximum parking requirements prescribed by the By-law may be reduced or increased provided the Owner enters into a Class 2 Development Agreement with the Town. In support of the Class 2 Development Permit Application, a Parking Study undertaken by a professional to determine suitability of the request.

A condition of the agreement will be the receipt of a one-time cash dedication in accordance with the Fees and Charges By-law payable to the Town of Carleton Place, to satisfy cash-in lieu of parking requirements, per required space.

3.33.6 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.

3.33.7 Motorcycle Parking

1) 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.

2) The minimum dimensions for each space intended for motorcycles or similar vehicles must be 1 m in width and 2.1 m in length.

3) Motorcycle parking may be provided in addition to the prescribed spaces required by Section 3.33.3.

3.33.8 Bicycles Parking

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 residential unit and 6 spaces for any development with 20 or more residential units. Bike parking is required to be located in a covered and secured location accessible to residents.
Commercial Uses (unless otherwise noted), including Restaurants (excluding take-out only)	5% of required vehicle parking; or 8 spaces, whichever is greater
Convenience Store	10% of required vehicle parking; or 8 spaces, whichever is greater
Industrial Use	4% of required vehicle parking; or 4 spaces, whichever is less
Institutional Use	10% of required vehicle parking; or 8 spaces, whichever is greater
Public Authority/Municipal Use	10% of required vehicle parking; or 8 spaces, whichever is greater

Office	4% of required vehicle parking; or 8 spaces, whichever is less
Schools	1 space per 20 m^2 of classroom plus 1 space per 800 m^2 of office area; or 10 spaces, whichever is greater.
Theatre, Recreation Facility, Commercial Sports and Recreation Centre	10% of required vehicle parking; or 8 spaces, whichever is greater

3.33.9 Bicycle Space Design Standards

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

1) 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.

2) Bicycle parking stalls shall be logically situated on a site.

3) Covered or sheltered bicycle parking shall be considered where feasible.

4) Bicycle parking areas should be adequately lit to enhance safety and deter theft.

3.34 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 and other similar structures, which are permitted to project from a building into a required yard. Notwithstanding the provisions of this table, no projection shall obstruct an easement or legal right-of-way.

Projecting Feature or Structure	Maximum Projection into a required yard
Roof eaves	1 m into any required yard. No closer than 0.3 m to a lot line.
Chimneys and fireplace boxes	1 m into any required yard. No closer than 0.3 m to a lot line. The maximum length of the projecting feature along the building face shall be 3 m.
Architectural and ornamental features (including but not limited to: cornices, parapets, pilaster, sills)	1 m into any required yard. No closer than 0.3 m to a lot line.

Bay windows	1 m into any required front, exterior side or rear yard. No closer than 3 m to a front lot line and 1.2 m to all other lot lines. The maximum length of the projecting feature along the building face shall be 3 m.
Below grade stairwells	1 m into any required side or rear yard. The maximum length of the projecting feature along the building face shall be 3 m.
Canopies and awnings (minimum 2.13 m vertical clearance above the finished grade)	2 m into any required front, rear or exterior side yard. No closer than 0.3 m to a lot line.
Barrier-free accessibility ramp	No limit.
Fire Escapes	1 m into any required front, rear or exterior side yard.
Features incidental to home design (including but not limited to: air conditioning units, gas meters, exhaust, solar panels, heat pumps, or similar equipment)	1 m into any required side or rear yard. No closer than 0.3 m to a lot line.
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. A balcony may project into a required rear yard but shall maintain a minimum setback of 5 m to the rear lot line.

3.35 DECKS, PORCHES, AND VERANDAS

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

2) For the purpose of this section, the heigh of a deck, porch or veranda shall be measured from finished walking surface to the adjacent grade at any part of said structure.

3) Notwithstanding other provisions of this By-law, the following also applies:

    a. Stairs used to access decks/porches/verandas shall be setback at least 2.5 m from any lot line or meet the minimum yard setback, whichever is lesser.

3.35.1 Decks – 3 m in height (or greater):

1) Are only permitted in the rear yard,

2) Shall comply to the minimum required interior side and exterior side yard setbacks for the main structure, and

3) Shall have a minimum 5m setback from the rear lot line.

3.35.2 Decks – under 3 m in height:

1) Are permitted in any yard,

2) Shall comply to the minimum required front, interior side and exterior side yard setbacks for the main structure, and

3) Shall have a minimum 3 m setback from the rear lot line.

3.35.3 Decks – under 0.6 m in height:

1) Notwithstanding the above, when a deck under 0.6 m in height is proposed in a rear yard, it may be set back 0 m from an interior side and rear lot line.

3.36 PLANNED UNIT DEVELOPMENT

Planned Unit Development (PUD) is a use that offers a flexible alternative to general residential development. A Planned Unit Development can allow for a greater variety of uses, as long as they are in conformity with the Official Plan and consistent with the overall objectives of the Town.

Planned Unit Developments are a comprehensively planned project, aiming for a balanced design that integrates with the surrounding area. They involve a review process where the Town and Applicant agree on specific development standards, often differing from prescribed standards listed within an identified Development Permit Area, allowing for greater flexibility in land use, density, and design.

Although each Planned Unit Development will be unique in terms of their design, the following provisions and standards shall apply to all Planned Unit Developments:

1) Where a Planned Unit Development has been approved, the following residential typologies are permitted:

    - House, Single Detached
    - House, Semi-detached
    - Townhouse (all types)
    - Apartment Building

2) Where a Planned Unit Development has been approved, the following uses are permitted as accessory to approved residential uses:

    - Bank
    - Clinic
    - Retail Store

- Office
- Personal Service Business
- Recreation Facility

3) Accessory Uses listed above shall be subject to the following:

    a) Shall not exceed a cumulative total floor area of 150 m^2

    b) Shall be in stand-alone buildings

    c) Shall be located in the interior of the subject lot in such a way that there is no indication, visible from a public street, that there is an accessory use on the lot

4) The density of a Planned Unit Development shall be calculated in function of the total number of Houses and Residential Units within Apartment Buildings on the site.

5) Within a Planned Unit Development, vehicular parking requirements shall be in accordance with the standards for each respective use, as listed in Section 3.33.

6) Vehicular parking can be achieved in traditional driveways connected to a private driving aisle or in central parking lots or designated parking areas.

    a) Where vehicular parking is proposed by means of a centralized parking area(s), said parking area shall be within a maximum radius of 60 m from the building it serves.

    b) Where vehicular parking is proposed by means of a centralized parking area(s), said parking area(s) shall not exceed a maximum 40% lot coverage (of the entire Planned Unit Development).

7) Where private driving aisles are proposed:

    a) The minimum width of a driving aisle shall be 6 m. The driving aisle will consider the area where vehicular circulation will occur and will not consider the width of a parallel parking space, should a parallel parking space be proposed in the aisle.

8) Vehicular parking areas shall not open directly on to a public street but shall be provided with access aisles or other controlled access. Access drives shall not serve as part of a specified parking area and shall be kept clear of parked vehicles.

9) Buildings that are accessory to Houses (storage sheds) shall:

    a) Not outnumber the number of Houses within the Planned Unit Development. The overall development shall have a maximum 1:1 ratio of accessory storage building to House.

    b) Be located within a minimum 10 m radius of the House it is accessory to.

    c) Have a maximum floor area of 120 m^2.

    d) Not to be located within a front or exterior side yard.

e) Be located a minimum of 12 m from rear and interior side lot lines.

10) The prescribed Landscaped Open Space within a Planned Unit Development shall be a function of the number of Houses and Residential Units within Apartment Building:

a) The minimum Landscaped Open Space (including; balconies, patios, rooftop gardens and other applicable amenity spaces deemed appropriate by Town Staff) shall be provided at a rate of 15 m^2 per House and Residential Unit within an Apartment Building.

b) Landscaped Open Spaces shall be located within a maximum radius of 20 m from the House or Apartment it is required to serve.

11) Pedestrian walks shall have a minimum width of 1.2 m and shall be provided wherever normal pedestrian traffic will occur.

12) Designated waste and refuse collection areas shall be provided and shall be located so as not to detract from the aesthetic of the development and shall be enclosed and shielded from view by fencing, walls or shrubbery of at least 1.5 m in height around the perimeter of the area.

13) All Planned Unit Developments shall be provided with a liberal and functional landscaping scheme. Interior driving aisles, 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.

14) Interior driving aisles, parking areas, residential unit entranceways and pedestrian walks shall be provided with sufficient illumination to minimize hazards to pedestrians and vehicles 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.

15) The maximum height of residential buildings shall be in accordance with the respective heights prescribed in the Residential Development Permit Area.

3.37 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 Development Permit Area are not permitted. A defined use that is not listed as permitted for a specific property may be contemplated for through a Class 3 Development Permit approval process. The approval of a Development Permit Amendment shall be required where a proposed development introduces a use that is not defined by the By-law.

3) Facilities for the housing and care of livestock.

4) Septic Systems and Wells except in accordance with Section 3.47.

3.38 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 m from any residential use.

Notwithstanding the above, the required 30 m setbacks from residential uses may be reduced in accordance with the findings and recommendations of a study prepared by a qualified professional which demonstrates that there will be no adverse impact to residential uses.

3.39 RENEWABLE ENERGY & STORAGE SYSTEMS

Battery Energy Storage Systems (BESS) is a system that stores electricity from the distribution grid and may discharge to one or more uses on the same lot and may also discharge back to the distribution grid during periods of high electricity demand.

BESS and their associated facilities and structures shall be permitted accessory use in the Community Commercial, Industrial Employment, Highway Commercial and Health Campus Development Permit Areas. These structures shall be implemented in accordance with the provisions of the applicable Development Permit Area and with all provincial and federal requirements.

The following provisions apply to BESS:

1) They are only permitted as an accessory use on a lot and shall require a Class 3 Development Permit;

2) They may not exceed 10 per cent of the total lot area;

3) They must be set back a minimum of 15 m from any lot line, and a 1.5 m opaque screen must be provided from a public street or a residential use on an abutting lot; and

4) Any unenclosed BESS on a rooftop must be set back a minimum of 1.5 m from any exterior wall of the building and may not project more than 1.5 m above the maximum building height.

3.40 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.

3.41 SETBACKS FROM A WATERCOURSE OR WATERBODY

1) A setback of 30 m is required from watercourse or waterbody for all development except as follows;

    a) 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 m 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.

2) The following shoreline accessory structures are permitted within the 30 m setback:

a) A maximum of one boathouse per lot.

b) Boathouse to a maximum length of 8 m and a maximum width of 3 m.

c) Boatport to a maximum length of 8 m and a maximum width of 3 m.

d) Storage shed not exceeding 10 m^2.

e) 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.

f) The maximum height of a boathouse or boatport shall not exceed 4.25 m.

g) A maximum of one boathouse or boatport per lot.

h) The maximum gross floor area of a boathouse shall not exceed 47 m^2.

i) The Mississippi Valley Conservation Authority shall be contacted to determine if a permit is required.

j) The Ministry of Natural Resources and Forestry shall be contacted for a boathouse or boatport below the high-water mark of the waterbody, to determine if a permit is required.

k) Dock to a maximum length of 8 m and a maximum width of 2 m, unless otherwise permitted by Mississippi Valley Conservation Authority or any other authority having jurisdiction.

l) 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 m.

m) Docks shall be limited to floating, cantilevered or post dock construction unless otherwise permitted by the Mississippi Valley Conservation Authority or any other authority having jurisdiction.

n) The surface area of a dock shall not exceed 15 m^2 in area, unless otherwise permitted by the Mississippi Valley Conservation Authority and any other authority having jurisdiction.

o) A dock shall not be constructed closer than 3 m 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.

p) Despite the above, no dock shall be constructed which constitutes a navigation or safety hazard.

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

3.42 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 (Revised April 28, 2022) 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 two 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.

3.43SPECIAL SETBACKS

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

    a) For Class I uses, no closer than 20 m to the sensitive use and no part of any sensitive use shall locate closer than 20 m to the industrial use

    b) For Class II industrial uses, no closer than 70 m to the sensitive use and no part of any sensitive use shall locate closer than 70 m to the industrial use

    c) For Class III industrial uses, no closer than 300 m to the sensitive use and no part of any sensitive use shall locate closer than 300 m to the industrial use

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

3.44 TEMPORARY USES

A Class 1A 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.

3.45 USE BY A PUBLIC AUTHORITY

Notwithstanding any provisions of this By-law, nothing shall prohibit the use of any lot or the erection or use of any building or structure for the purposes of a public use provided by any Public Authority. This includes but is not limited to the Town of Carleton Place, County of Lanark, or any public authority including any department or Ministry of the Government of Ontario or Canada and, for the purposes of this section, shall include Hydro One Networks Inc, any telephone, telegraph, or cable television company, and any natural gas company or publicly licensed authority, pursuant to the *Planning Act.*

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 as mentioned above, provided that where such land, building, or structure is not located in or abutting a Development Permit Area in which residential uses of land are permitted. Where a utility installation is located on or abutting a Development Permit Area where residential uses are permitted, the following provisions apply:

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 the Mississippi District or Residential Development Permit Area under the authority of this paragraph shall be designed and maintained in general harmony with the residential buildings of the type permitted in the Development Permit Area.

3.46 VEGETATION REMOVAL OR SITE ALTERATION

1) 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 m from the Mississippi River and 15 m from wetlands and hardened shorelines.

2) 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 qualified professional, 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.

3) Street trees and the preservation of tree canopies shall be protected to the greatest extent possible prioritizing native and climate-resilient species to enhance biodiversity, reduce air pollution, and support mental and physical well-being. Accordingly, a Tree Preservation Plan is required in support of development applications.

4) 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, appearance, and ecological benefit. 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 according to the following scale:

Tree Removed	Replacement Condition
150 mm caliper tree	1 new tree to be planted
151 mm – 400 mm caliper tree	2 new trees to be planted
401 mm – 599 mm caliper tree	3 new trees to be planted
600 mm caliper tree (or greater)	4 new trees to be planted

5) All replacement trees require by the scale above shall be planted on the site of the proposed development.

6) A Class 1 Development Permit is required for the removal of a tree having a caliper of 150

mm or more, provided said tree is beyond 30 m of a watercourse, unless the removal of the tree is subject to a Class 2 or Class 3 Development Permit application.

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

8) 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/River Corridor Advisory Committee and a Class 2 Development Permit. No more than one-third of the total replacement trees required can be planted on lands other than the proposed development lands.

9) 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.

10) New development will be encouraged to incorporate green infrastructure such as rain gardens and permeable surfaces alongside three preservation efforts to improve stormwater management and mitigate flooding risks.

3.47 WATER SUPPLY, SEWAGE DISPOSAL, AND STORMWATER SYSTEMS

1) 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 wastewater treatment facility. Calculations for the uncommitted reserve capacity of water and sewer systems will be required, where required, to determine the capacity of services to support new development.

2) 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 sanitary system.

3) 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 private individual on-site water or sanitary systems or communal water or septic services. A development that considers any form of communal servicing shall be done by means of a Plan of Condominium.

4) Where residential development on private services is proposed, it shall be on lots which are sufficiently large to satisfy the Ontario Building Code requirements for septic systems.

5) 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. The incorporation of green infrastructure, such as permeable pavement and other Low Impact Development stormwater management strategies shall be encouraged to reduce runoff contamination and flooding.

3.48 SUBDIVISION PRE-BUILT HOUSING

1) Subdivision Pre-Built housing is permitted within a draft approved Residential Plan of Subdivision or Registered Plan of Subdivision, where municipal infrastructure including but not limited to water mains, sanitary sewers, storm sewers, and public roads are not yet completed, commissioned, or accepted by the Town.

2) Prebuilt housing means houses, and includes commonly used terminology such as Dry Units, Residential Dry Builds, and Model Homes.

3) The maximum permitted number of prebuilt housing units shall not exceed the lesser of, 10% of the total number of residential units intended for residential development, or five (5) prebuilt houses.

4) Prebuilt housing shall not have any water service pipe or building sewers (as defined in the Ontario Building Code), constructed or connected to the future municipal infrastructure until accepted by the Town.

5) All prebuilt housing shall comply with the requirements for residential uses in Section 6, and all other applicable sections of this By-law.

6) Prebuilt housing shall not be permitted to be occupied as a residential unit until the subdivision agreement is registered, the municipal infrastructure is complete, commissioned and accepted by the Town, and the Chief Building Official has provided an Occupancy Permit in accordance with the Ontario Building Code.

7) All prebuilt housing structures shall be provided with fire access routes and active fire hydrants that are acceptable to the Chief Building Official and the Chief Fire Official.

8) Prebuilt housing may be used for the purposes of display and showcasing for sale of specific built product to be developed and constructed within the approved subdivision, provided an occupancy permit has been issued by the Chief Building Official.

9) Prebuilt housing under this section shall only be permitted through the issuance of a Conditional Building Permit agreement pursuant to subsection 8(3) of the *Building Code Act.*

4.0 DEVELOPMENT PERMIT AREAS

Schedule ‘A’ forms a part of this By-law and applies to all lands within the Town. Lands on Schedule ‘A’ are categorized into Development Permit Areas as follows:

- Mississippi District
  - Downtown
  - Mississippi Transitional
  - Mississippi Residential
  - High Street Residential
  - Strategic Properties
- Residential
- Industrial Employment
- Business Campus
- Health Campus
- Community Commercial
- Highway Commercial
- Institutional
- Natural Environment
- Parks and Open Space
- Environmental Constraints

4.1 MISSISSIPPI DISTRICT

The Mississippi District is an overarching area outlined on Schedule 'A' of the Development Permit By-law that encompasses five Development Permit Areas, each with their own unique characteristics and development types. The Mississippi District is composed of the Town's core area which was developed with a focus on the Mississippi River.

The five Development Permit Areas within the Mississippi District are known as the Downtown, the Mississippi Transitional, the Mississippi Residential and Strategic Properties.

The purpose and intent of the provisions and regulations in of the Mississippi District outlined in this By-law is to ensure that development and re-development will be undertaken in a manner which respects the historical, traditional, heritage characteristics, and natural environment of this part of the Town of Carleton Place, which is valued by all residents as the heart of the Municipality.

4.1.1 Downtown Development Permit Area

The purpose and intent of the Downtown is to provide a flexible regulatory framework for development and re-development of properties located in this area, while ensuring the preservation and enhancement of the areas architectural and cultural character. The intent is also to continue to provide for increased economic activity in a mixed-use environment featuring pedestrian oriented commercial uses and increased residential density.

4.1.1.1 Permitted Uses

The following uses shall be permitted subject to all the applicable provisions of this By-law.

- Accessory Residential to a Non-Residential Use
- Apartment Building
- Art Gallery
- Artisan's Studio
- Auction House
- Bakery
- Bank
- Club
- Commercial Sports and Recreational Establishment
- Dry Cleaning Depot
- Flea Market
- Hotel
- Museum
- Nightclub
- Office
- Personal Service Business
- Parking Lot
- Place of Worship
- Public Market
- Restaurant, Bar
- Restaurant, Full Service
- Restaurant, Fast Food
- Restaurant. Take Out
- Retail Store
- Theatre

4.1.1.2 Discretionary Uses

- Adult Entertainment Establishment
- School, Commercial
- School, Private

4.1.1.3 Development Standards - Non-Residential Uses

Site Provisions	Requirements
Lot Area (minimum)	No minimum.

Lot Coverage (maximum)	No maximum.
Lot Frontage (minimum)	No minimum.
Front Yard Setback (maximum)	Established Building Line.
Exterior Side Yard Setback (maximum)	Established Building Line.
Interior Side Yard Setback (minimum)	No minimum.
Rear Yard Setback (minimum)	No minimum.
Usable Open Space in the form of a balcony, ground flood patio or rooftop patio (minimum)	5 m^2 per residential unit.
Building Height (maximum)	25 m - Buildings over 11 m (or 3 storeys) shall be stepped back with each successive storey at 45 degrees from the street line.

4.1.1.4 Additional Provisions – Non-Residential Uses

1) For the purpose of evaluating a mixed-use building composed of, or partially composed of, ground floor commercial uses and residential units on the upper floors of the building, non-residential development standards shall apply.

4.1.1.5 Development Standards – Apartment Buildings

Site Provisions	Requirements
Lot Area (minimum)	No minimum.
Lot Coverage (maximum)	70%
Density, Net (Maximum)	1 unit per 110 m^2 of lot area.
Lot Frontage (minimum)	No minimum.
Front Yard Setback (maximum)	Established Building Line.
Exterior Side Yard Setback (maximum)	Established Building Line.
Interior Side Yard Setback (minimum)	No minimum.
Rear Yard Setback (minimum)	No minimum.
Usable Open Space in the form of a balcony, ground flood patio or rooftop patio (minimum)	5 m^2 per residential unit.
Building Height (maximum)	16 m - Buildings over 11 m (or 3 storeys) shall be stepped back with each successive storey at 45 degrees from the street line

4.1.1.6 Additional Provisions – Residential Uses

1) Apartment Building is not a permitted use for a lot having frontage on Bridge Street.

2) Accessory Residential to a Non-Residential Use is a permitted use for a lot having frontage on Bridge Street.

3) Parking is only be permitted in the rear yard.

4) In the event of a mixed-use building, where residential uses take place above or behind a primary non-residential use, the subject building shall comply to the development standards of a non-residential use in the Downtown Development Permit Area.

4.1.2 Mississippi Transitional Development Permit Area

The purpose and intent of the Mississippi Transitional 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 Downtown.

4.1.2.1 Permitted Uses

- Accessory Residential to a Non-Residential Use
- Apartment Building
- Art Gallery
- Artisan's Studio
- Auction House
- Automotive Gas Bar
- Bakery
- Bank
- Club
- Clinic
- Commercial Sports and Recreational Establishment
- Dry Cleaning Depot
- Flea Market
- Funeral Home
- Hotel
- Museum
- Office
- Personal Service Business
- Parking Lot
- Place of Worship
- Public Market
- Restaurant, Bar
- Restaurant, Drive Through
- Restaurant, Full Service
- Restaurant, Fast Food
- Restaurant. Take Out
- Retail Store
- Theatre
- School, Commercial
- School, Private
- Veterinarian Establishment

4.1.2.2 Development Standards – Non-Residential Uses

Site Provisions	Requirements
Lot Area (minimum)	No minimum.
Lot Coverage (maximum)	No maximum.
Lot Frontage (minimum)	No minimum.
Front Yard Setback (maximum)	Established Building Line.
Exterior Side Yard Setback (maximum)	Established Building Line.
Interior Side Yard Setback (minimum)	No minimum where an adjacent lot is a non-residential use. 3 m minimum where adjacent lot is a residential use.
Rear Yard Setback (minimum)	No minimum where an adjacent lot is a non-residential use. 3 m minimum where adjacent lot is a

	residential use.
Usable Open Space in the form of a balcony, ground flood patio or rooftop patio (minimum)	5 m^2 per residential unit.
Building Height (maximum)	22 m - Buildings over 11 m (or 3 storeys) shall be stepped back with each successive storey at 45 degrees from the street line.

4.1.2.3 Development Standards –Apartment Buildings

Site Provisions	Requirements
Lot Area (minimum)	No minimum.
Lot Coverage (maximum)	70%
Density (Maximum)	1 unit per 110 m^2 of lot area.
Lot Frontage (minimum)	No minimum.
Front Yard Setback (maximum)	No minimum. Established Building Line.
Exterior Side Yard Setback (maximum)	No minimum. Established Building Line
Interior Side Yard Setback (minimum)	No minimum where an adjacent lot is a non-residential use. 3 m minimum where adjacent lot is a residential use.
Rear Yard Setback (minimum)	No minimum where an adjacent lot is a non-residential use. 3 m minimum where adjacent lot is a residential use.
Usable Open Space in the form of a balcony, ground flood patio or rooftop patio (minimum)	5 m^2 per residential unit.
Building Height (maximum)	15 m - Buildings over 11 m (or 3 storeys) shall be stepped back with each successive storey at 45 degrees from the street line.

4.1.2.4 Additional Provisions – Residential Uses

1) Apartment Building is not a permitted use for a lot having frontage on Bridge Street.

2) Accessory Residential to a Non-Residential Use is a permitted use for a lot having frontage on Bridge Street.

3) No parking shall be permitted within the front or exterior side yard.

4.1.3 Mississippi Residential Development Permit Area

The Mississippi Residential is an established residential area which is composed of a mix of neighborhoods characterized by a range of housing types. The area is dominated by residential uses located on tree lined streets with several parks, schools, churches, local commercial uses, and municipal amenities.

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.

4.1.3.1 Permitted Uses

- House, Semi-Detached
- House, Single Detached
- Parks

4.1.3.2 Discretionary Uses

- Bed and Breakfast Establishment
- Group Home
- Office
- Personal Service Business
- Place of Worship
- Retail
- Recreational Facility
- Retirement Home

4.1.3.3 Development Standards – Single Detached House

Site Provisions	Requirements
Lot Area (minimum)	500 m^2
Lot Coverage (maximum)	50%
Lot Frontage (minimum)	18 m
Front Yard Setback	Established Building Line.
Exterior Side Yard Setback	Established Building Line.
Interior Side Yard Setback (minimum)	Combined interior yards of 4.5 m minimum with a minimum of 1.5 m on one side.
Rear Yard Setback (minimum)	8 m
Building Height (maximum)	8.5 m

4.1.3.4 Additional Provisions – Single Detached House

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 m 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.

4.1.3.5 Development Standards – Semi-Detached House

Site Provisions	Requirements
Lot Area (minimum)	250 m^2
Lot Coverage (maximum)	50%
Lot Frontage (minimum)	9 m
Front Yard Setback	Established Building Line.
Exterior Side Yard Setback	Established Building Line.
Interior Side Yard Setback (minimum)	3 m - No side yard shall be required along the lot line shared with the other semi-detached house.
Rear Yard Setback (minimum)	8 m
Building Height (maximum)	8.5 m

4.1.3.6 Additional Provisions – Semi Detached House

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 houses, 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 m from the front or exterior side lot line.

2) Should the house 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 must have soft/green landscape elements such as grass, ground cover, naturalized plantings, trees, and shrubbery.

4.1.4 High Street Residential Development Permit Area

The High Street Residential is an established residential area which is composed primarily of single-detached homes, 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. The Town encourages new development and redevelopment to incorporate energy-efficient and client-resilient features.

4.1.4.1 Permitted Uses

- House, Semi-Detached
- House, Single Detached

4.1.4.2 Discretionary Uses

- Bed and Breakfast Establishment
- Home-Based Business

4.1.4.3 Development Standards – Single Detached House

Site Provisions	Requirements
Lot Area (minimum)	No minimum.
Lot Coverage (maximum)	60%
Lot Frontage (minimum)	18 m
Front Yard Setback	Established Building Line.
Exterior Side Yard Setback	Established Building Line.
Interior Side Yard Setback (minimum)	1.2 m
Rear Yard Setback (minimum)	8 m
Building Height (maximum)	11 m

4.1.4.4 Development Standards – Semi-Detached House

Site Provisions	Requirements
Lot Area (minimum)	No minimum.
Lot Coverage (maximum)	60%
Lot Frontage (minimum)	9 m
Front Yard Setback	Established Building Line.
Exterior Side Yard Setback	Established Building Line.

Interior Side Yard Setback (minimum)	1.2 m - No side yard shall be required along the lot line shared with the other semi-detached house.
Rear Yard Setback (minimum)	8 m
Building Height (maximum)	11 m

4.1.4.5 Additional Provisions – Permitted Residential Uses

1) The width of an attached garage shall not exceed 45% of the overall lot frontage.

2) The exterior walls of an attached garage shall not project further into the front yard than the longest portion of the exterior wall of the house which is oriented towards the front lot line. The driveway must not extend further than the exterior wall of an attached garage.

3) At least fifty percent (50%) of the total lot frontage must have soft/green landscape elements such as grass, ground cover, naturalized plantings, trees, and shrubbery.

4.1.5 Strategic Properties

There are five identified strategic properties which present opportunities for new residential and mixed-use development which can complement and support the Town's core and help provide linkages between the Downtown Development Permit Area and peripheral residential areas. The purpose and intent of the following regulations, which apply to each individual property, is to facilitate their renewal and adaptive re-use.

4.1.5.1 Permitted Uses

- Art Gallery
- Apartment Building
- Artisan's Studio
- Auditorium
- Bakery
- Bank
- Club
- Commercial Sports and Recreational Establishment
- Flea Market
- Hotel
- Nightclub
- Office
- Personal Service Business
- Public Market
- Restaurant, Bar
- Restaurant, Fast Food
- Restaurant, Full Service
- Restaurant, Take Out
- Retail Store
- Theatre

4.1.5.2 Strategic Properties – Locations Identified on Schedule A

1) DRS, 115 Emily Street

2) Woolgrowers Site, 142 Franktown Road

3) McArthur Island, 150 Mill Street

4) Findlay Foundry, 28 High Street

5) Braydon Mill, 150 Rosamond Street

4.1.5.3 Strategic Properties – General Provisions

The following provisions shall apply to all Strategic Properties unless a site-specific provision states otherwise:

1) A maximum of 30% developed net floor space shall be for non-residential uses when in a mixed-use building.

2) Residential uses shall be limited to medium and high-density Apartment Buildings, with a minimum height of three storeys and a maximum height of five storeys.

3) Each residential unit shall be required to provide 1.25 parking spaces. Each non-residential use shall be in accordance with the provisions in Section 3.

4) Where possible, the development of Strategic Properties shall include access and connections to adjacent public spaces including, but not limited to, municipality owned

parks, the Mississippi River, and the Ottawa Valley Rail Trail.

4.1.5.4 Site Specific Provisions - DRS 115 Emily Street

1) Notwithstanding any other provision in this By-law, non-residential uses are only permitted where medium to high density residential uses exist.

2) As of the date of passing of this By-law, existing buildings that have legal non-complying setbacks are permitted.

4.1.5.4.1 Development Standards

Site Provisions	Requirements
Lot Area (minimum)	No minimum.
Lot Coverage (maximum)	70%
Density (Maximum)	1 residential unit per 250 m^2 of lot area.
Lot Frontage (minimum)	No minimum.
Front Yard Setback (maximum)	No minimum. Established Building Line.
Exterior Side Yard Setback (maximum)	No minimum. Established Building Line.
Interior Side Yard Setback (minimum)	1.2 m - Or where adjacent to existing residential uses it shall be 6 m.
Rear Yard Setback (minimum)	8 m
Usable Open Space in the form of a balcony, ground flood patio or rooftop patio (minimum) AND Usable Landscape Open Space	5 m^2 per residential unit AND 20% Landscaped Usable Open Space at surface level.
Building Height (maximum)	20 m - Buildings over 11 m (or 3 storeys) shall be stepped back with each successive storey at 45.0 degrees from the street line.

4.1.5.5 Site Specific Provisions - Woolgrowers Site, 142 Franktown Road

1) 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 By-law is intended to restrict the expansion of the existing use.

4.1.5.5.1 Development Standards

Site Provisions	Requirements
Lot Area (minimum)	No minimum.
Lot Coverage (maximum)	70%
Density (Maximum)	1 residential unit per 250 m^2 of lot area.
Lot Frontage (minimum)	No minimum.
Front Yard Setback (maximum)	No minimum. Established Building Line.
Exterior Side Yard Setback (maximum)	No minimum. Established Building Line.
Interior Side Yard Setback (minimum)	1.2 m - Or where adjacent to existing residential uses it shall be 6 m.
Rear Yard Setback (minimum)	8 m
Usable Open Space in the form of a balcony, ground flood patio or rooftop patio (minimum) AND Usable Landscape Open Space (minimum)	5 m^2 per residential unit AND 20% Landscaped Usable Open Space at surface level.
Building Height (maximum)	20 m - Buildings over 11 m (or 3 storeys) shall be stepped back with each successive storey at 45.0 degrees from the street line.

4.1.5.5 Site Specific Provisions - McArthur Island, 150 Mill Street

1) In addition to the permitted uses listed above, a Retirement Home, Home for the Aged, Nursing Home, Long-Term Care Facility and Clinic, Medical are also permitted.

2) Notwithstanding the provisions of Section 3.41, the required 30m setback from a natural watercourse has been reduced in accordance with the recommendation of the supporting Environmental Impact Statement.

3) Notwithstanding the total parking requirements in accordance with Section 3, the site is permitted to have a reduction of spaces in accordance with the terms of DP3-04-2019.

4) [By-law 101-2020] Notwithstanding the provision of Section 4.1.5 “Strategic Properties”, on the northern portion of the lands known as 150 Mill Street (McArthur Island) identified in Schedule ‘A’ as “h1”, the lands shall remain vacant and undeveloped until such time as the following plans, reports, approvals and agreements have been provided to the satisfaction of the Town:
    a) Composite Utility Plan;
    b) Environmental Compliance Approval by the Ministry of the Environment;
    c) Detailed Design for all pedestrian bridges and pathway crossings of the Mississippi River;
    d) Building Elevations;
    e) Landscape Plans;
    f) Record of Site Conditions;
    g) Traffic Study Regarding Mill Street Bridge capacity and widening requirements;
    h) Amending Development Agreement including but not limited to:
    i) Financial Conditions;
        ii. Insurance Certificates;
        iii. Performances Bonds;
        iv. Updates Schedules;

4.1.5.5.1 Development Standards

Site Provisions	Requirements
Lot Area (minimum)	No minimum.
Lot Coverage (maximum)	70%
Density (Maximum)	1 residential unit per 193 m^2 of lot area.
Lot Frontage (minimum)	20 m
Front Yard Setback (maximum)	No minimum. Established Building Line.
Exterior Side Yard Setback (maximum)	No minimum. Established Building Line.
Interior Side Yard Setback (minimum)	1.2 m

Rear Yard Setback (minimum)	No minimum.
Usable Landscape Open Space (minimum)	20%
Building Height (maximum)	25 m

4.1.5.6 Site Specific Provisions - Findlay Foundry, 28 High Street

4.1.5.6.1 Development Standards

Site Provisions	Requirements
Lot Area (minimum)	No minimum.
Lot Coverage (maximum)	70%
Density (Maximum)	1 residential unit per 66 m^2 of lot area.
Commercial Gross Floor Area (Minimum)	356 m^2
Commercial Gross Floor Area (Maximum)	30%
Lot Frontage (minimum)	20 m
Front Yard Setback (maximum)	No minimum. Established Building Line.
Exterior Side Yard Setback (maximum)	No minimum. Established Building Line.
Interior Side Yard Setback (minimum)	3 m
Rear Yard Setback (minimum)	No minimum.
Usable Landscape Open Space (minimum)	20%
Building Height (maximum)	23 m

4.1.5.7 Site Specific Provisions - Braydon Mill, 150 Rosamond Street

1) Notwithstanding any other provision in this By-law, development or redevelopment of the site shall be limited to residential uses in a mixed-use environment.

4.1.5.7.1 Development Standards

Site Provisions	Requirements
Lot Area (minimum)	No minimum.
Lot Coverage (maximum)	70%
Density (Maximum)	1 residential unit per 250 m^2 of lot area.
Commercial Net Floor Area (Minimum)	5%
Commercial Net Floor Area (Maximum)	30%
Lot Frontage (minimum)	No minimum.
Front Yard Setback (maximum)	No minimum. Established Building Line.
Exterior Side Yard Setback (maximum)	4.5 m
Interior Side Yard Setback (minimum)	3 m
Rear Yard Setback (minimum)	No minimum.
Usable Landscape Open Space	20%
Building Height (maximum)	16 m - Buildings over 11 m (or 3 storeys) shall be stepped back with each successive storey at 45.0 degrees from the street line.

4.2 RESIDENTIAL DEVELOPMENT PERMIT AREA

The Residential Development Permit Area applies to existing residential areas within the Town's boundaries. It applies to a number of different types of housing, from low density single-detached houses to medium density townhouses to apartment buildings. Within the Residential Development Permit Area, a wide range of residential uses are permitted, subject to the following standards.

The purpose and intent of the Residential Development Permit Area is to promote compatible residential development within neighbourhoods. Infill development must consider existing built forms and fit into the surrounding landscape with minimal impact.

4.2.1 Permitted Uses

The following uses shall be permitted subject to all of the applicable provisions of this By-law:

- Apartment Building
- House, Semi-Detached
- House, Single Detached
- Daycare Facilities
- Townhouse, all types

4.2.2 Discretionary Uses

- Bed and Breakfast Establishment
- Community Health and Services
- Home for the Aged
- Home Industry
- Library
- Long-term Care Facility
- Nursing Home
- Park
- Place of Worship
- Planned Unit Development
- Recreation Facility
- Residential Care Facility
- Retirement Home
- School

4.2.3 Development Standards

For the purposes of interpreting this By-law, Additional Residential Units are not required to meet the minimum lot area prescribed in the By-law.

4.2.3.1 Development Standards - Single Detached House

Site Provisions	Requirements
Lot Area (minimum)	330m^2
Lot Coverage (maximum)	60%
Lot Frontage (minimum)	11 m
Front Yard Setback	4.5 m minimum 7.5 m maximum
Exterior Side Yard Setback	4.5 m minimum 7.5 m maximum
Interior Side Yard Setback (minimum)	1.2 m

Rear Yard Setback (minimum)	7.5m
Building Height (maximum)	11 m

4.2.3.2 Development Standards - Semi-Detached House

Site Provisions	Requirements
Lot Area (minimum)	225 m^2
Lot Coverage (maximum)	60%
Lot Frontage (minimum)	7.5 m
Front Yard Setback	4.5 m minimum 7.5 m maximum
Exterior Side Yard Setback	4.5 m minimum 7.5 m maximum
Interior Side Yard Setback (minimum)	1.2 m - No side yard shall be required along the lot line shared with the other semi-detached house.
Rear Yard Setback (minimum)	7.5 m
Building Height (maximum)	11 m

4.2.3.3 Development Standards – Townhouses, Stacked

Site Provisions	Requirements
Lot Area (minimum)	No minimum
Lot Coverage (maximum)	60%
Lot Frontage (minimum)	5.5 m for an interior unit where no attached garage is proposed. 7.5 m for an interior unit where an attached garage is proposed. 8.5 m for an end unit.
Density (Maximum) - Applicable to the entire block of Townhouses	1 unit per 110 m^2 of lot area.
Front Yard Setback	2.5 m minimum where no attached garage or driveway is proposed. 4.5 m minimum where an attached garage is proposed. 7.5 m maximum

Exterior Side Yard Setback	4.5 m minimum 7.5 m maximum
Interior Side Yard Setback (minimum)	1.5 m - No side yard shall be required along the lot line shared with another Townhouse.
Rear Yard Setback (minimum)	7.5 m
Building Height (maximum)	11 m
Maximum Block Length	8 units

4.2.3.4 Development Standards – Townhouses, Back-to-Back

Site Provisions	Requirements
Lot Area (minimum)	No minimum
Lot Coverage (maximum)	60% (or 66% where an attached garage is proposed)
Lot Frontage (minimum)	7.5 m for an interior unit. 8.5m for an end unit.
Density (Maximum) - Applicable to the entire block of Townhouses	1 unit per 93 m^2 of lot area.
Front Yard Setback	4.5 m minimum 7.5 m maximum
Exterior Side Yard Setback	4.5 m minimum 7.5 m maximum
Interior Side Yard Setback (minimum)	1.5 m - No side yard shall be required along the lot line shared with another Townhouse.
Usable Landscaped Open Space (minimum) in any yard	15 m^2
Building Height (maximum)	11 m
Maximum Block Length	8 units

4.2.3.5 Development Standards – Townhouses, All Other Types

Site Provisions	Requirements
Lot Area (minimum)	330 m^2
Lot Coverage (maximum)	60%
Lot Frontage (minimum)	7.5 m for an interior unit. 8.5 m for an end unit.
Front Yard Setback	4.5 m minimum 7.5 m maximum
Exterior Side Yard Setback	4.5 m minimum 7.5 m maximum
Interior Side Yard Setback (minimum)	1.5 m - No interior side yard shall be required along a shared interior lot line or common wall.
Rear Yard Setback (minimum)	7.5 m
Building Height (maximum)	11 m

4.2.3.6 Development Standards – Apartment Buildings

Site Provisions	Requirements
Lot Area (minimum)	No minimum.
Lot Coverage (maximum)	60%
Lot Frontage (minimum)	35 m
Density (Maximum)	1 unit per 110 m^2 of lot area.
Front Yard Setback	4.5 m minimum 7.5 m maximum
Exterior Side Yard Setback	4.5 m minimum 7.5 m maximum
Interior Side Yard Setback (minimum)	3 m
Rear Yard Setback (minimum)	7.5 m
Usable Landscaped Open Space (minimum)	20% of the lot area.

Building Height (maximum)	14 m - Buildings over 11 m (or 3 storeys) shall be stepped back with each successive storey at 45.0 degrees from the street line.

4.2.3.6.1 Additional Provisions - Apartment Buildings

1) A maximum of 40% of the lot area may be used for at grade parking.

2) All apartment buildings containing more than seven residential units shall be required to demonstrate appropriate access to an arterial or collector road.

3) All utilities, including but not limited to telephone and electricity.

4) Off street parking areas shall not open directly onto 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.

4.2.3.7 Special Exceptions

4.2.3.7.1 Residential Development Permit Area – Special Exception 1

Notwithstanding the Development Standards of this By-law, on the lands described as Part of Lots 14 & 15, Concession 10, geographic Township of Beckwith (McNeely Landing Subdivision) the following development standards shall apply:

4.2.3.7.1.1 Single Detached and Semi-Detached House

Site Provisions	Requirements
Lot Area (minimum)	Nil
Lot Coverage (maximum)	60%
Lot Frontage (minimum)	11 m
Front Yard Setback	4.5 m minimum 8.5 m maximum
Exterior Side Yard Setback	4.5 m minimum 7.5 m maximum
Interior Side Yard Setback (minimum)	1.2 m
Rear Yard Setback (minimum)	7 m
Usable Landscaped Open Space (minimum) in the rear yard	50 m^2

Building Height (maximum)	11 m
Width of Garage	The interior width of an attached garage may exceed 50% of the overall lot frontage, provided a driveway leading to an attached garage does not extend further than the exterior wall of the garage.
Minimum Front Yard Landscape Elements	Lots with a frontage of 13 m or less shall have a minimum of 30% of the total lot frontage as sot/green landscape elements. With the exception of driveways and pathways, the lot frontage shall be required to provide soft and green landscape elements such as grass, ground cover, naturalized plantings, trees, and shrubbery.

4.3.7.1.2 Townhouse

Site Provisions	Requirements
Lot Area (minimum)	Nil
Lot Coverage (maximum)	60%
Lot Frontage (minimum)	5.5 m
Front Yard Setback	4.5 m minimum 8.5 m maximum
Exterior Side Yard Setback	4.5 m minimum 7.5 m maximum
Interior Side Yard Setback (minimum)	1.5 m
Rear Yard Setback (minimum)	6.5 m
Usable Landscaped Open Space (minimum) in the rear yard	30 m^2
Building Height (maximum)	11 m
Width of Garage	The interior width of an attached garage may exceed 70% of the overall lot frontage, provided a driveway leading to an attached garage does not extend further than the exterior wall of the garage.

Minimum Garage Setback	Notwithstanding the required setback for the main front wall of the dwelling, the main garage foundation shall be setback a minimum of 6 m from the front lot line.
Front Yard Setback Exemption	Townhouse dwellings are exempt from complying with the Front Yard Setback standards where impact by curved streets.

4.2.3.7.1.3 Permitted Projections and Definitions

1) Unenclosed porches under 3 m in height may project up to a maximum of 0.5 m into a required interior or exterior side yard provided they do not contravene easements.

2) Piers, brick returns, and other ornamental features may project a maximum of 0.5 m into a required interior or exterior side yard provided they do not contravene easements.

3) Main Front Wall shall mean part of an exterior front-facing façade of a building including walls at or above the first storey, porches, and main entrances that are located closest to the front lot line but excluding an attached garage.

4.3 INDUSTRIAL EMPLOYMENT DEVELOPMENT PERMIT AREA

There are two areas designated as Industrial Employment Development Permit Area. One is located on the northeast side of the limit of the Town and the other is located on the southwest corner of Highway 7 & 15. The purpose and intent of the Development Permit Area is to provide for traditional industrial employment uses which should generally be set back from more sensitive land uses. The Town encourages the incorporation of active transportation infrastructure and amenities for new development and redevelopment.

4.3.1 Permitted Uses

- Custom Workshop
- Distribution Centre
- Dry Cleaning Establishment
- Dry Cleaning Depot
- Existing Uses
- Bulk Fuel Depot
- Bulk Sales Establishment
- Industrial Class I, II, III
- Manufacturing
- Printing and Publishing Establishment
- Research and Development Facility
- Sawmill
- Transport Depot
- Warehouse
- Workshop

4.3.2 Discretionary Uses

- Accessory Office
- Accessory Retail Store

4.3.3 Development Standards

Standard	Requirements
Lot Area (minimum)	No minimum.
Lot Coverage (maximum)	70%
Lot Frontage (minimum)	No minimum.
Front Yard Setback (minimum)	6 m
Exterior Side Yard Setback (minimum)	6 m
Interior Side Yard Setback (minimum)	3.5 m
Rear Yard Setback (minimum)	8 m
Landscaped Open Space (minimum)	10%
Building Height (maximum)	24 m

4.3.4 Additional Provisions

1) The minimum separation distance for any lands designated as Class I, II, III Industrial shall be subject to the provisions of subsection 3.43.

4.4 HEALTH CAMPUS DEVELOPMENT PERMIT AREA

The purpose and intent of the Development Permit Area is to provide for uses which will serve and complement health related land uses and activities.

4.4.1 Permitted Uses

- Accessory
- Retail Store
- Auditorium
- Catering Establishment
- Funeral Establishment
- Home for the Aged
- Hotel
- Long-term Care Facility
- Clinic
- Medical Equipment and Supply Outlet
- Commercial Sports and Recreation Centre
- Community Health Service
- Custom Workshop, Health Related
- Nursing Home
- Office
- Parking Lot
- Research and Development Facility
- Restaurant, Take Out
- School, Private
- Veterinary Establishment

4.4.2 Discretionary Uses

- Daycare Facilities
- Dry Cleaning Establishment
- Dry Cleaning Depot
- Personal Service Business

4.4.3 Development Standards

Standards	Requirements
Lot Area (minimum)	No minimum.
Lot Coverage (maximum)	70%
Lot Frontage (minimum)	No minimum.
Front Yard Setback (minimum)	6 m
Exterior Side Yard Setback (minimum)	6 m
Interior Side Yard Setback (minimum)	3.5 m
Rear Yard Setback (minimum)	8 m
Landscaped Open Space (minimum)	10%
Building Height (maximum)	24 m

4.4.4 Additional Provisions

1) A minimum 1.5 m landscape open space area is to be provided around all parking areas.

4.5 BUSINESS DEVELOPMENT PERMIT AREA

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

4.5.1 Permitted Uses

- Accessory Retail Store
- Auction House
- Auditorium
- Automotive Body Shop
- Automotive Rental Establishment
- Automotive Sales and Service Establishment
- Automotive Service Station
- Automotive Washing Establishment
- Catering Establishment
- Restaurant, Fast Food
- Restaurant, Take Out
- Commercial Sports and Recreational Establishment
- Communications Facility
- Community Health Service
- Custom Workshop
- Factory Sales Outlet
- Funeral Establishment
- Hotel
- Industrial Use – Class I Light
- Office
- School, Private
- Veterinary Establishment

4.5.2 Discretionary Uses

- Automotive Gas Bar
- Daycare Facilities
- Distribution Centre
- Restaurant, Drive Through
- Restaurant, Full Service
- Wholesale Establishment

4.5.3 Development Standards

Standards	Requirements
Lot Area (minimum)	No minimum.
Lot Coverage (maximum)	70%
Lot Frontage (minimum)	25 m
Front Yard Setback (minimum)	6 m
Exterior Side Yard Setback (minimum)	6 m
Interior Side Yard Setback (minimum)	3.5 m
Rear Yard Setback (minimum)	8 m
Landscaped Open Space (minimum)	10%
Building Height (maximum)	24 m

4.5.4 Additional Provisions

1) Where a restaurant is approved as a discretionary use, the following development standards shall apply:

    a) Maximum Lot Coverage: 40%

    b) Minimum Landscaped Open Space: 25%

    c) Maximum Building Height: 11 m

    d) All other development standards in Section 4.5.3 shall apply.

4.6 COMMUNITY COMMERCIAL DEVELOPMENT PERMIT AREA

The Community Commercial Development Permit Area applies to small neighborhood scale commercial development intended to serve local needs.

4.6.1 Permitted Uses

- Accessory Residential to a Non-Residential Use
- Art Gallery
- Artisan's Studio
- Bank
- Convenience Store
- Custom Workshop
- Daycare Facilities
- Dry Cleaning Establishment
- Dry Cleaning Depot
- Automotive Gas Bar
- Office
- Pharmacy
- Personal Service Business
- Propane Refilling Outlet
- Restaurant, Fast Food
- Restaurant, Take Out
- Retail Store
- Veterinary Establishment

4.6.2 Discretionary Uses

- Automotive Body Shop
- Automotive Sales and Service Establishment
- Automotive Service Station
- Automotive Washing Establishment

4.6.3 Development Standards

Standard	Requirements
Lot Area (minimum)	No minimum.
Lot Coverage (maximum)	60%
Lot Frontage (minimum)	15 m
Front Yard Setback	4.5 m minimum 7.5 m maximum
Exterior Side Yard Setback	4.5 m minimum 7.5 m maximum
Interior Side Yard Setback (minimum)	3 m where lot abuts residential use. 1 m where lot abuts any other Development Permit Area.
Rear Yard Setback (minimum)	9 m
Usable Landscaped Open Space in any Yard (minimum)	20% of the lot area.
Building Height (maximum)	11 m

4.7 HIGHWAY COMMERCIAL DEVELOPMENT PERMIT AREA

The Highway Commercial Development Permit Area 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.

4.7.1 Permitted Uses

- Automotive Body Shop
- Automotive Gas Bar
- Automotive Rental Establishment
- Automotive Sales and Service Establishment
- Animal Care
- Automotive Service Station
- Automotive Washing Establishment
- Bank
- Building Supply Store
- Commercial Sports and Recreational Establishment
- Commercial Storage
- Daycare Facilities
- Dry Cleaning Establishment
- Restaurant, Drive Through
- Restaurant, Fast-Food
- Restaurant, Full Service
- Restaurant, Take Out
- Retail Store
- Dry Cleaning Depot
- Equipment Rental Establishment
- Flea Market
- Food Service Vehicle
- Garden Centre
- Hotel
- Medical Equipment and Supply Outlet
- Clinic
- Mote
- Office
- Personal Service Business
- Propane Refilling Outlet
- Public Market
- Restaurant, Bar
- School, Commercial
- School, Private
- Service or Repair Establishment
- Theatre
- Veterinary Establishment

4.7.2 Discretionary Uses

- Contractor's Shop
- Commercial Greenhouse
- Commercial Sports and Recreation Establishment
- Communications Facility
- Custom Workshop
- Accessory Residential to a Non-Residential Use
- Apartment, Ancillary
- Farm Implement Sales and Service
- Recreational Vehicle Sales and Storage

4.7.3 Development Standards

Standards	Requirements
Lot Area (minimum)	No minimum.
Lot Coverage (maximum)	60%
Lot Frontage (minimum)	15 m
Front Yard Setback (minimum)	6 m

Exterior Side Yard Setback (minimum)	6 m
Interior Side Yard Setback (minimum)	3 m where lot abuts residential use. 1.2 m where lot abuts any other Development Permit Area.
Rear Yard Setback (minimum)	6 m
Building Height (maximum)	11 m

4.7.4 Additional Provisions

1) An Apartment, Ancillary shall be permitted accessory to a primary commercial use and subject to the following:

    a) Adequate municipal sewage and water services shall be available;

    b) The residential units shall be distinctly separate from the primary commercial use, including separate entrance, washroom, and kitchen facilities;

    c) The residential unit shall be located above, at the rear, or in a building independent of the primary commercial use;

    d) Where the residential units are located in a building independent of the primary non-residential use, the building(s) containing the residential units shall not be closer to the front nor exterior lot lines than the primary commercial use;

    e) The Apartment, Ancillary shall contain no fewer than 8 residential units;

    f) No residential unit shall be located within a portion of a non-residential building which has flammable fluids or hazardous materials stored in bulk for commercial purposes;

    g) No residential unit shall be located within a building used for an automotive Body Shop, Automotive Gas Bar, Automotive Sales and Service Establishment, or Automotive Service Station.

4.8 INSTITUTIONAL DEVELOPMENT PERMIT AREA

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

4.8.1 Permitted Uses

- Community Health and Services
- Daycare Facilities
- Emergency Services Building
- Hospital
- Library
- Long-Term Care Facility
- Nursing Home
- Home for the Aged
- Place of Worship
- Residential Care Facility
- Retirement Home
- School

4.8.2 Development Standards

Site Provisions	Requirements
Lot Area (minimum)	No minimum.
Lot Coverage (maximum)	35%
Lot Frontage (minimum)	15 m
Front Yard Setback	4.5 m minimum 7.5 m maximum
Exterior Side Yard Setback	4.5 m minimum 7.5 m maximum
Interior Side Yard Setback	3 m (minimum) where lot abuts residential use. 1.2 m where lot abuts any other Development Permit Area.
Rear Yard Setback (minimum)	9 m
Building Height (maximum)	22 m

4.8.3 Special Exceptions

Institutional – Special Exception 1(holding):

1) Notwithstanding the provisions of Section 4.8, "Institutional – Special Exception 1 (holding)", on the northern portion of the lands known as 347 Franktown Road (Carleton Lifestyles) identified in Schedule 'A' as "I1(h2)", shall be subject to a holding provision until such time that the following conditions have been satisfied:

a) Provision of all required agreements and/or easements with neighbouring Owners to ensure availability of adequate servicing and access, to the satisfaction of the Town (Phases 1,2,3 and 4);

b) A Class 2 Development Permit is Issued (Phase 1 only);

c) A Class 3 Development Permit is Issued (Phase 2, 3 and 4 only);

d) A Plan of Subdivision is registered and municipal services (road, water, sewer and storm) are extended and commissioned (Phases 2, 3 and 4 only).

4.9 NATURAL ENVIRONMENT DEVELOPMENT PERMIT AREA

The Natural Environment Development Permit Area 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.

4.9.1 Permitted Uses

- Buildings and/or structures intended for floor or erosion control or slope stabilization
- Conservation Uses
- Forestry Uses
- Passive Recreation Uses
- Recreational Trails

4.9.2 Discretionary Uses

- Docking Facilities
- Structures intended to facilitate passive recreational uses such as boardwalk

4.9.3 Development Standards

Not Applicable

4.10 PARKS AND OPEN SPACE DEVELOPMENT PERMIT AREA

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

4.10.1 Permitted Uses

- Cemetery
- Conservation Uses
- Forestry Use
- Marina
- Marine Facility
- Park
- Passive Recreation Uses
- Recreational Trails & Facilities

4.10.2 Discretionary Uses

- Golf Course
- Outdoor Recreational Facility

4.10.3 Development Standards

Site Provisions	Requirements
Lot Area (minimum)	No minimum.
Lot Coverage (maximum)	20%
Lot Frontage (minimum)	No minimum.
Front Yard Setback (minimum)	6 m
Exterior Side Yard Setback (minimum)	6 m
Interior Side Yard Setback (minimum)	6 m
Rear Yard Setback (minimum)	8 m
Landscaped Open Space	10%

4.11 ENVIRONMENTAL CONSTRAINTS DEVELOPMENT PERMIT AREA

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

4.11.1 Permitted Uses

- Building and/or structures intended for flood or erosion control or slope stabilization
- Conservation Uses
- Forestry Use
- Minor additions

4.11.2 Discretionary Uses

- Recreational Pathways

4.11.3 Development Standards

Not Applicable

4.11.4 Additional Provisions – Floodplain/Floodway and Flood Fringe

1) Any rebuild of a new building or structure or any expansion of, or addition to, any buildings or structures permitted in the Floodplain/Floodway and Flood Fringe after the day of the passing of this By-law must be floodproofed in accordance with Provincial Guidance. The specific approval of the Mississippi Valley Conservation Authority must be obtained prior to the issuance of a building permit.

2) Modification of the floodplain through filling, excavation or by other means is prohibited unless otherwise permitted by Mississippi Valley Conservation Authority and/or the Ministry of Natural Resources.

3) All land underwater is within the Environmental Constraint Development Permit Area.

4) An existing habitable building located in the Environmental Constraint Development Permit Area may be reconstructed or enlarged subject to the following conditions:

    a) The reconstruction of a building or an addition to an existing building must be floodproofed. For the purposes of implementing the By-law, the Town will rely on 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 m 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) The reconstruction of a building or the addition to an existing building in the floodplain/floodway or flood fringe after the day of the passing of this By-law cannot exceed a cumulative increase of more than 50% in gross floor area or 50 m^2 whichever is the lesser of the two.

5) An existing non-habitable building or structure located in the Environmental Constraint Development Permit Area may be reconstructed or enlarged subject to the following conditions:

a) The reconstruction of a building or the addition to an existing building in the floodplain/floodway or flood fringe after the day of the passing of this By-law cannot exceed a cumulative gross floor area of 50 m^2.

4.11.5 Additional Provisions – Erosion and Slope Stability

Any new building or structure, reconstruction of a building or structure, an addition to an existing building or structure or any site alteration, within and adjacent to an area that could be unsafe for development and site alteration due to naturally occurring hazards (erosion, unstable soils, sensitive marine clays, organic soils, unstable bedrock) may be permitted subject to the following conditions:

1) That a geotechnical/slope stability report prepared by a qualified geotechnical engineer in accordance with Provincial Guidelines has confirmed that the proposed setbacks are suitable for the development or has provided the required recommendations and mitigation measure required to safely permit the development.

5.0 BUILT FORM DESIGN GUIDELINES

The following section of the Development Permit By-law outlines the Built Form Design Criteria for each of the Development Permit Areas located within the Town of Carleton Place. The criteria have been divided to address each individual Development Permit Area and the unique character that comes with each.

The main objective of the design guidelines is to assist and facilitate building and site design approaches that reflect the built form expected by the Official Plan and the Development Permit By-law. To achieve the Town's goals in maintaining the existing historical development, while promoting new development, these guidelines have been crafted to ensure building design and site function have been carefully examined, among other elements, to ensure the highest quality of design in Carleton Place.

5.1 BUILT FORM DESIGN CRITERIA

5.1.1 Downtown and Mississippi Transitional Development Permit Area

Both the Downtown and the Mississippi Transitional Development Permit Areas provide the Town of Carleton Place with an extensive inventory of historical built form that dates back to the Town's inception. The original style, use, character and appearance of the built forms of the Downtown and Mississippi Transitional Development Permit Area are used as a starting point for the design criteria.

When any - building is altered or a new building is designed in the Downtown or Mississippi Transitional Development Permit Areas, the streetscape as a whole take's precedence over any individual building. Design elements such as siting, massing, rhythm, proportion, composition, material choice, finish, and detail contribute to "fitting in" with existing built form.

All development and redevelopment of properties found within these areas do not need to exclusively mimic the existing built form and traditional elements but should blend in with existing elements of character, scale and design.

New development within these Development Permit Areas should be complementary in appearance to existing development. Redevelopment of buildings should be of the same style, size and general proportion as the original while making the best attempt to maintain any character-defining elements and heritage attributes of the buildings proposed to be redeveloped.

Restoration over replacement is the preferred method of the Town for any redevelopment of properties within the Downtown and the Mississippi Transitional Development Permit Areas.

New materials and construction methods should be avoided if feasible for development or redevelopment, along with using the original method if it is still available.

5.1.1.1 Elements to be Considered

1) Signage

    a) Signage shall be restricted to storefront glazing, the horizontal signage band located above the display windows, or a hanging sign, projecting above the entrance.

b) Backlit or fluorescent signs are prohibited.

c) The preferred type of sign illumination is shielded, incandescent lighting at the top or side of the sign.

d) The size and scale of the sign should correspond to the building.

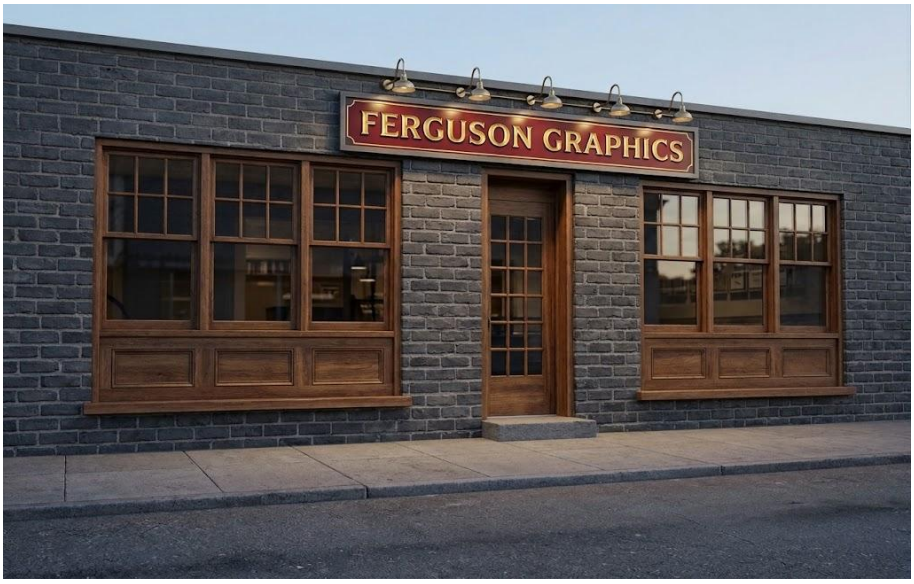


Figure 3 - The façade of a commercial building. (artificially rendered)

2) Façade

a) The façade of buildings is to be constructed with of one or two materials being masonry (brick or stone), solid wood siding or stucco or like product.

b) Maintenance of the established pattern of façade division along Bridge Street will be evaluated with any new Development Permit application.

c) The installation of air conditioners, satellite dishes, hydro meters, masts, gas valves, and piping on the exterior façade of the building abutting Bridge Street are prohibited. These features shall be located in the rear yard or rooftop where possible.

d) Exterior Side elevations are required to be constructed of one material either masonry (brick or stone), solid wood siding or similar like product.

e) Use periodic breaks in the street wall or minor variations in building setback and alignment to add interest to the streetscape, and to provide space for activities adjacent to the sidewalk.

f) Blank facades towards the front lot line and exterior lot lines shall be avoided where possible.

g) Building facades in the Downtown shall generally be that of the heritage colour palette described in Appendix B of this By-law.



Figure 4 - The façade of multiple storefronts within the heritage colour palette. (artificially rendered)

2) Lighting

   a) Lighting is restricted to soffits off the building or surface mounted off the building.

   b) All light fixtures should reflect light towards signage or towards the building façade and not out towards the street to avoid glare/light spillover toward adjacent buildings.

3) Storefronts

   a) The original storefront design on the ground floor of buildings should be maintained

   b) Storefront elements such as display windows, transom windows, entrance doors, sign panel, storefront cornice, awnings, tile, and terrazzo landings should be retained if possible.

   c) If possible, areas adjacent to or in front of storefronts should be available for canopies, outdoor patios or special merchant displays.

   d) Entrance doors to ground-level commercial areas should face the street and be directly accessible from the public sidewalk.

   e) If replacement is required, storefronts should be reproduced with materials that mimic or reproduce the original elements.

   f) Original elements of the structure such as entrance and decorative details are required to remain.

g) New development applications will require restoration to original details if recessed entrances and traditional storefront designs have been hidden.

4) Windows

a) Maintain original windows if possible or install reproduction windows if new windows are required.

b) Modification to the original masonry window openings is prohibited.

c) Upper façade windows should maintain the existing pattern along Bridge Street.

d) Alignment of window openings on the horizontal plane is required.

e) Street level display windows should be provided that allow for sightlines into the commercial space if applicable to the proposed use.

f) Windows should be located on all exposed sides of buildings.



Figure 5 - A storefront with a traditional window design. (artificially rendered)



Figure 6 - Examples of varied window designs and exterior elements. (artificially rendered)

5) Roofs

a) Roofs will be flat with decorative crown moldings at roof's edge and windows or constructed with two slopes and decorative crown moldings at roof's edge and windows.

b) Cornices are encouraged to maintain a consistent cornice height along the streetscape.

c) Contemporary interpretations of historic cornices are permitted.

d) Roofing materials shall consist of aluminum, asphalt (only on flat roof construction), wood shingle, asphalt shingle or slate shingle.

e) Roof lines should be consistent and incorporated with abutting properties and their building facades to maintain a consistent frontage along the Right-of-Way.

f) Ensure any projections from the roof maintain proper scale and size in comparison to the development to avoid dominating the façade of the building.

6) Site Furnishing and Landscaping

a) Fence construction shall be with rough iron, ornamental metal or wood in neutral tones and heritage colour pallet found in Schedule 'B'. Any design should reflect existing developments.

b) Hard Landscape features shall include a concrete or unit paver landing or stone patio area.

c) Site Furnishing such as light fixtures, park benches, waste receptacles, and street signage shall maintain consistency with existing and municipal standards.

d) Waste receptacles are to be enclosed by wood screen or ornamental metal facing where it can be protected with an all-season design.

e) Garbage enclosures should be located internal to buildings, where possible, with access from the rear yard, to ensure easy and safe access for building users/tenants and pickup.

f) If required to be located external, garbage enclosures are to be enclosed, with a fenced wood screen or other material, and buffered with soft landscape elements and are only permitted in the rear yard.

g) Plant material should be selected with regard for the annual climate of Carleton Place and the ability to tolerate salt. Native species are preferred.



Figure 7 - (left). Example of fenced garbage enclosure. (right) Examples of Street furniture (artificially rendered)



Figure 8 - Examples of various fence constructions. (artificially rendered)

7) Streets and Parking

a) Crosswalks will be defined with prefabricated concrete pavers or poured in place concrete.

b) Where possible, construct sidewalk to a minimum width of 2 m wide to ensure

space for pedestrian circulation and site furnishings.

c) Street trees shall be provided every 10.6 m on average to create a canopy on residential streets.

d) Street trees will be deciduous.

e) Existing trees should be retained where possible and incorporated into any re-development. Where this is not possible, new trees shall be planted to create a sufficient canopy.

f) Ensure adequate soil volumes are provided in line with advice from a qualified landscape architect.

g) Parking lots should be accessed via the side or rear yard, with vehicular access off of side streets and laneways unless there are no other alternatives.

h) Parking lots shall be screened from the street edge to limit their presence on the street. This screening shall take place by both hard features (masonry stone wall) and soft landscape elements such as trees, shrubs, planters and urns. Soft landscape screening features should be year-round features where possible. This screening shall be used to screen cars from view while allowing eye level visibility into the site.

i) Masonry wall will have a stone or concrete cropping with no vertical stone capping permitted.

8) Miscellaneous

a) Exterior colour elements shall consist of neutral tones of heritage colour pallet with accents (Heritage Colour Pallet included as Schedule ‘B’ to this by-law).

b) Painted brick is not permitted.

c) If alterations are required to provide barrier free access, ramps and railings should be designed to blend in with the original building as much as possible. This will include the use of wood and ornamental metal.

d) Enclose all utility equipment within buildings or screen them from both the street and private properties to the rear.

e) New development or re-development should seek to connect to existing public greenspaces, pathways, and trails where possible.



Figure 9 - Example of a visually buffered parking lot. (artificially rendered)



Figure 10 - Example of street tree placement. (artificially rendered)

5.1.3 Mississippi Residential Development Permit Area

The Mississippi Residential Development Permit Area is the established residential area that surrounds the Downtown Development Permit Area in the Town. It is composed by several smaller neighbourhoods and enclaves which range in character, style and mix of housing types.

The neighbourhood generally can be characterized with low-rise residential uses on smaller lots, reduced setbacks and tree lined streets. Certain areas have limited garage and vehicle parking, occasionally located in the rear yard depending on the lot configuration.

1) Exterior Elements

   a) Long monotonous façade designs including, but not limited to, those characterized by unrelieved repetition of shape or form or by unbroken extension of line shall be avoided.

   b) Excessive ornamentation shall be avoided to prevent visual clutter.

   c) Buildings, doors and windows will be oriented to the street and shall provide architectural interest to contribute to the aesthetics and visual appeal of the community.

   d) Chimney construction will be masonry brick or stone.

   e) Balcony construction will be of wooden construction with or without wooden columns. Railings shall be wood or ornamental metal only. Colour shall complement and maintain consistency with the primary structure or building. Fire escapes shall be constructed as required by the Building Code in black metal.

   f) New construction will reflect the rhythm, alignment and spacing, including the cladding and exterior construction material used on the street.



Figure 11 - Examples of exterior design elements for houses. (artificially rendered)

2) Built Form & Landscaping

a) Generally, complement setback, footprint, size and massing patterns of the neighbourhood, particularly to the immediately adjacent neighbours.

b) Landscape elements should be provided for each residential house to buffer the property from both the street and adjacent properties.

c) Street trees shall be provided every 10.6 m on average to create a canopy on residential streets.

d) Plant material should be selected with regard for the annual climate of Carleton Place and the ability to tolerate salt. Native species are preferred.



Figure 12 - Examples of houses in the Mississippi Residential Development Permit Area. (artificially rendered)

5.1.4 High Street Residential Development Permit Area

New residential development within the High Street neighbourhood should be integrated with the housing units in the adjacent area. Design elements have been characterized as part of the neighbourhood analysis and specific examples illustrated. All new development will evaluate existing built form and provide for a complementary product and architectural style.

The residential neighbourhood of High Street represents historical inventory of built form and fashion and shares particular design components with abutting properties although not exclusively representing a specific period. All new construction should be of a particular style rather than a hybrid of styles that is reflective of an evolving neighbourhood over time. Consistency of design detail is required.

Structures shall demonstrate the general principles of good design including but not limited to those dealing with form, mass, scale, height, texture and colour. Specific consideration shall be given to compatibility with adjacent structures where such structures are substantially in compliance with the following:

1) Exterior Elements

    a) Façade, side and rear elevations and roof lines shall be constructed to reflect existing built form. Gabled roofs are required, with an either a low, medium or high-pitched roof.

    b) Windows will generally be taller than their width (2:1 ratio length to width).

        i. Examples include: 6/6 double hung square headed, 2/2 double hung segmental arched, 1/1 double hung segmental arched, 2/2 double hung with angled brick voussoirs, 1/1 transom window, 1/1 double hung.

    c) Bay windows will be appropriate for the architectural style and extend to the ground. Thermal windows should be compatible with the original window style.

    d) Shutters will be half the width of the window to mimic historical function.

    e) Emphasis will be placed on providing a consistent directional emphasis of roof pitch, gables, windows, height and width of the building to blend in with existing character.

    f) Incorporate using modern or traditional practices design elements such as asymmetrical façades, decorative bargeboards, kingposts and finials in the gables, sash-style windows, ell or wrap around verandas.



Figure 13 - Example of window treatments. (artificially rendered)



Figure 14 - Example of a house in the High Street Residential Development Permit Area. (artificially rendered)

2) Built Form

a) Generally, complement setback, footprint, size and massing patterns of the neighbourhood, particularly to the immediately adjacent neighbours.

b) Side yard setbacks and the ratio of built form to open green space shall be consistent with adjacent properties.

c) The height of new residential buildings shall not be less than 80% or more than 120% of the average height of the residential buildings on the immediately adjacent properties.



Figure 15 - Example of a house in the High Street Residential Development Permit Area. (artificially rendered)

3) Streetscape, Parking and Access

   a) Driveways and garages should be located to the side or the rear of the principal house

   b) Buildings and front doors will be oriented to the street and shall provide architectural interest to contribute to the aesthetics and visual appeal of the community.

   c) Landscape screening and/or fencing should be provided to buffer parking area from both the street and adjacent properties.

   d) Street trees shall be provided every 10.6 m on average to create a canopy on residential streets.

   e) Plant material should be selected with regard for the annual climate of Carleton Place and the ability to tolerate salt. Native species are preferred.

4) Miscellaneous

   a) New construction will reflect the rhythm, alignment and spacing, including the cladding and exterior construction material used on the street.

   b) Additions will be respective of the original style and architecture of the building



Figure 16 - Example of a house in the High Street Residential Development Permit Area. (artificially rendered)



Figure 17 - Example of a house in the High Street Residential Development Permit Area. (artificially rendered)

5.1.5 Residential Development Permit Area

New residential development and redevelopment should be integrated with the housing units in the adjacent area. All development will evaluate existing built form and provide for a complementary product.

Structures shall demonstrate the general principles of good design including but not limited to those dealing with form, mass, scale, height, texture and colour. Specific consideration shall be given to compatibility with adjacent structures where such structures are substantially in compliance with the following:

5.1.5.1 General Design Elements to be Considered

1) Façade & Built Form

   a) For development in existing neighbourhoods, façade, side and rear elevations and roof lines shall be constructed to reflect existing built form.

   b) For development of greenfield neighbourhoods, façade, side and rear elevations adjacent to pathways or roadways and roof lines shall be constructed to provide a varied and diverse product in order to create streetscape interest and walkable communities.

   c) Complement setback, footprint, size and massing patterns of the neighbourhood, particularly to the immediately adjacent neighbours.

   d) Long monotonous façade designs including, but not limited to, those characterized by unrelieved repetition of shape or form or by unbroken extension of line shall be avoided.

   e) Excessive ornamentation shall be avoided to prevent visual clutter.

   f) Buildings will be oriented to the street and shall provide architectural interest to contribute to the aesthetics and visual appeal of the community. Corner lots will require orientation to both street fronts.



Figure 18 - A subdivision showing a modified grid pattern and offering a range of housing types and linkages to recreation and green spaces. Not pictured are pathways for cyclists and required sidewalks for pedestrians. (artificially rendered)



Figure 19 - Example of an existing single detached house One storey. (artificially rendered)



Figure 20 - Redevelopment of an existing bungalow into a two-storey detached house. (artificially rendered)



Figure 21 - Redevelopment of a bungalow into a two-storey detached house and an addition. (artificially rendered)



Figure 22 - Examples of a variety of House and Apartment Building types demonstrating the design criteria. (artificially rendered)

2) Landscaping

a) Street trees shall be provided every 10.6 m on average to create a canopy on residential streets.

b) Plant material should be selected with regard for the annual climate of Carleton Place and the ability to tolerate salt. Native species are preferred.

c) The driveway must not extend further than the exterior wall of a garage.

d) For single-detached house, semi-detached house, at least 50% of the front yard must have soft/green landscape elements such as grass, ground cover, naturalized plantings, trees, or shrubbery.

e) For all types of townhouses, at least 25% of the total lot frontage front yard must have soft/green landscape elements such as grass, ground cover, naturalized plantings, trees, or shrubbery.

3) Garages

a) The width of the garage for both single detached house and semi-detached house shall not exceed 45% of the overall lot frontage.

b) The width of the garage for all types of townhouses shall not exceed 70% of the overall lot frontage.

c) Where a garage is street facing, the base of the garage foundation facing said street shall be setback a minimum of 6m from the front or exterior side lot line. Additionally, the exterior walls of an attached garage should not have a lesser setback to the street edge than the building foundation of the livable portion of the house it is attached to.

d) On a lot where an attached garage is located, and where the garage door is not street facing, the setback for the exterior garage wall (to the front lot line) shall comply with the development standards of the main building.

e) On a corner lot, where an attached garage is located, and where the garage door is facing one street, the setback for the exterior garage wall (to the other street frontage) shall comply with the development standards of the main building.

5.1.5.2 Additional Design Criteria

5.1.5.2.1 For Apartment Buildings

1) 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.

2) Outdoor garbage enclosures are to be fenced with wood or ornamental metal fencing screen of at least 1.5 m in height and/or buffered with soft landscape elements.

3) Recommended locations for garbage receptacles include inside parking courts or at the end of parking bays. Locations should be conveniently accessible for garbage collection and maintenance and should not block access drives.

4) 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.

5) Approaches to multi-unit residential unit 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) Interior development roads, parking areas, residential unit entranceways, and pedestrian walks shall be provided with sufficient illumination to minimize hazards to pedestrians and vehicles utilizing the same and shall, where required, be shielded to avoid distributing glares to occupants of buildings. Lighting shall be so arranged as to reflect away from

adjoining properties.

7) Pedestrian walks shall be not less than 1.2 m in width and shall be provided wherever normal pedestrian traffic will occur.

5.1.4.2.2 For Parking Lots

1) Parking lots shall be screened from the street edge by both hard features (fencing) and soft landscape elements such as trees, shrubs, planters and urns. Street trees will be deciduous.

2) Plant material should be selected with regard for the annual climate of Carleton Place and the ability to tolerate salt. Native species are preferred.

3) Parking lots shall not be permitted in the front yard or exterior side yard within the Residential Permit Area.

4) Parking areas shall be asphalt or hard surfaced.

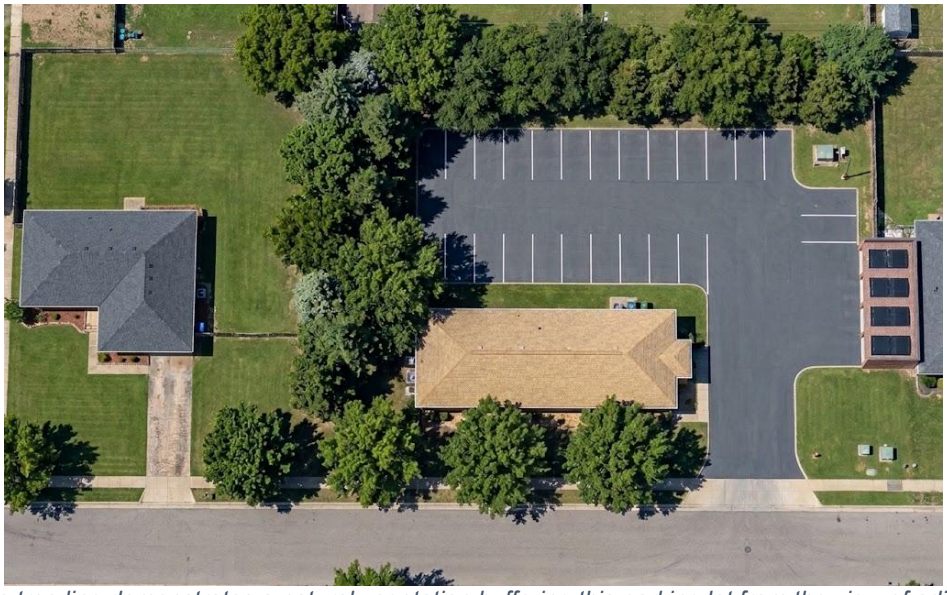


Figure 23 - The tree line demonstrates a natural vegetation buffering this parking lot from the view of adjacent properties and the street. (artificially rendered)

5.1.5 Industrial Employment Development Permit Area

These design criteria have been developed in order to facilitate and integrate development into the existing built and structural framework of the Town of Carleton Place. Employment areas are those areas intended to provide for a broader range of industrial manufacturing, warehousing and accessory uses.



Figure 24 - Example of a business in the Industrial Employment Development Permit Area. (artificially rendered)

5.1.5.1 General Design Elements to be Considered

1) Siting and Exterior Elements

    a) All building service areas shall be located away from public view.

    b) Buildings will be integrated with the existing grade and provide at grade entrances or alternatively accessible modifications should be provided.

    c) Buildings located at intersections should provide exterior details on both street fronts. These areas will provide gateways into the commercial node.

2) Streetscape, Parking and Access

    a) Buildings should be oriented towards the street and parking provided in the rear or side of building. Where property fabric will not lend itself to the provision of parking except at the front of the building, parking will be buffered and screened by landscape materials providing an element of all season screening. At no time will parking be provided within the front yard setback.

    b) Entrances to parking areas should be well defined by signage and curbing. Parking lots shall provide landscape elements within the islands and along thoroughfares.



Figure 25 – (left)Examples of a vegetative boulevard within a curbed parking area. (right) Example of parking located at the rear of the site. (artificially rendered)

3) Landscaping and Buffering

a) A minimum of 5 m of buffered landscaped area shall be provided within the 6 m front yard setback.

b) Plant material arrangement shall be designed and maintained in a staggered or undulating manner to create a more natural looking landscape.

c) Plant material should be selected with regard for the annual climate of Carleton Place and the ability to tolerate salt. Native species are preferred.

d) Not less than 50% of the landscaped area provided shall be natural earth comprised of the natural planting of grass, lawns, trees, shrubs, and flowers in such a manner as to establish and enhance the beautification of the landscaped area and any building or structure on the same lot. Soft landscape materials may also include shrubs and planting at foundation base, container planting consisting of urns, planters, window boxes, or suspended baskets. Plant material should be selected with regard for the annual climate of Carleton Place and the ability to tolerate salt. Native species are preferred.

e) Garbage enclosures are to be fenced with wood screen and buffered with soft landscape elements.

f) Garbage receptacles require screening (wood or ornamental metal facing). Recommended locations include inside parking courts or at the end of parking bays. Locations should be conveniently accessible for trash collection and maintenance and should not block access drives during loading operations.

g) Where an employment use is located adjacent to a residential use a 3 m landscaped buffer strip shall be provided.

h) Buffers shall consist in a mix of plant material and structural elements including wood privacy fences to screen and reduce visibility of the property activities.

i) Wood privacy fences shall be 1.8 m high.





Figure 26 - (left) Example of a privacy fence. (right) Example of a fenced garbage enclosure. (artificially rendered)



Figure 27 - Example of landscaping within the front yard (artificially rendered)

5.1.6 Community Commercial Development Permit Area

These design criteria have been developed in order to facilitate and integrate development into the community. Community commercial areas are intended to provide neighbourhood conveniences and services.

New construction and redevelopment should evaluate existing buildings with regard to scale, massing, details and character and then provide a consistent or complementary product to blend in with constructed built form. Contemporary expressions of historical and cultural character are permitted. The following specific standards apply:

5.1.6.1 General Design Elements to be Considered

1) Façade

    a) Exterior façade, exclusive of windows, doors, and fixtures, shall consist of one to two materials. Painted brick is not permitted.

    b) Buildings located at intersections should provide exterior details on both street fronts. These areas will provide gateways into the neighbourhood.

2) Streetscape, Parking and Landscaping

    a) Street trees should be planted in the landscaped buffer strip at 6 m intervals where underground servicing permits.

    b) Pedestrian crosswalks at main intersections will be defined with the addition of unit pavers or feature pavers.

    c) Entrances to parking areas should be well defined by signage and curbing.

    d) Buffers shall consist of plant material screens and structural elements that are designed and maintained in a staggered or undulating manner to create a more natural looking landscape. Not less than 50% of the landscaped area provided shall be natural earth comprised of the natural planting of grass, lawns, trees, shrubs, and flowers in such a manner as to establish and enhance the beautification of the landscaped area and any building or structure on the same lot. Soft landscape materials may also include shrubs and planting at foundation base, container planting consisting of urns, planters, window boxes or suspended baskets.

    e) Plant material should be selected with regard for the annual climate of Carleton Place and the ability to tolerate salt. Native species are preferred.

    f) Buildings should be oriented towards the street and parking provided in the rear or side of building. Where property fabric will not lend itself to the provision of parking except at the front of the building, parking will be buffered and screened by landscape materials providing an element of all season screening. At no time will parking be provided within the front yard setback.

3) Signage

    a) Entrances to parking areas should be well defined by signage and curbing.

    b) Signage shall be integrated with the landscaped buffer.

4) Massing & Built Form

    a) Roofs shall be two to four slopes. No flat roof is permitted.

    b) Buildings should be integrated with the existing grade and provide at grade entrances or alternatively accessible modifications should be provided.

    c) Where a community commercial use is located adjacent to a residential use a 3 m landscaped buffer strip shall be provided.

5) Screening

    a) All building service areas shall be located away from public view.

    b) Garbage enclosures shall be located at the rear or side of the building and enclosed by a wood screen or planted hedge.

    c) Garbage receptacles shall be screened with wooden or ornamental metal facing.

5.1.6.2 Additional Design Criteria

1) Additions shall provide for an integrated overall product and reflect the existing construction of the main building.

2) Lighting shall be designed as to minimize light spillage onto abutting properties and into traffic lines of sight.

3) Satellite dishes, antennae and similar vertical projections shall be located along the roof edge and are not permitted within the front façade of the building.



Figure 28 - Example of a landscaped buffer between the parking area and exterior or front lot line. (artificially rendered)



Figure 29 - Example of exterior details, curbing, and vegetation to identify a parking area entrance. (artificially rendered)



Figure 30 - Example of a Commercial Use adhering to the design guidelines. (artificially rendered)

5.1.7 Highway Commercial, Health Campus, and Business Campus Development Permit Areas

These design criteria have been developed to facilitate and integrate development into the existing built and structural framework of the Town of Carleton Place. These commercial areas are those areas primarily serving vehicular oriented retail.

5.1.7.1 General Design Elements to be Considered

1) Streetscaping and Orientation of Buildings

    a) Buildings should be oriented towards the street and parking provided in the rear or side of building. Where property fabric will not lend itself to the provision of parking except at the front of the building, parking will be buffered and screened by landscape materials providing an element of all season screening. At no time will parking be provided within the front yard setback.

    b) Pedestrian crosswalks and pathways either internal to the site or providing pedestrian access to the site will be defined with the addition of unit pavers or feature pavers.

    c) Active transportation infrastructure and amenities should be considered in the site's development.

2) Façade and Built Form

    a) Buildings located at intersections should provide exterior details on both street fronts. These areas will provide gateways into the commercial node.

    b) Where a building elevation is adjacent to a roadway, elevations will be required to have an appropriate number of projections and recessed areas and a variety of cladding types to ensure that a monotonous building façade is not created.

    c) All building within the Highway Commercial Development Permit Area shall have a minimum of 20% glazing on their front façade to create a human scale environment.

    d) Buildings should be integrated with the existing grade and provide at grade entrances or alternatively accessible modifications should be provided.

3) Buffering and Landscaping

    a) Where a highway commercial use is located adjacent to a residential use a 3 m landscaped buffer strip shall be provided.

    b) A minimum of 5 m of buffered landscaped area providing an element of all season screening shall be provided within the 6 m front yard setback.

    c) All building service areas shall be located away from public view.

    d) Entrances to parking areas should be well defined by signage and curbing. Wherever possible abutting commercial parking lots should be linked to provide for

consolidated parking and ease of vehicular movements.

e) Parking lots shall provide landscape elements within the islands and along thoroughfares. Provision for pedestrians within the site must be demonstrated. Cyclists must also be considered when developing site layout.

f) Buffers shall consist of plant material screens and structural elements that are designed and maintained in a staggered or undulating manner to create a more natural looking landscape. Not less than 50% of the landscaped area provided shall be natural earth comprised of the natural planting of grass, lawns, trees, shrubs, and flowers in such a manner as to establish and enhance the beautification of the landscaped area and any building or structure on the same lot.

g) Soft landscape materials may also include shrubs and planting at foundation base, container planting consisting of urns, planters, window boxes, or suspended baskets.

h) Plant material should be selected with regard for the annual climate of Carleton Place and the ability to tolerate salt. Native species are preferred.

4) Screening

a) Garbage enclosures are to be fenced with wood screen and buffered with soft landscape elements.

b) Garbage receptacles require screening (wood or ornamental metal facing). Recommended locations include inside parking courts or at the end of parking bays. Locations should be conveniently accessible for trash collection and maintenance and should not block access drives during loading operations.



Figure 31 - Example of a screened garbage enclosure. (artificially rendered)

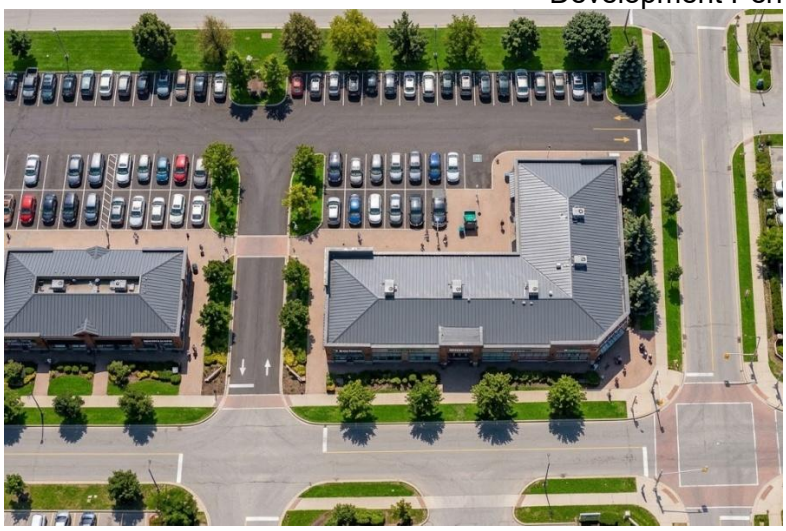


Figure 32 - Example of a business with parking located at the rear, landscaping buffers along front and exterior lot lines, and a streetscape orientation towards the intersection. (artificially rendered)

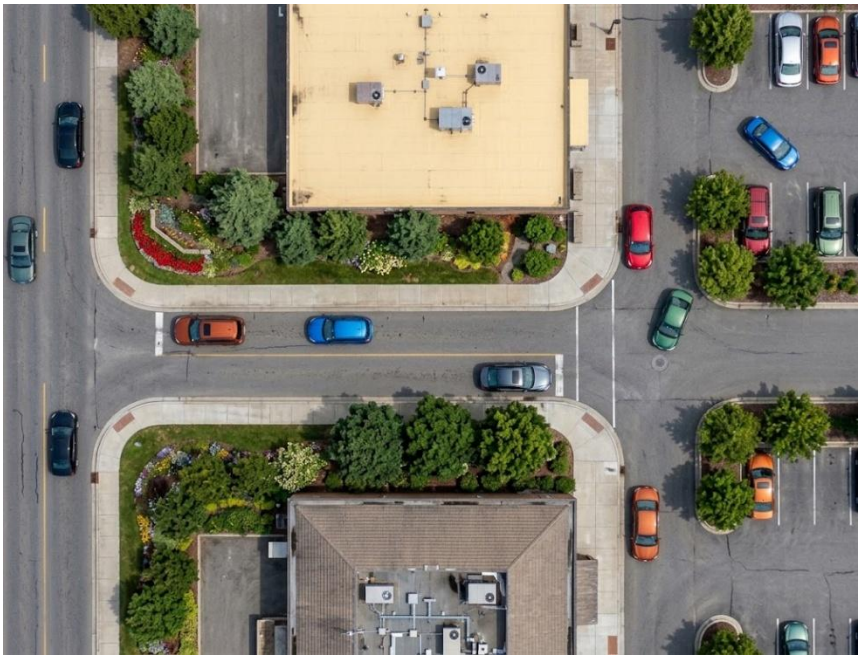


Figure 33 - Example of a commercial plaza. (artificially rendered)



Figure 34 - Example of a commercial streetscape. (artificially rendered)

5.1.8 Institutional Development Permit Area

These design criteria have been developed to facilitate and integrate development into the existing built and structural framework of the Town of Carleton Place. Institutional areas are those areas intended to provide for community services and facilities and are integrated into existing built form and neighbourhoods.

New construction and redevelopment should evaluate existing buildings with regard to scale, massing, details and character and then provide a consistent or complementary product to blend in with constructed built form. Contemporary expressions of historical and cultural character are permitted.

5.1.8.1 General Design Elements to be Considered

1) Streetscape and Built Form

    a) Buildings located at intersections should provide exterior details on both street fronts. These areas will provide varied streetscapes for pedestrian interest.

    b) Buildings should be integrated with the existing grade and provide at grade entrances or alternatively accessible modifications should be provided.

2) Buffering and Landscaping

    a) A minimum of 4.5 m of buffered landscaped area shall be provided within the front yard setback.

    b) Where an institutional use is located adjacent to a residential use a 3 m landscaped buffer strip shall be provided.

    c) Buffers shall consist of plant material screens and structural elements that are designed and maintained in a staggered or undulating manner to create a more natural looking landscape. Not less than 50% of the landscaped area provided shall be natural earth comprised of the natural planting of grass, lawns, trees, shrubs, and flowers in such a manner as to establish and enhance the beautification of the landscaped area and any building or structure on the same lot. Soft landscape materials may also include shrubs and planting at foundation base, container planting consisting of urns, planters, window boxes, or suspended baskets.

    d) Plant material should be selected with regard for the annual climate of Carleton Place and the ability to tolerate salt. Native species are preferred.

3) Screening

    a) Garbage enclosures are to be fenced with wood screen and buffered with soft landscape elements.

    b) Garbage receptacles require screening (wood or ornamental metal facing). Recommended locations include inside parking courts or at the end of parking bays. Locations should be conveniently accessible for trash collection and

maintenance and should not block access drives during loading operations. In addition, seating and landscaped respite areas shall provide receptacles consistent with the aforenoted standard.

c) All building service areas shall be located away from public view.

4) Parking

a) Buildings should be oriented towards the street and parking provided in the rear or side of the building. Where property fabric will not lend itself to the provision of parking except at the front of the building, parking will be buffered and screened by landscape materials providing an element of all season screening. At no time will parking be provided within the front yard setback.

b) Entrances to parking areas should be well defined by signage and curbing.

c) Parking lots shall provide landscape elements within the islands and along thoroughfares.

5) Additional Design Criteria

a) Due to the nature of hospital business additional provisions will be required including drop off lanes, short term parking, and emergency parking. On site accommodations for ambulance traffic are also required. Respite areas and internal pathways shall be provided for patients, visitors, and staff for hospital institutional uses



Figure 35 - An example of a medical clinic or hospital site showing parking located at the rear and exterior side yards. Within the side yard, parking areas are heavily screened with vegetative buffers. (artificially rendered)

6.0 DEFINITIONS

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

Accessory means a use, building or structure subordinate, incidental and exclusively devoted to the principal use, building or structure located on the same lot therewith and not designed or intended for human habitation unless specifically permitted elsewhere in this By-law.

Accessory Residential Unit to a Non-Residential Use means a single residential unit subordinate to the principal building or structure located on the same lot wherein the principal building or structure has non-residential uses. An “Accessory Residential“ may be a structure attached or detached from the principal building or structure. If the principal building on the lot is residential in nature, refer instead to “Additional Residential Unit”.

Additional Residential Unit means a residential unit that is self-contained, subordinate to a detached house, semi-detached house, or townhouse. An Additional Residential Unit may be located within a house or in a building that is ancillary to the primary house.

Adult Entertainment Establishment means 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;
8) Interference with normal conduct of business.

Aisle means lands used by a motor vehicle for access to and from an off-street parking space but does not include a driveway.

Alter means, when used in reference to a building or structure, to change, extend, enlarge, or renovate any one or more of the interior or external dimensions or walls or roof thereof. When used in reference to a lot, the word “alter” shall mean to change the width, depth, or area thereof or to change the setback, or parking area, or to change the location of any boundary of such lot with respect to a road, whether such alteration is made by conveyance or alienation of any portion of said lot, or otherwise.

Ancillary means a listed, permitted land use that is additional, secondary and complementary to a permitted principal use, but not accessory to the permitted principal use.

Apartments, Ancillary means a series of eight or more residential units subordinate to the principal building or structure located on the same lot wherein the principal building or structure is non-residential in nature. Within an Ancillary Apartment, the residential units may be located above, at the rear, or in a building independent from a primary non-residential building.

Apartment Building means a building, or part of a building, of residential occupancy, containing residential units, other than a house.

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

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.

Attic means the portion of a building situated immediately below, either wholly or in part within the roof and which is not a 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 the use of land, buildings and/or structures for the purpose of hosting the public for performances, events concerts and similar events are held.

Automotive Body Shop the use of land, buildings and/or structures with a service bay, where painting, refinishing, restoration or repairs to the coachwork of motor vehicles are performed but shall not include an automotive wrecking yard or salvage yard.

Automotive Gas Bar means the use of land, buildings and/or structures for the purpose of the sale of motor vehicle fuels, with one or more required fuel pump islands, and other related products for sale and can included a building or structure for the washing of motor vehicles

Automotive Rental Establishment means the use of land, buildings and/or structures for the purpose of renting motor vehicles and may include areas for minor repairs and cleaning of such motor vehicles that are being rented.

Automotive Sales and Service Establishment means the use of land, buildings and/or structures 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.

Automotive Service Station means the use of land, buildings and/or structures where minor or emergency repairs essential to the actual operation of motor vehicles may be performed.

Automotive Washing Establishment means the use of land, buildings and/or structures for the sole purpose of **w**ashing and cleaning the inside and outside of motor vehicles.

Automotive Wrecking Yard means the use of land, buildings and/or structures for the wrecking or dismantling of 'motor vehicles' and for the storage and sale of scrap material, salvage and parts obtained therefrom.

Bakery means a building 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.

Battery Energy Storage Systems (BESS) means a system that stores electricity from the distribution grid and may discharge to one or more uses on the same lot and may also discharge back to the distribution grid during periods of high electricity demand.

Battery Energy Storage Systems means energy retention systems intended to store and discharge electricity to the transmission grid. This may include containers housing Lithium-ion or similar batteries and accessory structures, facilities, or electrical transmission infrastructure.

Bed and Breakfast Establishment means a single detached dwelling in which is 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.

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 Launching and Docking means a structure which is used to take a boat into or out of a navigable waterway, or to moor a boat. The definition includes a launching ramp, boat lift, or dock but does not include any building or fuel pumps or any boat servicing, repair, or sales facility.

Boat Port or boatport 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.

Buffer means a portion of a lot where a material, either natural or manmade is erected for the purpose of obscuring or screening buildings, structures, parking or activity on a lot to minimize the visual impact, noise and light mitigation.

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.

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 Envelope means 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 means a structure, whether temporary or permanent, designed, used or intended for sheltering any use or occupancy and consisting of a wall, roof, and floor or any one or more of them but shall not include a boundary wall, fence, travel trailer, camping trailer, truck camper, motor home or tent.

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.

Bulk Fuel Depot Means the use of land, buildings or structures for the storage and distribution of fuels, gases, oils, and wood and may include as an accessory use a commercial card/key lock facility but shall not include any other use defined in this By-law.

Bulk Sales Establishment 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.

Caliper, tree means the measured diameter of a tree trunk measured at 1.4 m from the average grade of the soil on which the tree is located.

Campground means a lot used year-round for the parking and use of recreational travel trailers, park model trailers or other similar transportable accommodations, consisting of at least 5 camp sites but not including space for mobile homes. All sites will be used for seasonal or intermittent accommodations and will not be used as a principal residence or permanent place of residence.

A Campground may include a swimming pool, convenience store, laundromat, miniature golf course, playground, athletic play fields, tennis or badminton courts, and an administrative building for the campground. Off-season storage of travel trailers, tent trailers, or similar transportable accommodation shall be permitted.

Cannabis Production Facility means a building or structure which serves in the production, cultivation, processing, testing, destroying, storing, packaging, or shipping of cannabis conducted by a licensed producer but does not entail any retail sales component. For the purposes of this definition cannabis refers to any plant that belongs to the genus Cannabis and a “licensed producer” means a person who is authorized by a license issued under the *Cannabis Act* (Canada) by Health Canada to produce cannabis for both medical and recreational purposes.

Cannabis Retail Store means a retail store where cannabis is sold in accordance with the licensing and other requirements of the Province under the *Cannabis Licence Act*, 2018 and Ontario Regulation 468/18, as may be amended from time to time.

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

Car Port means a covered structure, open on at least one side and attached to the wall of the principal building, used for the sheltering of one or more motor vehicles.

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 lands, buildings or structures designed, used or intended for the interment of human remains and may include a crematorium, mausoleum and/or a columbarium.

Centreline means the centre line of any street, railway, roadway, lane, railway right-of-way or private road.

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*.

Childcare means the temporary care for, or supervision of, a child including providing for a child's safety, well-being, or development, in the absence of the child's parent and for a continuous period that does not exceed 24 hours, in accordance with the *Childcare and Early Years Act, 2014*, including any amendments, or its successor.

Childcare, Home means "Childcare" provided in a 'Dwelling' by one or more childcare provider(s) that is regulated by a home childcare agency.

Childcare, Unlicensed means "Childcare" provided in a 'Dwelling' that is not a 'Home Childcare' or 'Childcare Centre', or a private school within the meaning of the *Education Act*.

Clinic means a building or structure designed, used by physicians, dentists or other licensed practitioners, their staff for the purpose of consultation, diagnosis and treatment of outpatients and may include administrative offices, waiting rooms, treatment rooms, laboratories, pharmacies, and dispensaries directly associated with the facility. A clinic shall not include accommodation for in-patient care or operating rooms for major surgery.

Club means a building or structure designed, used or intended as a meeting place for the members of an organization, association, fraternal order or similar group, and wherein athletic facilities, dining rooms and/or banquet facilities may be provided.

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 Solar Energy System means a building, structure, or series of one or more ground-supported devices which convert solar energy to electrical power for the purposes of contribution to the electrical grid.

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.

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

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

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

Construction Trailer means a building or structure that is designed to be made mobile and drawn by a separate vehicle and is used for the purpose of storage or administration on a site while construction is taking place.

Contractor's Yard means lands, buildings or structures designed, used or intended for use by any building trade or other construction or service contractor for the purpose of:

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

Custom Workshop means a building or structure designed, used or intended for use where goods are produced to special order and sold but shall not include a building or structure where the manufacture of goods is performed on a mass production or assembly line basis.

- Performing shop work or assembly work; or
- Storing equipment, vehicles, or materials and may include construction and heavy equipment and commercial motor vehicles but not including derelict motor vehicles; or
- The base of operations who are employed by or associated with the business, including the assembly or rally of such persons for transportation to work site off the premises.

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 Po9lycyclic

Aromatic Hydrocarbons (PAHs), Tetrachloroethylene (PCE or PERC), Trichloroethylene (TCE) and Vinyl Chloride.

Development means:

- 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:
    - 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.
- The removal of vegetation within 30 m of the Mississippi River or existing watercourse.
- The removal of trees having a caliper of 150 mm or more.

Development Permit means the permit that is issued after the approval of a Development Permit application.

Development Agreement means the agreement that is associated with a Development Permit after it has been approved, that is registered against the lands affected and outlines rules around the works specified in the approval.

Development Permit Area means the different areas as defined in this By-law and identified on Schedule 'A'.

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."

Discretionary Use 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.

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

Driveway means a private passageway for a motor vehicle, having at least one end thereof connected to a road, and providing the principal means of vehicular access to a lot.

Dry Cleaning Establishment means a building or structure designed, used or intended for use where dry cleaning, dry dyeing, cleaning or pressing of articles or goods of fabric is carried on and in which only non-flammable solvents are used which emit no odours or fumes, and in which no noise or vibration is created which causes a nuisance outside the building.

Dry Cleaning Depot means a building or structure designed, used or intended for use as drop off and pick up of clothes. For greater clarity, the property would not be used for dry cleaning, dry dyeing, cleaning or pressing of articles or goods of fabric is carried on and in which only non-flammable solvents are used which emit no odours or fumes.

Dwelling Unit means a unit that:

- consists of a self-contained set of rooms located in a building or structure;
- is used or intended for use as residential premises, and;
- contains kitchen and bathroom facilities that are intended for the use of the unit only.

Emergency Services Building 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 in one block where the dwellings have their front yard on the same street as the frontage of the lot of where the proposed building is to be located.

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.

Factory Sales Outlet means a building or part thereof accessory to, and clearly secondary to, an industrial use or a service trade, wherein products manufactured, produced, processed or stored on the premises are kept or displayed for wholesale or retail sale, or wherein orders are taken for the delivery of such products.

Farm Sales and Service Centre means a building and/or lot where new and/or used agricultural equipment and machinery directly associated with the operation of a farm 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.

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

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, Ministry of Natural Resources or approved studies.

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.

Floodplain means for river, stream and small inland lake systems, means the area, usually low lands adjoining a watercourse, which has been or may be subject to flooding hazards.

Floodway means for river, stream and small inland lake systems, means the portion of the flood plain where development and site alteration would cause a danger to public health and safety or property damage. Where the one zone concept is applied, the floodway is the entire contiguous flood plain.

Where the two zone concept is applied, the floodway is the contiguous inner portion of the flood plain, representing that area required for the safe passage of flood flow and/or that area where flood depths and/or velocities are considered to be such that they pose a potential threat to life and/or property damage. Where the two zone concept applies, the outer portion of the flood plain is called the flood fringe.

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 means 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.

Food Service Vehicle means any vehicle from which ready-made food is sold for consumption by the public offsite and includes, without limiting the generality of the foregoing, wagons, trailers and trucks, but does not include push carts, bicycle carts or other similar devices which rely on human motive power to move from one point to another or a restaurant as defined elsewhere in this By-law.

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

Funeral Home 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 means a building or structure, or part thereof designed, used or intended for the storage of private motor vehicles and the storage of household equipment incidental to residential occupancy, wherein no service for profit is rendered.

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 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, 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.

Garden Centre means the use of land, buildings or structures designed, used or intended for the purpose of buying and selling lawn and garden equipment, furnishings, supplies and related garden or nursery material.

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 fame 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

- When used with reference to a building or structure, means the average finished ground elevation after construction, immediately adjoining the wall or walls in question or the base of the structure exclusive of any artificial embankment.
- When used with reference to a ‘street’, means the finished elevation of such ‘street’, road or highway as established by the Corporation or other authority having jurisdiction.

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 in which up to ten residents with special care needs, including seniors or individuals who are developmentally and/or physically challenged or mentally ill, live under responsible supervision consistent with the requirements of the residents. Residents do not include staff or the receiving family.

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

Height when used with reference to a building or structure means the vertical distance between the average grade at the front of such building or structure to the highest point therein exclusive of any ornamental dome, chimney, tower, cupola, steeple, church spire, water storage tank, electrical apparatus, television or radio antenna, or structure for the mechanical equipment required for the operation of such building or structure. Without limiting the generality of the foregoing, the highest point shall be taken as:

- In the case of a flat roof, the highest point of the roof surface or parapet, whichever is

greater.
- In the case of a mansard roof, the deck roof line.
- In the case of a gable, hip or gambrel roof, the mean heights between the eaves and the ridge.
- Where the height is designated in terms of storeys, it means the designated number of storeys above and including the first storey.

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 means a residential complex or a part of a residential complex established or maintained under the *Homes for the Aged and Rest Homes Act*.

Home Industry means an occupation secondary to a residential use, conducted for a profit or gain and located in whole or in part in an accessory building to a single detached or semi-detached dwelling which occupation may include an electrical shop, woodworking, window frame, welding, plumbing, machine shop, or other similar use.

Home-Based Business means a residential unit that contains a subsidiary business which is used and operated by one or more persons who are residents of the dwelling unit, and includes a live/work unit as defined in the Ontario Building Code regulation made under the *Building Code Act, 1992.* The following uses shall not be considered as Home-Based Business: a medical clinic, a retail store, a service shop, a restaurant, a bed and breakfast establishment, a funeral home, a dance school, a workshop, a storage yard, a parking area, or a site for any of the building or construction trades.

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 or part of a building that contains four or more suites that provides sleeping accommodation for the travelling public or for recreational purposes, including parts of the building that are accessory to the hotel.

House means a detached house, semi-detached house, or townhouse that:

- Contains not more than four residential units (includes commonly referred to housing such as duplex, triplex and fourplex), where the residential units may share means of egress, common rooms and areas, and service rooms;
- Contains only residential occupancies, home based-business, or live/work units.
- Does not share any interior means of egress, interior common areas, roof spaces, crawl spaces, service rooms, or similar spaces, with another house.

House, Semi-Detached means part of a residential building that is separated from another semi-detached house by a vertical fire separation extending from top of the footings to the underside of the roof deck, and where the building contains only one other semi-detached house.

House, **Single-Detached** means a residential building that contains only one house.

House, Townhouse means part of a residential building that is separated from other townhouses by vertical fire separations extending from top of the footings to the underside of the roof deck, and where the building contains only other townhouses.

Infill Lot means urban development, including residential, commercial, retail, institutional, educational and mixed-use development, but excluding industrial development, on unused or underused land. Infill development can be readily connected to municipal infrastructure and services.

Industrial Mall means a building or group of buildings designed, used or intended for use which are held in single ownership or by participants in a condominium corporation or cooperative, and divided into units for separate and independent occupancy by an industrial use.

Industrial Use Class I means a place of business for a small scale, self-contained plant or building which produces/stores a product which is contained in a package and has low probability of fugitive emissions. Outputs are infrequent and could be point source or fugitive emissions for any of the following: noise, odour, dust and/or vibration. There are daytime operations only, with infrequent movement of products and/or heavy trucks and no outside storage.

Industrial Use Class II means a place of business for medium scale processing and manufacturing with outdoor storage of wastes or materials (i.e., it has an open process) and/or there are periodic outputs of minor annoyance. There are occasional outputs of either point source or fugitive emissions for any of the following: noise, odour, dust and/or vibration, and low probability of fugitive emissions. Shift operations are permitted and there is frequent movement of products and/or heavy trucks during daytime hours.

Industrial Use Class III means a place of business for large scale manufacturing or processing, characterized by large physical size, outside storage of raw and finished products, large production volumes, and continuous movement of products and employees during daily shift operations. It has frequent outputs of major annoyance and there is high probability of fugitive emissions.

Institutional Use means the use of land, buildings, structures, or portions thereof, for public or social purposes and, without limiting the generality of the foregoing, may include governmental, religious, educational, charitable, philanthropic, hospitals, nursing homes, public or private schools and nursery schools, or other similar uses.

Kennel 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.

Landscape Strip means an open unobstructed space free of buildings or structures which is used for the growing and maintenance of grass, flowers, shrubs or other landscaping *as* defined in “Landscape Open Space”.

Landscape 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.

Landscape Open Space, Usable means outdoor areas designed for recreation or outdoor living.

This may include lawns, gardens, decks, porches, balconies, and other areas that can be used by residents for outdoor activities.

Lane means a thoroughfare or way of providing access to a lot from parking area, lot or street. A lane may or may not be publicly owned by the Town.

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

Licensed Cannabis Production Facility means a federally licensed facility for the cultivation, processing, testing, destruction, packaging, or shipping of Cannabis within enclosed and detached buildings, and which are compliant under the Federal Government's Marijuana for Medical Purposes Regulations, or any subsequent legislation related to the production of Cannabis which may be enacted. The retail sales of Cannabis products are not permitted.

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.

Long-Term Care Facility or Long-Term Care Home means a place that is licensed as a long-term care home under the Long-Term Care Homes Act, and includes a municipal home, joint home or First Nations home approved by the Long-Term Care Homes Act.

Lot means a parcel of land that can be conveyed without further approval.

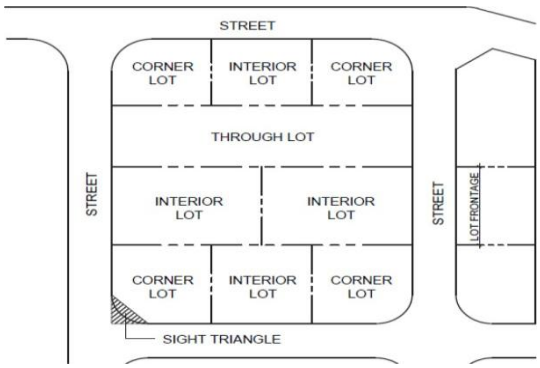


Figure 36 - Examples of lot types.

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.

Lot, Interior means a lot other than a corner or through lot.

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

Lot Waterfront means a lot being bounded by water on at least one side and bounded by a street on at least one other side.

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

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. Where these lines are not parallel, lot depth shall be the length of a straight line joining the mid- points of the front lot line and the rear lot line. Where there is no rear lot line, lot depth shall mean the length of a perpendicular straight line joining the middle of the front lot line with the apex of the triangle formed by the side lot lines.

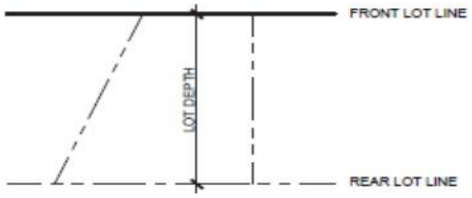


Figure 37 - Example of lot depth measurements

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 6 m back from and parallel or concentric to the front lot line.

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

Lot Line means a boundary line of a lot.

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

Lot Line, Front

- In the case of an interior lot, the line dividing the lot from the street.
- In the case of a corner lot, the shorter lot line abutting a street shall be deemed to be the front lot line.
- 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.
- In the case of a lot with frontage on a public street or private road or lane and on a water body, the front lot line shall be measured both on the street side 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.

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

Marine, Recreation and Small Engine Establishments means a building and/or lot used for the display, sale, storage, servicing, repair, cleaning, polishing, and lubricating of boats, motorcycles, snowmobiles, ATVs, lawn care equipment, marine engines and related products, or the leasing or renting of any of the above.

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.

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

Minimum Distance Separation Formulae means the “Minimum Distance Separation I and II” of the Ontario Ministry of the Environment, Conservation and Parks and the Ontario Ministry of Agriculture, Food and Agribusiness (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 means any dwelling that is designed and constructed with a prefabricated method 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.

Mobile Home Park means land containing two or more mobile home sites and which is under single management and ownership, and which is designed and intended for residential or seasonal use where such residential occupancy is in mobile homes exclusively. A mobile home park may include an administrative and sales office for the mobile home park and a recreation building for the exclusive use of residents of the mobile home park.

Mobile Home Park Open Space means a space within a mobile home park designed and intended as a place of recreation for the common use by the residents of such mobile home park, and which may or may not be open to the general public on an equal basis.

Mobile Home Park Road means a space within a mobile home park designed and intended as a means of vehicular access to abutting mobile home lots; such mobile home park road may or may not be open to the general public on an equal basis.

Motor Vehicle means a wheeled self-propelled vehicle for the transportation of passengers and goods and, without limiting the generality of the foregoing, may include automotives, trucks, buses, ambulances, hearses, motor homes and tractors.

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 the same as a hotel.

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, significant valleylands, habitat of endangered species and threatened species 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

- 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.
- 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-Complying means a permitted use, building or structure legally existing as of the date of the passing of this By-law which does not comply with a provision or provisions of their respective zone.

Non-Conforming means a building or structure legally existing as of the date of the passing of this By-law, which is used for a purpose not permitted in this By-law.

Non-Market Housing means housing designed for individuals who cannot afford market-priced housing, often operated by non-profit organizations or government agencies. Non-Market housing is characterized by rents or purchase prices below the standard market rate, ensuring accessibility for low and moderate-income households. This type of housing is sometimes referred to as affordable housing or social housing.

Nursing Home means any premises maintained and operated for persons requiring nursing care or in which such care is provided to two or more unrelated persons, but does not include any premises falling under the jurisdiction of the *Charitable Institutions Act*, the *Child and Family Services Act*, the *Homes for the Aged and Rest Homes Act,* the *Private Hospitals Act*, or the *Public Hospitals Act*.

Obnoxious Use 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.

Occupancy, Residential means an occupancy in which sleeping accommodation is provided to residents who are not harboured for the purpose of receiving special care or treatment and are not involuntarily detained, and includes an occupancy in which sleeping accommodation is provided to residents of a retirement home.

Office means a building, or part thereof, which is used for the practice of a profession, carrying of a business, the conduct of government services or where not conducted on the site, the administration of an industry, including business, professional, commercial offices and government services.

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 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.

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.

Outdoor Display and Sales 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 Storage Area means the storage of goods, materials, or equipment in the open air on a lot or portion thereof, in association with a permitted use.

Park means an area of land, whether enclosed or not, maintained by the Town or other public authority for the enjoyment, health and well-being of people and open to the public with or without charge.

Parking Lot means a lot used or intended for the temporary parking of four or more motor vehicles and may include aisles, parking spaces and related entrance and exit lanes, but shall not include any part of a road.

Parking Lot, Winter Overflow means a Parking Lot, specifically to accommodate additional parking during the winter season.

Parking Space, Angle means a parking space which is accessed from an aisle or driveway, and

which permits the entry or exit from said parking space without the need to travel over any other parking space.

Parking Space, Bicycle means an area that is equipped with a bicycle rack or bicycle locker that is accessible, secure, and suitable for the purposes of bicycle parking.

Parking Space, Electric Vehicle means a vehicle parking space constructed and equipped with an appropriate electric vehicle charging device, which is accessible from a 'street', 'private street' or 'lane'.

Parking Space, Parallel means a parking space which is accessed from an aisle, road or driveway that is beside and runs the same direction as the aisle, road, or driveway.

Parking Space, Tandem means the arrangement of two parking spaces such that it is required to traverse one space to gain vehicular access to the other from a lane or street.

Parking Space, Vehicle means a space enclosed in a principal or accessory building or unenclosed in a driveway, that is available for the parking of a 'motor vehicle' and which is accessible from a 'street', 'private street' or 'lane'.

Personal Service Business means a business that is associated with the grooming or health or persons or the maintenance or repair of personal wardrobe articles and accessories and may include a barber shop, beauty parlour, aestheticians, shoe repair, self-service laundry, depots for collecting dry cleaning and laundry and similar uses and where the retail sale of goods, wares, merchandise, or articles is only accessory to the provisions of such services.

Pharmacy means a retail outlet which dispenses drugs by prescription.

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

Planned Unit Development (PUD) means two or more individual buildings composed solely of residential units. A PUD may include private driving aisles throughout the site.

Porch means a covered, unenclosed area, typically with a roof, attached to the front or side of a building, often used as a transitional space between the interior and exterior.

Principal when used to describe a use, building or structure, means a use, building or structure, one to which any other is subordinate and constitutes the main use of a lot therewith.

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 or Private Lane means a private right-of-way over private property which affords access to at least two abutting lots or parcels of tied land and which is not maintained by a Public Authority.

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 Authority means any Level of Government, 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 Use means a use carried on by a public authority or public utility on a temporary or permanent basis.

Purpose-built Rental means residential development specifically designed and constructed with the intention of creating residential units for rental occupancy not for ownership. Purpose-built rentals will be considered at initial construction of the building and will not capture converted buildings.

Recreation Facility means land, buildings or structures used for the purpose of active leisure activities and shall include an arena, swimming pool, community centre, curling rink, outdoor ice rink, and other such similar uses.

Recreation 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.

Recreational Trailer means a structure designed to provide temporary living accommodation for travel, vacation or recreational use and to be towed or transported and without limiting the generality of the foregoing includes folding camping trailers, travel trailers and motor homes.

Recreational Vehicle means any vehicle so constructed to be 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 watercraft, all-terrain vehicles or other equipment used for recreational purposes.

Recycling Depot 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.

Research and Development Facility means a building or structure, designed, used or intended for systematic research, data collection and manipulation, or technical or scientific development of information or new products, and may include a research laboratory; but excludes industrial and manufacturing operations other than those required as part of the research.

Residential Care Facility means an establishment providing supervised or supportive in-house care for those who need assistance with daily living, that may also provide on-going medical or nursing care or counselling and social support services and which may include services such as medical, counselling, and personal services.

Residential Unit means a unit that:

- consists of a self-contained set of rooms located in a building or structure,
- is used or intended for use as residential premises, and
- contains kitchen and bathroom facilities that are intended for the use of the unit only.

Restaurant, Bar means a licensed drinking establishment, the principal business of which is to serve any sort of beverage alcohol to the public for consumption on the premises, and includes a pub.

Restaurant, Fast-Food means a restaurant that sells food and beverages over a counter to its customers for consumption in the restaurant, or for consumption off the premises. A Fast-Food restaurant does not include a refreshment or food service vehicle (food truck) and does not include a vehicular drive-through component.

Restaurant, Full Service means a restaurant that sells and serves food and beverages to patrons seated at tables, for consumption on the premises.

Restaurant, Take Out means a restaurant that does not have seating capacity for diners and instead:

- sells food and beverages directly to the consumer for consumption off the premises; or
- delivers food and beverages directly to the consumer for consumption off the premises, whether located in a building, 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 or structure, designed, used, or intended for the selling or buying of goods, wares, merchandise, articles, or things at retail or the providing of a service, primarily to or from the public, and uses accessory thereto and includes all retail stores not defined elsewhere in this By-law.

Retirement Home means a residential complex or the part of a residential complex that is occupied primarily by persons who are 65 years of age or older, that is occupied or intended to be occupied by at least the prescribed number of persons who are not related to the operator of the home, and where the operator of the home makes at least two care services available, directly or indirectly, to the residents. A retirement home does not include premises or parts of premises that are governed by or funded under the *Homes for Special Care Act*, the *Fixing Long-Term Care Act, 2021*, the *Ministry of Community and Social Services Act*, the *Private Hospitals Act*, the *Public Hospitals Act*, or the *Services and Supports to Promote the Social Inclusion of Persons with Developmental Disabilities Act, 2008*, premises at which emergency hostel services are provided under the *Ontario Works Act, 1997*, or other premises that are prescribed under the *Retirement Homes Act, 2010, S.O.*

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.

Rooming Unit means a room, or a suite of rooms including no more than two bedrooms, that constitutes a separate, independent residential occupancy, but which is not self-contained, and which requires access to other parts of the residential unit intended to serve the residents, including shower or bathtub facilities, kitchens, eating areas or bathrooms.

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 automotive wrecking yard on the premises.

Sawmill means a building, structure, or area where timber is cut, sawed or milled, either to finished lumber or as an intermediary step and may include facilities for the kiln drying of lumber, an administrative office and the temporary storage of timber and the finished product.

School means a building designed, used, or intended to be used as an educational or training establishment, which may or may not be under the jurisdiction of a board as defined in the *Education Act*, as amended or revised from time to time.

School, Commercial means a school operated by one or more persons for gain or profit specializing in vocational or specialized training such as English as a second language, cosmetic, computer, or music.

School, Private means an educational or training establishment which is not under the jurisdiction of a board as defined by the *Education Act* or its successor.

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.

Services, Municipal means piped sewage and water services that are connected to a centralized water and wastewater treatment facility.

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

Services, Private means individual autonomous water supply and sewage disposal or septic systems that are owned, operated and managed by the Owner of the property upon which the system is located.

Setback means the shortest horizontal distance from a specified line to the nearest part of any building or structure on a lot exclusive of any yard encroachments permitted on the lot.

Shipping Container means an intermodal freight container that is designed for the transportation and storage of goods and materials which are loaded onto trucks, trains or ships for the purpose of moving of goods and materials. For the purpose of this definition a shipping container does not have wheels and does not include a truck body, trailer or transport trailer.

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.

Sight Visibility Triangle means a triangular space formed by the intersecting street lines of a corner lot and a line from a point on one of the street lines to a point on the other street line, each point being measured the distance prescribed by this By-law from the point of intersection of the street lines. No structure over 1 m in height shall be permitted in this area.

Sign means any surface, structure and other component parts, which are used or capable of being used as a visual medium or display to attract attention to a specific subject matter for identification, information or advertising purposes and includes an advertising device or notice.

Site Alteration means a change to the existing topography including but not limited to, (i) alteration of the grade of land, and (ii) placing or dumping fill, or (iii) the removal of vegetation.

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.

Storey means the portion of the building, other than the basement or cellar, which lies between the surface of the floor and the surface of the next floor above it, or if there is no floor above it, then the space between such floor and the ceiling or roof next above it.

Storey, Half 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 m (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.

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

Street, Private means an improved highway, street or road which affords the principal means of vehicular access, and which is not under the jurisdiction of a Public Authority.

Street, **Public** means a public or common highway affording principal means of access to abutting properties.

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 1 m in height, and items such as and similar to garbage cans, garden planters, retaining walls, signage and benches shall be deemed not to be a structure.

Suite means a single room or series of rooms of complementary use, operated under a single

tenancy, and includes

1) dwelling units and residential units,
2) individual guest rooms in motel and hotels, and,
3) resident units in a retirement home.

Technology Industry means an operation where advanced or sophisticated devices especially in the fields of electronics and computers are manufactured, assembled, packaged, or stored in an office, studio, or laboratory setting.

Theatre means a building or structure used for the production and viewing of the performing arts or for the screening and viewing of motion pictures by the public.

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).

Townhouse, Back-to-Back means a townhouse that shares a common rear wall and at least one common sidewall with another unit and no rear yard.

Townhouse, Stacked means a townhouse containing four or more principal dwelling units where the units are divided horizontally and vertically, and in which each dwelling unit has an independent entrance from the exterior.

Townhouse, Street means a townhouse with each unit on a separate lot and having legal frontage on a public road.

Trail means pedestrian and nature trails, bicycle trails, multi-use trails, fitness trails, nature trails for the disabled, or cross-country skiing trails.

Transport 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.

Vegetation Removal means the removal of healthy, woody vegetation of at least 1.2 m in height, but does not include trimming, pruning and removal of such woody vegetation if it presents a hazard to life or property.

Veranda means a roofed, unenclosed hallway or porch attached to the outside of a building, often with a railing and extending across multiple sides.

Veterinary Establishment means a building in which two or more rooms are used by a veterinary surgeon for the treatment of diseases and injuries of domestic and other animals. Without limiting the generality of the foregoing, a veterinary clinic may include administrative offices, waiting rooms, treatment rooms, boarding of animals, laboratories, pharmacies, and dispensaries directly associated with the clinic.

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, Conservation and Parks and/or its agents where garage, refuse, domestic or industrial waste, petroleum refining waste, untreated septage, polychlorinated biphenyl waste, mine tailing discharge, or hazardous waste~~s~~ is disposed of, treated, stored, or dumped. This definition shall include waste transfer stations and recycling depots. (See also Recycling Depot).

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.

Waterbody means a natural or artificial body of water, but does not include water confined within a stormwater management pond, structure or building.

Watercourse means a natural or man-made channel which carries water and includes streams, rivers, and lakes, municipal drains and for the purpose of this By-law, includes a channel with intermittent flow but does not include a drainage ditch.

Wetland means lands that are seasonally or permanently flooded by shallow water as well as lands where the water table is close to the surface. In either case the presence of abundant water has caused the formation of hydric soils and has favored the dominance of either hydrophytic or water tolerant plants.

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 a space, between a building or structure and a lot line located on the same lot as the main building or structure, and which space is open, structurally uncovered and unoccupied from the ground to the sky except for such accessory buildings, structures, or uses as are specifically permitted by this By-law.

Yard, Exterior means a side yard immediately adjoining a street.

Yard, Front means a yard extending across the full width of the lot between the front lot line of the lot and the nearest main wall of any main building or structure on the lot. Front Yard Depth means the least horizontal dimension between the front lot line of the lot and the nearest main

wall of any main building or structure on the lot.

Yard, Interior means a side yard other than an exterior side yard.

Yard, Rear means a yard extending across the full width of the lot between the rear lot line of the lot and the nearest main wall of any main building or structure on the lot. Rear Yard Depth means the least horizontal dimension between the rear lot line of the lot and the nearest main wall of a main building or structure on the lot.

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,

Yard, Side means a yard extending from the front yard to the rear yard and from the side lot line of the lot to the nearest main wall of any main building or structure on the lot.

Side Yard Width means the least horizontal dimension between the side lot line of the lot and the nearest main wall of any main building or structure on the lot.

7.0 GREEN DEVELOPMENT STANDARDS CHECKLIST

7.1 INTRODUCTION

The Green Development Standards Checklist (GDS) will support the Town of Carleton Place in implementing its vision for a sustainable community through the development planning process. The intent of the checklist is to provide development proponents with a detailed tool for recommended consideration of best practice where applicable and feasible for proposed new development and redevelopment. It is based on the Town's vision for balanced and sustainable growth that supports a sense of place respectful of our unique historical, cultural, and natural heritage (OP 1.1.2). As stated in the Official Plan (OP 1.1.3) and Development Permit By-law (1.1), the Town is committed to managing growth and development in a way that balances the expansion of economic, residential, and recreational opportunities with heritage conservation, the preservation of local ecosystems and a healthy Mississippi River, and long-term environmental sustainability. It also recognizes the need to minimize the carbon footprint of development and to build in ways that increase climate resilience.

The GDS Checklist is requested for all Development Permit Applications and may be submitted to municipal staff during the pre-consultation process (Development Permit By-law Section 2.22). It provides clarity on the Town's desire for sustainable development. Complying with the requirements of the GDS Checklist are encouraged.

The GDS Checklist also offers flexibility with opportunities for additional sustainability-related elements to be considered. Applicants are encouraged to consult with Development Services staff to see what incentives may be available for green building or landscaping features beyond the standards.

The Checklist will contribute to sustainability goals including: Energy Efficiency and Greenhouse Gas Emissions Reduction; Ecology and Biodiversity; Water Conservation; Waste Reduction; and Community Design. These will support the Town's ability to adapt to climate change, protect air and water quality, improve public health, and ensure a healthy natural environment for everyone to enjoy.

Applicants may also choose to pursue third party certification programs and standards, such as:

- LEED (Leadership in Energy and Environmental Design), www.cagbc.org
- Energy Star and R-2000 Home Certification, www.nrcan.gc.ca/energy/efficiency/housing/new-homes/5057
- BOMA BEST, www.bomabest.com
- Quality Assured Passive House Certification (also available for non-residential buildings), www.passivehouse.ca
- Sustainable Sites Initiative, www.sustainablesites.org

7.2 GREEN DEVELOPMENT CHECKLIST

7.2.1 Energy Conservation and GHG Emissions Reduction

Item:	Metric:	Documentation:
Energy Efficient Design	Design, construct, and label the building(s) to meet the ENERGY STAR® for New Homes1, version 17.1 or R-2000 requirements1,2,3.	• Development Application Submission: A Letter of Commitment signed by a qualified professional (Architect, Electrical Engineer, or Mechanical Engineer) and the Owner/ developer/builder that includes confirmation that these requirements will be met. • Post Construction Submission: Confirmation of ENERGY STAR rating by a qualified professional (e.g., Energy Modeller).
Energy Modelling	Using whole-building energy modelling, demonstrate an annual Total Energy Use Intensity (TEUI), Thermal Energy Demand Intensity (TEDI), and GHG Emission Intensity (GHGI) that meets the National Energy Code for Buildings (NECB) 2020 Tier 1 standard. Design and construct the building to meet the NECB Tier 1 performance limits.	Energy Model Report summarizing key modelling inputs, outputs, and assumptions, signed by a licensed professional (Energy Modeller), and demonstrating compliance with the applicable target.
Solar Ready Design	Design all new buildings for solar readiness. Where applicable, include an opt-in for new Owners to install solar photovoltaic (PV) or thermal systems at the new Owner's expense.	Drawings, plans, specifications, or other documentation demonstrating that the project is solar-ready.
Refrigerant Leakage	Develop a Refrigerant Leakage Plan describing the ongoing tracking and corrective action to address process refrigerant leaks should they occur in any base building HVAC systems. The Plan should list total quantity, type, and Global Warming Potential (GWP) of each refrigerant contained in HVAC systems with capacity greater than 19 kW (5.4 tons).	Provide a Letter of Commitment signed by a qualified professional (Mechanical Engineer) and the Owner/developer/builder that includes confirmation that the requirements of this metric will be met.

Air tightness testing	Conduct best practice commissioning per the requirements referenced in LEED BD+C v4.1 Fundamental Commissioning and Verification pre-requisite.	• Development Permit Submission: A letter signed by a qualified professional (Building Envelope Engineer or Building Science Engineer) and the Owner/developer/ builder that describes the project's approach to achieving air tightness, and the process for any planned testing.
Energy metering	Install electricity and/or thermal sub-meters for all energy end-uses that represent more than 10% of the building's total energy consumption.	• Development Submission: A Letter of Commitment signed by a qualified professional (Electrical Engineer or Mechanical Engineer) and the Owner/ developer/builder that includes confirmation that these requirements will be met. • Post Construction Submission: Electrical and mechanical single-line diagrams that indicate the provision of electricity and thermal sub-meters. A metering plan listing all meters along with type, energy source metered, diagrams and/or references to design documentation.
Structural Orientation for Solar Gain	Where possible, the long axis should be east-west, maximizing south-facing wall exposure to sun for optimal heat gain in winter. South-facing windows should be shaded by awnings, overhangs, or plantings in summer and unshaded in winter.	On the Site Plan Drawing.
Electric Vehicle Charging Stations	Residential: Ensure 100% of all parking spaces are EV-ready. Non-residential: Ensure at least 50% of all parking spaces are EV-ready. To permit the future installation of electric vehicle supply equipment: o A minimum 200 amp panel board. o A conduit that is not less than 27 mm trade size and is equipped with a means to allow cables to be pulled into the conduit. A square 4-11/16 inch trade size	On the Site Plan Drawing indicating number and location.

	electrical outlet box installed in the garage or carport or adjacent to the driveway.	
Electric Bicycle Charging Infrastructure	Residential: Provide Energized Outlets for 15% of the bicycle parking spaces.	Parking plan(s) indicating the location of electric bicycle charging.

7.2.2 Ecology and Biodiversity

Item:	Metric:	Documentation:
Soil Quality	Maintain a minimum 15 cm/ 6" of quality uncompacted topsoil to absorb runoff and ensure plant health. Soil must be 5 to 15% organic material, with pH level between 6.0 and 8.0. Uncontaminated on-site topsoil must be retained and returned to the site. Topsoil must be stored properly to retain soil health.	• Post Construction Submission: Site inspection by Town staff before sod or other landscaping is installed.
Plant Native Species	Use native or near native species for at least 50% of the new landscaping planted areas (including grassed areas). Select drought-tolerant species for hardiness zones 5 and 6.	Landscape Plan with planting schedule demonstrating where species will be native or near-native.
Avoid Invasive Species	Per the Ontario Invasive Species Act, do not plant invasive species.	Landscape Plan with planting schedule demonstrating that plant species do not include invasive species.
Landscaping in Sensitive Zones	For sites adjacent to Agricultural lands, Natural Heritage features, Environmentally Significant Areas, and other areas that are restricted from development: Provide vegetated protection zones, especially in areas adjacent to water corridors. Vegetated protective zones must include 100% native vegetation, with a preference for drought-tolerant species.	Landscape Plan with planting schedule and erosion control planning.
Protection of Existing Trees	Protect healthy, mature trees that exist within the project boundary. Comply with existing requirements for tree protection.	Tree Inventory Report and Preservation Plan.
Tree Planting requirements	Where surface parking is provided, plant 1 shade tree for every 5 parking spaces. Select	Plans or drawings indicating the locations of all trees and parking spaces within the surface parking area.

	from the Town's list of recommended species.	
Tree Planting requirements	Plant trees to shade at least 50% of the bike paths and walkway/sidewalk lengths. Select from the Town's list of recommended species.	Canopy Cover Plan(s) or drawings demonstrating walkway/sidewalk/bike path area shaded within 10 years.
Soil Depth and Quality	Provide each tree with access to at least 21 cubic meters of soil per tree. Soil must be high quality, uncompacted, comprised of 5 to 15% organic material, pH level between 6.0 and 8.0. Where trees share soil, as in a continuous planting trench, a reduction to 16 cubic meters per tree may be permitted.	Plans or drawings demonstrating the volume of soil provided for each tree.
Tree Canopy Maintenance	Provide a tree watering and maintenance program for at least the first 4 years after planting. The program should include measures to reduce the impact of de-icing salt. Maintain a minimum of 1.5 m clearance around the base of the tree to provide water and nutrients.	• Development Permit Application Submission: A Letter of Commitment signed by an accredited professional (Landscape Architect, Architect, or Professional Engineer) and the Owner/developer describing the watering and maintenance program. • Post-Construction Submission: Operating and Maintenance Plan detailing the tree watering and maintenance program.
Light pollution mitigation	Exterior fixtures must be Dark Sky compliant. Rooftop and exterior façade illumination must be directed downward and turned off between 10 p.m. and 6 a.m.	Site plan, or other documentation indicating lighting type, orientation, location, and controls.
Snow management	For sites with surface parking, identify a designated snow storage area in an area that will reduce salt and contaminant impacts to vegetation, groundwater and surface water. Non-residential/Commercial: Achieve the Smart About Salt Site Certification.	On the Site Plan Drawing.

7.2.3 Water Conservation

Item:	Metric:	Documentation:
Erosion Control and Stormwater Management	Provide long-term controls for Erosion and Sediment Control (ESC) in conformance with the Erosion and Sediment Control Guide for Urban Construction (2019). Demonstrate compliance with the Green Standards and Guidelines for Low Impact Development (LID). Where possible, the Town encourages LID measures such as ○ permeable pavements, ○ bioswales, ○ infiltration trenches/bioretention areas, ○ rain gardens, and ○ draining roofs to pervious areas. * Design for future precipitation rather than historical precipitation data to ensure resilience to future climate change impacts.	Stormwater Management Report, Plan(s), and drawing(s) to verify compliance.
Low Flow Fixtures	Water-consuming fixtures must be WaterSense® labeled and must not exceed the following maximum flow requirements: High-efficiency toilets: 4.0 L/flush OR 3 and 6 L/flush (dual flush toilets); and Low flow lavatory faucets: 5.7 L/min.	• Development Permit Application Submission: A Letter of Commitment signed by a qualified professional (Mechanical Engineer) and the Owner/developer confirming that these requirements will be met. • Post Construction Submission: Plumbing fixture specifications or other documentation demonstrating WaterSense® labelling and flush/flow rates.

7.2.4 Waste Reduction and Management

Item:	Metric:	Documentation:
Construction Waste Management	Manage construction and demolition waste in accordance with O. Reg. 103/94. Develop and implement a Construction and Demolition Waste Management Plan and demonstrate a diversion rate of 50% or more from landfill.	Construction and Demolition Waste Management Plan.
FSC Certified Wood Products	60% of wood products used must be FSC and/or SRI certified or other reclaimed or controlled wood.	

7.2.5 Community Design

Item:	Metric:	Documentation:
Public Access to Waterfront Greenspace	For sites adjacent to the river or lake, developments must allow public access to the waterfront. It is recommended that a portion of the required green space be allocated along the river or lake.	
Active Transportation Networks	Construct an on-site network of cycling facilities and multi-use paths that connects to the Town's active transportation network. Provide safe, direct walking and cycling routes from on-site buildings to off-site public sidewalks, walking and cycling paths, parks, community facilities, and commercial areas. Implement recommendations of the Town's Transportation Master Plan and/or Cycling Master Plan (where applicable) 1, 2, 4.	Plan(s) indicating network of on-site cycling facilities and multi-use paths and safe, direct routes to off-site active transportation routes.

8.0 HERITAGE PAINT COLOUR PALETTE



