

APPENDIX "B"

DRAFT BY-LAW NO. 2026-XX

A by-law of the Town of Perth to amend By-law No. 3358 entitled 'Comprehensive Zoning By-law', Consolidated to December 2022, to change the zoning of the lands legally described as:

- Part of PIN 05186-0189 being: Part of Lot 25, Concession 2 Geographic Township of Bathurst
- Part of PIN 05186-0244 being: Part of Lot 26 and 27, Concession 1 And Part of Lot 26, Concession 2 And Part of Park Lot 1 in Lot 27, Concession 2 And Part of the Road Allowance Between Concessions 1 & 2 (Closed by By-Law LC204235) All in the Geographic Township of Bathurst
- Part of PIN 05185-0390 being: SE Part of Lot 1, Concession 1 As shown on Compiled Plan No. 8828 Geographic Township of Drummond And Part of the Road Allowance Between Geographic Townships of Bathurst and Drummond (Closed By By-Law LC204235)

All lands are within the County of Lanark.

The Ontario Land Tribunal, pursuant to Section 34 of the Planning Act, R.S.O. 1990, enacts as follows:

The Zoning Schedule A of By-law No. 3358 is amended by rezoning the lands shown on Attachment 1 to this by-law as follows:

1. To add a new Section 23: Residential – Western Annex Lands Zone to the Comprehensive Zoning By-law with the following provisions:

Section 23: Residential – Western Annex Lands (R-WAL) Zone

The general intent and purpose of the Residential – Western Annex Lands Zone is to:

- a) allow a full range of residential uses, inclusive of affordable residential units and additional dwelling units; and
- b) establish development standards, primarily for the Western Annex Lands area, which promote efficient land use and compact form.

23.1 Permitted Uses

- **Accessory Building or Structure**
- **Additional Dwelling**
- **Additional Dwelling Unit**
- **Apartment Dwelling**
- **Bake Shop**
- **Café or Snack Bar**
- **Clinic**
- **Community Garden**
- **Convenience Store or Confectionary Store**
- **Day Care Centre, which shall mean a child care centre operated for pre-school age children within the meaning of the Child Care and Early Years Act, 2014, as amended**
- **Day Care, Private Home**
- **Home Based Business**
- **Institutional use**
- **School (public or private)**
- **Semi-detached Dwelling**
- **Single Detached Dwelling**
- **Park**
- **Parking Area, accessory to a Park**
- **Personal Service Establishment or Use**
- **Place of Assembly**

- **Professional Office**
- **Public Use or Public Service Facility, including a Stormwater Management Facility**
- **Rowhouse or Townhouse Dwelling**
- **Stacked Townhouse Dwelling**

23.2 Zone Requirements

Requirement	Single Detached Dwelling	Semi-detached Dwelling	Rowhouse / Townhouse Dwelling	Apartment Dwelling / Stacked Townhouse Dwelling
minimum lot area	190 m ²	137 m ²	135 m ²	464.52 m ² for 1 st 4 units plus 46 m ² for each additional unit thereafter
*Notwithstanding the minimum lot area provisions, if the minimum front, interior, exterior, and rear yard provisions are met, the minimum lot area provisions would not apply.				
minimum lot frontage	9.4 m	7.5 m	5.95 m	7.5 m
minimum front yard	Garage shall be setback so as to permit a legal parking space length of 5.5m on private property. Notwithstanding the foregoing, the minimum front yard setback shall be 3.0 m. Notwithstanding Section 4.37, no permitted projection shall be permitted within the 3.0 m setback.	Garage shall be setback so as to permit a legal parking space length of 5.5m on private property. Notwithstanding the foregoing, the minimum front yard setback shall be 3.0 m. Notwithstanding Section 4.37, no permitted projection shall be permitted within the 3.0 m setback.	Garage shall be setback so as to permit a legal parking space length of 5.5m on private property. Notwithstanding the foregoing, the minimum front yard setback shall be 3.0 m. Notwithstanding Section 4.37, no permitted projection shall be permitted within the 3.0 m setback.	The minimum front yard setback shall be 3.0 m. Notwithstanding Section 4.37, the only permitted projections in the front yard shall be: i. Stairways / steps / landings, provided they are located a minimum of 1 m from the front lot line; and, ii. balconies / porches, provided they are located a minimum of 1 m from the front lot line.
minimum interior side yard	1.2 m and 0.8 m for a total of 2m Notwithstanding Section 4.37, the only permitted projections in the interior side yard shall be: i. gas and hydro meters, HVAC vents, and eaves / cornice / roofline provided that they are located a minimum of 0.5 m from the interior lot line and offset; and,	1.5 m Notwithstanding Section 4.37, the only permitted projections in the interior side yard shall be: i. gas and hydro meters, HVAC vents, and eaves/cornice/roofline provided that they are located a minimum of 0.5 m	1.5 m Notwithstanding Section 4.37, the only permitted projections in the interior side yard shall be: i. gas and hydro meters, HVAC vents, and, eaves/cornice/roofline, provided that they are located a minimum of 0.5 m from the interior lot line and offset; and,	2 m for less than 3 storeys; 3 m for 3 storeys; 4.5 m for more than 3 storeys Notwithstanding Section 4.37, the only permitted projections in the interior side yard shall be: i. gas and hydro meters, HVAC vents, and, eaves/cornice/roofline, provided that they are located a minimum of

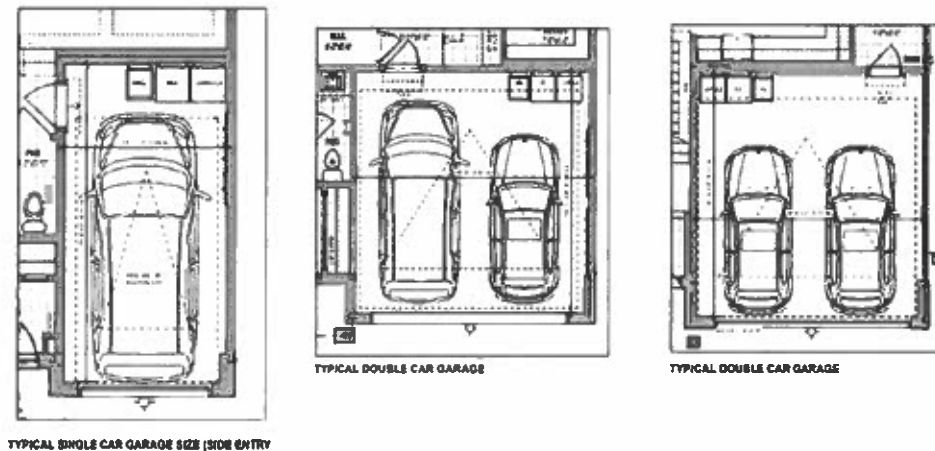
Requirement	Single Detached Dwelling	Semi-detached Dwelling	Rowhouse / Townhouse Dwelling	Apartment Dwelling / Stacked Townhouse Dwelling
	ii. fireplace / chimney boxes, and window wells provided that they are located a minimum of 0.65 m from the interior lot line, offset and within the longer (1.2 m) side yard only, where feasible.	from the interior lot line and offset; and, ii. fireplace / chimney boxes, and window wells provided that they are located a minimum of 0.65 m from the interior lot line, and offset.	ii. Fireplace / chimney boxes and window wells provided they are located a minimum of 0.65 m from the interior lot line, and offset.	0.5 m from the interior lot line and offset.
minimum corner side yard	3.0 m Notwithstanding the above, no more than two building projections, with a maximum total floor area of 3 m ² may be permitted in the exterior side yard provided that they are located a minimum of 2.5 m from the exterior side lot line. A porch may be permitted to project 2.2 m into an exterior side yard.	3.0 m Notwithstanding the above, no more than two building projections with a maximum total floor area of 3 m ² may be permitted in the exterior side yard provided that they are located a minimum of 2.5 m from the exterior side lot line. A porch may be permitted to project 2.2 m into an exterior side yard.	3.0 m Notwithstanding the above, no more than two building projections with a maximum total floor area of 3 m ² may be permitted in the exterior side yard provided that they are located a minimum of 2.5 m from the exterior side lot line. A porch may be permitted to project 2.2 m into an exterior side yard.	N/A
minimum exterior side yard	3.0 m	3.0 m	3.0 m	4.5 m
minimum rear yard	6.0 m, except that the minimum rear yard may be reduced to 4.5 m for up to 50% of the lot width provided the total rear yard exceeds 45 m ² , and any built form within the reduced 4.5 m setback shall be limited to one-storey in height.	6.0 m, except that the minimum rear yard may be reduced to 4.5 m for up to 50% of the lot width provided the total rear yard exceeds 35 m ² and any built form within the reduced 4.5 m setback shall be limited to one-storey in height.	6.0 m, except that the minimum rear yard may be reduced to 4.5 m for up to 55% of the lot width provided the total rear yard exceeds 30 m ² and any built form within the reduced 4.5 m setback shall be limited to one-storey in height.	6.0 m Notwithstanding Section 4.37, an exterior staircase may project into the minimum required rear yard to a maximum of 3.5 m.
maximum height	12.0 m	12.0 m	14.0 m	16.0 m

Requirement	Single Detached Dwelling	Semi-detached Dwelling	Rowhouse / Townhouse Dwelling	Apartment Dwelling / Stacked Townhouse Dwelling
maximum lot coverage	55%	65%	50% (excluding porch)	40%
maximum impervious surface	60%	60%	64%	80%
amenity space	N/A	N/A	N/A	9 m ² per dwelling unit, except that 6 m ² per dwelling unit shall be permitted if the lot with the proposed use is located within 50 m of a public park

23.3 Additional Requirements

- a) Notwithstanding Section 4.30.4 "Wetland", development is permitted to be set back a minimum of 15 m from a significant wetland if:
 - i. the relevant lot has been specified within an Environmental Impact Statement (EIS) that has been approved by the Town; and
 - ii. the area within the provided setback is appropriately naturalized, consistent with the recommendations of the approved Environmental Impact Statement (EIS).
- b) Notwithstanding any other provisions and definitions of this by-law, stacked townhouse dwellings may contain more than eight (8) dwelling units to a maximum of twenty-four (24) dwelling units.
- c) Notwithstanding any other provisions of this by-law, permitted commercial and other non-residential uses shall be permitted as a separate use from the residential uses, or as a mixed use in an apartment building, or in the affordable housing block.
- d) Notwithstanding any other provisions of this by-law, Home-Based Businesses shall not require any **loading / delivery spaces**.
- e) In accordance with Section 4.35 "Parking and Storage of Motor Vehicles", Section 4.36 Parking Requirements, Table 13, or any other provisions of this by-law, required parking may occur in any combination of a garage, car port, **Driveway** or **Tandem Parking Spaces** provided that:
 - i. A **Private Garage** shall have a minimum interior width of 3.0 m, minimum interior length of 6.0 m, and minimum interior vertical clearance of 2.4 m provided to accommodate the minimum requirements for a parking space for a vehicle, and a minimum of 2.0 m² of floor area for storage; interior steps are permitted provided that no steps intrude within the minimum parking space envelope.

The following images are for illustrative purposes and do not form part of this By-law:



- ii. Any required parking that is provided in a **Driveway** shall meet the minimum length, width and vertical clearance requirements prescribed in Table 11.
- f) Notwithstanding Section 4.35 "Parking and Storage of Motor Vehicles" or any other provisions of this by-law, a maximum of 55% of the area of the front yard, or the required minimum width of one (1) parking space, whichever is greater, may be used or constructed for a driveway.
- g) Notwithstanding Section 4.42 "Sight Triangle" or any other provisions of this by-law, on a corner lot a sight triangle with the following minimum sight distances shall be required:
- i. At the intersection of a local road with a local road: 3 m x 3 m
 - ii. At the intersection of a local road with a collector road: 3 m x 5 m
 - iii. At the intersection of a collector road with a collector road: 5 m x 5 m
- h) As per Section 4.35.4 "Driveways", Section 4.42 "Sight Triangle", or any other provisions of the by-law, the minimum sight distance at the intersection of a driveway and a public street shall be 3 m.
- i) Notwithstanding Section 4.35.4(d) "Driveways" and Figure 24 "Parking Diagram – Minimum Driveway Separation", the minimum separation distance between paired driveways shall be 1.6 m.
- j) Any portion of a front yard not required for a driveway, a walkway up to 1.8 m in width, or covered by a projection permitted in subsection (i) below, shall be landscaped with hard and/or soft landscaping.
- k) Notwithstanding Section 4.19.4 "Employees, Hours and Parking for Home Based Businesses", or any other provisions of this bylaw, no additional parking spaces are required for a home based business except that one (1) additional parking space will be required for each non-resident employee that works on the premise.
2. To add a new "Neighbourhood Commercial Exception X (C3-X)" Zone to Section 13 Neighbourhood Commercial (C3) Zone, subsection 13.4 "Exceptions of the Comprehensive Zoning By-law" with the following provisions:

- a) In addition to the uses permitted in subsection 13.1 "Permitted Uses", a Golf Course Clubhouse and ancillary uses (restaurant, spa, café or snack bar) shall also be permitted.
 - b) C3 requirements in subsection 13.2 "Zone Requirements" and subsection 13.3 "Additional Requirements" shall apply except that, on land zoned C3-X, the following zone provisions shall apply:
 - i. Minimum front yard setback: 3.5 m;
 - ii. Minimum rear yard setback: 3.0 m;
 - iii. Maximum floor area of a commercial use, other than a Golf Course Clubhouse: 180 m²; and
 - iv. Maximum building height: 12.0 m.
- 3. To maintain the lands identified as Area A on Schedule A as attached as the Environmental Protection Area (EP) Zone.
- 4. To rezone the lands identified as Area B on Schedule A as attached from the Open Space Holding (OS-h) Zone to the Environmental Protection Area (EP) Zone.
- 5. To rezone the lands identified as Area C on Schedule A as attached from the Open Space Holding (OS-h) Zone to the Residential – Western Annex Lands Holding 1 and Holding 2 (R-WAL-h1, h2) Zone.
- 6. To rezone the lands identified as Area D on Schedule A as attached from the Environmental Protection Area (EP) Zone to the Residential – Western Annex Lands Holding 1 and Holding 2 (R-WAL-h1, h2) Zone.
- 7. To rezone the lands identified as Area E on Schedule A as attached from the Residential First Density Holding (R1-h) Zone to the Residential – Western Annex Lands Holding 1 and Holding 2 (R-WAL-h1, h2) Zone.
- 8. To rezone the lands identified as Area F on Schedule A as attached from the Residential First Density Holding (R1-h) Zone to the Neighbourhood Commercial Exception X Holding 1 (C3-X-h1) Zone.
- 9. To rezone the lands identified as Area G on Schedule A as attached from the Environmental Protection Area (EP) Zone to the Neighbourhood Commercial Exception X Holding 1 (C3-X-h1) Zone.
- 10. To rezone the lands identified as Area H on Schedule A as attached from the Residential First Density Holding (R1-h) Zone to the Environmental Protection Area (EP) Zone.
- 11. The lands identified as Area I on Schedule A as attached shall remain zoned Open Space Holding (OS-h) Zone.
- 12. To rezone the lands identified as Area J on Schedule A as attached from the Environmental Protection Area (EP) Zone to the Residential – Western Annex Lands Holding 1, Holding 2, and Holding 3 (R-WAL-h1, h2, h3) Zone. Holding 3 shall be limited to the Flett Farm Site (BfGb-12) area and a 10 m protective buffer adjacent to the Tay River within the north portion of Lot 25, Concession 2, Geographic Township of Bathurst, County of Lanark, as specified in the Stage 3 Archaeological Assessment (dated December 2022, prepared by Matrix Heritage Inc.).

13. To rezone the lands identified as Area K on Schedule A as attached from the Environmental Protection Area (EP) Zone to the Open Space Holding (OS-h) Zone.
14. To rezone the lands identified as Area L on Schedule A as attached from the Residential First Density Holding (R1-h) Zone to the Open Space Holding (OS-h) Zone.
15. To add the "Flood Plain Overlay – Holding 1 (Flood Plain Overlay h1) Zone (Amended Regulatory Flood Plain Mapping, updated to include Rideau Valley Conservation Authority (RVCA) approvals)" to Schedule A. Such lands shall be subject to the regulations of Section 4.13 Flood Plain of the Zoning By-law.
16. The following provisions with respect to permitted uses shall apply to all lands zoned with a Holding 1 (h1), Holding 2 (h2) Zone, or Holding 3 (h3) Zone as shown on Schedule A as attached until the h1, h2, or h3 provisions as applicable are removed from the lands or a portion thereof pursuant to Subsection 36(3) or (4) of the *Planning Act*.
 - a) A use legally existing on the lands as of June 10, 2024;
 - b) A use permitted in the Flood Plain in accordance with Section 4.13.1 Permitted Uses within the Flood Plain of this By-law; and
 - c) Site alteration, earthworks, grading, and construction of early underground servicing and other infrastructure required for permitted development in the "R-WAL Zone" and "C3-X" Zone.
17. A by-law or by-laws to remove the Holding 1 (h1) Zone from all or a portion of the "Residential – Western Annex Lands (R-WAL) Zone", "Neighbourhood Commercial Exception (C3-X) Zone", and/or "Flood Plain Overlay Zone (Amended Regulatory Flood Plain Mapping, updated to include Rideau Valley Conservation Authority (RVCA) approvals)" as shown on Schedule A shall not be enacted until the Town has received written confirmation from the Rideau Valley Conservation Authority (RVCA) that either:
 - a) The lands are deemed to no longer be affected by the regulatory floodplain; and/or
 - b) The RVCA confirms that a permit under O. Reg. 41/24 has been issued resulting in the revision of the floodplain boundaries, any conditions of that permit have been fulfilled to their satisfaction, and all cut/fill work contemplated under the permit has been completed.

A by-law or by-laws to remove the Holding 2 (h2) Zone from all or a portion of the lands shown on Schedule A to allow for the construction of the first 200 dwelling units (inclusive of additional residential units) and related public facilities such as parks in the "Residential – Western Annex Lands (R-WAL) Zone" shall not be enacted until the completion of the Perth Peter Street Bridge improvements to the Town of Perth's satisfaction and substantial completion of the necessary infrastructure to service the proposed dwellings.
18. Subsequent to the construction of the first 200 dwelling units (inclusive of additional residential units) in the "R-WAL Zone", a by-law or by-laws to remove the Holding 2 (h2) Zone for all or a portion of the lands shown on Schedule A to permit development beyond the first 200 dwelling units (inclusive of additional residential units) shall not be enacted until the Town of Perth is satisfied that adequate water supply and capacity are available, the second crossing has been substantially completed.

19. A by-law or by-laws to remove the Holding 3 (h3) Zone from the lands shown on Schedule A to allow for the construction of dwelling units shall not be enacted until a Stage 4 Archaeological Assessment has been completed in accordance with Provincial requirements and all conditions and requirements implemented.
20. Notwithstanding any other provisions in the Zoning By-law, the following are permitted uses in the EP Zone for the Western Annex Lands:
- a) Conservation uses
 - b) A golf course and its operation
 - c) Flood and/or erosion control works for which a Conservation Authorities permit has been issued where required
 - d) The construction or maintenance of linear servicing and transportation infrastructure, including but not limited to roadways and bridges/crossings, provided that all necessary approvals and/or permits have been issued
 - e) Low impact recreational trails and boardwalks with permission granted by the regulatory authorities
 - f) Non-structural recreational uses including pathways and golf course playing surfaces
 - g) Non-structural conservation and education activities
 - h) Passive recreational activities that do not require site alteration
 - i) Passive non-structural uses which do not affect flood flows
 - j) Temporary structures with no long-term impact that support educational activities

ENACTED AND PASSED this _____ day of _____, 2026.

