



NOTICE OF DECISION OF THE PLANNING ADVISORY COMMITTEE

Respecting Application for Permission to Expand

Sec. 45(8.1) of Planning Act

APPLICANT: RJH ARCHITECTURE + PLANNING C/O MIRJA REID
OWNER: 12105152 CANADA INC. C/O LINDSAY BLAIR
FILE NO.: MV-25-07- 19 MONTAGUE STREET
ADDRESS: 19 MONTAGUE STREET
PROPERTY PT LT 44 E/S MONTAGUE ST PL 13884 LANARK S MONTAGUE; PT LT 45 E/S
DESCRIPTION: MONTAGUE ST PL 13884 LANARK S MONTAGUE PT 1; 27R2915; TOWN OF SMITHS FALLS

TAKE NOTICE that the Planning Advisory Committee of the Town of Smiths Falls held a public meeting on the 8th day of January 2026, to consider a proposed minor variance application under Section 45(3) of the Planning Act and made a decision on the application that same day, as outlined below.

PURPOSE OF APPLICATION: The applicant is requesting relief from the following provisions of the Town's Zoning Bylaw:

- **Section 7.2.1, Table 7-2 (Residential Type 2 Zone – Lot and Building Requirements)** to permit eight (8) dwelling units on a lot, whereas the By-law permits a maximum of four (4) units; and to permit a density one (1) dwelling unit per 104.3 m² of lot area, whereas the By-law requires one (1) unit per 200 m².
- **Section 4.28.14 (Parking Area Location)** to permit a reduced setback of 1.0 metre between the parking area and the lot line, whereas the By-law requires a minimum setback of 1.5 metres.

The applicant proposes an eight-unit, two-storey multiple dwelling (permitted in the R2 zone) on the 834.6 m² subject property at Montague Street, with private entrances to each unit and eight on-site parking spaces. Existing single-detached dwelling and shed will be demolished. The site is zoned Residential Type 2 (R2) and designated Residential in the Official Plan.

YOUR RIGHT TO APPEAL: The applicant, the Minister or specified person or public body that has an interest in this matter may appeal the decision of the Planning Advisory Committee (acting as the Committee of Adjustment) to the Ontario Land Tribunal (formerly the Local Planning Appeal Tribunal) within **20 days** of the making of the decision.

An appeal to the Local Planning Appeal Tribunal regarding the Notice of Decision must be filed with the Clerk of the Town of Smiths Falls either via the Ontario Land Tribunal e-file service (first-time users will need to register for a My Ontario Account) at <https://olt.gov.on.ca/e-file-service/> by selecting "Smiths Falls (Town of) Clerk & Secretary-Treasurer" as the Approval Authority or by mail no later than **4:30 p.m. on the 28th day of January 2026**. If the e-file portal is down, you can submit your appeal to the Clerk at kcostello@smithsfalls.ca or the Secretary-Treasurer at melmsley@smithsfalls.ca.

Note that a notice of appeal must set out the reasons for the appeal and the specific part of the Notice of Decision to which the appeal applies. A notice of appeal must be accompanied by the fee required by the OLT, which can be paid online through e-file or by certified cheque/money order to the Ministry of Finance, Province of Ontario.

MORE INFORMATION: For further information on this application, please contact the Secretary-Treasurer during regular office hours, Monday through Friday, 8:30 a.m. to 4:30 p.m.

DATED AT THE TOWN OF SMITHS FALLS THIS 8th day of January 2026.

Marie Elmsley
Planning Clerk/Secretary-Treasurer
Town of Smiths Falls
Telephone: 613-283-4124 ext. 1136
Email: melmsley@smithsfalls.ca



**DECISION OF THE TOWN OF SMITHS FALLS PLANNING ADVISORY COMMITTEE
RESPECTING APPLICATION FILE NO. MV-25-07**

WE, the undersigned, in making the decision upon this application, have considered whether or not the variance requested was minor and desirable for the appropriate development and use of the land and that the general intent and purpose of the Zoning By-law and the Official Plan will be maintained, or in the case of a change in use of property which is lawfully non-conforming under the by-law, as to whether or not this application has met the requirements of subsection 45(2) of the *Planning Act*,

CONCUR in the following decision and reasons for the decision made on the 8th day of January 2026

DECISION: Approve variances to Sections 7.2.1, Table 7-2 (Residential Type 2 Zone – Lot and Building Requirements), and 4.28.14 (Parking Area Location) to allow the requested reliefs, subject to the following conditions:

1. This decision permits relief from Section 7.2.1 of the Town's Zoning Bylaw to allow eight (8) dwelling units on a lot, and to allow one (1) dwelling unit per 104.3 m² of lot area; and relief from Section 4.28.14 (Parking Area Location) to allow a reduced setback of 1.0 metres, as indicated on the attached site plan dated December 10th, 2025, attached to and forming part of this Decision.
2. The applicant shall provide and implement a Grading & Drainage plan and Stormwater Management brief, ensuring zero-net runoff on neighbouring properties. To mitigate stormwater runoff, the applicant must incorporate low-impact development techniques, including French drains, roof leaders, and permeable pavers. The applicant must provide a Grading & Drainage plan and a Stormwater Management brief to define LID methodologies and net-zero runoff, to the satisfaction of the Public Works and Utilities Department and implement them through an agreement between the Town and the applicant.
3. The Owner shall confirm to the satisfaction of the Town that the new development is constructed as approved through an as-built survey.
4. The maximum number of bedrooms permitted on the subject property shall be eight (8) for the whole lot.
5. The Owner shall preserve existing mature trees on the subject property where feasible, to the satisfaction of the Town. Prior to the issuance of a building permit, the Owner shall submit a Plan with landscape details. The Plan will show, to the satisfaction of the Town, a minimum of two shade trees planted within the municipal right-of-way in accordance with the Town's Tree Canopy Policy, and a privacy fence, 1.8 m in height, to be installed along interior and rear lot lines.
6. The decision outlined above is valid for two years from the date the decision is issued, at which time a building permit must be obtained.

REASONS FOR DECISION:

1. The Committee reviewed the evidence presented at the hearing and determined that the proposal would result in a minor impact on the local community and represent an opportunity for the creation of a multi-unit residential dwelling in the Residential Type 2 zone.
2. The Committee concluded that the proposal would have no adverse impacts on the Residential Type 2 Zone nor impact the function and use of adjacent properties, based on an assessment of scale and massing deemed appropriate for the zone, and the ability to meet the parking requirements
3. The Committee felt the application meets the Four Tests outlined in the Planning Act

EFFECT OF WRITTEN AND ORAL SUBMISSIONS:

The public members in attendance had questions that were clarified during the meeting and noted no objections to the development.

Signatures of all members concurring with this decision



Marie Elmsley





CERTIFICATE

I, Marie Elmsley, Secretary/Treasurer of the Planning Advisory Committee of the Town of Smiths Falls, certify that the above is a true copy of the decision of the Committee of Adjustment with respect to the application recorded therein.

Date of Decision, this 8th day of January 2026

TOWN OF SMITHS FALLS
77 BECKWITH STREET NORTH
SMITHS FALLS ON K7A 2B8


Marie Elmsley, Secretary/Treasurer
613-283-4124 ext. 1136
melmsley@smithsfalls.ca

MV-25-07 – 19 Montague Street
Site Sketch – December 10, 2025



