

Staff Report to Committee of the Whole of the Town of Perth



Date Presented: June 9, 2026
From: Joanna Bowes, Director of Development Services
Subject: Town of Perth New Zoning By-law - Comments Received and Recommended Changes to the Discussion Draft
Report Number: 2026- COW-11.3

For Information Only: No
Delegation: No
Presentation: No
Attachment(s): Yes

Recommendation:

As recommended by the Committee of the Whole, be it resolved that the Council of the Town of Perth:

- (i) direct staff to make the recommended changes to the Redlined Discussion Draft as presented in the "Final Draft of the Town of Perth Zoning By-law", dated June 1, 2026; and,
- (ii) direct staff to bring forward a By-law to the June 23rd, 2026 regular Council meeting to adopt the "Final Draft of the Town of Perth Zoning By-law", as presented in Report 2026-COW-11.3.

Executive Summary:

Following the Open House, formal Public Meetings and circulation to agencies, the Town has received a number of comments on the Redline Discussion Draft of the New Zoning By-law that require Council's consideration. All comments received are attached to this report as Appendix "A". The comments have been redacted to not include personal information. The following report summarizes the comments received and makes a series of recommendations for Council's consideration on changes to the "Final Draft Town of Perth Zoning By-law" appended to this report.

For sake of clarity, the Final Draft of the Town of Perth Zoning By-law is presented as accepting all of the recommended changes to the "Redlined Discussion Draft". The only redline changes highlighted in the Final Draft include the changes recommended in this report.

As a note of clarification, comments that were received at the Open House and Public Meetings, as well as all formal written comments throughout the process, have been included in the 'Public Comments' section of this report.

In addition to the changes based on comments received, Council should be aware that there have been some minor changes to the Land Use Schedule, correcting a couple of consolidated special exception zones and more “FP” symbols on the “Flood Plain” land.

Strategic Plan:

Transparency: We are committed to sharing business functions and operating decisions with our citizens, partners, and investors. We will seek opportunities to communicate matters related to our community.

Greenhouse Gas Reduction Plan 2016-2030:

N/A

Background/Discussion:

Public comments received on the discussion draft are as follows along with a recommended action.

Mr. Jack Tannett: commented that 64 North Street was historically referenced as C1-1 in the old zoning by-law and is now referenced as C1-5 but should be C1-1 as per the text. Recommended schedule change to reference 64 North Street at C1-1 in the New Zoning By-law and new Schedule.

Gordon Phillips: commented on parking standards being a potential barrier to buildings changing overtime, especially residential. He indicated support for the proposed simplification of the Residential zones. He also expressed concern that small lots proposed by province will be hard to develop. No changes recommended.

Louis McDiarmid: commented on the need for extra parking for Additional Residential Units (ARU)s as being a barrier to the establishment of new ARUs. She also questioned how the “cash-in-lieu of parking” system worked. She stressed the need for public transit and to strive to address the impacts of climate change. No changes recommended.

Benjamin Clare: commented on behalf of developers of Perthmore Subdivision. He asked for clarification of how ARUs and tri/four plexes work. He also requested that OLT Decision OLT-24-000210 be accurately reflected in the new zoning schedule and by-law. Regarding the ARU/triplex question, it is the position of staff that definitions in the new Zoning By-law will allow for both types of development within the R1 zone and that the main difference will be that with ARUs one unit will be the principal use (i.e. dominate & larger in size), while with a triplex all the units will be generally the same and there will not be a principal unit (i.e. the entire triplex is the principal structure). No recommended change on this matter.

It is recommended that the Zoning Schedule be updated to accurately reflect the zone boundaries of the decision on OLT-24-000210.

Nadia De Santi: commented on behalf of Caivan Limited for the Golf Course Lands. It was requested that the Golf Course Lands be noted on Schedule indicating the zoning of the lands is before the OLT. The Zoning Schedule would be consolidated to reflect the future OLT decision on the zoning when provided. Recommended that notation of “Zoning of Lands Subject to OLT-23-00534 Decision”.

Staff/Council and Agency Comments (Summarized) on Discussion Draft and Recommended Action (Note: bold underline is recommended added text – ~~strikeout~~ is text to be removed)

Ministry of Environment, Conservation and Parks (MECP): Staff received a verbal communication from MECP Senior Planner requesting clarification of ARUs on waterfront properties. The Consultant contacted the MECP Senior Planner and discussed the matter. It is MECP's general position that ARUs are not an appropriate use on waterfront properties – they are intended to address affordable rental housing demands, and it is generally held that waterfront rental properties are not considered affordable. Waterfront ARUs have the potential to become short term rentals for tourist accommodation. The Consultant explained that Perth is a complete, full service urban community and that the Tay River shoreline should not be treated like a “lake” property in a rural municipality. MECP staff and the Consultant agreed that ARUs are appropriate on Perth's waterfront properties. No recommended change required.

Enbridge: Comment received that Enbridge has no objection to the new Zoning By-law. No recommended change required.

RVCA: Definition of safe access to be updated.

Staff/Council: Comments from staff and Council included:

- Need for page numbers & Updated Table of Content. Agreed - Recommend change be made.
- General Industrial (M2) zone “existing Class III Industrial Uses” to be changed to “Class III Industrial Uses”. Agreed - Recommend change be made.
- Remove new definition of “Market” and defer to existing definition of “Flea Market”. Agreed – Recommended Change be made.
- Definition of “Safe Access” should be updated with the revised RVCA definition based on provincial direction. Agreed – Recommended change be made.
- ARU parking space be confirmed to being required “on-site”. Agreed – Recommended change be made.
- Parking standards are to remain as in original zoning by-law, with provisions added for housing projects deemed affordable having a reduced standard to 1 parking space per unit.
- Tighten up the storage container provisions. Agreed – Recommended change made.
- CBO comments for Carport, Cellar, Dwelling, Ground Floor Area, Net Floor Area, Private Garage, Grade, Occupancy definitions to match OBC, storage container provisions to be updated, change independent entrance to independent exit, clarification of “Cumulative Standards”, subdivision access. Agreed- Recommended change made.

Next Steps

Subject to Council's direction, the above recommended changes will be reflected in the final by-law to come before Council for approval at the June 23rd regular Council meeting.

Once approved, there will be a notice of decision and a 20-day appeal period for prescribed agencies and property owners.

Options:

Option 1: Recommended,

As recommended by the Committee of the Whole, be it resolved that the Council of the Town of Perth:

- (i) direct staff to make the recommended changes to the Redlined Discussion Draft as presented in the “Final Draft of the Town of Perth Zoning By-law”, dated June 1, 2026; and,
- (ii) direct staff to bring forward a By-law to the June 23rd, 2026 regular Council meeting to adopt the “Final Draft of the Town of Perth Zoning By-law”, as presented in Report 2026-COW-11.3.

Option 2: Not Recommended,
Maintain the existing Zoning By-law.

Financial Considerations:

N/A

Applicable Policy/Legislation:

Planning Act
Provincial Policy Statement
Lanark County Sustainable Communities Official Plan
Town of Perth Official Plan

Others Consulted:

Directors

Attachments:

[Attachment 1 - 2026 June 4 APPENDIX A Public Comments Zoning By-Law](#)
[Attachment 2 - 2026 June 4 Final Draft New Town of Perth Zoning By-law 5-06-2026](#)
[Attachment 3 - 2026 June 04 New Town of Perth Zoning By-law Schedule A](#)

Respectfully submitted,

Joanna Bowes, Director of Development Services

Approved by,

Michael Touw, CAO

APPENDIX A

PUBLIC COMMENTS

From: Jack Tannett

Sent: Monday, April 20, 2026 2:00 PM

To: Joanna Bowes

Subject: New Zoning Bylaw Schedule A

Joanna I noticed an error on the new Zoning Bylaw Schedule A. 64 North Street is shown on the schedule as C1-5 whereas it is actually C1-1 (was C1-2, now C1-1). Please let me know if you have any questions thanks.

Jack

From: Gordon Phillips

Sent: Thursday, May 21, 2026 10:07 AM

To: Joanna Bowes

Cc: Bonnie Sheppard

Subject: New Zoning By-law Meeting Input on May 20, 2026

Thank You Joanne Bowes, Director of Development Services, I felt it was a very successful evening in helping me understand, and appreciate, all that you and your consulting team have achieved in simplifying the zoning by-law. Specifically the points that I addressed were as follows:

1. My sincere appreciation for all you have done to make things simpler for us property owners as users of the by-law. Specifically, the simplification achieved by reducing the number of residential zones from 4 to 2 is an incredible achievement to help simplify the zoning compliance process. Just being able to express my appreciation made the trip worth while.
2. The mayor's passion for detail was insightful. Specifically I brought up the point that although a year or two ago she championed the possible solution to affordability being housing more people in the over a thousand houses in Perth with just one occupant. I brought up the point that parking is an important constraint and has to be designed in from the initial construction, to achieve later-in-life goals.
3. Our deputy-mayor brought up the issue of extremely small lot size not being a realistic solution to achieve more Additional Residential Units. I agreed by my input. In reviewing the new R1 opportunities with my daughter, Bonnie Sheppard, I had to conclude that we would have to make our severed parcel deeper because as we change to rear yard parking to take advantage of reduced frontage, we need more depth. I tried to make the point that super small lots just do not work. We have to make a parcel that is saleable to a builder. I mentioned that the severance application is now going to be for a parcel 42 meters deep (over 140 feet). I tried to make the point that to get lots with less road frontage (reduced cost) you have to "give back" increased depth to accommodate rear yard parking and meet the "parking spaces" requirement. The point is that smaller lots do not have to be a zoning constraint because the parking requirement takes care of the arithmetics.
4. I tried to make the point that the new zoning by-law has kept the lot coverage percent, and that, without a lot of other constraints, allows creation of contour (berms to help achieve Low Impact Development Stormwater Management). The by-law can be effective without being overly restrictive was my point with respect to Stormwater management.
5. My takeaway, that kept going over and over in my head as I made the long drive home on a lovely night, is that the new zoning by-law meets the expressed needs of Councillors without being overly complex.

Thank you for the invite.
Gordon G. Phillips, P.Eng.

Re: Special Committee of the Whole Meeting – comment from the public

To: Town of Perth

From: Louise McDiarmid, 99 Harvey Street, #210, Perth

At the May 20, 2026 Special COW meeting regarding proposed changes to the zoning bylaws, I made a brief presentation as a member of the public. Since I spoke without a formal text, I was asked to submit a letter summing up my presentation.

There is a great need for affordable housing in Perth, and there are various ways to fill that need. How many home-owners and small developers will be deterred by this by-law from including granny flats and small adu's in existing or projected homes? The requirement to provide extra parking spaces, or pay fees of ten thousand dollars in lieu of an additional parking space, will make them think twice. The payment-in-lieu-of-parking bylaw may well have the effect of reducing affordable options for independent living among seniors and others who no longer drive.

Will the town use the payment-in-lieu-of-parking fee to build more parking lots, to accommodate more cars? Where will we put these parking lots? Will they occupy land that could be better used for housing, parks, or community gardens? Large paved areas contribute to higher summer temperatures in built-up areas and the burden of snow-clearing in winter. As well, impervious surfaces prevent groundwater absorption, which is important to maintaining the water table. And if the water can't sink into the ground, it will flow to a lower level and can cause flooding. Parking lots are expensive to build and maintain. Instead of looking to the past for solutions (more parking lots), why don't we, as a progressive community, look for more community-minded and environmentally responsible solutions to the problem?

A very important solution that has been talked about but failed to materialize is a local transit system. Older or disabled adults, and others who don't own a car and want to go – anywhere -- have few options. They can walk, ask a friend to drive them, or call a taxi. For health, safety and quality-of-life reasons, and to lower our GHG emissions effect on the environment, we can't keep putting a local transit system off into the future.

There is plenty to worry about, politically, socially and environmentally, in the world today, but what troubles me most is the lack of priority given to serious action on Climate Change. Current measures to improve the economy are overriding concern for the environment. Today's efforts to protect our current standard of living and expectations of "the good life" come at a cost. As the earth's climate changes, our children and grandchildren will pay the price.

Louise McDiarmid

May 21, 2026

From: Benjamin Clare
Sent: Wednesday, May 13, 2026 9:43 AM
To: Joanna Bowes
Cc: leor pomeranc; Lacey Edwards
Subject: Re: Town of Perth Zoning By-law

Good morning Joanna,

Leor has asked Lacey and I to look through the draft by-law to try and assess for any potential impacts. The first item we're working to establish is how Leor's proposal for his semi lots will be defined. You'll recall that we previously established these as permitted (see attached), but that was under the existing by-law.

To the lay person, Leor is proposing semi-detached dwellings with lower-level / basement apartments. My review of the by-law suggests that these units could technically be considered fourplexes/quadruplexes or either semi-detached dwellings with additional residential units or semi-detached dwellings with secondary apartments.

I believe in this instance it would be most logical to define these as semi-detached dwellings with additional residential units given that this approach is consistent with section 4.1.2 of the by-law (which permits a maximum of two additional residential units for a semi-detached dwelling), and the following definitions, especially as it concerns the terms "accessory," "principal," and "subordinate":

1. **Accessory:** When used to describe a use, building or structure, shall mean a use, building, or structure naturally or normally incidental, subordinate and exclusively devoted to a main use, building or structure and located on the same lot therewith.
2. **Additional Residential Unit:** Shall mean an accessory use to the principal dwelling on the property, consisting of a self-contained residential unit with sleeping, kitchen, and bathroom facilities, within a principal single detached, semi-detached, or townhouse dwelling or within an accessory structure to a single detached, semi-detached or townhouse dwelling, but shall not include a boarding house, group home, lodging establishment, hotel, motel, rental cabin or similar commercial use, as defined herein.
3. **Principal:** When used to describe a use, building or structure, shall mean a use, building or structure, one to which any other is subordinate and constitutes the main use of a lot therewith.

Although it's not defined in this manner, a fourplex/quadruplex to me suggests that there's less of a principal vs. subordinate configuration. Further, we're ignoring the secondary apartment definition /use as it's not permitted in R-1.

When you have the opportunity, could you kindly review the above and confirm staff's position on the use? Note that we may be in touch regarding additional provisions in the coming days as our review continues.

Thank you, Ben Clare, MCIP, RPP

From: Benjamin Clare
Sent: Wednesday, May 13, 2026 10:03 AM
To: Joanna Bowes
Cc: maurice ; Lacey Edwards
Subject: Re: Town of Perth Zoning By-law

Hello again Joanna,

Hope this doesn't get confusing, but I'm sending this particular e-mail on Maurice's behalf (not Leor's).

In reviewing the draft by-law, we noticed that it doesn't look like the zoning established by way of the zoning amendment via the Tribunal was captured. Are you able to confirm? Assuming the solution will include creating new zone parcels within the Schedule A, may I request that these parcels align with the blocks and lots on the M-Plan so that the changes made during the redline are captured? The only exception here I believe would be EP to R3-XX.

Happy to discuss this with you, including how we ensure the reduced exterior side yard setbacks of 3.5m are captured.

Thank you!

Ben



May 27, 2026

Ms. Amanda Noël

Director of Legislative Services / Clerk Town of Perth
80 Gore Street East Perth, ON K7H
1H9

Via email: anoel@perth.ca

Subject: Town of Perth New Comprehensive Zoning By-law on behalf of Caivan (Perth GC) Limited

Dear Mayor and Members of Council,

WSP is a land use planning consultant retained on behalf of Caivan (Perth GC) Limited (“Caivan”), the land owner of 141 Peter Street (the “Site”). As Council is aware, Caivan and the Town have entered into Minutes of Settlement to resolve OLT-23-00534 concerning the Site. This settlement includes a Zoning By-law Amendment proposed for approval by the Ontario Land Tribunal.

WSP submits that the Town’s forthcoming New Comprehensive Zoning By-law should anticipate the implementation of the settlement Zoning By-law Amendment for the Site. To address this, a notation should appear in the New Comprehensive Zoning By-law’s Schedules indicating that the Site is subject to OLT-23-00534. This notation can later be removed and replaced, through a housekeeping amendment, to reflect the approved outcome in OLT-23-00534.

In terms of grounds for this requested notation, Caivan relies upon all of its various submissions in support of its major redevelopment proposal as well as its Zoning By-law Settlement as achieved with the Town.

Thank you for the Town’s consideration of these comments. Should the Town wish to discuss, please feel free to contact the undersigned at Nadia.De-Santi@wsp.com or at 613.690.1114.

Yours truly,

WSP

A handwritten signature in black ink, appearing to read 'N. De Santi'.

Nadia De Santi, MCIP, RPP Practice Lead
Urban and Community Planning

cc: Joanna Bowes, Director of Development Services, Town of Perth
Susan Murphy, President, Land Development, Caivan
Patrick Harrington, Partner, Aird & Berlis LLP
Brendan O’Callaghan, Partner, Aird & Berlis LLP

APPENDIX A
AGENCY COMMENTS

From: Forbes Symon
Sent: Monday, April 27, 2026 12:00 PM
To: Hailey Mahon
Cc: Joanna Bowes
Subject: RE: Notice of Open House & Public Meeting For The New Comprehensive Zoning By-Law

Thank you very much. All is good. Had a very good call with Jon O. from MECP – no changes required, he just wanted clarification on waterfront ARUs – told him this is urban and on the pipe and not cottages so ARUs are appropriate, with the 30 m setback. Talk soon.

Forbes Symon MCIP, RPP
Senior Planner
Jp2g Consultants Inc.

From: Hailey Mahon
Sent: Monday, April 27, 2026 11:57 AM
To: Joanna Bowes
Subject: Re: Notice of Open House & Public Meeting For The New Comprehensive Zoning By-Law

Hi Joanna,

Jon Opana - Ministry of the Environment, Conservation and Parks in Kingston

Phone:

Jon has a few questions re: the ZBL update.

Thanks,

Hailey

Hailey Mahon (she/her)

Executive Assistant to the CAO/Human Resources and IT Admin

Town of Perth

From: Municipal Planning

Sent: Monday, April 27, 2026 2:56 PM

To: Hailey Mahon

Subject: RE: Notice of Open House & Public Meeting For The New Comprehensive Zoning By-Law

Thank you for your circulation.

Enbridge Gas does not object to the proposed application(s) however, we reserve the right to amend or remove development conditions. This response does not signify an approval for the site/development.

Please continue to forward all municipal circulations and clearance letter requests electronically to MunicipalPlanning@Enbridge.com.

Regards,

Willie Cornelio CET (he/him)

Sr Analyst, Municipal Planning

Engineering

ENBRIDGE

From: Eric Lalande
Sent: Wednesday, May 27, 2026 8:51 AM
To: Forbes Symon
Subject: RE: Definition of Safe Access

Hi Forbes it has,

Safe access for the CA is based on a depth and velocity approach, our [policies](#) section 3.2.4 outline what we are looking for.

It's been broadened beyond the 0.3m standard previously. Happy to chat if you have any questions.

Cheers,

Eric Lalande, MCIP, RPP

Senior Planner, Rideau Valley Conservation Authority

From: Forbes Symon
Sent: Wednesday, May 27, 2026 8:48 AM
To: Eric Lalande
Subject: Definition of Safe Access

Eric, I hope this finds you well. I am working on the Town of Perth Zoning By-law and the one question that came up was the definition of "safe access" – I have been using the 11" rule – I wanted to check that this is still your definition or if things have changed. Your direction is much appreciated.

Forbes Symon MCIP, RPP
Senior Planner
Jp2g Consultants Inc.

From: Steven Leroux
Sent: Wednesday, May 27, 2026 10:55 AM
To: Forbes Symon; Joanna Bowes
Subject: Zoning By-law redline review

Hello Forbes,

As discussed at the open house here are my comments related to Section 3 Definitions and Section 4, General Provisions of the proposed Zoning By-law amendment.

Section 3 Definitions.

Carport I suggest change the section " open on at least two sides" to "open on at least 60% of the exterior walls" . This will match the definitions in the OBC.

Cellar Change " more than one-half its height from finished floor to fished ceiling below finished grade" to "has its ceiling less than 1.8m above average finished grade."

This will match the OBC definition for first storey as you have used in the definition for Basement.

Dwelling Many of the definitions in this section refer to "Independent entrances" . It would be more in line with OBC to refer to these as "Independent Exits" leading to the outside.

Many entrances can be designed into a building but the important ones are the required exits. Not all entrances are required exits.

This change would also require the naming of the definition for "independent Entrance to " Independent Exit."

Floor Area Net Floor area of the 'lowest storey' should be changed to 'first storey.' This will match the previous definition used.

Garage Private Including a carport? As there are separate definitions for Garage and Carport and I believe the general provisions vary in some requirements Carport should not be included in the definition of Garage.

Grade (at) or at Ground Level Very confusing definition. Can this be trimmed down to:

"A deck like detached accessory structure that is 0.6 , or 2 ft or less above the established finished grade."

Occupancy Remove reference to "Planning Act' replace with "Ontario Building Code Act."

Section 4 General Provisions: Section 4.1 Accessory Buildings Table 7 Carport or Garage-Private column 2 the last bullet point discusses common party wall of a garage located on a side property line and 2 car bay minimum.

Should we stipulate 1 bay on each side of the property line for a semi-detached garage.

4.1.2.g) Reference to "Additional Dwelling Unit" missed in change to "Additional Residential Unit."

4.10 a) "All provision of this by-law related to each use". Should read "Most stringent provisions...."

4.13.3. "Land subject to a Subdivision Agreement or Access Agreement." Should we add "Pre-Servicing Agreement" to this provision.

4.21.c) Add "Act" to the "Ontario Building."

4.29.1.b) The reference to "Section 5" should read "Section 8." of the OBC.

4.35.g) List of prohibited uses may want to include "coffee roasters."

4.41.a) Storage Containers...Suggest changing "Shall be permitted" to "may be permitted."

Shall seems conclusive as it is a permitted use. May indicates there are conditions subject to further municipal review.

Thank you for the opportunity to review and discuss the contents of the proposed Zoning By-law.

Should you have any question or require further clarification of my comments please contact me at your convenience.

Sincerely,

Steven Leroux

Chief Building Official