



SMITHS FALLS

RISE AT THE FALLS

THE CORPORATION OF THE TOWN OF SMITHS FALLS COMMITTEE OF THE WHOLE MEETING AGENDA

Monday, May 27, 2024, 5:00 p.m.

Council Chamber, Town Hall

LINKS TO LIVESTREAM:

Facebook Live: <https://www.facebook.com/townofsmithsfalls/>

Youtube: <https://www.youtube.com/channel/UCIFXU6Sq9neiC5VU9QbmLtQ>

Chairperson: Councillor J Brennan

Land Acknowledgement

On May 27, 2024 we acknowledge that this sacred land on which Smiths Falls is now located has been a site of human activity for over 10,000 years and is rich in Indigenous history. This land is the ancestral and unceded territory of the Algonquin Anishinaabe Nation. We are grateful to the Algonquin ancestors who cared for the land and water in order that we might meet here today. We are also grateful to the Algonquin People for their contribution in the making of the Rideau Canal which runs thru Smiths Falls. We are mindful of broken covenants and the need to reconcile with all our relations. Together, may we care for this land and each other, drawing on the strength of our mutual history of nation building through peace and friendship being mindful of generations to come.

Pages

1. **LAND ACKNOWLEDGEMENT**

2. **CALL TO ORDER**

The Chair called the meeting to order at ----PM

3. **APPROVAL OF AGENDA**

Recommended Motion:

THAT the May 27th, 2024 Committee of the Whole Meeting Agenda be approved as circulated.

4. **DISCLOSURE OF PECUNIARY INTEREST AND/OR CONFLICT OF INTEREST AND GENERAL NATURE THEREOF**

5. APPROVAL OF MINUTES

Recommended Motion:

The Minutes of the May 13th, 2024 and May 21st, 2024 Committee of the Whole Meetings be approved as circulated.

6. DELEGATIONS

7. CAO/DIRECTORS VERBAL REPORTS

8. COMMITTEE OF THE WHOLE CONSENT REPORTS

9. IN CAMERA/CLOSED SESSION

10. PRIORITY ISSUES/REPORTS

10.1	Visitor Survey Report – 2023 Year End Report 2024-66 (J Crowder)	3
10.2	Projected Debt Levels Report 2024-065 (P Dowber)	22
10.3	Permitting Backyard Hens within Town Limits Report 2024-058 (R Chesebrough)	25
10.4	Bill 185- Cutting Red Tape to Build More Homes Act Report 2024-067 (K Grenke)	39

11. COMMITTEE, BOARD AND EXTERNAL ORGANIZATION UPDATES

12. INFORMATION LISTING/CORRESPONDENCE ITEMS

12.1	Letter from the Toronto Zoo	52
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Lack of regulations related to the public display and keeping of exotic wild animal species and the (financial) burden this causes to municipalities.

ACTION: For Council's review and recommendation.

13. NOTICE OF MOTIONS

14. ADJOURNMENT

Recommended Motion:

THAT the Committee adjourn its proceedings XXXX p.m. and stand so adjourned until the next duly called Committee meeting.



To: Mayor and Council
 From: Julia Crowder, Manager of Economic Development & Tourism
 Date: May 14, 2024
 Committee of the Whole Date: May 27, 2024
 Title: Visitor Survey Report – 2023 Year End

- For Direction
- For Information
- For Adoption
- Attachment – 17 pgs

Recommendation: That Council receive this report as information.

Purpose:

The purpose of the Visitor Information Collection Program – 2023 Survey Summary Report is to provide Council insights from tourist visitation activities during the 2023 season.

Background:

In 2022, the Economic Development Team developed and deployed a visitor information collection program with the intention of gathering visitor data to assist in future tourism development and attraction initiatives.

The program was designed as a 3-year initiative, this being the second year, for the purpose of identifying and tracking visitor demographics and trends over a prescribed period of time, which includes the following; the types of visitor groups, reasons for visiting, gaps in offerings and services, and opportunities for growth. The program is in partnership with the Chamber of Commerce and Downtown Business Association.

The Stay and Play Survey Contest cards were delivered to tourism businesses, including accommodators, retailers and local attractions and visitor centres. Promotional campaigns were also launched on social media and in other print and digital marketing materials.

Analysis and Options:

Each year, Economic Development and Tourism Staff will prepare an analysis report that summarizes the year’s responses, compare any trends and identify key points. The report provides valuable information about our Town as a Tourism Destination and delivers to Council and Tourism Stakeholders the wants and needs of our visitors.

Data is gathered throughout the calendar year from the Stay and Play Survey. At the start of the tourism season, marketing campaigns are relaunched to attract survey respondents to take part in the survey.

The 2023 Visitor Survey Report has been included (Attachment ‘A’) for Council’s reference. While the full Report is attached for review, some of the Key findings of the 2023 report include:

- Analysis and comparison of four (4) distinct visitor groups; Day-Trippers, Short-Trippers, Weekday Travelers and Extended Vacationers.

- We received the same number of responses as 2022, being 278.
- 76% of visitors travelled to Smiths Falls as their primary destination, and visited multiple regional locations during their visit, especially if staying more than 1 day.
- Most respondents are coming in Summer (69%), secondly in Spring (23%), the remainder (8%) are visiting in Autumn and Winter months.
- Shopping (24%) and Visiting Friends and Family (24%) were the top reason for visiting Smiths Falls.
- Short-Trippers are still the highest ratio of visitor respondents.
- Total combined spending by survey respondents this year was approximately \$100,000, with the average visit/trip spend of approximately \$370.00.
- There were continued similarities between the gaps in tourism products/services identified by respondents over the last two years (i.e. increase/more diverse culinary experiences and retail products and extended store hours (more days, later in the evening). Visitors last year also noted the want for more/different events and festivals.

Budget/Financial Implications:

The cost to implement the annual visitor survey and Stay and Play Contest, which includes online and printed versions, is approximately \$600 and is funded through the Economic Development operational budget.

Link to Strategic Plan (2023-2026):

Vision – Item 2 - Redeveloping our Waterfront and Downtown

Existing Policy: N/A

Consultations: N/A

Attachments:

- Attachment 'A' - Visitor Information Collection Report (2023)

Notes/Action (space for Council Member’s notes):

Respectfully Submitted:

Approved for agenda by CAO (Acting):

Originally Signed by

 Julia Crowder, Ec.D.
 Manager, Economic Development & Tourism

Originally Signed by

 Paul McMunn
 Director of Public Works and Utilities

VISITOR INFORMATION

- 2023 -



613 - 283 - 4124

www.smithsfalls.ca

INTRODUCTION

The Visitor Information Collection Program is an initiative that was established in Smiths Falls for the purpose of gathering visitor specific data including demographics, spending habits, first impressions and general experience feedback. In order to determine why visitors are coming and what would motivate return visits, the Town of Smiths Falls needed to obtain a collection of data that highlighted the strengths of the Town's tourism and the areas that need improvement.

This data will serve businesses and local stakeholders by indicating what tourism products and services they should build upon and assist the Town in future marketing plans. These plans are intended to grow and support our local and regional tourism economy, and will foster overall community benefit and development.

This program would not have been successful without the support and partnership of local businesses and tourism partners.

METHODOLOGY

The Town of Smiths Falls Economic Development and Tourism Department partnered with the Smiths Falls & District Chamber of Commerce and the Smiths Falls Downtown Business Association to develop the first Visitor Survey and Stay and Play Contest in 2022. The survey invited visitors to provide feedback about the community of Smiths Falls and then be entered in the Stay and Play Contest for a chance to win a two-night getaway package in Smiths Falls. All data was used in a strict manner and kept confidential unless permitted.

This year the program launched on June 1, 2023 and ran until December 31, 2023. The contest's purpose was to incentivize visitors to continue to visit Smiths Falls and make it a frequent destination. It also gave insight into where our tourists are coming from, which will isolate our target marketing.

The online survey was marketed through the use of Stay and Play promotional cards that were distributed at various local accommodators, retailers and attractions that visitors frequented. Print marketing was also distributed throughout physical locations around the Town of Smiths Falls. The survey was also marketed through the Town of Smiths Falls social media channels through targeted advertisements catered to tourists who recently/currently visited or were planning to visit Smiths Falls. The Town webpage hosted a video advertisement for the contest.

Validating responses was an important part of the initial process. This gives a more accurate summary of visitor demographics and trends. Invalid responses were removed. These included; responses provided by a resident of Smiths Falls, someone who worked or went to school in Town, group and/or duplicate responses.

SURVEY INTEREST AND DATA VALIDATION



278

Surveys were completed.

261

Of the completed surveys were valid.



Distribution of surveys was more widespread this year, with more than the 13 businesses from 2022 participating.

17

Of the completed surveys were invalid responses.

Additional Insights:

Overall, there were 24 more valid surveys completed in 2023 than in 2022. In 2022 there were 35 invalid responses.

PLACE OF ORIGIN

Inter-Province Visitors

87%

(14) Central
(11) Southwestern
(20) Toronto/GTA
(5) Northern
(178) Eastern



Other National Visitors

11%

(12) Western Canada
(17) Eastern Canada



2%

International Visitors

(3) USA
(1) Ireland



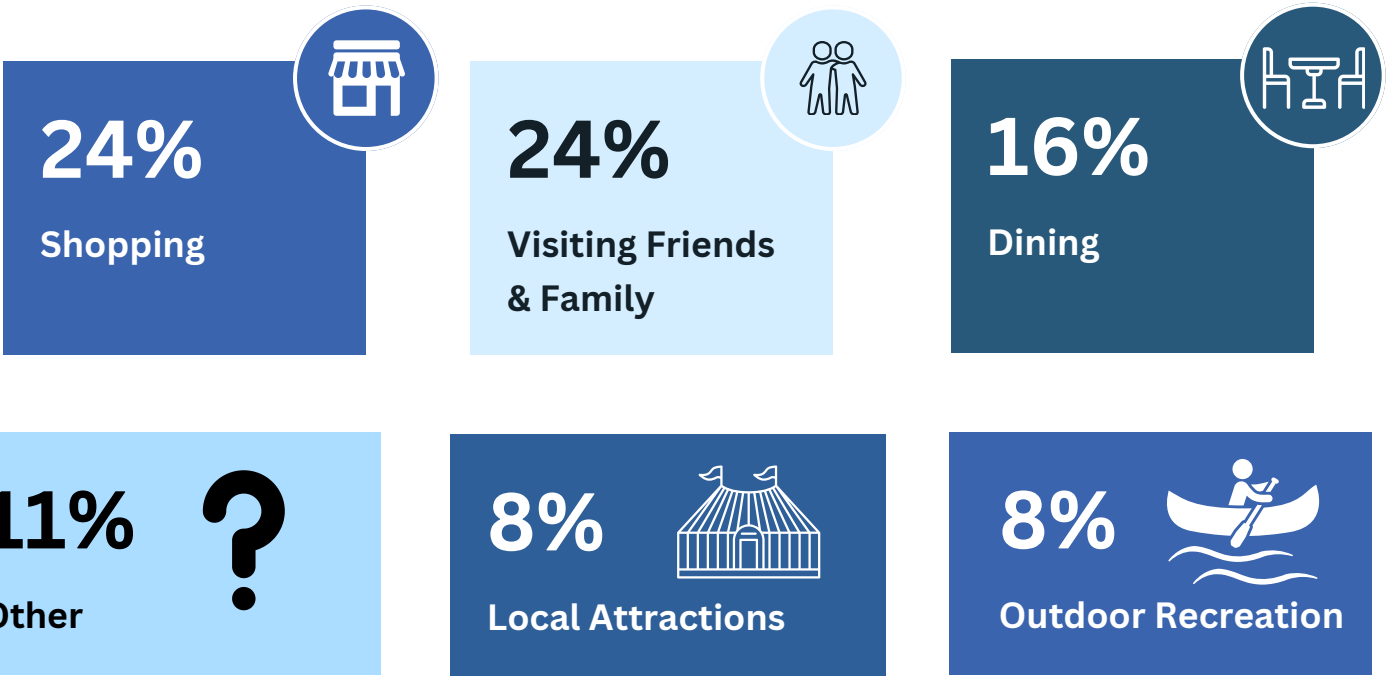


Insights:

The 2022 survey was developed using survey monkey and distributed through it's software. When developing the 2023 survey, it was created on survey monkey and then moved to the Town of Smiths Falls website software. The survey was recreated on Forms and distributed. When it was moved over the question "How many people (including yourself) were in your group during your stay? Please state the number of people per age category." didn't transfer correctly and the phrase "please state the number of people per age category" was removed. Since the answer options included age range categories such as 0-8, 9-12, 13-15... 65+, almost all of the respondents chose the 0-8 answer indicating that their group size was in that range. In 2022, data about group size and types of groups (groups with kids, couples, groups with no kids, individuals) as well as age ranges was extrapolated from this question. Due to incomplete data, group types and age ranges cannot be determined for visitors who participated in the Stay and Play program in 2023.



TOP 5 REASONS FOR VISITING



Additional Insights:

With only 1 visitor indicating they visited Smiths Falls for indoor recreation, it is the smallest reason for visiting, the same as in 2022. Other included mostly stopping on the way to another destination or for appointments. The additional options included; a concert/entertainment, and a local festival or event.

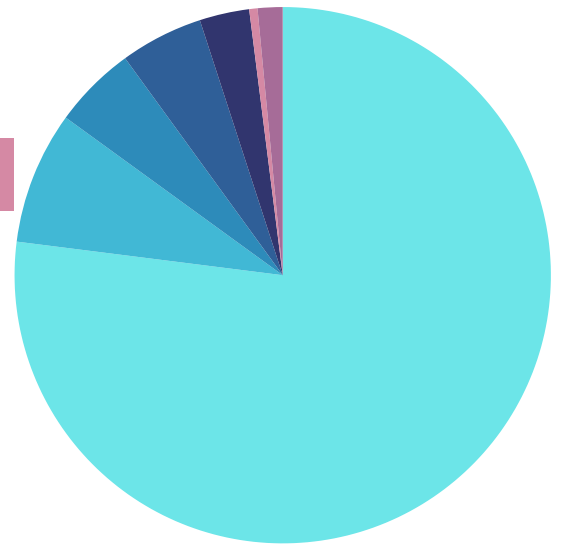
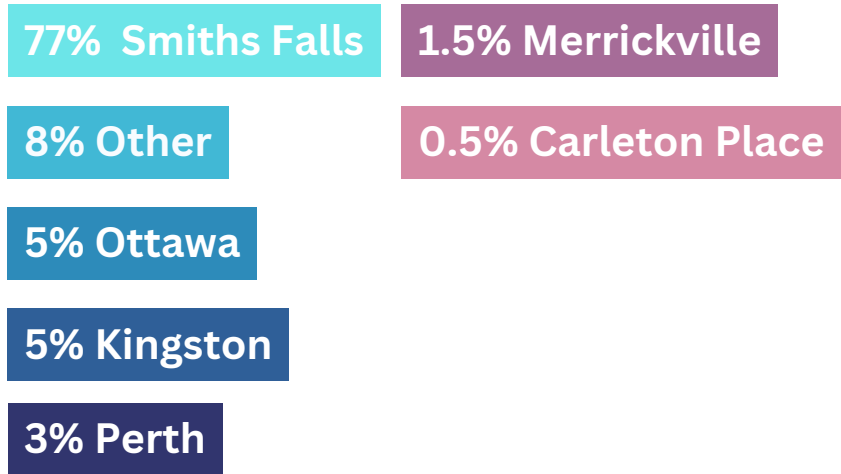
TOP 5 ACTIVITIES AND INTERESTS



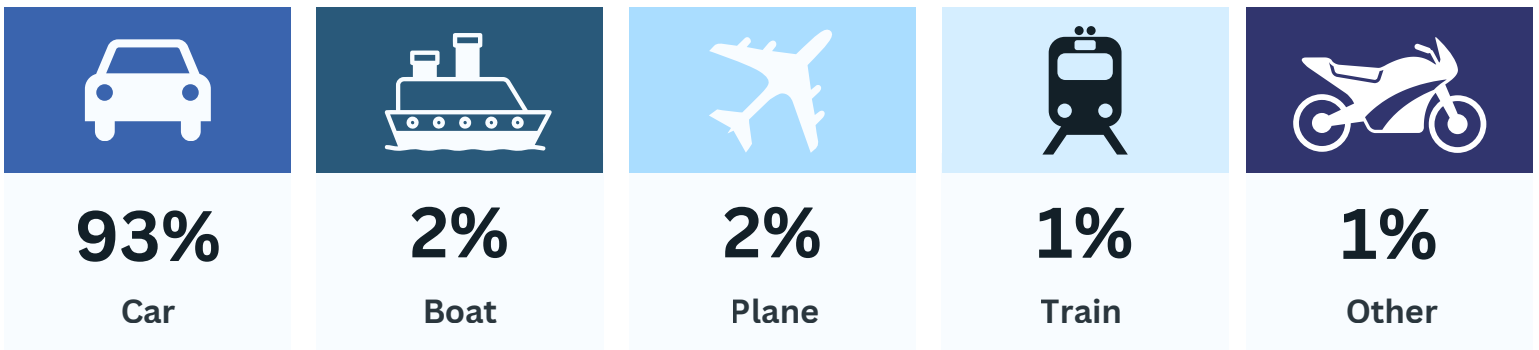
Additional Insights:

Visitors were able to select more than one activity resulting in percentages equaling over 100 percent. Similar to 2022, dining and shopping were of the most interest to visitors. Additional options included; Indoor Recreation (2%), Concert/Entertainment (3%), and Other (3%). Visitors indicated in Other the canal and the library. Attractions visited included (7) Heritage House Museum, (16) RMEO, (2) Station Theatre, and (2) LeBoat.

PRIMARY DESTINATION



MODE OF TRANSPORTATION



Additional Insights:

For primary destination, 12% percent of visitors chose Other which included regional destinations such as Belleville, Haliburton and Cottages. Almost the same amount of visitors from 2023 chose Smiths Falls as their primary destination (76%). Mode of Transportation survey choices also included Other (1%). The Other category included motorcycles and other modes of transportation that visitors chose not to specify. In 2023 more visitors traveled by car and less traveled by boat and train than in 2022. In 2022, 89% of visitors traveled by car.



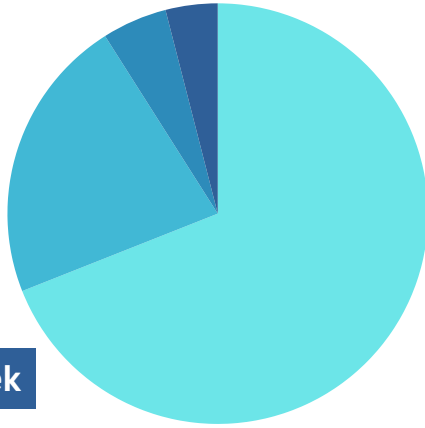
LENGTH OF STAY

69% Day-Trippers

22% 2-3 Days

5% 4-6 Days

4% More Than A Week



TIME OF YEAR



11%

Spring (Mar - May)



74%

Summer (June - Sept)



11%

Autumn (Sept - Nov)



4%

Winter (Dec - Feb)

LODGING



15%

Family/Friends

(55)



11%

Hotel/Motel/Inn

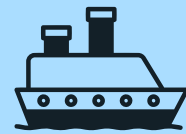
(34)



3%

Short Term Rentals

(8) Room/cottage/
Airbnb



2%

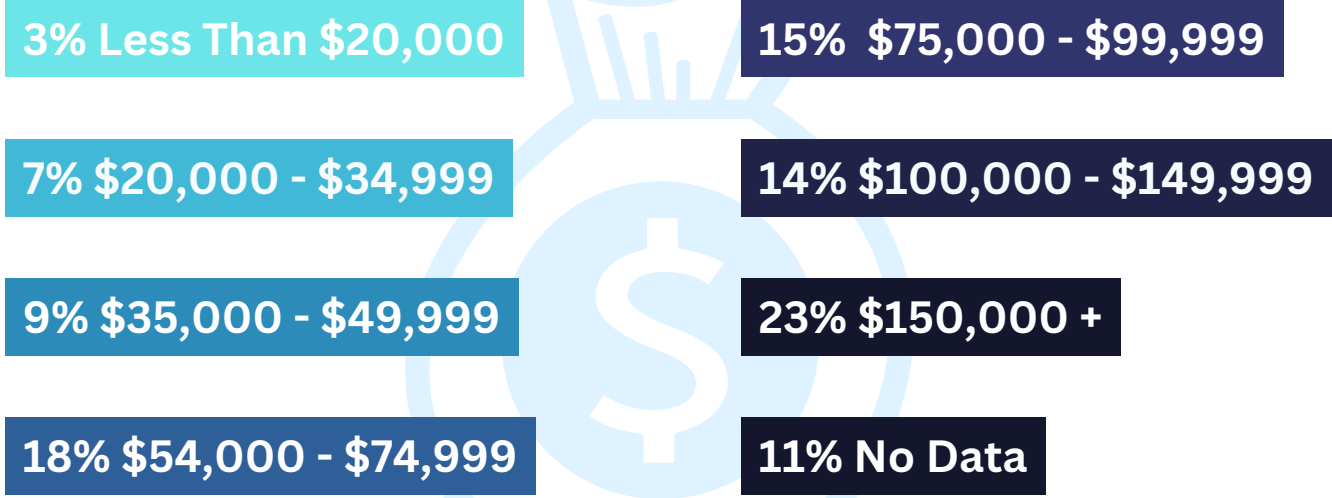
Boat

(2) Parks Canada Lock
Station
(2) Victoria Park
Marina
(2) LeBoat Docks

Additional Insights:

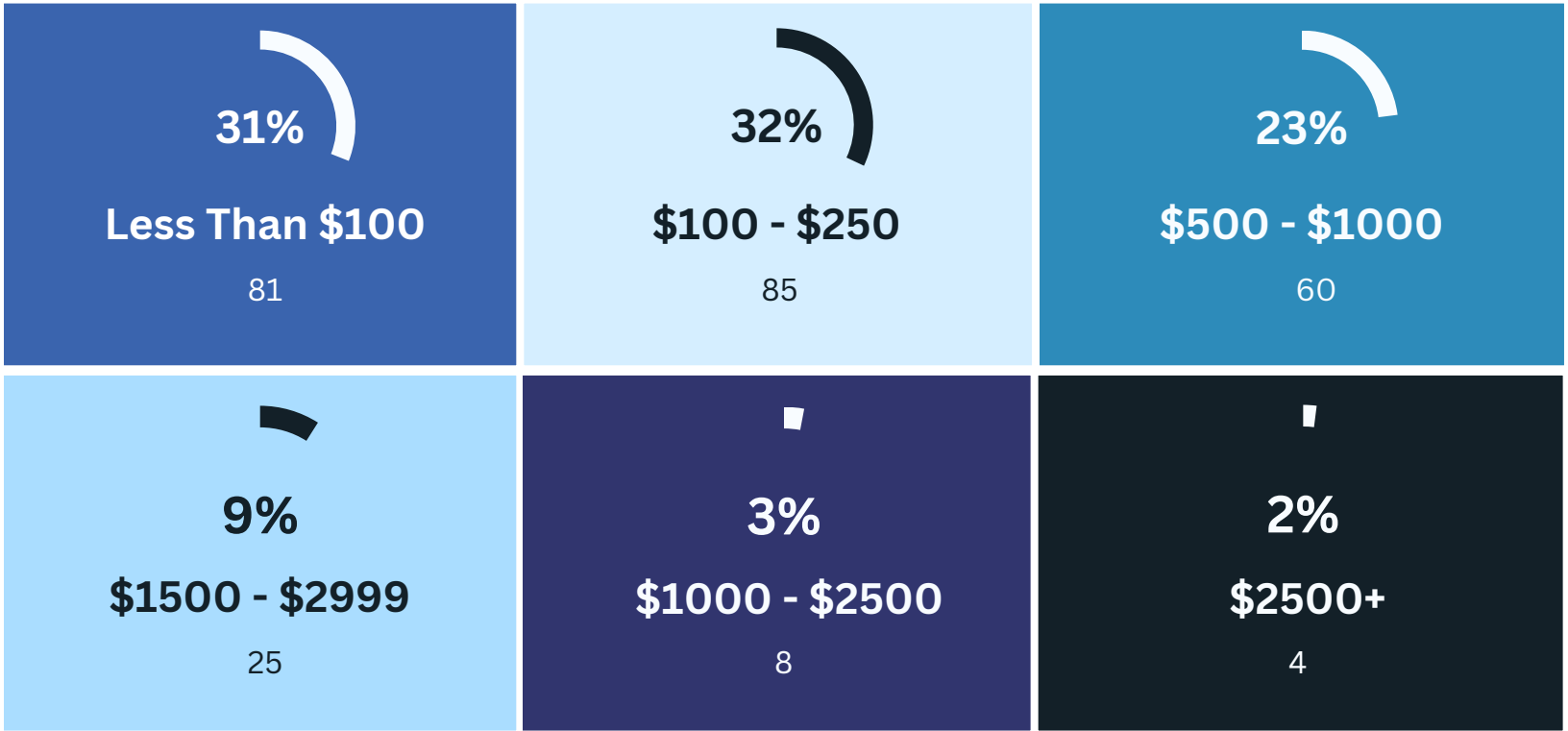
In 2023, more visitors were travelling to Smiths Falls for day trips than in 2022 (62%). For lodging, 69% did not stay overnight in Smiths Falls compared to 64% from 2022.

HOUSEHOLD INCOME



\$96,594.50 Total Spent by Survey Respondents (Approx.)
\$8,659.50 less than total spent in 2022
\$367.28 Average Spent Per Group/Visit

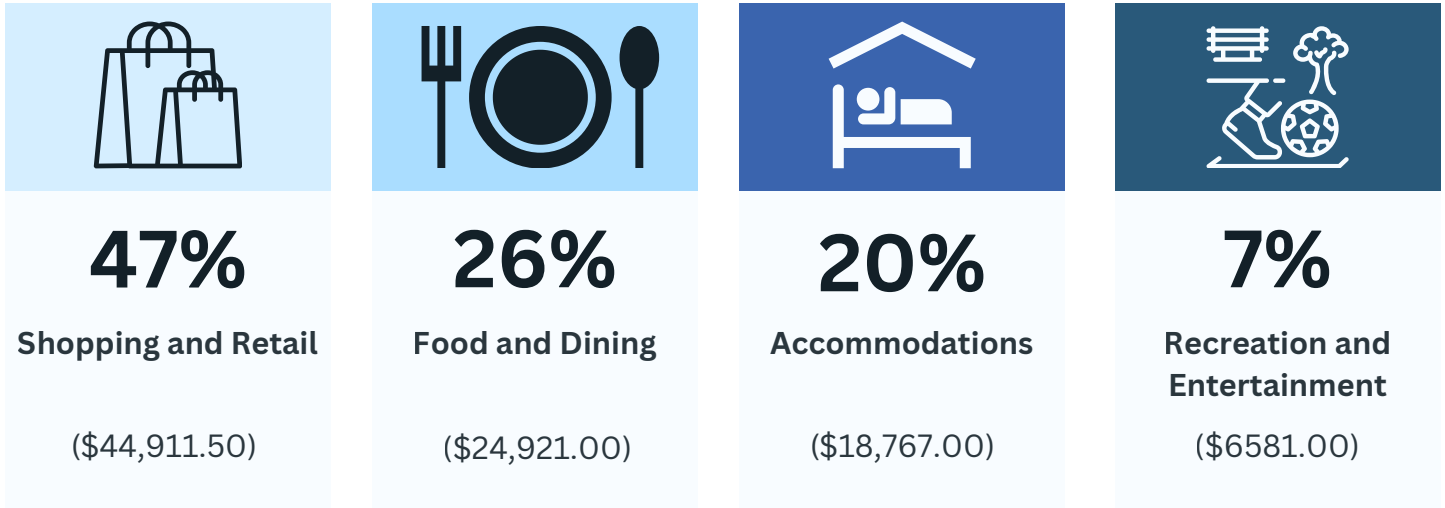
SPENDING AND ECONOMIC IMPACTS



Additional Insights:

There was no clarification in this survey question between regional and non-regional spending. Those who are in the 2% of spending group were evenly spread for length of stay ((1) Day Trip, (1) 2-3 Days, (1) 4-6 Days, (1) Week +).

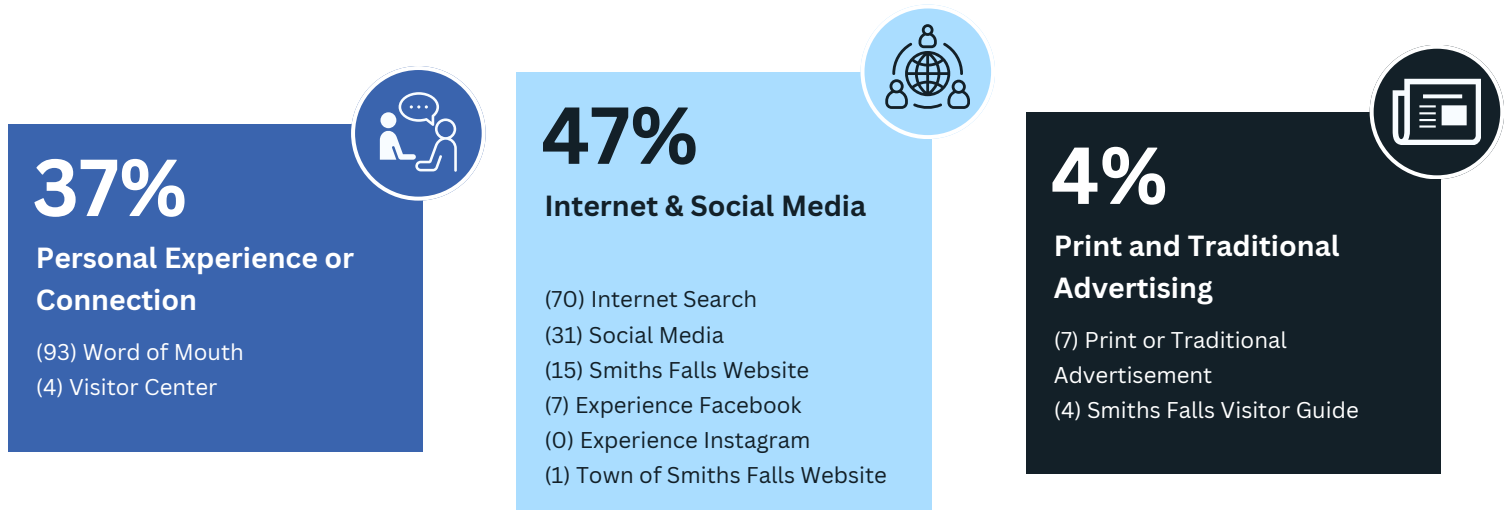
SPENDING BY CATEGORY



Additional Insights:

Visitor overall spending was an open-ended survey question. In 2022, visitors spent more money on Food and Dining (31%) as the highest spending category than in 2023. The amount spent on Recreation and Entertainment dropped significantly from 2022 (\$11,538.50) whereas the amount spent on Shopping and Retail rose significantly from 2022 (\$24,104.50).

PLANNING AND RESEARCHING VISITS



Additional Insights:

The total above exceeds 100% as many visitors are using multiple methods when planning their trip or when looking for things to do once they get here. The survey options also included Other (75), but visitors did not indicate what those other methods may be. In 2022, 77% used Internet & Social media indicating a significant decrease in 2023, however there were only 7 survey respondents that chose Other in 2022.

OVERALL EXPERIENCE

Visitor Status: 16% First Time Visitors, 39% Have Been a Few Times, 44% Regular Visitors



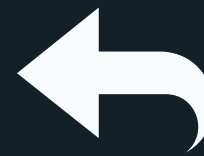
95% Enjoyed their visit to Smiths Falls

4.5% Neither dissatisfied or satisfied

0.5% Dissatisfied



50% Wanted direct info on future tourism events, etc.



96% Plan on returning to Smiths Falls

0% Are not returning

WHAT VISITORS SAID THEY LIKE ABOUT SMITHS FALLS

“Love the new look and all the activities that are happening”

“Absolutely loved the PowWow! Smiths Falls is looking beautiful! The lamp posts, flowers, sidewalks, food and parking...everything was looking fantastic!”

“I was very happy that I could easily walk to everything I wanted to do.”

“I love all the events like paddlefest and pow wows. The pubs are great and the boutiques.”

"I simply LOVE all the changes underway in Smiths Falls,, from the downtown street refurbishments to the Town Square, to the street life - the Porch music, and the Night Market and other street events and music. It's an incredible transformation, keep it up."

"Old world charm and eclectic mix of shops. A wonderful day trip!"

Additional Insights:

No respondents selected that they would not be returning to Smiths Falls, however some declined to comment. The percentage of those who enjoyed their visit has increased from 2022 (93%). Many respondents shared positive comments and experiences as part of the survey; they enjoyed the shops, scenery, events, renovations, and often mentioned how friendly the town was.

WANTS AND IMPROVEMENTS

16%

Dining
(44)



29%

Events/Festivals
(84)



22%

Attractions
(53)



17%

Retail
(43)



3%

Traffic/Wait/Idle Times
(22)



11%

Beautification
(44)



DO YOU HAVE ANY OTHER COMMENTS? (EXPERIENCES, SUGGESTIONS OR IMPROVEMENTS)

- Renovations to accommodations (Econolodge) & more accommodations *
- More advertising
- Evening/extended hours for retail *
- More clothing stores
- Swimming pool
- More events and festivals
- Street clean-up/flowers *
- Traffic waits at bridges
- More independent shops and boutiques
- Parks clean up (goose poop)
- More activities for day trips

Additional Insights:

Totals will not add up to 100% as respondents may have selected multiple areas of improvement and may not have provided additional insights or suggestions for each. Events/Festivals continues to be the most selected needs improvement category, in 2022 it was the highest with 21%. Comments with an * indicate suggestions that were also offered in 2022.

VISITOR GROUPS - OVERVIEW AND INSIGHTS

DAY TRIPPERS

This group of visitors is the **largest survey demographic (69%)** visiting Smiths Falls in 2023. This was also the largest group in 2022 (62%)

On average, Day Trippers are spending approximately **\$266/per group/per trip**, with the largest group spending between \$0-\$100 (41%), in 2022, more day trippers spent between \$100 - \$250. In total, Day Trippers surveyed **spent approximately \$47,958.50**. This is the highest amount spent by visitor group respondents, which may relate to the amount of respondents in this group.

88% of this visitor group did not stay overnight. This year 32% of day trippers came to Smiths Falls to visit friends and family, this is an increase from the 5% percent last year. Therefore, less day trippers enjoyed the amenities Smiths Falls had to offer. 90% were identified as visiting two or more times or are frequent visitors, an increase from 83% in 2022. While in Smiths Falls their top activities while visiting were dining and shopping. **Their top wants/improvements were to events/festivals, attractions, and retail.**

Many of the comments Day Trippers left were praising the updates to the town including the bandstand and the bike lanes. Day Trippers enjoyed the events and festivals like Pow Wow and Paddlefest as well as attractions like the two museums. Other comments suggested doing more to attract day trippers, having better signage and longer parking times.

Top 3 Main Reasons for Visiting

11%	Shopping
19%	Dining
32%	Visiting Friends/Family

Spending Habits

41%	Less than \$100
38%	\$100 - \$250
17%	\$250 - \$500
3%	\$500 - \$1000
0%	\$1000 - \$2500
1%	\$2500 +

Top 3 Activities While Visiting

34%	Dining
31%	Shopping
16%	Outdoor Recreation

Top 3 Wants/ Improvements

31%	Events/Festivals
23%	Attractions
17%	Retail

Overall Experience

92%	Satisfied with Visit
97%	Plan to Return

VISITOR GROUPS - OVERVIEW AND INSIGHTS

SHORT TRIPPERS (2 - 3 DAYS)

This group makes up **22% of the total visitor respondents**, and is the second largest group behind day-trippers. This is a slight decrease from 2022 when short trippers made up 25% of the respondents.

Slightly more visitors that stay 2-3 days are staying with friends and family (41%) than in hotels/inns/BnB's (32%.) similar to 2022. 11% are staying in Short Term rentals which includes Airbnb's and cottages. 6% of visitors are also staying in boats at the marina and lock station, a decrease from 2022 (13%).

The majority of this visitor groups' main reason for visiting was to visit family and friends (44%) an increase of 11% from 2022. While they were here, their top activities were dining (31%) and shopping (27%). Participation in outdoor recreation increased from 5% in 2022 to 14% this year.. **Their top wants/improvements were to attractions, dining, and events/festivals.**

On average, **this visitor group spent \$492 per group/per trip**, with the largest segment spending within the \$250-\$500 range similar to 2022. In total, **this group spent approximately \$28,042, a slight decrease from \$33,050 in 2022.**

A number of short trippers are return visitors (67%). Most of their comments praised the friendliness and renovations of the town. Some comments suggested more drop-in children's activities, more local artisans, expanded bike lanes and updated accommodations.

Top 3 Main Reasons for Visiting

44%	Visiting Friends/Family
18%	Other
13%	Local Attraction

Spending Habits

10%	Less than \$100
25%	\$100 - \$250
35%	\$250 - \$500
23%	\$500 - \$1000
5%	\$1000 - \$2500
2%	\$2500 +

Top 3 Accommodations

42%	Friends/Family
41%	Hotel/Inn/BnB
11%	Short Term Rental

Top 3 Activities While Visiting

31%	Dining
27%	Shopping
14%	Outdoor Recreation

Top 3 Wants/Improvements

22%	Attractions
21%	Dining
21%	Events/Festivals

Overall Experience

98%	Satisfied with Visit
98%	Plan to Return

VISITOR GROUPS - OVERVIEW AND INSIGHTS

WEEKDAY TRAVELERS (4-6 DAYS)

This demographic of visitors makes up **5% of total visitor respondents**. This is the 3rd largest group, the same as 2022.

On average, this survey group are **spending \$901 per group/per trip**, mostly within the \$250-500 range. This group is spending the most on average per trip. **In total, they spent approximately \$12,619, a large decrease from last year (\$29,600).**

Just like the 2-3 Day visitor group, slightly more visitors are staying with friends and family (40%) than in Hotels/Inns/BnB's (27%.) 13% are staying in Short Term rentals which includes Airbnb's and cottages. 18 percent are staying in docked boats (3 visitor groups), compared to none last year.

This visitor group's main reason for visiting is to get away and enjoy the company of friends and family, similar to 2022. While here, they are taking part in a number of activities such as dining and shopping.

85% of these visitors have been to Smiths Falls before or are frequent visitors an increase from 60% in 2022. **Wants or Improvements requested by this group include events/festivals, retail, attractions, and beautification.** Most comments praised the friendliness and beauty of the town. Some comments suggested extended business hours, and a shuttle to the grocery stores for boaters.

Top 3 Main Reasons for Visiting

71%	Visiting Friends/Family
14%	Other
7%	Concert/Entertainment
7%	Dining

Spending Habits

0%	Less than \$100
0%	\$100 - \$250
57%	\$250 - \$500
14%	\$500 - \$1000
21%	\$1000 - \$2500
7%	\$2500 +

Top 3 Accommodations

40%	Friends/Family
27%	Hotel/Inn/BnB
13%	Short Term Rental

Top 3 Activities While Visiting

30%	Dining
30%	Shopping
19%	Outdoor Recreation

Top 3 Wants/Improvements

30%	Events/Festivals
20%	Retail
20%	Attractions
20%	Beautification

Overall Experience

93%	Satisfied with Visit
93%	Plan to Return

VISITOR GROUPS - OVERVIEW AND INSIGHTS

EXTENDED VACATIONERS (7+ DAYS)

This visitor group is the smallest group of respondents, staying the longest, but **making up only 4% of total visitors**.

Similar to all of the visitor groups, most are staying with Friends and Family (82%), while the others are staying in Hotels/Inns/BnBs. Less visitors stayed with family and friends in 2022 (55%).

As is similar with other overnight groups, their main reason for visiting was to visit friends and family (64%). While here they are taking part in a number of activities including dining, shopping, and outdoor recreation, similar to 2022.

This visitor group surveyed are **spending per group/per trip, an average of \$797**. In 2022, extended vacationers spent the most per average whereas in 2023 the weekday travelers did. This could be due to the fact that in 2023 most of this visitor group are staying with friends/family (82%) compared to 55% in 2022. The largest spending bracket was the \$500- \$1000 range. In total, those who took the survey spent approximately **\$7,975, a large decrease from 14,700 in 2022**.

70% of respondents in this category have been to Smiths Falls before or are frequent visitors. All of these visitors plan to return. **Wants or Improvements requested by this group include retail, dining, and events/festivals**. The comments were all positive, with visitors praising the improvements in the town, the waterway, and the locals. one comment suggested more restaurants be open on Mondays.

Top 3 Main Reasons for Visiting

64%	Visiting Friends/Family
18%	Other
9%	Dining
9%	Local Event

Spending Habits

0%	Less than \$100
27%	\$100 - \$250
9%	\$250 - \$500
36%	\$500 - \$1000
18%	\$1000 - \$2500
9%	\$2500 +

Top 3 Accommodations

82%	Friends/Family
18%	Hotel/Inn/BnB
0%	Short Term Rental

Top 3 Activities While Visiting

22%	Dining
22%	Outdoor Recreation
19%	Shopping

Top 3 Wants/Improvements

31%	Retail
25%	Dining
19%	Events/Festivals

Overall Experience

82%	Satisfied with Visit
91%	Plan to Return

CONCLUSION



ACHIEVEMENTS

Smiths Falls' charm, dining, attractions and waterfront area continues to draw visitors back annually with 83% noting they have been before (78% in 2022) and 96% (the remaining 4% just chose not to answer the question) saying they would return in the future (98% in 2022).

Several comments mentioned how impressed visitors were with the overall improvements since the last time they were in Smiths Falls including; the bandstand, the bike lanes, flowers, waterfront areas and the general downtown. Most of these comments were echoed from 2022. Many were impressed with the current attractions we do have, with the Heritage House Museum, Railway Museum of Eastern Ontario, and the Parks being mentioned. Many commented on the events/festivals such as Pow Wow, Porchfest and Paddlefest which were meant with positive reviews. Many dining options were praised as well.

SURVEY RESULTS SHOW

- Visitors are traveling to Smiths Falls primarily to visit family/friends (24%) and for shopping (24%).
- Visitors spent more money on shopping and retail and less money on accommodations than in 2022.
- Day Trippers made up the largest survey group respondents at 69%.
- 74% of visits occurred in the "Summer Season" between June 1 - August 31.
- More visitor groups are spending between \$100-\$250 per visit.
- Smiths Falls was the primary destination for 77% of the visitors.

Visitor Information Collection Program

CONCLUSION

ROOM FOR IMPROVEMENT

Similar to 2022, many of our visitors are day-trippers that are not staying overnight. This year, more visitors that are staying for lengthier times chose to stay with family and friends followed by traditional accommodations. Several comments mentioned needing more affordable accommodations as well as more options. While the shopping and retail was met with positive comments, many continued to express the desire for businesses to have extended hours and be open evenings. More attractions and more events/festivals were the top complaint from survey respondents, similar to 2022. The attractions and festivals we do have are excelling, however some visitors are finding there is not a lot to do in Smiths Falls, especially to attract day-trippers. In order to attract visitors that extend their stay for more than a day trip, investment in additional attractions is needed.

OPPORTUNITIES

This year less visitors are getting their information through social media to plan their trips than in 2022. There was an increase in visitors getting information through word of mouth. However, it is important to continue to market Smiths Falls through all the online avenues so the correct information can then be distributed.

Visitors were impressed with the local retail and dining options but expressed the desire for extended business hours and for more restaurants to be open on Mondays. Visitors also indicated the want for more local restaurants and stores.

Survey respondents continued to be happy with the attractions, recreation and events that are already being offered, but similar to last year many requested more options especially during the off-season. This could be an opportunity to increase tourism by creating regularly scheduled drop-in programming such as a town-wide scavenger hunt, etc.

Smiths Falls has many opportunities to build and grow as a tourism destination by investing in our assets and infrastructure to create new experiences and reasons to visit.



SMITHS FALLS

RISE AT THE FALLS

Report # 2023-065

To: Mayor and Council
From: Paul Dowber, Director Corporate Services/Treasurer
Date: May 21, 2024
Committee of the Whole Date: May 27, 2024.
Title: Projected Debt Levels

- For Direction
- For Information
- For Adoption
- Attachment (NA)

Recommendation: THAT Council of the Corporation of Smith Falls receive the Projected Debt Levels report for information as a part of Treasury information leading up to the 2025 budget process.

Purpose: To provide Council with information on a long-term view of current and anticipated debt at the Town of Smith Falls.

Background: The 2024 Annual Repayment Limit (ARL) report was presented to Council on May 13th, 2024. Staff advised that more information on a longer-term debt outlook would be presented at a future Committee of the Whole meeting.

Current long-term debt is approximately \$15.1M with an ARL of \$1.6M. Over the next few years, as the new Water Tower and upgrades to the Trunk Watermain are completed, additional debt of over \$17.5M may be required pending any potential award of further grants for this project, as per Table 1. Funding for the Tower project of \$3,666,500 has been secured through the ICIP Green Infrastructure Stream, with the first payment of \$61,239 received earlier this month.

Table 1					
	2023 Actuals	2024 Budget	2025 Budget	2026 Budget	Total
Tower Cost	\$176,422	\$4,478,578	\$5,145,000		\$9,800,000
DC Funding		(\$348,000)	(\$771,750)		(\$1,119,750)
Grant Funding	(\$176,422)	(\$2,700,828)	(\$787,750)		(\$3,665,000)
Debt	0	(\$1,429,750)	(\$3,585,500)		(\$5,015,250)
Total Funding	(\$176,422)	(\$4,478,578)	(\$5,145,000)		(\$9,800,000)

Trunk Main Cost	0	\$5,000,000	\$5,000,000	\$5,000,000	\$15,000,000
DC Funding	0	(\$750,000)	(\$750,000)	(\$750,000)	(\$2,250,000)
Grant Funding	0				
Debt	0	(\$4,250,000)	(\$4,250,000)	(\$4,250,000)	(\$12,750,000)
Total Funding	0	(\$5,000,000)	(\$5,000,000)	(\$5,000,000)	(\$15,000,000)

Analysis and Options:

Current rates through Infrastructure Ontario (IO) are:

- Construction Loan - 5.47%
- 30 Year Debenture - 4.89%

IO uses construction loans from the time that work begins until 4 months after substantial completion is achieved. During this time, required payments are interest only. IO then gives a 4-month period in which a Municipality can turn the loan into a debenture with IO or go out to market to obtain other financing arrangements and pay the loan in full.

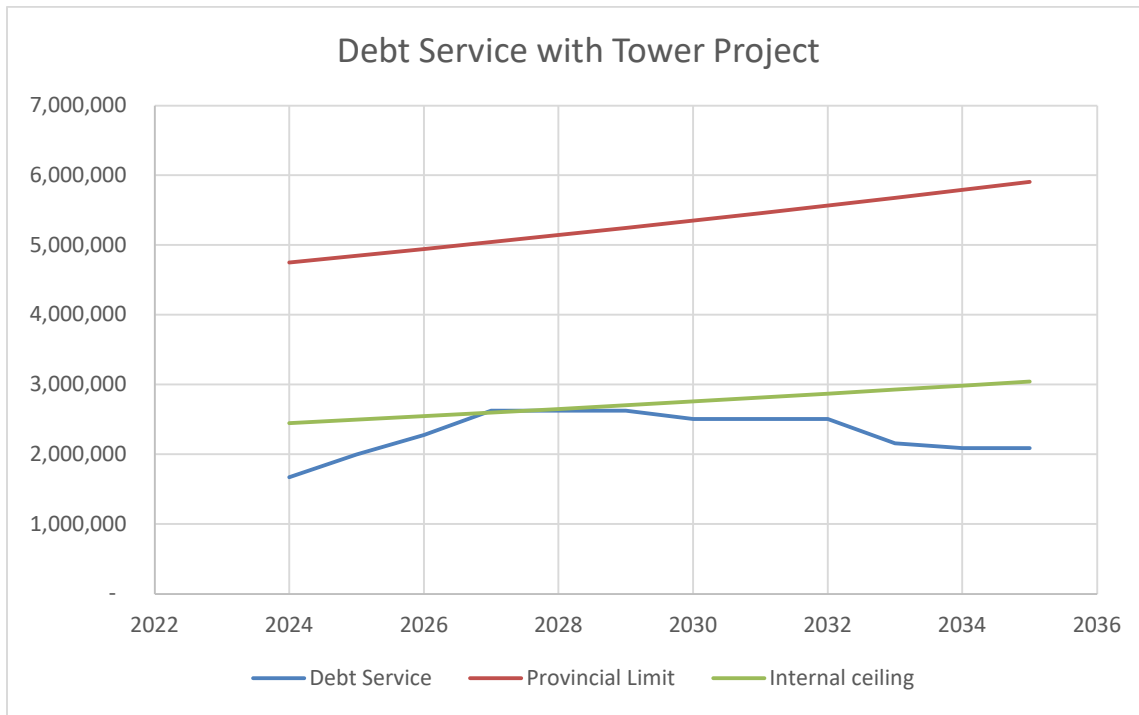
Table 2 below shows a 5-year projection of loan/debenture balances related to construction and finalizing financing based on using IO for construction loans and 30-year debentures for illustration purposes.

Table 2					
	2024	2025	2026	2027	2028
Water Tower	Construction Loan 5.47% Interest Only	Construction Loan 5.47% Interest Only	30 Year Debenture 4.89%	30 Year Debenture 4.89%	30 Year Debenture 4.89%
Loan/Debenture	\$1,429,750	\$5,015,250	\$5,015,250	\$5,015,250	\$5,015,250
Annual Payment	\$78,207	\$274,334	\$322,170	\$322,170	\$322,170
Trunk Main		Construction Loan 5.47% Interest Only	Construction Loan 5.47% Interest Only	Construction Loan 5.47% Interest Only	30 Year Debenture 4.89%
Loan/Debenture	-	\$4,250,000	\$8,500,000	\$12,750,000	\$12,750,000
Annual Payment		\$232,475	\$464,950	\$697,425	\$819,035

Table 3 shows the financial flows of the two Water projects added to the current Town debt and the results on the internal ARL ceiling.

Table 3					
	2024	2025	2026	2027	2028
Current ARL Limit	\$2,450,000	\$2,499,000	\$2,548,980	\$2,599,960	\$2,651,959
Current Payment	\$1,698,566	\$1,698,566	\$1,698,566	\$1,698,566	\$1,698,566
Additional	\$78,207	\$506,809	\$787,120	\$1,141,205	\$1,141,205
Total	\$1,776,773	\$2,205,375	\$2,485,686	\$2,839,771	\$2,839,771
ARL Available	\$673,227	\$293,625	\$63,294	(\$239,811)	(\$187,812)

This analysis shows debt needs going above the internal ARL ceiling in 2027 and 2028. However, current interest rate predictions are a decrease of 25 – 100 basis points by the end of 2024 (0.25% - 1.0%).



Budget/Financial Implications: Budget implications will be reflected in the 2025 budget process.

Link to Strategic Plan (2023-2026):

Vision – Item 1 – Investing in our infrastructure to keep up with the growing needs of the community.

Existing Policy: By-Law No. 8891-2016, Debt Management Policy

Consultations: NA

Attachments: NA

Respectfully Submitted by:

Approved for agenda by Acting CAO:

Original Copy Signed
 Paul Dowber, CPA, CGA
 Director of Corporate Services/Treasurer

Original Copy Signed
 Paul McMunn
 Director of Public Works & Utilities



SMITHS FALLS

RISE AT THE FALLS

Report # 2024-058

To: Mayor & Council
From: Rick Chesebrough, Fire Chief
Date: May 07, 2024
Committee of the Whole Date: May 27, 2024

- For Direction
- For Information
- For Adoption
- Attachment (11 pages)

Title: Permitting Backyard Hens within Town Limits

Recommendation: Council to review and consider the options contained in this report and provide staff with direction on next steps.

Purpose: To provide members of council with options to consider when determining the viability of backyard hens within the boundaries of the Town of Smiths Falls.

Background: At the Committee of the Whole meeting on April 22, 2024, Mr. Radford delivered a presentation regarding permitting backyard hens in non-rural zoned areas. Mr. Radford’s presentation provided a wealth of information, including the risks, benefits, and municipal precedents.

Council was asked to implement a program similar to Carleton Place with two amendments:

- reduced lot size of 3000 sq. ft.
- 50% reduction in the registration fee structure. (The initial application fee is \$100 per household, with an annual renewal fee of \$30.00.)

The Town of Carleton Place Bylaw (#44-2021) is attached as Appendix A.

The fee structure for other municipalities that have approved programs varies. Some have no licensing or annual fees, whereas others charge for the initial license or charge for the initial license fee and an annual fee.

A hen coop is considered an ancillary structure and will not be able to exceed the 10% provision of available space on a lot within the Town of Smiths Falls zoning bylaw. When considering a minimum lot size, the house size must be factored in which will determine the available open space.

To accommodate 6 hens, the recommended internal size of the coop should be 18 square feet. (Site Source)

Following Mr. Radford's presentation, members of council directed staff to review other municipal programs and make recommendations on a potential process if council approved the backyard hen program.

Mr. Radford's presentation identified many benefits of having backyard hens. The benefits are vast and were very well thought out and articulated.

However, during our review and internal consultation, we identified several items that must be considered prior to approving this program for the Town of Smiths Falls.

- Amendments to two of our bylaws, the Animal Control Bylaw, and our current Zoning Bylaw. Any amendment to the Town's Zoning Bylaw requires public consultation and typically takes 2 to 3 months to complete.
- Local veterinary services for chickens is only offered 1 day a week and at only one local veterinary service.
- There is no livestock disposal facility in town.
- Extra eggs that can not be given away are not permitted to be donated to the food bank.
- Additional Bylaw Enforcement staff will be required (as will appropriate training) and an additional Bylaw Enforcement vehicle. None of these items is in the 2024 approved budget.
- The Town has no where to take chickens that have been picked up either by Bylaw Enforcement Staff or residents.
- The cost for administering inspections, annual inspections, and complaint inspections.
- The increase in wildlife that is attracted into Town boundaries because of the backyard chickens. Municipal Bylaw Enforcement staff are not permitted or trained to deal with wild animals.

In his presentation Mr. Radford mentioned the pilot project that Toronto had approved. This pilot has since been suspended. The most recent staff report recommended that the program be discontinued indefinitely because of the cost of the program and the shortage of certified veterinarians. Council voted to revisit the avian flu situation in 2025. The Toronto pilot program was not supported by Animal Justice.

<https://animaljustice.ca/blog/toronto-backyard-hens>

The Montreal program is only in certain burrows of Montreal and not approved throughout the province of Quebec.

On April 3, 2024 CNN reported that the FDA and CDC have heightened their alerts to the potential spreading of the bird flu to humans. A Texas poultry operation has detected the bird flu in its facility, the link is attached.

[Response to bird flu outbreak is 'robust,' CDC says, although risk to public remains low | CNN](#)

Analysis and Options:

Option 1. Council direct staff to prepare a Zoning Bylaw amendment and conduct public consultation (including an in-person meeting and an online survey) to determine the level of interest and acceptance of the proposed program before Council makes any final decisions. Further, staff would provide a financial estimate to administer the program and the associated costs for staffing and the inspection and maintenance of the program.

Option 2.

Council rejects the backyard hen proposal based on the concerns identified in this report. This would be consistent with the previous reports presented to council.

Budget/Financial Implications: To be determined based on Council Decision.

Link to Strategic Plan: N/A

Existing Policy: Animal Control Bylaw
Zoning Bylaw

Consultations: Karl Grenke Manager Development Services
Kerry Costello Clerk
Smiths Falls Veterinary Services
Smiths Falls Food Bank
Leeds and Grenville Public Health

Attachments: NA

Notes/Action (space for Council Member's notes):

Respectfully Submitted:

Original Copy Signed
Rick Chesebrough
Fire Chief

Approved for agenda by Acting CAO:

Original Copy Signed
Paul McMunn
Director of Public Works & Utilities

BY-LAW 44-2021

A BY-LAW OF THE CORPORATION OF THE TOWN OF CARLETON PLACE TO REGULATE THE KEEPING OF HENS WITHIN THE CORPORATION OF THE TOWN OF CARLETON PLACE

WHEREAS Section 5(3) of the *Municipal Act, 2001*, S.O. 2001, c.25, provides that a municipal power shall be exercised by by-law; and

WHEREAS Section 9 of the *Municipal Act, 2001*, S.O. 2001, c.25, provides that a municipality has the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority under that or any other Act; and

WHEREAS Sections 8, 9 and 11 of the *Municipal Act, 2001*, S.O. 2001, c.25 authorize the municipality to pass by-laws necessary or desirable for municipal purposes, and in particular items 5 and 8 of Section 11 (2) authorize by-laws respecting: the economic, social and environmental well-being of the municipality and the protection of persons and property; and animals; and item 9 of Section 11 (3) authorizes the passing of by-laws with respect to animals; and

WHEREAS Section 8 of the *Municipal Act, 2001*, S.O. 2001, c.25, provides that the powers of a municipality under this Act shall be interpreted broadly so as to confer broad authority on municipalities to enable them to govern their affairs as they consider appropriate, and to enhance their ability to respond to municipal issues; and

WHEREAS Section 8 (3) of the *Municipal Act, 2001*, S.O. 2001, c.25, provides that a by-law passed under Section 11 of that Act respecting a matter may regulate or prohibit and, as part of the power to regulate or prohibit may require a person to do things, provide for a system of licences permits, approvals or registrations and impose conditions as a requirement of obtaining, continuing to hold or renewing a licence, permit, approval or registration;

WHEREAS Section 436 of the *Municipal Act, 2001*, S.O. 2001, c.25, as amended provides that Council may, by by-law, provide that the municipality may enter on land at any reasonable time for the purpose of carrying out inspections to determine compliance with certain specified matters, including by-laws passed under the *Municipal Act, 2001*, directions or orders made under the *Municipal Act, 2001* or under a by-law passed under its authority, conditions of a licence issued under the *Municipal Act, 2001* or orders made under Section 431 of the *Municipal Act, 2001*; and

WHEREAS Sections 446 (1), 446 (3) and 446 (4) of the *Municipal Act, 2001*, S.O. 2001, c.25, authorize the Town of Carleton Place, if it has authority by by-law or otherwise, to direct or require that a matter or thing be done, to direct in the same by-law that, in default of it being done by the person directed or required to do it, such matter or thing be done at the person's expense and to recover that expense by action or by adding it to the tax roll and collecting it in the same manner as taxes; and

WHEREAS Section 446 (2) of the *Municipal Act, 2001*, S.O. 2001, c.25, establishes that following failure to comply with an order directing or requiring the person that a matter or

thing be done, the municipality may enter upon the land at any reasonable time to perform the directed or required matter or thing be done at the person's expense; and

WHEREAS Section 425 of the *Municipal Act, 2001*, S.O. 2001, c.25, establishes that any person who contravenes any by-law of the Town of Carleton Place is guilty of an offence; and

WHEREAS Section 429 of the *Municipal Act, 2001*, S.O. 2001, c.25, establishes that a municipality may establish a system of fines for offences under a by-law of the municipality; and

WHEREAS Section 103 (1) of the *Municipal Act, 2001*, S.O. 2001, c.25 provides that if a by-law is passed regulating or prohibiting with respect to the being at large of animals, the by-law may provide for the seizure and impounding of animals being at large and the sale of impounded animals; and

WHEREAS the *Municipal Act, 2001*, S.O. 2001 further authorizes the municipality, amongst other things, to delegate its authority, to impose fees or charges, to provide for inspections, and to make orders to discontinue activity or to do work; and

WHEREAS the Council of the Town of Carleton Place deems it advisable to enact this by-law for the purpose of permitting and regulating the keeping of backyard hens within the Town;

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

1. TITLE

1.1 The by-law shall be known and cited as the "Backyard Hens By-law".

2. SCOPE

2.1 This by-law shall regulate the location, size, number, living conditions, maintenance and disposal of backyard hens on residential properties of the Town of Carleton Place.

2.2 The schedule attached to this by-law form part of this by-law.

2.3 All hens and coops on private property shall be kept and erected in accordance with the provisions of this by-law.

3. INTENT

3.1 The purpose of this by-law is to permit, regulate and control the keeping of hens on residential properties, authorizing hens and coops that:

- a) Are appropriate in size, number, and location;
- b) Minimize adverse impacts on nearby public and private property; and
- c) Do not create a safety hazard or a nuisance to abutting properties, businesses, schools, and places of worship.

4 DEFINITIONS

- 4.1 **Abutting Property** means any parcel or lot that has a lot line or portion of a lot line in common with the subject property, including a shared intersection of lot lines.
- 4.2 **Animals** means any member of the animal kingdom, other than a human.
- 4.3 **Business** means any structure, whether publicly owned or privately owned, that is adapted for occupancy for transaction of business and does not include any home-based business.
- 4.4 **Clerk** means the Clerk of the Corporation of the Town of Carleton Place.
- 4.5 **Council** means the Council of the Corporation of the Town of Carleton Place.
- 4.6 **Designation** means a land use category as defined and regulated in the Town of Carleton Place's Development Permit By-law, as amended or replaced and renumbered
- 4.7 **Dwelling Unit** means a residential unit located in a building or structure, used or intended to be used as a domicile by one or more persons and usually containing cooking, eating, living, sleeping and sanitary facilities.
- 4.8 **Easement** means a legal instrument registered on a property which permits the use of land by a third party or organization as specified on title.
- 4.9 **Exterior Side Yard** means the space abutting a public street that extends from the front yard to the rear yard between a side lot line and the nearest point of the main building, not including a permitted projection.
- 4.10 **Front Yard** means the space paralleling the front lot line extending across the full width of a lot between the front lot line and nearest part of any main building on the lot, not including a permitted projection.
- 4.11 **Hen** means a domestic female egg laying chicken (*Gallus gallus domesticus*) that is at least 4 months old.
- 4.12 **Hen Coop** means a hen house and hen run.

- 4.13 **Hen House** means a structure that houses the hens at night and includes places for laying.
- 4.14 **Hen Run** means a covered and secure enclosure that allows hens access to the outdoors.
- 4.15 **Interior Side Yard** means the space not abutting a public street that extends from the front yard to the rear yard between a side lot line and the nearest point of any main building, not including a permitted projection.
- 4.16 **Licence** means a licence issued by the Town of Carleton Place pursuant to this by-law.
- 4.17 **Licensee** means a person to whom a licence has been issued pursuant to this by-law.
- 4.18 **Officer** means a person appointed by the Town as a Municipal Law Enforcement Officer or Animal Control Officer to enforce the provisions of this by-law.
- 4.19 **Order** means an order made under this by-law;
- 4.20 **Owner** means, with reference to hens, any person who possesses, harbors or keeps an animal or hen and, where an owner is a minor, includes the person who is responsible for the custody of the minor; and means, with reference to property, the individual(s), entities or corporations holding title of a property or properties.
- 4.21 **Person** includes an individual, association, organization, partnership, public bodies, corporations, societies, inhabitants of counties, municipalities or other districts, and includes an agent or employee of any of them in relation to the acts and things that they are capable of doing and owning respectively;
- 4.22 **Place of Worship** means a building used for public worship.
- 4.23 **Property** means a building or structure or part of a building or structure, and includes the lands and premises appurtenant thereto and all mobile homes, mobile buildings, mobile structures, outbuildings, fences and erections and includes vacant property thereon whether heretofore or hereafter erected, and is divided into:
- 4.23.1 **Non-residential property** means property which is not occupied, nor capable of being occupied in whole or in part for the purpose of human habitation.
- 4.23.2 **Residential property** means any property that is used or designed for use as a domestic establishment in which one or more persons usually sleep and prepare and serve meals, and includes any land or buildings that are appurtenant to such establishment and all steps, walks,

driveways, parking spaces and fences or any fixtures or structures associated with the building or its yard.

- 4.24 **Rear Lot Line** shall mean that lot line furthest from and opposite the front lot line but if there is no such line, that point furthest from and opposite the front lot line. If there are two or more rear lot line segments at different distances from the front lot line, as in the case of an L-shaped lot, each segment shall be considered to be the rear lot line for that portion of the front lot line directly opposite.
- 4.25 **Rear Yard** shall mean the space paralleling the rear lot line that extends across the full width of the lot between a rear lot line and the nearest point of the principal building not including a permitted projection.
- 4.26 **Residential Property** means a property that is zoned for residential use in the Town's Development Permit By-law that applies to the property.
- 4.27 **Residential Tenants** means persons renting or leasing a property used or intended to be used for residential purposes only.
- 4.28 **Rooster** means a male domestic chicken.
- 4.29 **Setback** means with reference to a lot line, the shortest distance between a lot line (front, interior side, exterior side, or rear) and the nearest part of any building or structure on the lot. In cases where a road widening is taken, the required setback is calculated from the lot line.
- 4.30 **School** means a public, separate or private educational establishment operated by a Board of Education as defined in the *Education Act*.
- 4.31 **Town** means the Corporation of the Town of Carleton Place.
- 4.32 **Veterinarian** means a veterinarian who is a doctor of animal health, licenced and trained in Ontario to provide medical and surgical care for animals.

5 INTERPRETATION

- 5.1 This by-law includes the schedule annexed hereto, and the schedule is hereby declared to form part of this by-law.
- 5.2 In this by-law "may" shall be construed as permissive.
- 5.3 In this by-law "shall" shall be construed as imperative.

6 ADMINISTRATION AND ENFORCEMENT

- 6.1 The municipality may appoint officers and other staff to carry out the administration and enforcement of this by-law.

6.2 Interpretation and application of the terms and definitions of this by-law shall be determined at the discretion of the enforcing officer.

7 GENERAL PROVISIONS

7.1 No person shall keep hen(s) unless they hold a valid Licence issued by the Town in accordance with the provisions of this by-law.

7.2 A residential tenant must obtain permission from the property owner to keep hens on the owner's property.

7.3 The owner of the hens must reside on the property where the hens are kept.

7.4 No hen coop shall be located in any front or exterior side yard.

7.5 Hen coops and runs shall be a distance of at least 1.2 metres (4 feet) from the rear lot line and at least 1.2 metres (4 feet) from any side lot line of the dwelling lot on which the hen coop is located.

7.6 Hen coops and hen runs shall be located at least 15 metres (50 feet) from any school.

7.7 Hen coops and hen runs shall be located at least 7.5 metres (25 feet) from any church or business.

7.8 Hen coops and hen runs shall be a minimum distance of 3 metres (10 feet) from all windows and doors of dwellings that are located on an abutting property.

7.9 No person shall:

a) Keep a rooster; and

b) Keep an egg laying hen, other than the backyard hen(s) for which a valid licence has been issued.

7.10 Every person shall keep hens secured in their hen house between 9:00 p.m. and 6:00 a.m.

7.11 No person shall keep more than six (6) backyard hens at a residential property or a property used primarily for residential purposes which does not specifically permit a farm use pursuant to the Development Permit By-law provided the conditions and requirements contained in this by-law are met.

7.12 A hen coop and hen run shall not exceed 2 metres (6.5 feet) in height.

7.13 The following provisions apply to the use and storage of manure:

- a) No more than .08 cubic metres (3 cubic feet) of manure can be stored in an airtight container on the property. The manure storage and the hen house cannot exceed a total area of 10 square metres (353 square feet);
 - b) Small amounts of manure may be worked into the soil as soil amendments;
 - c) All other unused manure exceeding the maximum total area outlined in 7.13 a) must be removed according to the Town's Waste Collection By-law.
- 7.14 Home slaughter of hens is prohibited and any deceased hens shall be disposed of at a livestock disposal facility or through the services of a veterinarian.
- 7.15 Every licensee shall ensure the hen house and the run area are fully enclosed on all sides and from above (i.e. fencing, chicken wire, roof covering). All hen houses and runs are to be constructed to prevent the hens' escape and prevent entry by intruders / predators.
- 7.16 Hen coops are to be designed to provide hens with a draft-proof, dry, and insulated environment.
- 7.17 Every licensee shall ensure that hens are kept securely in a hen coop or run at all times.
- 7.18 No person shall allow their hen(s) to roam at large, or be on a public road or in a public place at any time.
- 7.19 No licence shall be issued to permit a hen house to be located within an easement.

8 LICENCES

- 8.1 No person shall operate a hen coop on any residential property within the Town unless they have first obtained a hen coop licence.
- 8.2 Hen coops shall only be permitted on legal residential properties with single family and semi-detached dwellings.
- 8.3 Hen coops shall only be permitted on residential properties with a lot size greater than 3,500 square feet (325 square metres).
- 8.4 Hen licence fees shall not be refunded or debated. The initial licence fee and subsequent annual licence fee shall be in accordance with the Town's annual Fees & Charges By-law.
- 8.5 A hen licence shall not be transferable from one person to another.
- 8.6 A hen licence shall not be transferable from one property to another.

- 8.7 A person to whom a hen licence has been issued must produce the licence upon the demand of a Municipal Law enforcement Officer.
- 8.8 A hen licence may be revoked or may not be renewed when:
- a) The applicant or licence holder does not meet or no longer meets the requirements for a hen licence as set out in this by-law;
 - b) The applicant or licence holder furnishes false information or misrepresents any fact or circumstance required pursuant to this by-law; and
 - c) The licensee fails to pay a fine imposed by a court for a contravention of this by-law.
- 8.9 As part of the application review, the agencies or individuals to whom the application is circulated may require an inspection of the yard and any hen coop on the applicant's property.

9 ENFORCEMENT AND PENALTIES

- 9.1 Where a coop is erected, or located, or hens are kept in contravention of this by-law, the designated official may immediately remove the hens or coop, that constitute a safety hazard or a concern in accordance with the provisions of this by-law, without notice or compensation.
- 9.2 Where a coop or licensee does not comply with this by-law or a licence issued under this by-law, the designated official may order the coop and licensee to remove or bring the coop and hens into compliance in the manner and within the time specified in the order.
- 9.3 The order mentioned in Section 9.2 may be served:
- 9.3.1 By personal service upon the licensee;
 - 9.3.2 By prepaid registered mail sent to the last address of the property owner, shown on the records of the Town of Carleton Place; or,
 - 9.3.3 By prominently posting a copy of the order either on the coop in respect to which the order is made, or on the property upon which the coop is erected, located, or displayed.
- 9.4 The written order shall contain the particulars of the non-compliance with this by-law, a specified time limit in which to effect compliance and either an order to comply with the by-law within the time limit specified in the order, or an order to remove the coop and/or animals within the time limit specified in the order.
- 9.5 Where the order is served in accordance with Section 9.3, it is deemed to have been received by the party being served upon the mailing or posting of the order.
- 9.6 Where a coop or hens are not removed or are not brought into conformity as required by an order under Section 9.2, the Municipal Law Enforcement Officer

may have the coop and/or animals removed without notice or compensation. For this purpose, the Municipal Law Enforcement Officer and their contractor or other agent may enter upon the property at any reasonable time.

- 9.7 The cost incurred by the Town of Carleton Place in removing a coop and/or hen(s) under this part of the by-law is deemed to be municipal taxes and may be added to the collector's roll and collected in the same manner as municipal taxes. Despite the foregoing, the cost incurred by the Town of Carleton Place in removing a coop and/or hen(s) under this part of the by-law is a debt payable to the Town of Carleton Place and may be recovered in any court of competent jurisdiction.
- 9.8 This by-law may be enforced by any of the following:
9.8.1 Municipal Law Enforcement Officer;
9.8.2 Animal Control Officer.
- 9.9 A Licensee shall allow, at any reasonable time, a Municipal Law Enforcement Officer, along with any other authorized employee or agent of the Town, to enter to investigate upon the Property to determine whether the requirements of this by-law are being complied with.

10 OFFENCES AND PENALTIES

- 10.1 Any person who contravenes or causes or permits any contraventions of any of the provisions of this by-law is guilty of an offence and upon conviction, is liable to a fine as provided for in the Provincial Offences Act or any successor legislation.
- 10.2 In addition to any penalty imposed and any other remedy, the court in which the conviction had been entered and any court of competent jurisdiction, thereafter, may make an order:
10.2.1 Prohibiting the continuation or repetition of the violation by the person convicted; and,
10.2.2 Requiring the person convicted to correct the contravention in the manner and within the period that the court considers appropriate.
- 10.3 Every person enforcing this by-law shall have the right of entry on any property for the purpose of carrying out an inspection to determine whether this by-law is being complied with and for the enforcement of this by-law pursuant to Section 436 of the *Municipal Act, 2001*, S.O. 2001, c. 25, as amended from time to time.

11 OBSTRUCTION

- 11.1 No person shall hinder or obstruct, or attempt to hinder or obstruct, any person exercising a power or performing a duty under this by-law.

11.2 Any person who has been alleged to have contravened any of the provisions of this by-law, shall identify themselves to the Municipal Law Enforcement Officer upon request; failure to do so shall be deemed to be an act which obstructs or hinders the Municipal Law Enforcement Officer in the execution of his/her duties.

12 VALIDITY

12.1 Where a provision of this by-law conflicts with the provisions of another by-law in force in the municipality, the provisions that establish the higher standards to protect the health, safety and welfare of the general public prevails.

12.2 Should any section, subsection, clause or provision of this by-law be declared by a court of competent jurisdiction to be invalid, the same shall not affect the validity of this by-law as a whole or any part thereof, other than the part so declared to be invalid.

13 SHORT TITLE

13.1 This by-law may be cited as "The Backyard Hens By-law."

READ A FIRST TIME, SECOND TIME, THIRD TIME AND FINALLY PASSED THIS 23 DAY OF MARCH 2021.

Doug Black, Mayor

Stacey Blair, Clerk

SCHEDULE "A" TO BY-LAW 44-2021

TOWN OF CARLETON PLACE HEN COOP PERMIT APPLICATION		
Name:		
Home Address:		
Town:	Province:	Postal Code:
Telephone number(s):		
Email address:		
Number of Backyard Hens to be kept at the address (max. 6):		
Total area of all coops and runs are less than 108 square feet: <input type="checkbox"/> yes <input type="checkbox"/> no		
The hen coop and hen run are less than 2m high: <input type="checkbox"/> yes <input type="checkbox"/> no		
A site plan illustrating the location of the hen coop on the property, clearly marking proximity to property lines, easements any other structures on property is included: <input type="checkbox"/> yes		
Applicant Declaration:		
I, _____ of _____ (address) in the Town of Carleton Place do solemnly declare:		
1. That I am the applicant for the grant of a permit authorizing me to keep backyard hens pursuant to By-Law 44-2021 within the Town of Carleton Place now and hereafter in force. I undertake to conform to the terms, conditions and regulations set out in By-Law 44-2021 and understand that I must comply with all applicable regulations and requirements of: 1) every by-law of the Town of Carleton Place; and 2) every Provincial and Federal Act and regulation made under such an Act.		
2. That I understand that any permit issued pursuant to the said application is subject to revocation.		
3. That the statements contained in this application are true and I make this solemn declaration conscientiously believing it to be true and knowing it is of the same force and effect as if made under oath and by virtue of "The Canada Evidence Act".		
DECLARED BEFORE ME at the Town of Carleton Place, this _____ (dd/md/yy).		
_____	_____	
Witness	Applicant Signature	



To: Mayor and Council
 From: Karl Grenke, Manager of Development Services
 Date: May 23, 2024
 Committee of the Whole Date: May 27, 2024
 Title: Bill 185- Cutting Red Tape to Build More Homes Act

- For Direction
- For Information
- For Adoption
- Attachments

Recommendation:

THAT Council receives Report #2024-067, titled “Bill 185 – Cutting Red Tape to Build More Homes Act” for information.

Purpose: To provide Council with information regarding recent changes to the Planning Act, Development Charges Act, Provincial Policy Statement and other applicable provincial legislation and policy.

Background: On April 10, 2024, the Province introduced Bill 185, Cutting Red Tape to Build More Homes Act, 2024, which contains changes to fifteen statutes, including key land use planning and development related legislation, including the Planning Act and Development Charges Act. The same day, a revised 2024 Provincial Planning Statement (PPS) was also released. On May 23, 2023, staff reviewed an earlier PPS draft with Council and provided comments to the Ministry of Municipal Affairs and housing as it related to the proposed key themes including natural heritage, land use compatibility and growth management planning.

The 2024 draft Provincial Planning Statement largely contains minor changes from what was proposed last year. If and when it is adopted by the Province, it will replace *A Place to Grow: Growth Plan for the Greater Golden Horseshoe* and the *Provincial Policy Statement, 2020*.

The government’s stated intention with Bill 185 and the 2024 PPS is to, “cut red tape and support municipalities to build more housing faster to reach the government’s goal of building at least 1.5 million homes by 2031”.

The last few years have been a period of unprecedented change in Provincial direction on matters of land use planning, development, and municipal regulatory powers, with the Province bringing forward at least 10 related bills in the past three years, in addition to proposed land use policy and other changes. These changes are proposed before some of the previous changes have been fully implemented, and in a couple of cases, reverse previous legislative changes.

Analysis and Options: Town staff have taken the opportunity to review the proposed Bill as well as summaries and analysis provided by legal firms and other stakeholders. This section summarizes the key changes to the PPS and applicable legislation and provides commentary on how they may impact the Town.

1. Proposed Changes to Planning Act

Settlement Areas Expansion and Appeals

The Town's Settlement Area includes all lands within the current boundaries of the Town, except for the Development Reserve areas identified in the Official Plan comprising the southeast end of Lorne Street and the Gallipeau Centre frame lands. Currently, a municipality can only identify a settlement area expansion or new settlement area following a Comprehensive Review of the Official Plan that strategically assesses the community as a whole. The *Planning Act* also provides that an applicant cannot appeal a decision by Council on an official plan amendment or a zoning by-law amendment application that would expand or alter an in-force settlement area boundary.

Bill 185 proposes a change that would allow a private applicant to appeal the approval authority's refusal or non-decision so long as the proposed boundary expansion does not include any lands within the Greenbelt area. This new appeal right is paired with new PPS criteria for the assessment of proposals for settlement area boundary expansions. The draft PPS also does not propose size limitations for boundary expansion proposals. The effect of this change would transfer ultimate decision-making authority on growth management from local government to the Ontario Land Tribunal.

Pre-Consultation

Currently under the *Planning Act*, municipalities have the right to *require* pre-consultation on an application for official plan amendments, zoning by-law amendments, site plan approval and draft plans of subdivision. If a municipality has deemed a planning application to be incomplete, the applicant had 30 days to make a motion to the Ontario Land Tribunal (OLT) to dispute the determination.

Bill 185 proposes to remove the municipal authority's ability to require pre-consultation and instead would allow applicants to bring a motion to the OLT to determine the requirements for a complete application at any time after the application fee has been paid or pre-consultation has begun. In our experience, an effective pre-consultation is in the interest of the developer as well, as it provides a structured opportunity to establish and confirm technical requirements to support an application at the outset and identify technical issues relating to every applicable department. Done effectively, this would result in a smoother process and ultimately save costs for the applicant. If this Bill passes as presented, staff will continue to encourage pre-consultations.

Third Party Appeals on Zoning and Official Plan Amendments

Bill 185 proposes to amend regulations under the Planning Act to prohibit third party appeals (i.e., by members of the public) for Official Plans, Official Plan Amendments, Zoning By-Laws and Zoning By-Law Amendments. The province previously removed third party appeals for subdivisions and minor variances. Appeals would only be permitted by the applicant, Minister, public bodies and specified persons (generally utility companies that made submissions).

Third party planning appeals can add considerable time and cost to a contested application, and this change appears set to address that. Staff are of the view that an efficient, well

resourced appeal tribunal is an important part of a public and accessible planning process and note that the creation of an independent land use tribunal was intended, in part, to divert such matters from the court system. The removal of appeal rights may result in planning matters being litigated in Superior Court.

Fee Refunds Revoked

Bill 185 repeals the refund mechanisms introduced by Bill 23 to the *Planning Act* relating to zoning by-law amendment applications and site plan applications whereby if applications were not processed within very tight timeframes set by the province, municipalities would have to return the application fees. As a consequence, many municipalities adjusted their processes to frontload application requirements before deeming an application complete and starting the clock, and conflicts around that milestone have typically offset any improvements in processing timelines. While the Town of Smiths Falls has not yet been in position to refund a planning application, we note that there are many reasons why a zoning or site plan application can take longer than the prescribed time, including factors outside the control of the municipality. Also, some applications are sometimes delayed by mutual agreement of proponent and municipality to allow for issues to be resolved without rushing a decision to Council.

Public Notice Requirements

Bill 185 proposes to allow notice of new planning applications, development charges, and community benefit charges on a municipal website if no local newspaper is available. While the Town of Smiths Falls is currently serviced by a print newspaper, many rural municipalities are not, and this allows them to satisfy statutory notification requirements.

Exemptions from the Planning Act for Universities, Community Facilities and ARUs

Bill 185 proposes new sections of the Planning Act that remove certain institutional and residential uses from Planning Act regulation (zoning and site plan approval):

- New section to exempt publicly assisted universities and colleges from Planning Act requirements;
- Authorize regulations that would exempt schools, hospitals and long-term care homes from the Planning Act;
- Authorize regulations that exempt Additional Residential Units from Planning Act requirements, provided they meet prescribed criteria (currently undefined).

The purpose of these changes is to speed up construction of these development types through removing municipal control or jurisdiction. Most institutional uses are regulated through other governing standards, however the ability for the municipality to address specific land use or development issues of a site or neighbourhood is unknown. The impacts of the proposed provisions regarding Additional Residential Units is also unknown until we know what the prescribed criteria contains. This proposed legislation would counteract zoning provisions that in some cases are seen to be overly restrictive on Additional Residential Units.

Use it or Lose It

Bill 185 introduces several provisions intended to incentivize projects with approval to proceed to construction:

- Require municipalities to establish lapsing dates for subdivision approvals, with a minimum of three years, unless otherwise set out in legislation. Currently,

municipalities *may* establish lapsing dates. As Smiths Falls already does so, the practical impact of this change is negligible. Draft plans of subdivision approved on or before March 27, 1995 must also be registered within three years of the legislation, or the draft approval is lost.

- Allow municipalities to establish lapsing provisions for site plan approvals, whereby approval is withdrawn if a building permit is not issued within the legislated timeframe of three years (or otherwise, if specified by regulation).
- New subsection of the Municipal Act that allow municipalities to adopt a policy regarding the allocation of water and sewage capacity. Such a policy may include criteria used to determine how capacity will be allocated and when allocation would be withdrawn (ie. if a development does not proceed). While some municipalities already use a similar approach through reports to council, Bill 185 would provide statutory authority for allocation decisions to be guided by policy. Decisions under the allocation policy are to be assigned to municipal staff and are proposed to be final. Historically, the Town has not allocated capacity in this way, however Council may wish to explore these approaches to manage growth and system capacity.

Other changes to the Planning Act and related legislation

Bill 185 proposes several other development related legislative changes that would appear to have limited impact on Smiths Falls in the short term, however have broader planning and development implications:

- Removal of upper-tier planning authority from several regions in the Greater Golden Horseshoe area.
- Prohibition of minimum parking requirements for new developments around protected major transit stations and in other areas where minimum densities are prescribed. The Minister will also be able to make regulations in the future potentially prescribing other areas relating to minimum parking requirements.
- New framework for Minister's Zoning Orders requiring a demonstration of why the normal municipal process cannot be used as well as information on Indigenous engagement and public consultation.
- Amendment to Section 106 of the Municipal Act (bonusing). The section prohibits municipalities from directly or indirectly providing assistance to manufacturing or any other industrial or commercial enterprise. *Bill 185* proposes a regulation to allow the Lieutenant Governor in Council (LGIC) to deem an incentive necessary or desirable and authorize the incentive subject to whatever restrictions are deemed necessary.

2. Proposed Changes to Development Charges Act

Eligible Capital Costs

Subsection 5 of the *Development Charges Act* establishes rules that must be followed when calculating a proposed development charge, one of which is that “the capital costs necessary to provide the increased services must be estimated.” What may be included as a “capital cost” is then set out in subsection 5(3) of the legislation. Bill 23, adopted in 2022 amended subsection 5(3) to exclude certain study costs, as well as the cost of undertaking the development charge background study itself, from the list of eligible capital costs. Bill 185 proposes to reverse that deletion, thereby allowing municipalities to include study costs in the calculation of their development charge rates.

Repeal of Mandatory Phase-In

Bill 23 previously amended the *Development Charges Act, 1997* to require a reduction in the maximum development charge that could be imposed in the first four years that a new development charge by-law is in force. For the first year, the eligible development charge would be discounted by 20%, and that discount would reduce by 5% each year until the full development charge rate applies. The mandatory “phase in” applied to all development charge by-laws passed on or after January 1, 2022, which includes the in-effect by-law in Smiths Falls. Bill 185 proposes to delete the above-summarized “phase-in” requirements and proposes transition rules for development charge by-laws impacted by this change.

Expiry of Frozen Rates

Bill 108 (More Homes, More Choices Act, 2019) introduced the concept of a “freeze” of development charge rates, which means that the development charge would be calculated and “frozen” at the date a complete application for zoning by-law amendment or site plan approval (whichever is later) is filed. The “freeze” would apply regardless of the development charge rate that is in effect at the time of the issuance of a building permit, whereby the charges (usually higher) were previously calculated at permit issuance. Currently, the “freeze” applies so long as the permits are pulled and the applicable development charge is paid within two years of the approval of the applicable planning application. Bill 185 proposes to reduce this time to 18 months, thereby encouraging development to proceed quicker following approval.

3. Proposed Provincial Planning Statement (2024)

Alongside the suite of legislative changes referenced above, the Province also released a draft Provincial Planning Statement (PPS), which updates the previous draft that was released in April 2023, and summarized in Council Report #2023-071 (Appended to this report as Schedule “A”). The report provided commentary on the significant changes envisioned through the new PPS, arranged around several key themes. For ease of reference, updates on the proposed policy are provided around the same themes.

Settlement Area Expansion

- The previous draft proposed a foundational change to growth planning, proposing to allow the expansion of settlement area boundaries at any time, rather than following a Municipal Comprehensive Review process that applies a needs-based approach that follows certain criteria. The principle of this approach carries over from 2023, however the 2023 language stated that Council “should” consider the following criteria has been strengthened so that Council “shall” consider the following criteria:
 - the need to designate and plan for additional land to accommodate an appropriate range and mix of land uses;
 - if there is sufficient capacity in existing or planned *infrastructure* and *public service facilities*;
 - whether the applicable lands comprise *specialty crop areas*;
 - the evaluation of alternative locations which avoid *prime agricultural areas* and, where avoidance is not possible, consider reasonable alternatives on lower priority agricultural lands in *prime agricultural areas*;
 - whether the new or expanded *settlement area* complies with the *minimum distance separation formulae*;
 - whether impacts on the *agricultural system* are avoided, or where avoidance is not possible, minimized and mitigated to the extent feasible as determined

- through an *agricultural impact assessment* or equivalent analysis, based on provincial guidance; and
- the new or expanded *settlement area* provides for the phased progression of urban development.

While the strengthened language acknowledging the needs-based analysis is welcomed, the broader scope of allowing boundary adjustments, accompanied with relaxed appeal provisions has the potential to undermine local growth management objectives and result in piecemeal settlement extensions.

- The previous draft PPS extended the planning horizon that guides long range growth planning from “up to” 25 years to “at least” 25 years. The revised draft proposes a range of 20-30 years.

Residential Development and Intensification

The 2023 draft PPS contained several policy adjustments that had the effect of encouraging the municipality and development community to explore different models of growth. The updated draft did not appear to substantively change these applicable sections.

The draft PPS encourages municipalities to identify “Strategic Growth Areas” that are targeted for intensification and serve as mixed use focal points. Planning for the “opportunity areas” identified in our Official Plan RFP can be done in alignment with this new approach.

Affordable Housing

The 2023 draft PPS removed the definition of affordable housing from the document, as well as a requirement for municipalities to develop minimum targets for affordable housing. The updated draft re-inserts these requirements similar to that which appeared in the 2020 PPS, and supports the coordination of planning for housing with service managers. This change is supported by staff.

Land Use Compatibility and Employment Lands

The 2024 draft PPS carries forward the changes proposed in 2023 that soften the language allowing the development of sensitive uses (ie. residential) in the vicinity of industrial uses or major facilities. The 2020 PPS would only contemplate such a situation if there was no other viable option, whereby such development is now proposed to be allowed if impacts are mitigated in accordance with provincial standards. The 2024 draft also carries forward a 2023 proposal that designated “employment lands” can be removed at any time, rather than through a comprehensive review and update. Through the upcoming OP process, Council may wish to consider developing appropriate policies protecting employment lands for growth and expansion to support their economic development vision.

Natural Heritage Systems

The draft 2023 PPS Natural Heritage policies came with a “placeholder” that explained that these policies remained under consideration by the Provincial government and would be presented in the future. The 2024 draft restores the existing Natural Heritage policies as outlined in the current PPS, with administrative tweaks to some definitions.

Climate Change

The draft 2024 PPS largely carries forward the draft 2023 policies relating to climate protection, however the additional allowances for rural and agricultural land severances have been largely rolled back to that of the 2020 PPS. In general, the concentration of

development in areas of existing services reduces emissions and supports the financial sustainability of communities.

Summary

In the opinion of staff, the proposed changes brought forward through Bill 185 are less transformational operationally speaking than some recent development related legislation. Broadly, the proposed changes to the Development Charges Act relieve financial pressure on the municipality as it relates to providing growth related infrastructure and appears to address feedback that many municipalities have provided the Province. As with many changes to the Planning Act and PPS, the long-term implications on the community may not be known for many years, as municipalities and our clients adapt to new processes and policies. An initial assessment reveals much that is positive, as well as changes, particularly related to growth management, that would require careful attention as Council embarks on updating its Official Plan.

Budget/Financial Implications: The direct financial impacts relating to the proposed changes to the Planning Act are likely not substantial, however longer-term operational costs may change and are difficult to quantify at this time. The amendments to the Development Charges Act would appear to improve the Town's fiscal capacity to undertake growth related capital improvements as identified in the Development Charges By-law.

Link to Strategic Plan: N/A

Existing Policy: *Ontario Planning Act, Ontario Municipal Act, Development Charges Act*

Consultations: Lanark County Planners

Attachments: Schedule "A" - Council Report #2023-071 – Proposed Changes to the Provincial Policy Statement (2023).

Notes/Action (space for Council Member's notes):

Respectfully Submitted:

Original Copy Signed

Karl Grenke RPP, MCIP
Manager of Development Services

Approved for agenda by Acting CAO:

Original Copy Signed

Paul McMunn
Director of Public Works & Utilities



To: Mayor and Council

From: Karl Grenke, Senior Planner

Date: May 18, 2023

Committee of the Whole Date: May 23, 2023

Title: Proposed Changes to the Provincial Policy Statement (PPS)

For Direction

For Information

For Adoption

Attachments

Recommendation:

THAT Council receives Report #2022-071, titled “Proposed Changes to Provincial Policy Statement (PPS)” for information; and

THAT staff be directed to provide feedback to the Ontario Ministry of Municipal Affairs and Housing on behalf of the Town of Smiths Falls referencing the discussion points contained in this report.

Purpose: To provide Council with information regarding proposed changes to the Provincial Policy Statement; and, to seek direction on providing feedback to the province through their consultation process.

Background: On April 6, 2023, the Ontario government unveiled the latest of its policy and legislative proposals that further its Housing Supply Action Plan. The proposals include the release for comment of a new Provincial Planning Statement (PPS), which will replace the PPS and the Growth Plan for the Greater Golden Horseshoe. Proposed legislative changes are available for public review and comment and the deadline for submitting comments to the province on this document is June 5, 2023.

Bills 109 and 23 introduced in 2022 incorporated changes to planning and development related processes and fees, and Bill 97, which proposes amendments to the PPS as well as further amendments to other legislation, is a functional successor that focusses on policy.

The Provincial Policy Statement is a high-level policy document that identifies and gives direction on matters of provincial interest as it relates to land use planning. The current PPS came into effect in 2020 and is ordinarily reviewed and updated on cycles of 5-10 years. Municipalities implement the PPS in their policy and development decisions. Subsection 3(5) of the *Planning Act* provides that any municipal decision on a planning matter shall be consistent with the PPS currently in effect. It is standard municipal practice that staff reports and recommendations on Official Plan and Zoning By-law amendment applications include an opinion from staff regarding consistency to the PPS.

As a province-wide document, the PPS covers a wide range of land use planning topics. Broadly, the PPS addresses the following:

- The efficient use and management of land;
- The provision of sufficient housing, including affordable housing;
- The protection of the environment, prime farmland and natural resources;
- Creating and protecting opportunity for economic development;
- The planning of transportation corridors and other infrastructure to accommodate needs; and
- The protection of people and property from natural and human made hazards.

While an “official” version of the draft PPS with tracked changes has not been made available to date, a version helpfully produced by a law firm can be found at [2023-PPS-comparison-Final.PDF \(osler.com\)](#).

This report is presented for Council’s information, and to assist Council directing the preparation of a municipal feedback response if Council so chooses.

Analysis and Options: Council is invited to provide feedback on any or all of the proposed changes to the PPS. This report summarizes key changes and provides staff remarks on key themes relating to the changes. If so directed by Council, staff are prepared to formalize these comments in a formal submission to the province.

Settlement Area Expansion

Two key changes are proposed:

- Removal of the requirement for a Municipal Comprehensive Review, which offers a needs-based approach that must be followed in order to extend a municipal settlement area boundary and justify the need to extend services and urbanize rural lands. The Land Needs Study that was procured by the Town intended to fulfill part of these requirements. The proposed PPS simply states that municipalities *should* consider sufficient capacity in existing/planned infrastructure, that specialty crop areas and agricultural lands should be avoided and phasing should be provided.
- Planning horizon that guides long range decisions regarding land use extended from “up to” 25 years to “at least” 25 years.

This is a foundational change to growth planning in the province and the practical impact of this would be to allow the municipality to designate more land, faster, for urban serviced development. This provides significant flexibility to the municipality, with very convenient timing as it relates to the schedule of the Official Plan update, however can also lead to urban sprawl or uneven development that may create greater costs on the municipality over the long run. With the requirement for consideration of “cross-jurisdictional issues” through the comprehensive review removed, it is not clear what our role would be in the event that a neighbouring municipality proposes a new or expanded settlement area, or expanded residential development close to our boundaries.

None of these changes prevent a municipality from doing its own planning focussed on a needs based analysis, however in the hypothetical event a development is deemed by Council to not be in the municipal interest due to long term costs or any other reason it may be harder to defend that decision if it is appealed.

Suggested discussion points in municipal response:

- *Staff welcome policy changes that will increase local decision-making abilities in regards to boundary expansions, however recommend that clearer direction be provided for certainty to municipalities and developers:*

- *Re-establish language calling for boundary extensions to be logical and sequential, thereby avoiding leapfrog development;*
- *Considers financial viability over the life cycle of infrastructure and public service facilities;*
- *Considers how to accommodate the development while protecting other provincial interests.*
- *Proposed changes make it difficult to plan for infrastructure without detailed population and employment projections identify growth needs. Direction should be given as to how this can or should be done. A lack of direction can lead to unpredictable outcomes in the event of an appeal.*

Residential Development and Intensification

The proposed PPS policies appear to continue a trend regarding the de-regulation of residential development:

- Removing the requirement for municipalities to establish minimum residential density targets within settlement areas, while allowing municipalities to establish targets based on local conditions.
- Permitting and facilitating all types of intensification, including “the conversion of existing commercial and institutional buildings for residential use”, which is stronger language than at present.
- Removing the requirement to establish development standards for intensification “which minimize the cost of housing and facilitate built form, while maintaining appropriate levels of public health and safety.”

The fundamental shift to allow for local planning control is helpful as it allows the Town to explore different models of growth, however the risk as well is that it can lead to more uneconomical urban sprawl.

Suggested discussion point in municipal response:

- *Staff are generally supportive of the intent of these changes, however we encourage the PPS should allow municipal autonomy to enforce areas of specific local interest, such as preserving certain existing commercial spaces (such as ground floor commercial development downtown) and limiting or phasing intensification in areas where costly infrastructure upgrades would be required.*

Affordable Housing

The PPS proposes to remove the definition of “affordable” as it pertains to both rental and home ownership. The current PPS defines “affordable” based on household income and market rent/home price (as the case may be) and specifically requires municipalities to provide for a range of housing options to support affordable housing needs. The draft still requires municipalities to provide a range of “housing options”, whose definition has been expanded to include laneway housing, additional needs housing and other forms that may be more affordable, however “affordable” housing is no longer part of that definition. This change does not prevent municipalities from creating their own definition of affordability, which has merit in a large province with diverse needs, however the removal of this concept as an apparent expressed priority altogether is not supported, as government, collectively, has a responsibility to enable a housing supply that addresses the needs of all Ontarians.

Suggested discussion point in municipal response:

- *Staff appreciate the flexibility conveyed to municipalities through the amended “housing options” definition; however strongly suggest that a housing section reference a need for municipalities to consider affordability in policy as part of a “complete community”.*

Land Use Compatibility and Employment Areas

Several operative changes are proposed:

- Language regarding the separation of sensitive uses (ie. residential) from industrial or other major facilities has been softened so that instead of allowing encroaching sensitive uses only if there is no other option, they would now be allowed if potential impacts are mitigated in accordance with provincial standards.
- Employment land conversions to other designations can no longer only be done through a comprehensive review – there now only needs to be an “identified need” (not defined), the lands not needed for employment over the long term and the overall viability of the employment area is not negatively affected by the removal.
- Proposed policies scope the range of permitted uses in “Employment Areas” to remove institutional, commercial, retail and office uses, unless associated with the primary employment use – manufacturing, research and development, warehousing and goods movement.

The first two proposed changes increase flexibility in terms of planning for, or around, designated employment areas, which in Smiths Falls includes the business park centred on Hershey Drive and some scattered industrial zoned properties elsewhere in Town. Interestingly, the draft PPS makes it easier to locate sensitive uses near to employment areas, while also amending the employment area definition to exclude some of the uses, such as offices, which may be more compatible within that context.

Suggested discussion point in municipal response:

- *Staff support the need for employment areas to be protected for their long-term use and encourages policy to emphasize that such lands are economic resources that need to be protected similar to other protected categories.*
- *Staff are generally supportive of scoping the permitted uses in employment lands to focus on their core function, however support revising the definition to allow the flexibility to include certain stand-alone uses such as offices that support the core uses identified in the PPS. This would allow some latitude for our business park to evolve to meet the needs of employers.*

Natural Heritage Systems

The draft PPS would remove the entire section relating to the protection of Natural Heritage (including significant wetlands, woodlands and wildlife habitat) for now, with a statement that “natural heritage policies remain under consideration by the government. Once proposed polices and definitions are ready for review and input, they will be made available through a separate posting on the Environmental Registry of Ontario”.

Suggested discussion points in municipal response:

- *Good planning practice requires an assessment of all PPS policies in their totality and their relationship to eachother in order to inform a complete and thorough decision. Natural heritage features form a part of this and should be considered in conjunction with all other parts of the PPS. The new PPS should include the*

Province's policy direction regarding natural heritage features and in the opinion of staff, is premature without those policies in place for consideration.

Climate Change

Proposed PPS substantively re-writes this section, however the new policies appear to be largely similar in intent to the previous policies in requiring municipalities to prepare for the impacts of a changing climate. However, changes in other sections de-emphasize waste management or allow more scattered low-density housing, which appears contrary to climate objectives. Low-impact development is now specifically identified, defined and supported as a tool to manage stormwater, which is an approach strongly supported by staff.

Suggested discussion point in municipal response:

- *Staff recommend that policies and tools supporting climate resilience and adaptation be woven throughout the PPS, to highlight the role the province and municipalities can play. We recommend a greater emphasis on compact development, appropriate location of travel-intensive uses, waste management and green development standards and techniques to assist municipalities in achieving their own reduction goals.*

Other Changes

This report focusses on changes that would affect the Town of Smiths Falls specifically. Other practical changes affect rural municipalities or large urban municipalities, and staff defer to experts in those communities to speak for them:

- Large and fast-growing municipalities (29 identified towns and cities) will be required to identify "strategic growth areas", including around major transit stations where growth should be focussed and where population and employment density targets can be applied.
- Specific Growth Plan targets and policies that do not apply in Eastern Ontario are deleted and folded into the new PPS.
- Additional residential development options is supported in rural areas, including in agricultural areas. Concerns have been raised that the relaxed development policies can degrade the function of prime agricultural lands and specialty crop areas.

Conclusion

The proposed PPS introduces some significant changes to how planning is administered, which will affect key decisions that Council will be making as the Official Plan update is initiated. The broad flavour of the changes will allow for greater flexibility in local decision making, which is helpful for a municipality such as Smiths Falls that is experiencing a sudden period of growth. While many of these changes do not prevent us from exceeding the standards and targets set out in the PPS, the corollary is that it may be harder to say no to, and defend that decision, where a development proposal is not good planning or financially unsustainable for the municipality.

If so directed by Council, staff can provide feedback to the province based on the comments above and will continue to monitor the proposed changes as they unfold.

Budget/Financial Implications: N/A

Link to Strategic Plan: N/A

Existing Policy: *Ontario Planning Act*

Consultations: Lanark County Planners, Planner I

Attachments: N/A

Notes/Action (space for Council Member's notes):

Respectfully Submitted:

Karl Grenke RPP, MCIP
Senior Planner

Approved for agenda by CAO:

Malcolm Morris, CMO
Chief Administrative Officer

Kerry Costello

To: Shawn J. Pankow
Subject: RE: Toronto Zoo Seeks Your Support

From: Jennifer Tracey <Sent: Thursday, May 23, 2024 9:50 AM
To: Shawn J. Pankow <spankow@smithsfalls.ca>
Subject: Toronto Zoo Seeks Your Support



361A Old Finch Ave.
Toronto, ON. M1B 5K7
www.torontozoo.com

Tel: 416-392-5900
info@torontozoo.ca

Dear Mayor Pankow,

I am writing to you today to support the campaign by World Animal Protection and the Association of Municipalities of Ontario (AMO) calling on Municipalities to support and adopt a resolution (attached) to urge the Ontario government to address the longstanding issue around the lack of regulations related to the public display and keeping of exotic wild animal species and the (financial) burden this causes to municipalities.

As one of Canada's leading zoos we are committed to animal wellbeing and welfare *and* public health and safety we want to ensure headlines like the ones below, disappear.

“Woman attacked by loose one-armed baboon in Ontario, and the push for laws to change”

Global News, December 13, 2023

“Search for runaway kangaroo in Ontario continues”

CP24, December 2, 2023

“Woman shocked when she sees a lion while walking her dog in Ontario”

CTV News March 17, 2023

“Secretly recorded footage exposes conditions at Ontario's roadside zoos”

CTV W5 November 8, 2022

“Kangaroo injured in road incident dies, sparking call for more zoo inspections”

Ottawa Citizen May 3, 2021

We need your help to protect not only non-native (exotic) wild animals being held in unsuitable facilities and private ownership, but also your residents. We are encouraging the Ontario government to restrict the possession, breeding, and use of non-native (“exotic”) wild animals and license zoos to support municipalities and guarantee the fair and consistent application of policy for the safety of Ontario’s citizens and the captive wild animal population.

Ontario is the only province that does not licence or control the keeping of non-native (“exotic”) wild animals. Anyone can keep a tiger, lion, venomous snake or other dangerous animals in their home or start a zoo without professional training, adequate financing, or appropriate facilities. Unfortunately, we have seen firsthand some of these very troubling unsafe, unsanitary, and dangerous situations in Ontario with animals being held in private ownership and at roadside (backyard) zoos. These circumstances were not only unsafe for the animals but posed a significant public safety threat as well.

Since 1974, your Toronto Zoo has played a critical role in saving and protecting species locally and globally and we need your support to further protect captive exotic species in Ontario for animal welfare, public health and safety and environmental reasons.

As we celebrate our 50th anniversary this year, we are proud to support World Animal Protection's campaign. I strongly urge you and your council to support and adopt the resolutions to urge the Ontario government to act. I also want to thank those Municipalities who have already taken steps by passing by-laws restricting exotic animals and/or written to the Government of Ontario supporting provincial regulations.

Thank you in advance for your support and should you have any questions, please do not hesitate to contact me at ddejong@torontozoo.ca or Jennifer Tracey, Senior Director, Strategic Communications & Guest Experience at jtracey@torontozoo.ca



Alf DeJong

Chief Executive Officer

[name of municipality] RESOLUTION
Provincial regulations needed to restrict keeping of non-native (“exotic”) wild animals

WHEREAS Ontario has more private non-native (“exotic”) wild animal keepers, roadside zoos, mobile zoos, wildlife exhibits and other captive wildlife operations than any other province; and,

WHEREAS the Province of Ontario has of yet not developed regulations to prohibit or restrict animal possession, breeding, or use of non-native (“exotic”) wild animals in captivity; and,

WHEREAS non-native (“exotic”) wild animals can pose very serious human health and safety risks, and attacks causing human injury and death have occurred in the province; and,

WHEREAS the keeping of non-native (“exotic”) wild animals can cause poor animal welfare and suffering, and poses risks to local environments and wildlife; and,

WHEREAS owners of non-native (“exotic”) wild animals can move from one community to another even after their operations have been shut down due to animal welfare or public health and safety concerns; and,

WHEREAS municipalities have struggled, often for months or years, to deal with non-native (“exotic”) wild animal issues and have experienced substantive regulatory, administrative, enforcement and financial challenges; and,

AND WHEREAS the Association of Municipalities of Ontario (AMO), the Association of Municipal Managers, Clerks and Treasurers of Ontario (AMCTO) and the Municipal Law Enforcement Officers' Association (MLEOA) have indicated their support for World Animal Protection’s campaign for provincial regulations of non-native (“exotic”) wild animals and roadside zoos in letters to the Ontario Solicitor General and Ontario Minister for Natural Resources and Forestry;

THEREFORE, BE IT RESOLVED THAT [given the recent [enter incidents if any]], the [name municipality] hereby petitions the provincial government to implement provincial regulations to restrict the possession, breeding, and use of non-native (“exotic”) wild animals and license zoos in order to guarantee the fair and consistent application of policy throughout Ontario for the safety of Ontario’s citizens and the non-native (“exotic”) wild animal population;

AND BE IT FURTHER RESOLVED that this resolution will be forwarded to all municipalities in Ontario for support and that each endorsement be then forwarded to the Premier of Ontario (premier@ontario.ca), Ontario Solicitor General (michael.kerzner@ontario.ca), Ontario Minister for Natural Resources and Forestry (graydon.smith@ontario.ca) and MPP [name and email address provincial representative], AMO (amo@amo.on.ca), AMCTO (advocacy@amcto.com), and MLEAO (mleo@mleoa.ca).