

ONTARIO LAND TRIBUNAL

PROCEEDING COMMENCED UNDER subsection 22(7) of the *Planning Act*, R.S.O. 1990, c. P.13, as amended.

Applicant and Appellant: Caivan (Perth GC) Limited
Subject: Request to amend the Official Plan – Failure to adopt the requested amendment
Description: To permit 940 single detached dwellings and townhomes, a nine-hole golf course, park and open space areas
Reference Number: OPA-01-2023
Property Address: 141 Peter Street, Part of Lots 26 & 27, Concession 1, Part Lots 25, 26 & 27, Concession 2, Geographic Township of Bathurst, and Part Lot 1 in Southeast Half Lot 1, Concession 1, Part Lot 1 in Southwest Half Lot 1, Concession 2, Geographic Township of Drummond, now in the Town of Perth, County of Lanark
Municipality/UT: Town of Perth / County of Lanark
OLT Case No.: OLT-23-000939
OLT Lead Case No.: OLT-23-000534

PROCEEDING COMMENCED UNDER subsection 34(11) of the *Planning Act*, R.S.O. 1990, c. P.13, as amended.

Applicant and Appellant: Caivan (Perth GC) Limited
Subject: Application to amend the Zoning By-law – Refusal or neglect to make a decision
Description: To permit 940 single detached dwellings and townhomes, a nine-hole golf course, park and open space areas
Reference Number: ZBL-03-2023
Property Address: 141 Peter Street, Part of Lots 26 & 27, Concession 1, Part Lots 25, 26 & 27, Concession 2, Geographic Township of Bathurst, and Part Lot 1 in Southeast Half Lot 1, Concession 1, Part Lot 1 in Southwest Half Lot 1, Concession 2, Geographic Township of Drummond, now in the Town of Perth, County of Lanark
Municipality/UT: Town of Perth / County of Lanark
OLT Case No.: OLT-23-000940

PROCEEDING COMMENCED UNDER subsection 51(34) of the *Planning Act*, R.S.O. 1990, c. P.13, as amended.

Applicant and Appellant: Caivan (Perth GC) Limited
Subject: Proposed Plan of Subdivision – Failure of Approval Authority to make a decision

Description: To permit 940 single detached dwellings and townhomes, a nine-hole golf course, park and open space areas
Reference Number: 09-T-22001
Property Address: 141 Peter Street, Part of Lots 26 & 27, Concession 1, Part Lots 25, 26 & 27, Concession 2, Geographic Township of Bathurst, and Part Lot 1 in Southeast Half Lot 1, Concession 1, Part Lot 1 in Southwest Half Lot 1, Concession 2, Geographic Township of Drummond, now in the Town of Perth, County of Lanark
Municipality/UT: Town of Perth / County of Lanark
OLT Case No.: OLT-23-000534
OLT Lead Case No.: OLT-23-000534
OLT Case Name: Caivan (Perth GC) v Lanark County

**WITNESS STATEMENT OF
ELIZABETH HOWSON, B.E.S., MCIP, RPP**

MACAULAY SHIOMI HOWSON LTD.

600 ANNETTE STREET, TORONTO, ONTARIO, M6S 2C4

June 12 , 2024

1. Qualifications (Curriculum Vitae Attachment A)

- 1.1 Bachelor of Environmental Studies with major in Urban and Regional Planning, University of Waterloo, 1975.
- 1.2 Registered Professional Planner and Member, Ontario Professional Planners Institute/Canadian Institute of Planners.
- 1.3 Partner in the firm of Macaulay Shiomi Howson Ltd. since 1983.
- 1.4 Forty-nine years' experience in both private and public practice, with a focus on the development of official plans, secondary plans, zoning by-laws and other similar plans, strategies and by-laws for municipalities throughout Southern Ontario, as well as the review, analysis and processing of development applications. These projects have involved the interpretation and implementation of provincial policy statements and plans, Regional, County and local official plans, zoning by-laws and other policy and regulatory documents.

- 1.5 Familiar with planning for small urban communities through on-going retainers to provide planning services to municipalities which currently include the Township of Uxbridge (since 1994), Town of Erin, and the Township of Brock. Previous clients include the Town of Cobourg, the Township of East Garafraxa and the Township of Brighton (now part of the Municipality of Brighton). These retainers involve the review of development applications but also the preparation of official plans and zoning bylaws and updates of same, as well as special studies such as the preparation of community improvement plans, allocation policies and source protection policies and the review of special uses including medical marihuana facilities and surplus farm dwellings.

- 1.6 I have given evidence and have been qualified as an expert witness before the Ontario Land Tribunal and its predecessors.

2. Retainer

- 2.1 WSP Canada Inc. (WSP), together with a number of technical sub-consultants, was retained by Caivan (Perth GC) Limited (Caivan) in December 2021. Their retainer was to provide planning services in support of Official Plan Amendment (OPA), Zoning By-law Amendment (ZBLA), and Draft Plan of Subdivision (POS) applications for the redevelopment of the 18-hole Perth Golf Course (Subject Lands).

- 2.2 As set out in the Planning Rationale, February 2023, prepared by Ms. N. De Santi of WSP, it was the professional opinion of WSP that:

“the proposed OPA, ZBLA, and Draft Plan of Subdivision application to support the proposed Western Annex Lands community represents good planning and is in the public interest.”

- 2.3 The POS application was appealed to the Ontario Land Tribunal (OLT) on May 12, 2023. The OPA and ZBA applications were appealed to the OLT on September 8, 2023.

- 2.4 I was approached in January 2024 to undertake a peer review and re-assessment of the project including any revisions which, in my opinion, would allow the identified issues to be better addressed. The results of the initial review were to be completed prior to the March 1, 2024 deadline in the procedural order for circulating any revisions to the proposed development.

2.5 My initial review indicated that the Town’s Official Plan¹ had identified access issues with the Subject Lands with respect to the

“safe and efficient movement of people and goods based on the development potential of the lands in the designation, unless an additional road access is constructed” (Section 8.1.4.5, Town Official Plan).

2.6 Further the Infrastructure Master Plan (IMP) prepared by Jp2g Consultants Inc. (Jp2g) for the Town in November 2019, which sets out the framework for transportation, water supply, sanitary sewer and stormwater servicing for the Western Annex Lands including the Subject Lands, identifies the need for a second bridge access. The IMP recommended a transportation option which:

“would also provide two access point for better distribution of trips and for emergency access.” (Section 5.6.1 page 65)

2.7 Following an initial review of background materials and a site visit on February 19, 2024, I accepted the retainer provided that the applications were modified to include a second bridge access to the Subject Lands in accordance with the specific recommendations of the IMP.

2.8 The results of my complete review of the applications, related policy framework and background information, form the basis for the provision of my independent, professional, planning expert evidence to the Ontario Land Tribunal (OLT) as set out in this Witness Statement.

2.9 An executed Acknowledgement of Expert’s Duty is attached hereto as **Attachment B**.

2.10 **Attachment C** to this Witness Statement is a bibliography of key documents which form the basis for my evidence and opinion for this hearing.

3. Witness Statement Organization

3.1 This Witness Statement is organized as follows:

- i) Subject Lands Description and Context;
- ii) Overview of Applications and Chronology;
- iii) Development Proposal;
- iv) Provincial, County and Town Planning Policy Context;
- v) Issues; and,
- vi) Planning Opinion.

¹ Reference is to Town of Perth Official Plan Consolidated with Modifications Comprehensive Update Including amendments Per By-Law 3304-16 (OP Amendment #16) Passed April 16, 2019 the text of which is found on the Town’s website.

4. Subject Lands Description and Context

4.1 The Subject Lands are located in the western portion of the Town of Perth (See **Attachment D**) south and west of the Tay River, with the Grants Creek Provincially Significant Wetland (PSW) located along the south boundary.

4.2 The Subject Lands are known municipally as 141 Peter Street and are comprised of the following parcels (Land Use Planners Agreed Statement of Facts June 11, 2024 (PASF):

Part of PIN 05186-0189 being:

Part of Lot 25, Concession 2
Geographic Township of Bathurst

Part of PIN 05186-0244 being:

Part of Lot 26 and 27, Concession 1

And

Part of Lot 26, Concession 2

And

Part of Park Lot 1 in Lot 27, Concession 2

And

Part of the Road Allowance Between Concessions 1 & 2 (Closed by By-Law LC204235)

All in the Geographic Township of Bathurst

Part of PIN 05185-0390 being:

SE Part of Lot 1, Concession 1 As shown on Compiled Plan No. 8828

Geographic Township of Drummond

And

Part of the Road Allowance Between Geographic Townships of Bathurst and Drummond

(Closed By By-Law LC204235)

4.3 The existing use of the Subject Lands is the Perth Golf Course, an 18-hole golf course dating back to 1890. The Course includes a driving range, clubhouse, five accessory buildings, and a parking lot. It is irregularly shaped with an area of +/- 300 hectares (741 acres). The sole existing access is a two-lane bridge crossing the Tay River from Peter Street. (PASF) (See **Attachment D**)

4.4 As noted in the Environmental Impact Study for the Proposed Development of the Western Annex Lands 141 Peter Street) in Perth Ontario, February 23, 2023 (EIS) prepared by Kilgour & Associates Ltd. (Kilgour):

“Land cover on the Site is dominated by open greens and fairways associated with the existing Perth Golf Course, deciduous swamp of the Grants Creek Provincial Significant Wetland, deciduous forest, and cultural meadow.” (Page 1)

- 4.5 The Functional Servicing Report for Caivan (Perth GC) Limited Proposed Residential Subdivision, February 2023, prepared by David Schaeffer Engineering Ltd. (DSEL) indicates further, based on the geotechnical investigation by GEMTEC Consulting Engineers and Scientists Limited (GEMTEC) that:

“The site contained top soil ranging in depth from 30 to 280 mm. Peat was encountered in pockets of the site with thickness ranging from 70 to 560 mm. The native soils are a combination of silty sand, silty clay and glacial till. Precambrian Bedrock was encountered at numerous boreholes and was observed at surface. The existing elevations within the subject property ranged from the normal high-water mark of the Tay River at 134.5 m to elevations of 142 m.” (Pages 1 and 2)

- 4.6 The western property line and a portion of the southern property line are part of the municipal boundary between the Town of Perth and the Township of Tay Valley. Surrounding land uses include:

- i) East: Across the Tay River to the east is the main downtown business area of Perth and existing low-rise residential areas, as well as a retirement residence consisting of four low-rise apartment dwellings. The Subject Lands are located within walking distance of Downtown Perth via Peter Street which provides the access to the Subject Lands.
- ii) South and West: A portion of the Grants Creek PSW, and to the south of it, Grants Creek, are found to the south of the Subject Lands. The Grants Creek PSW and rural/agricultural lands extend to the west.
- iii) North: Across the river to the north is Christie Lake Road with a mix of rural uses and institutional uses including the County of Lanark offices and two large seniors housing complexes. The Town’s Water Treatment Plant is located across the river from the northeast corner of the Subject Lands.

5. Overview of Applications and Chronology

- 5.1 A Chronology which summarizes the development history of the Subject Lands is found in **Attachment E**. This Chronology is based on the Chronology in the PASF, but provides additional background information (highlighted) related to the planning context of the identified actions.

- 5.2 Caivan originally filed an application for a POS with the County of Lanark on April 14, 2022 (Chronology Item 18) which was deemed complete on June 8, 2022 (Chronology Items 19-24). The plan proposed +/- 940 single detached and townhouse units.
- 5.3 As required by the County, applications for amendments to the Town's Official Plan and Zoning By-law were then filed on February 24, 2023. At the same time, the draft plan application was resubmitted with a revised development plan encompassing the entirety of the Subject Lands (Chronology Item 25).
- 5.4 Caivan worked with the County and the Town to address various additional requirements which they established for the processing of the applications (Chronology Items 26-33). However, the application was appealed to the OLT on May 12, 2023 and the Town Official Plan and Zoning By-law amendment applications were appealed to the OLT on September 8, 2023.
- 5.5 The relevant development history of the Subject Lands commenced, as noted in the Chronology Item 1, when the Subject Lands were annexed by the Town of Perth from the Township of Tay Valley on December 21, 2009. The OPA 16 Chronology (page 3)² also notes:
- “Over the past two (2) decades the Town of Perth has been pursuing opportunities to encourage growth and development of the community as a fully serviced, completed Settlement Area within Lanark County, consistent with Section 1.1.3 of the PPS. To this end the Town has undertaken a number of studies and initiatives which support the growth and development of the Town and the expansion of the Urban Settlement Boundary.....
- In 2009, the Town worked with area property owners to annex three parcels of land into the Corporation of the Town of Perth commonly referred to as “Golf Course Lands”, “Tayview Lands”, “Meadow Lands”....These annexations were approved by order of the Minister of Municipal Affairs and House(sic) on December 21, 2009. The intent of this effort is to provide the Town with sufficient lands to accommodate future development consistent with the direction in the PPS and the desire for future development to be on full municipal services.”
- 5.6 Since 2009, the Town and the County of Lanark have undertaken several policy amendments and development initiatives to plan for this growth and to guide future development. These include:
- i) The Town's appeal of the County's Sustainable Communities Official Plan (SCOP), which was adopted on June 27, 2012 (Chronology Item 2) because as noted in the IMP page 1:

² Note – All references and quotations from the OPA 16 Chronology are the same as or similar to statements in Part A, The Preamble Purpose of OPA 16 itself.

“The SCOP has projected slow growth rates for Perth and had not included the annexed lands on the County Schedule ‘A’. The Town was concerned that the population projections could affect its anticipated development”

- ii) Official Plan Amendment 14 (By-law 3304-14) (OPA 14) was approved by Town Council on September 9, 2014 (Chronology Item 4). It established a Future Urban Service Area Designation and included the Subject Lands in that designation.
- iii) Through a series of negotiations, an agreement was reached by the Town, County, and Ministry of Municipal Affairs and Housing as reflected in the May 27, 2015 Minutes of Settlement (MOS) (Chronology Item 5). As part of the MOS, the Town modified OPA 14 and the County adopted OPA 4. The OPAs had the following effect on the Subject Lands (Chronology Item 7):
 - a) Expanding the Town’s municipal boundary to include the lands annexed in 2009;
 - b) Modifying the Town’s urban settlement boundary to include a portion of the Subject Lands (designated as Residential) and to reallocate some of the residential development potential (120 units) from another area of the Town to the area; and,
 - c) Remainder of Subject Lands designated “Special Study Area”, “Parks and Open Space” and “Environmental Protection Area”.
- iv) The MOS changed the Future Urban Service Area designation to a Special Study Area designation clarifying that the Subject Lands and the Tayview lands were outside of the settlement area boundary. The designation also indicated that future development of these lands would only be done following a comprehensive review of the Official Plan, occur at urban densities using municipal services, and in consideration of natural heritage features.
- v) A number of studies and works were then carried out by the County (i.e. Five Year Review and Comprehensive Review) and the Town (i.e. Stormwater Addendum Study, servicing master plans for Golf Course and Tayview lands, 2017 upgrade sewage treatment lagoon) to support future growth. County OPAs 8 and 9, and the Town’s OPA 16 were then prepared to reflect the results of work.
- vi) As set out in County OPA 8³:

“The purpose of OPA #16 is to amend the text and Schedule A, Land Use Designation to The Official Plan for the Town of Perth in order to implement the results of a comprehensive review which supports an expansion of the Town’s “Urban Settlement Boundary”.

³ Lanark County Council Agenda June 12, 2019, Agenda Item 13i Amendment No. 8 to the Lanark County Sustainable Communities Official Plan Basis of the Amendment page 2 and Agenda page 27 of 108.

- vii) The basis of County OPA 9 reinforces this conclusion as follows⁴:
 - “The PPS policies for conducting a comprehensive review are reflected in the SCOP and have been addressed by the Town of Perth through Amendment No. 9 to the SCOP and Amendment No. 16 to the Perth Official Plan”.
- viii) As set out in the Chronology (Items 8 and 9), OPA 16 was adopted on April 16, 2019. County OPAs 8 and 9 were adopted June 12, 2019, and Town OPA 16 was approved by the County with modifications, all concurrently including the following:
 - a) County OPA 8 updated the County’s population projections to 2038, including an estimated population for the Town of 8,085;
 - b) County OPA 9 designated lands within the Town’s municipal boundary as “Settlement Area” as shown on Schedule “A”;
 - c) Town OPA 16 expanded the urban settlement boundary to include all the Subject Lands in the municipal boundary; and,
 - d) The land use designations for the Subject Lands in the Town’s OP were not changed from those agreed to in the Town’s OPA 14 modified as a result of the MOS.
- ix) The Town of Perth hired Jp2g to prepare an Infrastructure Master Plan (IMP) (Chronology Item 11), which was completed in November 2019, for the lands referred to as the Western Annex Area which includes the Subject Lands, in order to:
 - “develop a framework for transportation, water supply, sanitary sewer and stormwater servicing for the study area and provide the Town with an understanding of both the short- and long-term opportunities and constraints associated with the development of this unique area.” (IMP Page 1)
- x) The IMP, in the context of County Council’s approved a 2038 population for Perth of 8,085, identifies that with respect to the Western Annex Lands, including the Subject Lands,
 - “The Town OPA No. 14 and 16 designated the developable lands for residential growth...The proposed communities are shown in **Figure 2-1** (See below).

2.3.1 Perth Golf Course Lands

Based on a Concept Plan....the first ten (10) holes of the existing golf course are to be retained and would form the northeasterly portion of the property. The plan illustrates a mix of single detached, townhouse, and medium-density residential dwellings with an estimated total of 650 residential units proposed. The portion of the site presently in the

⁴ Lanark County Council Agenda June 12, 2019, Agenda Item 13 ii Amendment No. 9 to the Lanark County Sustainable Communities Official Plan Basis of the Amendment page 4 and Agenda page 51 of 108.

Residential Area designation on Schedule A of the Official Plan has potential for 120 units.”

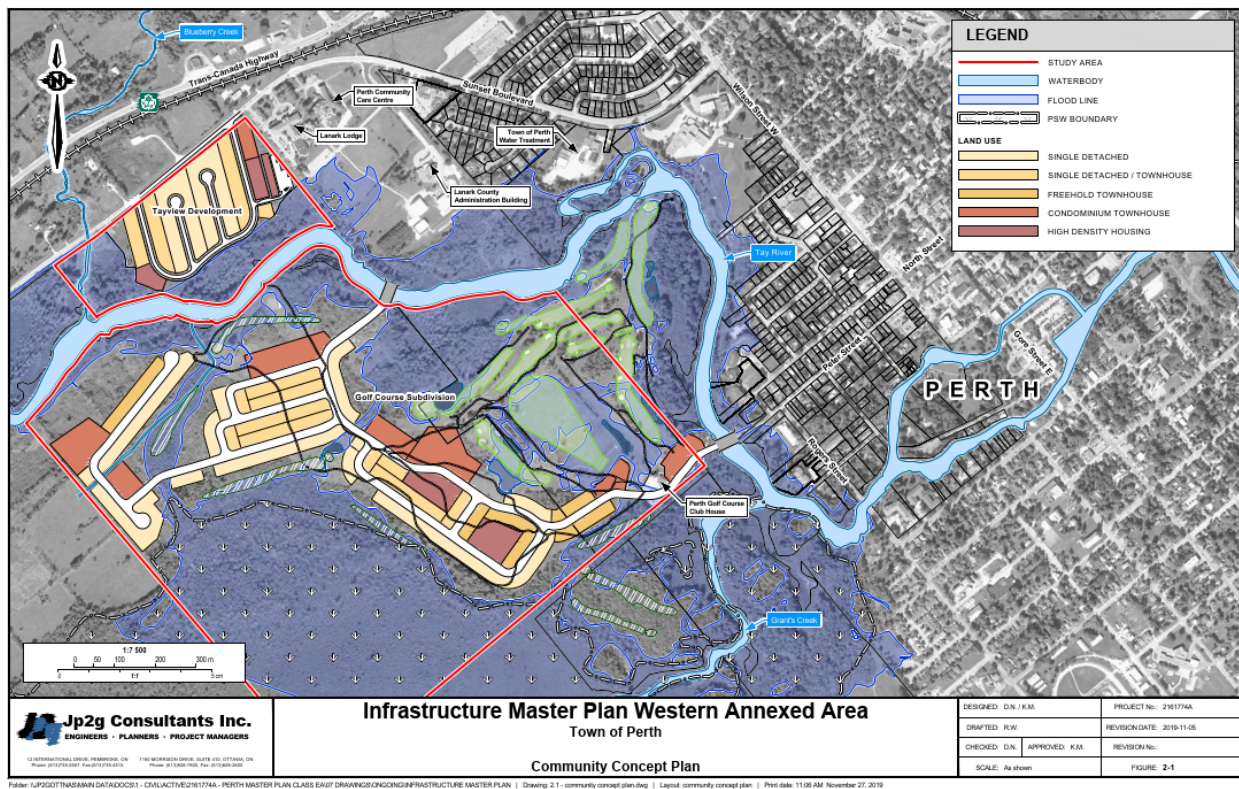


Figure 2-1: Community Concept Plan from the Western Annex Area IMP

xi) Recently, as reviewed in the evidence of Daryl Keleher, a presentation was made to County Council on May 22, 2024 with respect to the County’s “2023 Growth Study – Area Municipal Growth Allocations” which is being prepared by Watson & Associates Ltd. As noted by Mr. Keleher, and upon whose evidence I rely, based on his review of the information in the presentation and other related material:

“In my opinion, the need for increased population has been assessed, and in addition to the finding that both the County and the Town need additional population to achieve planning forecasts, the County’s consultant indicates that population forecasts embedded in Official Plans are minimums, which I agree with. To that end, the proposed development presents and opportunity to address existing and future housing needs, and the proposal should not be reduced or refused on the basis of housing need alone.”

xii) Further, Mr. Forbes Symon of Jp2g Consultants Inc., who is carrying out the 2024 Official Plan Update for the Town of Perth, provided a report “Residential Lands Comprehensive Review For Council Review” dated

June 4, 2024. This report was submitted to Committee of the Whole on June 11, 2024. In his recommendations, Mr. Symon states:

“The Town of Perth’s existing settlement boundary includes approximately 58 hectares of “Future Development” and “Special Policy Area” lands which are available for residential development, with the ability to support a population of between 2170 and 2460 persons, depending on the density of development. Combined with the additional intensification and infill opportunities identified by Town staff (totaling 5.5 ha), these vacant lands represent the maximum amount of potential residential lands currently available to the Town of Perth.....By designating all the remaining vacant greenfield lands within the Town as Residential, it is anticipated that a population of 10,500 could be accommodated. This would be roughly 2,415 persons, or 1,290 residential units over what was identified in OPA #16.

Given the changes in social context and constrained boundaries of the Town, it is the principal recommendation of this report that the Town consider designating all the remaining vacant greenfield lands within the “Future Development” and “Special Policy Area” designations as “Residential” through the Official Plan Update. The existing Residential policies of the Town’s Official Plan ...provide sufficient policy context and direction to guide the development of the new land proposed to be designated Residential.”

Opinion: Subject Lands Development Status

- 5.7 In summary, through the Town’s past OPAs 14 and 16, which are in full force and effect, and the Town’s IMP, it is my opinion that there was a clear understanding that the Western Annex Lands in their entirety, including the Subject Lands, were included in the Town’s urban settlement boundary to accommodate future growth and development. The Town’s planning and servicing policies and infrastructure projects anticipate, plan for, and support future residential development of this area while acknowledging some technical issues that need to be resolved prior to these lands being developed, namely servicing capacity, cost and allocation, wetland and floodplain considerations, and emergency access.
- 5.8 Further, the Town of Perth hired Jp2g to prepare an IMP, which was completed in November 2019, for the lands referred to as the Western Annex Area which includes the Subject Lands in order to:
- “develop a framework for transportation, water supply, sanitary sewer and stormwater servicing for the study area and provide the Town with an understanding of both the short- and long-term opportunities and constraints associated with the development of this unique area.” (IMP Page 1)
- 5.9 The IMP, in the context of County Council’s approved 2038 population for Perth of 8,085, identifies that with respect to the Western Annex Lands,

including a conceptual plan for the entirety of the Subject Lands that is similar to the application submitted by Caivan, that:

“The Town OPA No. 14 and 16 designated the developable lands for residential growth...The proposed communities are shown in Figure 2-1.

2.3.1 Perth Golf Course Lands

Based on a Concept Plan...the first ten (10) holes of the existing golf course are to be retained and would form the northeasterly portion of the property. The plan illustrates a mix of single detached, townhouse, and medium-density residential dwellings with an estimated total of 650 residential units proposed. The portion of the site presently in the Residential Area designation on Schedule A of the Official Plan has potential for 120 units.”

- 5.10 This direction is reinforced by the recent consultant reports for the County with respect to their 2023 Growth Study and for the Town with respect to their 2024 Official Plan Update. In particular, the Town’s consultant has identified the need to designate the subject lands for residential development to accommodate future population growth.
- 5.11 Caivan (Perth CG) Ltd is proposing an amendment to the Town of Perth Official Plan (see proposed revised amendment **Attachment F**) to redesignate the lands in the Special Study Area designation for development as the servicing and other previously identified constraints have been addressed through the IMP and the technical studies undertaken by Caivan’s consulting team. The proposed amendment creates a new planning framework for these lands in their entirety, building on the concept plan in the IMP to support the development of a fully serviced residential neighbourhood.
- 5.12 The polices in the proposed amendment will guide the phased development and neighbourhood design of the Subject Lands through zoning (See revised amendment **Attachment G**), draft plan approval and site plan approval processes, specific to the Western Annex Lands by the addition of a new section in the Town’s Official Plan entitled “Western Annex Lands”. Development is planned comprehensively as it should be to ensure the incorporation of this neighbourhood into the Town as a complete community.

6. Development Proposal

- 6.1 The western portion of the golf course is proposed to be developed into a comprehensively planned residential neighbourhood with 900-1,000 single detached dwellings and townhomes, including provision for an affordable housing block as well as the option for homeowners to include basement rough-ins for Additional Dwelling Units, approximately 2 hectares of parkland, and the protection and enhancement of natural heritage features including the Tay River corridor and the Grants Creek PSW. The development proposal maintains the eastern portion of the golf course (i.e. front nine holes) as a nine-hole golf course, similar to the IMP concept, and contemplates additional functions for the clubhouse including service uses as well as neighbourhood-

serving commercial uses in an expanded club house or new building in the vicinity of the Golf Course clubhouse.

6.2 Other key features of the development include the following:

6.2.1 Downtown Perth

A key objective of the proposed development is support for the continued vitality of downtown Perth, the importance of which is emphasized in the Official Plan (Section 8.2.4). The proposal introduces new residents who will be located within walking distance, or a short cycle, of the many services and amenities located in downtown, and rather than adding a new commercial node within the neighbourhood - adding residential density to support existing businesses. The development proposal includes modifications to the Peter Street bridge crossing to provide active transportation connections between the new neighbourhood and Downtown Perth as discussed further in the evidence of Mr. Christopher Gordon of CGH.

Rather than introducing a significant new commercial or mixed-use node that may compete or detract from downtown, the proposed development would instead provide for development in the area of the club house to offer opportunities for neighbourhood serving retail or service uses at the gateway to the neighbourhood as permitted in the proposed OPA and ZBLA. In addition, home-based businesses would be permitted.

6.2.2. Housing Mix

The proposed development includes a mix of housing types and contributes to increased housing choice in Perth by introducing single detached dwellings, townhouse dwellings, and the option for homeowners for basement rough-ins for Additional Dwelling Units. Currently, rowhouses account for only about 5% of dwellings in the Town of Perth⁵. The proposed development includes approximately 285 townhouse units. This will substantially increase the availability of rowhouse and townhouse dwellings in Perth and assist the Town in achieving the stated housing mix target in the Town's Official Plan of 60 – 65% low density, 15 – 25% medium density, and 10 – 20% high density residential development.

In addition, a +/- 0.6 ha block is provided for affordable housing which permits apartments and stacked townhouses. It is intended that the block be conveyed by the owner to a third party such as the Town for an affordable housing development in accordance with the *More Homes Built Faster Act (2022)*.

The development proposes a variety of sizes and housing types to meet different household needs. The proposal achieves a greater density than conventional development patterns through efficient land use and is in

⁵ Statistics Canada 2021 Census Profile Table for Town of Perth, available at <https://www12.statcan.gc.ca/census-recensement/2021/dp-pd/prof/index.cfm?Lang=E>

keeping with the established low-rise development patterns characteristic of small towns including Perth.

The proposed development will offer the ability to provide a mix of housing options at different price points with a range of dwelling sizes and housing types. It will also significantly increase housing supply in the region with the addition of approximately 900-1,000 new dwelling units. The option for future homeowners to have a basement rough-in for an Additional Dwelling Unit(s) can make homeownership more affordable by offsetting mortgage costs through rents, increase rental housing options in the community, and can provide additional flexibility to meet different household needs.

6.2.3 Multi-Modal Transportation Network

The proposed street network is a modified grid providing multiple routes to destinations within the neighbourhood including each of the three neighbourhood parks. For longer blocks, a network of pedestrian pathways is proposed to provide more efficient walking routes. Park concept plans were designed following consultation with Town of Perth Parks staff.

6.2.4 Sustainable Design

The proposed development directs development away from sensitive natural heritage features. Grants Creek PSW and the Tay River riparian corridor will be retained, and potential impacts to these areas from the proposed development will be mitigated as outlined in the EIS and in the evidence of Mr. Anthony Francis.

To ensure the wetland water balance is maintained, the stormwater management on the Subject Lands has been designed to provide contributions equivalent to the contributions from the same area, predevelopment as outlined in the Integrated Hydrological Impact Study.

A modified grid network also contributes to sustainable neighbourhood design by providing efficient pedestrian and cycling routes within the neighbourhood and to downtown, surrounding natural areas and the trail system which encourages active transportation. Street trees will be provided creating a more comfortable pedestrian realm.

6.3 Table 1 outlines the proposed land use presented in the revised POS prepared by J.D. Barnes, June 12, 2024, a copy of which is found in **Attachment H**.

Table 1: Proposed Land Uses June 12, 2024

LANDS	AREA (HECTARES)	APPROX. # OF UNITS
SINGLE DETACHED		621
TOWNHOUSE		285

LANDS	AREA (HECTARES)	APPROX. # OF UNITS
MEDIUM DENSITY		60-65
PARKS	2.25	
STORMWATER PONDS	3.53	
TOTAL	N.A.	971

- 6.4 The vision for the proposed development in the POS remains generally the same as the original plan submitted in February 2023. The three primary proposed alterations are:
- i) Second bridge - Construction of a second bridge on the north side of the property in the IMP preferred location;
 - ii) Affordable Housing - Affordable housing block established; and,
 - iii) Adjustments to the boundary of the natural heritage system based on site walks carried out in May 2024.

- 6.5 The original plan was supported by a full range of technical studies as outlined in **Attachment I** and the revised plan reflects updates as outlined in the evidence of the related experts. The following should be noted in particular:

6.5.1 Servicing

As outlined in the Functional Servicing Report, prepared by DSEL, the IMP was completed in 2019 by the Town of Perth. It completed Phases 1 and 2 of the Municipal Class Environment Assessment (MCEA)

“...and selected preferred servicing solutions and indicated that *“The Master Plan enables the Town to identify the needs of a specific study area and establish broader infrastructure alternatives to consider, which may lead to better solutions. The Master Plan would then be used to support further work for specific Schedule ‘B’ projects, or further work in Phases 3 and 4 for Schedule ‘C’ projects.”*

Caivan and DSEL reviewed the IMP and coordinated additional field investigations and surveys as recommended in the IMP to refine the preferred alternatives.

The proposed development will be fully serviced with Town water, sanitary and stormwater systems generally in keeping with the Town’s IMP. New internal services will be provided as outlined in the Functional Servicing Report, prepared by DSEL and detailed in the evidence of Mr. Adam Fobert.

6.5.2 Servicing Capacity

The Town’s Official Plan has policies on ensuring that adequate capacity exists prior to the development of these lands, and for allocating servicing capacity such that development of one greenfield area does not preclude

development in other areas of the Town (Section 5.2 of the Town's Official Plan).

As part of the OPA and ZBA applications submission, and in response to the County and Town comments, DSEL prepared a Functional Servicing Report (February 2023) in consultation with the Town's Environmental Services Department.

DSEL's analysis of design flows, 2021 census data, existing service areas and annual infiltration rates indicates that the Town's lagoon has sufficient capacity to accommodate the proposed development in addition to future growth and would not trigger the need for a lagoon expansion (DSEL Functional Servicing Report, February 2023).

The Functional Servicing Report demonstrates that sufficient residual capacity already exists to support not only the portion of the Subject Lands currently designated "Residential Area", but the development of the Subject Lands in their entirety without restricting development in the remainder of the Town's urban service boundary. This is confirmed in the evidence of Mr. Adam Fobert.

6.5.3 Transportation – Initial Access

The proposed initial access for the development is via the existing Peter Street bridge which will be upgraded and twinned. This will be described in the evidence of Mr. Gordon from CGH. Access to the development would be by way of the twinned Peter Street Bridge and a proposed new bridge across the Tay River. The concept was developed by CGH based on development forecasted to generate 593 total AM and 743 total PM peak hour two-way auto trips.

The introduction of a directional restriction was proposed by CGH to push all inbound traffic to arrive via North Street, while outbound traffic is forecast to use both Peter Street and North Street. A new signal at the intersection of North Street and Wilson Street West is intended to facilitate acceptable operations within the study area at full subdivision buildout, while queuing is anticipated to increase from the background conditions. As auto trip generation rates have been trending down and the development will include active mode connections and many destinations are within walking distance of the Subject Lands, the auto trips generated are anticipated to have been conservatively represented within CGH's study and monitoring activities will be part of determining the need for future traffic calming and traffic control modifications.

6.5.4 Transportation – Second Access

In conformity with the Town's Official Plan and the IMP, a second bridge on the north side of the Subject Lands is proposed to alleviate safety and traffic congestion concerns as discussed in the evidence of Mr. Gordon.

6.5.5 Natural Environment

The Subject Lands are characterized by a mix of the man-made golf course environment and natural or naturalizing areas of the wetland, trees and brush. The open greens and fairways of the existing golf course cover about 30% of the overall site, and the remainder is comprised of wetland, deciduous forest, cultural meadow and cultural thicket. There are two watercourses (Grants Creek and the Tay River) and 20 headwater drainage features (Tributaries “A” through “U”, but with Tributary “B” located off of the Subject Lands on the north side of the Tay River). Three of these convey water from outside of the golf course footprint. The remainder are minor ephemeral swales located primarily or entirely within the golf course footprint.

The EIS assessed the potential impacts of the proposed development on natural heritage features on and adjacent to the Subject Lands, including habitat for species at risk (SAR), Grants Creek PSW, watercourses and fish habitat, and habitats that meet the definitions of Significant Wildlife Habitat and Significant Woodlands. A full Headwater Drainage Feature Assessment (H DFA) was undertaken respecting the tributaries on-site.

As demonstrated by the EIS, and a further minor review in May 2024, including site wetland boundaries, and the evidence of Anthony Francis, as well as an Integrated Hydrological Impact Study, prepared in support of the applications, any negative impacts on significant wetlands, woodlands, and wildlife habitat will be mitigated in accordance with the policies of Section 2.1 of the PPS and the requirements of the SCOP and Town OP.

6.5.6 Municipal Financial Sustainability

The development of these lands is costly due to servicing requirements and environmental constraints. The Town has indicated that future development of the Subject Lands will need to demonstrate that it is an efficient use of public resources.

The Town has made substantial infrastructure investments to prepare for growth. This includes the expansion of the sanitary sewer treatment system and replacing combined sewers with separate stormwater and sanitary systems. Development of the Western Annex Lands will allow the Town to recover some of the costs associated with these upgrades through municipal taxes and development charges. There will be additional municipal servicing costs associated with the development.

Caivan retained Daryl Keleher of Altus Group (now of Keleher Planning & Economic Consulting Inc. (KPEC)) to examine the potential fiscal impacts of the proposed development on both the Town and County finances from both a capital and operating perspective.

As demonstrated by the Fiscal Impact Study prepared by Altus Group (February 7, 2023) and the evidence of Mr. Keleher, the proposed development is anticipated to have a positive fiscal impact for the Town generating approximately \$8.83 million in development charge revenues and

an estimated yearly surplus of \$1.49 million at build-out, which would be available to facilitate accelerated debt repayment.

6.5.7 Urban Design

NAK Urban Design Strategies (NAK) prepared an Urban Design Brief (UDB) in support of the initial applications. It addressed matters such as:

- i) Vision & Design Principles;
- ii) Community Structure;
- iii) Built Form Design;
- iv) Street Hierarchy;
- v) Active Mobility;
- vi) Parks;
- vii) Open Space Features; and,
- viii) The Clubhouse.

It concludes that the development

“conforms with the design objectives from current Town of Perth policies and plans. It respects the Town of Perth’s heritage character, while providing high quality built form and extensive integration with the surrounding natural heritage features and trail network, and supporting the downtown core.”

6.5.8 Cultural Heritage

No portion of the Subject Lands are listed on the Town of Perth’s Municipal Heritage Register under Section 27 (1.2) of the *Ontario Heritage Act* (OHA), nor is any portion of the Subject Lands designated under Part IV or Part V of the OHA. The Subject Lands were evaluated by WSP (Heritage Impact Assessment Perth Golf Course March 23, 2022) using the criteria of Ontario Regulation 9/06 and determined to possess cultural heritage value or interest as it is one of Canada’s oldest golf courses, an important institution in the local community, and supporting the context of the area. The development will have minor impacts to the Perth Golf Course’s identified heritage attributes. The Heritage Impact Assessment (HIA) recommends maintaining the existing trees and foliage between the front nine holes of the golf course and the subdivision and installing plaques outlining the history of the Perth Golf Course and identifying holes #1, #8, and #9 as the original holes dating back to 1890. In my opinion the recommendations of the HIA are implemented through the proposed development.

7. Provincial, County and Town Planning Policy Framework

7.1 General Policy Framework

- 7.1.1 The planning legislation and policy documents, relevant to the applications include the *Planning Act*, the Provincial Policy Statement, 2020 (PPS), the County of Lanark Official Plan, Adopted June 27, 2012 and the Town of Perth Official Plan Consolidation Text September 2019 (Schedules have not been consolidated to reflect OPA 16).

7.2 *Planning Act*

7.2.1 Section 2 of the *Planning Act* establishes matters of Provincial interest which the Minister of Municipal Affairs and Housing, municipal council and others making decisions on planning applications and carrying out their responsibilities under the *Act* must have regard to.

7.2.2 Section 2 of the *Planning Act* states:

“The Minister, the council of a municipality, a local board, a planning board, and the Tribunal, in carrying out their responsibilities under this Act, shall have regard to, among other matters, matters of provincial interest such as,

- (a) the protection of ecological systems, including natural areas, features and functions;
- (b) the protection of the agricultural resources of the Province;
- (c) the conservation and management of natural resources and the mineral resource base;
- (d) the conservation of features of significant architectural, cultural, historical, archaeological, or scientific interest;
- (e) the supply, efficient use and conservation of energy and water;
- (f) the adequate provision and efficient use of communication, transportation, sewage and water services and waste management systems;
- (g) the minimization of waste;
- (h) the orderly development of safe and healthy communities;
- (h.1) the accessibility for persons with disabilities to all facilities, services and matters to which this Act applies;
- (i) the adequate provision and distribution of educational, health, social, cultural, and recreational facilities;
- (j) the adequate provision of a full range of housing, including affordable housing;
- (k) the adequate provision of employment opportunities;
- (l) the protection of the financial and economic well-being of the Province and its municipalities;
- (m) the co-ordination of planning activities of public bodies;
- (n) the resolution of planning conflicts involving public and private interests;
- (o) the protection of public health and safety;
- (p) the appropriate location of growth and development; and
- (q) the promotion of development that is designed to be sustainable, to support public transit and to be oriented to pedestrian.
- (r) the promotion of built form that,
 - (i) is well-designed,
 - (ii) encourages a sense of place, and
 - (iii) provides for public spaces that are of high quality, safe, accessible, attractive, and vibrant;
- (s) the mitigation of greenhouse gas emissions and adaptation to a changing climate.”

7.2.3 The proposed redevelopment has regard to the matters of Provincial interest under the *Planning Act*, in my opinion, as follows:

- i) The proposed development has been designed to maintain, restore, and improve the existing natural heritage features and ecological functions. This has been achieved by limiting development to areas outside of key natural heritage features and their protective ecological buffers and by implementing environmental management systems and other measures that will enhance and improve the key natural heritage features and ecological functions as outlined in the EIS and the evidence of Mr. Francis;
- ii) The development will not negatively impact significant natural heritage features and ecological functions as they have been afforded protection using ecologically appropriate buffers and environmental management systems;
- iii) A Heritage Impact Assessment (HIA), March 23, 2022 prepared by WSP, determined that nine (9) of the golf course holes have heritage value, and these first nine holes will be protected and incorporated into the development. Stage 2 and 3 Archaeological Assessments prepared by Matrix Heritage Inc. were completed for the Subject Lands and informed the plan.
- iv) The project makes efficient use of land including existing and planned infrastructure and services and can be developed to minimize waste;
- v) The Subject Lands are located in the Town of Perth urban settlement boundary and are thus in an appropriate location for growth. The development does not impact agricultural, natural or mineral resources and contributes to the orderly and planned development of the community in a manner which is safe and healthy;
- vi) The proposed development, in addition to its proximity to the facilities of Downtown Perth, incorporates three parks, together with the lands which will form part of the protected natural heritage system and the retention of the nine hole golf course. In addition, the area of the existing clubhouse has the potential for the development of neighbourhood service and retail facilities.
- vii) The project adds to the range of housing options available in the Town of Perth to serve households of different sizes, ages, and incomes. In particular, recognizing the need to provide more affordable housing as articulated through the *More Homes, Built Faster Act* and the Province's housing pledge, a block is proposed for affordable housing; in addition homeowners will have the option of purchasing homes with basement rough-ins for Additional Dwelling Units;

- viii) As demonstrated by the Fiscal Impact Study prepared by Altus Group (February 7, 2023) and the evidence of Mr. Keleher, the proposed development is anticipated to have a positive fiscal impact for the Town generating approximately \$8.83 million in development charge revenues for the Town and an estimated yearly surplus of \$1.49 million at build-out, which can go towards accelerated debt repayment. The development thus protects the financial and economic well being of the Town and the Province;
- ix) The proponent has worked with the public agencies through the development review process to co-ordinate the planning and resolve conflicts to ensure the protection of public health and safety with respect to matters such as access and development in the flood plain;
- x) The development provides densities and a road network that are sustainable and supportive of active transportation and any future transit services; and,
- xi) The proposed development will provide a high quality urban form that promotes a sense of place including an enhanced streetscape through creation of less car dominant facades and public spaces that are high quality, safe, accessible and attractive.

7.2.4 Approval of a POSis being requested under section 51 of the *Planning Act*. Subsection 51(24) of the *Planning Act* requires the following with respect to the approval of a draft plan:

“In considering a draft plan of subdivision, regard shall be had, among other matters, to the health, safety, convenience, accessibility for persons with disabilities and welfare of the present and future inhabitants of the municipality and to,

- (a) the effect of development of the proposed subdivision on matters of provincial interest as referred to in section 2;
- (b) whether the proposed subdivision is premature or in the public interest;
- (c) whether the plan conforms to the official plan and adjacent plans of subdivision, if any;
- (d) the suitability of the land for the purposes for which it is to be subdivided;
- (d.1) if any affordable housing units are being proposed, the suitability of the proposed units for affordable housing;
- (e) the number, width, location and proposed grades and elevations of highways, and the adequacy of them, and the highways linking the highways in the proposed subdivision with the established highway system in the vicinity and the adequacy of them;
- (f) the dimensions and shapes of the proposed lots;

- (g) the restrictions or proposed restrictions, if any, on the land proposed to be subdivided or the buildings and structures proposed to be erected on it and the restrictions, if any, on adjoining land;
- (h) conservation of natural resources and flood control;
- (i) the adequacy of utilities and municipal services;
- (j) the adequacy of school sites;
- (k) the area of land, if any, within the proposed subdivision that, exclusive of highways, is to be conveyed or dedicated for public purposes;
- (l) the extent to which the plan's design optimizes the available supply, means of supplying, efficient use and conservation of energy; and
- (m) the interrelationship between the design of the proposed plan of subdivision and site plan control matters relating to any development on the land, if the land is also located within a site plan control area designated under subsection 41 (2) of this Act or subsection 114 (2) of the City of Toronto Act, 2006."

7.2.5 The proposed POS was evaluated with respect to subsection 51(24) of the *Planning Act* and, in my opinion, satisfies the necessary considerations for a draft plan of subdivision subject to the Conditions of Draft Plan Approval (See **Attachment J**). In particular, it represents good planning as:

- i) The proposed POS has regard to matters of provincial interest as outlined in Section 6.2.1.4 of this Witness Statement. In particular, by ensuring the orderly development of the community, adding to the range of housing options, supporting active transportation, and promoting a well designed built form;
- ii) The proposal is not premature as it is located within an urban settlement area that is identified for growth. Further, the neighbourhood is being planned comprehensively to ensure that it will proceed in a manner which reflects the public interest in accordance with the availability of infrastructure and services. The POS is also in the public interest as it will provide diverse and appropriate housing options for residents of the Town of Perth. The proposed development will complement the existing surrounding community by introducing new and compatible housing forms. The proposed development will support the continued desirability of Downtown Perth as a destination and will fulfill the Town of Perth's Growth Strategy as outlined in the local and County OPs and Infrastructure Master Plan.
- iii) The proposed POS generally conforms with the intent of the County and Town OPs, and the processes required to permit development with the Town OP are proposed to be amended to clarify the form and conditions of development. The design and scale of the proposed development is intended to complete and complement adjacent neighbourhoods.

- iv) As demonstrated through the supporting studies for the proposed POS, the land is suitable for the subdivision and development of the proposed residential community including with respect to the protection of the natural environment, cultural heritage, access and servicing.
- v) The revised development (June 12, 2024) includes the addition of a medium-density 60-65 unit affordable housing block. This block of land is proposed to be dedicated to the Town or other public agency for affordable housing. The relevant block is adjacent to a park and the natural heritage system, in a central location directly accessible to the Peter Street bridge.
- vi) The proposed road network is designed to be safe for pedestrians, cyclists, and motorists. The modified grid network and hierarchy of streets ensure easy orientation throughout the community, as well as pedestrian-oriented scale and permeability. The revised development (June 12, 2024) includes the construction of a second bridge on the north side of the property, to provide two points of access to the development, thereby alleviating certain concerns relating to traffic congestion and safe passage. Supporting studies, including the Transportation Impact Study Perth Golf Course Access Options memo, as well as the evidence of Mr. Gordon, include detailed information about the road network, and the adequacy of the proposed subdivision and surrounding network at full build out scenarios.
- vii) The dimensions and shapes of the proposed lots are configured in a variety of arrangements. The affordable housing block included in the revised development plan (June 12, 2024) is +/- 0.6 ha. The OPA and ZBLA establish restrictions on development including appropriate setbacks and other limitations to ensure development that will provide a high quality urban form that promotes a sense of place including an enhanced streetscape through creation of less car dominant facades and public spaces that are high quality, safe, accessible and attractive.
- viii) There are no proposed restrictions on the land proposed to be subdivided or the buildings and structures proposed to be erected on it, or restrictions on adjoining land.
- ix) The EIS undertaken in support of the development identified some natural resources on the Subject Lands that are delineated for conservation. Development shall have no net negative impacts on the natural features or on their ecological function as the development proposal has been designed to protect, restore, and enhance the existing natural features and ecological functions. Further, the OPA and ZBLA and draft plan of subdivision conditions are designed to ensure that development cannot occur in the floodplain through the use of the hold in the zoning bylaw and the draft plan conditions;

- xii) Municipal services are required to be constructed in order to service the proposed community. Details regarding the provision of utilities and municipal services have been submitted with the applications.
- xiii) Required lands will be conveyed or dedicated for public purposes including parkland, an affordable housing block and lands for servicing and transportation infrastructure. No school sites are proposed within the POS area; and,
- xiv) Future residents of the neighbourhood will benefit from the existing and retained Perth Golf Course, the proposed trail network and the delineated/protected natural heritage areas. Three (3) neighbourhood parks are proposed, ranging in size from 0.20 ha to 1.11 ha, for a total of 2.25 ha.
- xv) The density of the proposed community and range of lot size and variety of housing typologies optimizes the available land supply. The proposal makes efficient and sustainable use of land, infrastructure, and services.

7.2.6 **Opinion: *Planning Act***

In my opinion, the proposed development has appropriate regard to matters of Provincial interest under Section 2 of the *Planning Act*. Further, the proposed Draft Plan of Subdivision was evaluated with respect to subsection 51(24) of the *Planning Act* and, in my opinion, satisfies the necessary considerations for a draft plan of subdivision subject to the Conditions of Draft Plan Approval (**See Attachment J**).

7.3 **Provincial Policy Statement (2020)**

7.3.1 The Provincial Policy Statement (PPS) came into effect on May 1, 2020. It provides policy direction on matters of provincial interest related to land use planning and development. As a key part of Ontario's policy-led planning system, the PPS sets the policy foundation for regulating development and use of land. The Provincial Policy Statement seeks to strike a balance between the province's economic, social and environmental interests by:

- i) Promoting cost-effective development patterns that stimulate economic growth;
- ii) Protecting resources for their economic use and/or environmental benefits; and
- iii) Focusing growth within settlement areas and directing development away from significant or sensitive resources and areas, which may pose a risk to public health and safety.

The following provides a summary of the key policy considerations of the PPS as it relates to the proposed development and the supporting OPA and ZBLA applications.

7.3.2 Section 1.1 Managing and Directing Land Use to Achieve Efficient and Resilient Development and Land Use Patterns

This section includes policies to sustain healthy, livable, resilient and safe communities. Section 1.1.3.1 directs that settlement areas shall be the focus of growth and development, as that their vitality and regeneration shall be promoted. Policy 1.1.3.2 (a) states that land use patterns within settlement areas shall be based on densities and a mix of land uses which:

1. “efficiently use land and resources;
2. are appropriate for, and efficiently use, the infrastructure and public service facilities which are planned or available, and avoid the need for their unjustified and/or uneconomical expansion;
3. minimize negative impacts to air quality and climate change;
4. support active transportation;
5. Are transit-supportive, where transit is planned, exists or may be developed”.

7.3.3 Section 1.4 Housing

Policy 1.4.1 identifies that planning authorities provide an appropriate range and mix of housing types and densities to meet the projected requirements of current and future residents. This includes as set out in Policy 1.4.3:

“Planning authorities shall provide for an appropriate range and mix of housing options and densities to meet projected market-based and affordable housing needs of current and future residents of the regional market area....”

7.3.4 Section 1.5 Public Spaces, Recreation, Parks, Trails and Open Space

Policy 1.5.1 a) states that healthy, active communities should be promoted by “planning public streets, spaces and facilities to be safe, meet the needs of pedestrians, foster social interaction and facilitate active transportation and community connectivity”.

Additionally, Policy 1.5.1 b) provides direction for the planning and provision for a range and equitable distribution of publicly accessible built and natural setting for recreation, including parklands, public spaces, open space areas, trails and linkages, and water-based resources where practical. Policies 1.5.1 c) and d) also ensure that impacts to other protected areas and conservation reserves are minimized.

7.3.5 Section 1.6 Infrastructure and Public Service Facilities

Policies under 1.6.6 Sewage, Water and Stormwater state that municipal sewage services and municipal water services are the preferred form of servicing for settlement areas (Policy 1.6.6.2). Planning for sewage and water services are to

“direct and accommodate expected growth that supports the efficient use of existing municipal waste and water services.”

The proposed development will be serviced by municipal sewage and water services as planned for in the Town of Perth's Council adopted Infrastructure Master Plan, 2019.

Transportation focused policies state that transportation and land use considerations are to be integrated into all stages of the planning process (Policy 1.6.7.5) and that the land use pattern, density and mix of uses proposed should minimize the length and number of vehicle trips while supporting current and future use of transit and active transportation (Policy 1.6.7.6).

7.3.6 Section 1.7 Long-Term Economic Prosperity

Policy 1.7.1 d) speaks to "maintaining and, where possible, enhancing the vitality and viability of downtowns and main streets". The Subject Lands are about 500 m from the Town of Perth's downtown as delineated by the Central Area District designation in its Official Plan. The introduction of new residents within walking distance of downtown will support the economic prosperity of the existing downtown.

7.3.7 Section 2.1 Natural Heritage

As demonstrated by the EIS prepared in support of the subdivision proposal and the evidence of Anthony Francis, any negative impacts on significant wetlands, woodlands, and wildlife habitat will be mitigated in accordance with the policies of Section 2.1 of the PPS.

7.3.8 Section 2.2 Water

Consistent with Policy 2.2.1, the water resources systems on the Subject Lands have been studied and described in the Water Budget and Groundwater Analysis, Headwater Drainage Features Assessment, and Hydrogeological Investigation. In addition, the Functional Servicing Report has established that "stormwater management practices minimize stormwater volumes and contaminant loads, and maintain or increase the extent of vegetative and pervious surfaces." (2.2.1 i).

7.3.9 Section 2.6 Cultural Heritage

Section 2.6 of the PPS requires the conservation of significant cultural heritage landscapes and significant archeological resources. A Heritage Impact Assessment (HIA), March 23, 2022, was prepared by WSP. The HIA determined that nine (9) of the golf course holes do have heritage value, and these will be preserved and will be incorporated into the development. Stage 2 and 3 Archaeological Assessments prepared by Matrix Heritage Inc. were completed for the Subject Lands and informed the development plan.

7.3.10 Section 3.1 Natural Hazards

The potential natural hazards have been evaluated in accordance with provincial guidelines and mapped on the Subject Lands. In particular, flood plain boundary refinement has been carried out and will be finalized to the satisfaction of the RVCA. Further, as outlined in the evidence of Ms. Chandler

the OPA and ZBLA and draft plan of subdivision conditions are designed to ensure that development cannot occur in the floodplain through the use of the hold in the zoning bylaw and the draft plan conditions.

7.3.11 Opinion

The proposed development provides residential development within a settlement area, utilizing land and existing infrastructure efficiently, and protecting natural heritage features. As such, in my opinion, the development and the proposed OPA, ZBLA (subject to the conditions established in the holding zones) and POS (subject to the proposed approval conditions) are consistent with the Provincial Policy Statement, 2020.

7.4 Lanark County Sustainable Communities Official Plan

7.4.1 The Lanark County Sustainable Communities Official Plan (SCOP) was adopted June 27, 2012. The SCOP provides a land use planning framework for the County of Lanark and was developed to recognize and emphasize local municipal land use planning priorities within a broader framework of County sustainability. The SCOP provides for the implementation of land use policies through a “plan regionally, act locally” lens and empowers and supports local land use planning responsibilities.

7.4.2 The SCOP identifies Settlement Areas on Schedule A – Land Use and reflects the Settlement Area as established in local municipal Official Plans. As previously described, the Subject Lands are part of the lands which were annexed by the Town of Perth in 2009. Following annexation of the Subject Lands and other lands by the Town of Perth, the Town initiated an amendment to the SCOP to include all lands within the new municipal settlement boundary of the Town of Perth. The SCOP designates the Subject Lands as Settlement Area on Schedule A – Land Use.

7.4.3 The objectives of the Settlement Area designation described in Section 2.6.1 of the SCOP are:

1. “To ensure the provision of an adequate supply of residential land;
2. To provide for a range and mix of low, medium and high density housing types in accordance with servicing capacities;
3. To provide for neighbourhood facilities and amenities which are appropriate to a residential living environment;
4. To ensure the provision of roads and other municipal services necessary to the development of functional neighbourhood areas;
5. To provide for mixed use communities with appropriate commercial, institutional and employment uses.”

7.4.4 Opinion

The proposed development, OPA, and ZBLA conforms, in my opinion, to the overall direction of the Lanark County SCOP. The Subject Lands are designated as Settlement Area, an area for growth and development. The proposed POS would provide a range and mix of housing types with the necessary municipal services and neighbourhood amenities, such as parks and open space.

7.5 Town of Perth Official Plan

7.5.1 The Town of Perth Official Plan as amended up to and including By-law 3304-16, was last consolidated in September 2019⁶. The Town of Perth Official Plan (OP) sets out the vision for the community and it is the primary planning tool used to guide the growth and development in the Town over the next 20 years. The Town's OP brings Provincial and County policy directions down to the local level, implementing the *Planning Act*, Provincial Policy Statement and the County of Lanark Sustainable Communities Official Plan through a local lens. While a site-specific OPA is proposed as part of the applications, the Town OP provides a relevant framework for guiding land use decisions including evaluating the appropriateness of a proposed development both at a Town-wide level as well as in relation to specific sites.

7.5.2 Development Strategy for Perth

Chapter 1 of the Town's OP presents the vision statement and key components of the Town's development strategy. It provides a wide breadth of policy goals needed to create a healthy community including compact and efficient land use, conservation of natural features, providing a variety of housing options, facilitating economic development opportunities, increasing active transportation options and sustaining the downtown core. In particular:

- i) Policy 1.2.1 focuses on creating compact, energy efficient, and cost-effective development patterns that optimizes the use of available public services, infrastructure, and facilities.
- ii) Policy 1.2.3 aims to sustain a healthy local economy by providing diverse opportunities for economic development including the core commercial lands downtown and on the Highway 7 corridor, sustaining industrial employment lands, and through home based businesses.
- iii) Policy 1.2.4 - To achieve an appropriate supply of housing, the Town's housing strategy is to provide an adequate and continuous inventory of serviced land for the development of a full range of housing types and densities; to set out specific targets for affordable housing; and to use a

⁶ Note : the online GIS Town of Perth Community Map and OP Schedules have not been consolidated following OPA 16. Accordingly, the expanded urban settlement boundary resulting from OPA 16 is not shown on mapping that is currently available to the general public.

- portfolio of planning tools to facilitate residential development (e.g., community improvement alternate development standards, zoning, intensification).
- iv) Policy 1.2.5 - To sustain lifestyles and activities commensurate with a 'small town atmosphere' while providing opportunities for community development; and
 - v) Policy 1.2.7 - To conserve the attributes of the natural physical environment such as wetlands, wildlife communities, trees and vegetation, to conserve the water quality of surface and groundwater systems and to maintain river corridors in their natural state wherever possible.
 - vi) Policy 1.2.10 directs development away from hazardous lands, both natural and human-made hazards unless development can be done in a manner that does not endanger property, health or safety or occupants and that does not cause adverse environmental impacts.

Opinion

The proposed development supports the Town's vision statement and strategic development policies by providing residential development and an efficient use of existing and planned community infrastructure. The proposed development contributes to ensuring that a range of housing types and densities are available within the Town of Perth and responds to and maintains the natural landscape of the Perth Golf Course, the Tay River and Grants Creek Wetland. In addition, as outlined in the evidence of Ms. Chandler the OPA and ZBLA and draft plan of subdivision conditions are designed to ensure that development cannot occur in the floodplain through the use of the hold in the zoning bylaw and the draft plan conditions.

The proposed OPA, ZBLA and POS conform, in my opinion, to these OP policies.

7.5.3 Residential Area

- 7.5.3.1 The Residential Area designation is intended "to provide for an adequate and continuous supply of serviced land for the development of an appropriate range and mix of housing types and densities required to meet projected requirements of current and future residents" (Section 8.1.2).
- 7.5.3.2 Further, the objectives for lands designated as Residential Area are that they are to be fully serviced, compact and energy efficient, and generally ground-related in nature. The built form, massing and profile in Residential Areas should be compatible and/or appropriately transition between existing housing, non-residential and new residential. Development in Residential Areas should facilitate the provision of convenient and appropriately located neighbourhood-servicing land uses. (Section 8.1.3.1)
- 7.5.3.3 The following uses are permitted in the Residential Area designation (Section 8.1.3.2):

- “An appropriate range and mix of housing types and densities sufficient to meet freehold and rental markets and consistent with the Residential Design Principles of this Plan will be permitted. Medium and high density housing types, notably apartments, should be designed to include a mix of bachelor, one, two and three bedroom units. Accessory apartments or second units in low density housing will be permitted where residential design and zoning standards are met. Special needs housing (see Section 8.1.3.11) such as: student housing, group homes, garden suites and crisis housing is also permitted.
- Parking structures, recreational structures, utility and waste receptacles accessory to medium and high density residential uses.
- Parks, open space and natural areas.
- Neighbourhood-serving uses such as places of worship, limited local commercial services and public service and institutional facilities including cemeteries and long-term care homes appropriate to the neighbourhood.
- Home Based Businesses.”

7.5.3.4 Residential Area objective 8.1.3.1 g) directs development west of the Tay River, which specifically includes the Perth Golf Course, to also meet the policies of the New Residential Area designation, specifically Sections 8.1.4.2 through 8.1.4.5.

7.5.3.5 Section 8.1.4.2 – Development Concept states that:

- a) “The New Residential Area is anticipated to meet the mid to long-term growth and settlement needs of the Town. The intended land use pattern will be predominantly residential but will include an appropriate mix of public service facilities and neighbourhood-serving commercial uses essential to a well planned residential community and will also seek to retain and support redevelopment of existing land uses, particularly the Perth Golf Course. The mix of housing types and densities will be designed to meet the projected requirements of future residents and which are consistent with the housing policies of this Plan. Development may only proceed where the necessary urban infrastructure can be provided and adequate capacity is available, notably municipal (piped) water and sanitary sewer. Development will be designed to conserve the attributes of the natural environment and will avoid hazardous sites.
- b) The Town may consider approval of development in the New Residential Area in advance of the build-out of other areas of the Town; however, the proponent must demonstrate that the proposed development is comprehensively planned, is cost-effective, efficient, sustainable, and can be integrated with the projected growth needs of the Town.”

7.5.3.6 Sections 8.1.4.3 to 8.1.4.5 provide policy guidance on the range of permitted uses within the New Residential Area, and servicing and access constraints. Specifically, 8.1.4.3 requires that development proceed in a manner consistent with the Residential Area policies, above, except that increased levels of medium and high density housing may be permitted.

7.5.3.7 Section 8.1.4.2 states that:

- a) "Development within this designation shall proceed consistent with the permitted uses and the policies for the Residential Designation as per Section 8.1.3 of this Plan except that the mix/ratio of housing density forms may involve increased levels of medium and high density housing types in circumstances where significant portions of the development property are not suitable for development by virtue of flood plain or natural heritage or environmental constraints. Retention and redevelopment of the existing golf course and the continuation and development of commercial uses typically associated with a golf course will also be contemplated in this designation.
- b) The subdivision of land, construction of new buildings and/ or significant expansion of existing buildings within this designation will only be permitted when the Town has established or recovered adequate residual capacity to service such development (Servicing Capacity Study)."

7.5.3.8 Section 8.1.4.4 requires that all development be connected to municipal services and that servicing be provided to all of the developable lands in an efficient, sustainable and cost-effective manner. As a result, development is limited until municipal services are available. This policy directs that the lands be zoned by a zone category that prohibits new uses and/or new development until the extension of municipal services is assured. The Subject Lands are zoned with a Holding Zone for this reason, as discussed in Subsection 4.4.

7.5.3.9 Section 8.1.4.5 recognizes that the lands west of the Tay River, designated New Residential Area (or Residential Area, as directed by Section 8.1.3.1 g)) currently have inadequate road access to accommodate the safe and efficient movement of people and goods based on the development potential of the land within this designation unless an additional road access is constructed. The number of new residential units is based, in part, by the traffic management capacity of the existing Peter Street bridge and Peter Street corridor without a reduction in the level of service.

"The Zoning amendment should not proceed until such time as a new primary vehicle access corridor has been established either by plan of subdivision, acquisition of a corridor by the Town of Perth or by identification of a specific road corridor in a completed formal Master Plan for the lands annexed to the westerly side of Perth (Section 8.1.4.5 b)."

7.5.3.10 Opinion

The proposed development implemented by the proposed OPA, ZBLA and POS conforms with the general intent of the Residential Area policies. The proposed housing types and densities are projected to meet the demand of future residents and are consistent with the housing policies of the Official Plan. The proposed OPA introduces a new designation with specific policies to enable the future redevelopment of the Subject Lands. Two accesses are now proposed to the Subject Lands.

7.5.4 Special Study Area

7.5.4.1 The balance of the developable lands on the Subject Lands are designated Special Study Area. Lands designated Special Study Area are

“needed to accommodate future residential and neighbourhood development in years beyond the planning horizon of this Plan.”

7.5.4.2 Section 8.8.3 a) states:

“Lands within the Special Study Area will be required to accommodate future development at urban densities including: all forms of residential development, neighbourhood commercial uses, institutional and community service uses, and parks and open space uses. Further planning or more detailed infrastructure design work will be required to determine the preferred land use mix and servicing elements for these areas.”

7.5.4.3 It should also be noted that with respect to Section 8.8 Special Study Area Designation: The submitted OPA application seeks to redesignate the Subject Lands from “Special Study Area” to “Residential Area”, “Parks and Open Space”, and “Environmental Protection,” including boundary adjustments to better reflect site conditions and support the development.

7.5.4.4 The policies in Section 8.8.1 state that land uses designated Special Study Area are not within the urban settlement boundary under the Town OP and the County OP, and that lands within this designation will be considered for inclusion in the Town’s urban service boundary whenever a comprehensive review of the OP is undertaken in accordance with the PPS and/or in conjunction with a comprehensive review of growth for an update of the County OP. However, the Subject Lands have been in the urban settlement boundary since 2019 and are acknowledged as such in the recent Residential Lands Comprehensive Review prepared for the Town.

7.5.4.5 The IMP prepared by Jp2g Consultants Inc in 2019 provides the basis for the future redesignation of the Special Study Area lands to “Residential Area” at the appropriate time. Caivan has initiated a private OPA application with the detailed technical studies that support the Town’s concept plan as envisioned in the Town’s IMP.

7.5.4.6 The necessary infrastructure has been investigated and is planned to accommodate the development proposal at full build out. The proposed development is expected to meet the mid- and long-term growth and settlement needs of the Town of Perth by providing a range and mix of housing to meet the needs of current and future residents, parks, open spaces and community amenities such as the retained portion of Perth Golf Course and its original clubhouse. Further, the proposed community is directly connected to Downtown Perth via Peter Street, and is within walking distance. The future residents of the proposed community will support and add to the vibrancy of Downtown Perth.

7.5.4.6 Opinion

The proposed OPA replaces the Special Study Area designation with a new designation for the Subject Lands with site specific policies. It recognizes that the lands are within the Town's existing urban settlement boundary and are available for residential development to allow the Town to achieve its population goals. This includes limited neighbourhood serving uses in the new development, which will not detract from the existing businesses in Downtown Perth and other amenities.

7.5.5 Roads

7.5.5.1 The Official Plan provides minimum design standards for the various classes of municipal roads, including Collector Streets, Local Streets and Laneways.

7.5.5.2 The proposed roads will meet the minimum standards for Collector and Local roads in the Official Plan.

7.5.5.3 Opinion

The proposed cross-sections for the development meets the minimum right-of-way widths as defined by the Official Plan and were developed following meetings with Town of Perth staff in October 2022.


8. Issues

The specific issues identified in the Procedural Order are reviewed in **Table 2** together with related opinions.

9. Planning Opinion

The proposed OPA, ZBLA AND POS applications to support the development of the Subject Lands (Western Annex Lands) known municipally as 141 Peter Street, Town of Perth, in my opinion, meet the requirements under the *Planning Act*, are consistent with the PPS, 2020, conform with the County of Lanark Sustainable Communities Official Plan, and the Town of Perth Official Plan. As such, the proposed applications represent good planning and are in the public interest.

I am prepared to elaborate as may be necessary on the points of evidence contained in this Witness Statement.



Elizabeth Howson, BES, MCIP, RPP

Table 2: Issues Review and Opinion

Issue	
Planning Issues	Review and Opinion
<p>1. Do the applications have appropriate regard for matters of provincial interest as enumerated in section 2 of the Planning Act?</p>	<p>As discussed in Section 7.2.1-7.2.3 of this Witness Statement in my opinion, the proposed development has appropriate regard to matters of Provincial interest under Section 2 of the <i>Planning Act</i>.</p>
<p>2. Is it appropriate to introduce the proposed number of residential units without conducting a comprehensive review to assess:</p> <ol style="list-style-type: none"> a. The need for the increase in population over the identified planning horizon of the Town's Official Plan; b. Opportunities to address demonstrable need through intensification, redevelopment and existing designated growth areas; and c. The demands on infrastructure and public service facilities that the development will create? 	<p>As outlined in detail in Section 5 of the Witness Statement the County and the Town have long planned for the development of the Subject Lands.</p> <p>The Special Study Area policies related to requiring a comprehensive review do not apply as the Subject Lands are already within the Town's urban settlement boundary area. Through the Town's past OPAs 14 and 16, which are in full force and effect, and the Town's IMP, it is my opinion that there was a clear understanding that the Western Annex Lands in their entirety, including the Subject Lands, were included in the Town's urban boundary to accommodate future growth and development. The Town's planning and servicing policies and infrastructure projects anticipate, plan for, and support future residential development of this area while acknowledging some detailed technical issues that needed to be resolved prior to these lands being developed, namely servicing capacity, cost and allocation, wetland and floodplain considerations, and emergency access. It should also be noted that with respect to Section 8.8 Special Study Area Designation: The submitted OPA application seeks to redesignate the Subject Lands from "Special Study Area" to "Residential Area", "Parks and Open Space", and "Environmental Protection," including boundary adjustments to better reflect site conditions and support the development.</p> <ul style="list-style-type: none"> • The policies in Section 8.8.1 state that land uses designated Special Study Area are not within the urban settlement boundary under the Town OP and the County OP, and that lands within this designation will be considered for inclusion in the Town's urban service boundary whenever a comprehensive review of the OP is undertaken in accordance with the PPS and/or in conjunction with a comprehensive review of growth for an update of the County OP. • However, the Subject Lands have been in the urban settlement boundary since 2019.

Issue	
Planning Issues	Review and Opinion
	<p>Most significantly the Town of Perth hired Jp2g to prepare an IMP, which was completed in November 2019, for the lands referred to as the Western Annexed Area which includes the Subject Lands in order to “develop a framework for transportation, water supply, sanitary sewer and stormwater servicing for the study area and provide the Town with an understanding of both the short- and long-term opportunities and constraints associated with the development of this unique area.” (IMP Page 1)</p> <p>The IMP, in the context of County Council’s approved 2038 population for Perth of 8,025, identifies that with respect to the Western Annex Lands, including a conceptual plan for the Subject Lands in their entirety which is similar to the application submitted by Caivan that:</p> <p>“The Town OPA No. 14 and 16 designated the developable lands for residential growth...The proposed communities are shown in Figure 2-1.</p> <p>2.3.1 Perth Golf Course Lands</p> <p>Based on a Concept Plan...the first ten (10) holes of the existing golf course are to be retained and would form the northeasterly portion of the property. The plan illustrates a mix of single detached, townhouse, and medium-density residential dwellings with an estimated total of 650 residential units proposed. The portion of the site presently in the Residential Area designation on Schedule A of the Official Plan has potential for 120 units.”</p> <p>Caivan (Perth CG) Ltd is proposing an amendment to the Town of Perth Official Plan (See proposed revised amendment Attachment F) to redesignate the lands in the Special Study Area designation for development as the servicing and other constraints have been addressed through IMP and the technical studies. The proposed amendment creates a new planning framework for these lands in their entirety building on the concept in the IMP to support the development of a fully serviced residential neighbourhood.</p> <p>The polices in the proposed amendment will guide the phased development and neighbourhood design of these lands through zoning (See revised amendment Attachment G), Site Plan, and Draft Plan of Subdivision</p>

Issue	
Planning Issues	Review and Opinion
	<p>application processes, specific to the Western Annex Lands by the addition of a new section in the Town’s Official Plan entitled “Western Annex Lands”. Development is planned comprehensively as it should be in my opinion to ensure the incorporation of this neighbourhood into the Town as a complete community. The IMP in fact was the comprehensive review necessary as a basis for the development of the Subject Lands.</p> <p>This direction is reinforced by recent consultant reports for the County with respect to their 2023 Growth Study and for the Town with respect to their 2024 Official Plan Update. In particular, the Town’s consultant has identified the need to designate the subject lands for residential development to accommodate future population growth.</p>
<p>3. Is the Application consistent with the Provincial Policy Statement, 2020 (and 2023 if this version of the PPS is in force and effect when this matter is heard by the Tribunal)?</p> <p>a. The application of the “consistency with” test will consider, but not be limited to the following policies of the PPS, 2020:</p> <ul style="list-style-type: none"> i. Policy 1.1.1; ii. Policy 1.1.2; iii. Section 1.1.3; iv. Section 1.4; v. Policy 1.6.4; vi. Policy 1.6.8; and vii. Section 3.1 	<p>Section 7.3 of the Witness Statement reviews the PPS 2020. It notes that the Subject Lands are within the Town’s urban settlement area boundary. The PPS directs growth and development to settlement areas. The proposed applications are consistent with that major direction of the PPS, 2020.</p> <p>With respect to the specific identified policies, the proposed development is consistent in my opinion as follows:</p> <p>Policy 1.1.1</p> <ul style="list-style-type: none"> i. Policy 1.1.1 b): With respect to accommodating an appropriate affordable and market-based range and mix of residential types, the current development plan contains a mix of single detached dwelling, townhouses, and a medium density affordable housing block. In addition, an option will be provided for homeowners to include basement rough-ins for Additional Dwelling Units which provides for the potential for affordable rental housing. The plan is designed to provide a variety of affordable and market-based housing options. ii. Policy 1.1.1 c): The PPS directs that development and land use patterns which may cause environment or public health and safety

Issue	
Planning Issues	Review and Opinion
	<p>concerns should be avoided. The supporting technical reports submitted with the Applications, and the additional work carried out based on input received to date and outlined in the evidence , demonstrate that the natural heritage and natural hazard features on-site have been identified and assessed. Any potential environmental impacts shall be mitigated as per direction in the Environmental Impact Study (EIS), geotechnical and hydrogeological hydrotechnical findings. In particular, flood plain boundary refinement has been carried out and will be finalized to the satisfaction of the RVCA. Further, as outlined in the evidence of Ms. Chandler, the OPA and ZBLA and draft plan of subdivision conditions are designed to ensure that development cannot occur in the floodplain through the use of the hold in the zoning bylaw and the draft plan conditions. Therefore, in my opinion, no environmental, public health, or safety concerns will be created.</p> <p>iii. Policy 1.1.1 h): Regarding promoting development and land use patterns that conserve biodiversity, the completed EIS and the evidence of Mr. Francis provides direction to ensure the design of the development supports the adjacent natural system features and functions.</p> <p>iv. Policy 1.1.1 i): In terms of preparing for regional and local impacts of climate change, the completed EIS, Surface Water and Hydrogeological Reports and Integrated Hydrological Impact Study have evaluated the on-site conditions and provided direction to ensure the design of the development envelope and supporting infrastructure are sufficiently robust to accommodate future climate change and support the adjacent natural system features and functions as outlined in the evidence of Mr. Francis, Ms. Chandler and Mr. Frobert.</p> <p>Policy 1.1.2:</p> <p>This policy requires that sufficient land be made available to accommodate an appropriate range and mix of land uses to meet projected needs for up to 25 years. The lands are in the urban settlement boundary and approving applications</p>

Issue	
Planning Issues	Review and Opinion
	<p>for their development is consistent with this direction as identified in a recent consultant report for the Town's Residential Lands Comprehensive Review.</p> <p>Section 1.1.3, Settlement Areas:</p> <ul style="list-style-type: none"> <li data-bbox="821 431 1850 529">i. Section 1.1.3: Regarding Policy 1.1.3.1 which requires that settlement areas shall be the focus of growth and development, the Subject Lands are located within the Town's urban settlement boundary. <li data-bbox="821 566 1892 932">ii. Policy 1.1.3.2 provides that land use patterns within settlement areas shall be based on densities and a mix of land uses designed to achieve a number of the directions identified in the Planning Act such as efficient use of land and resources, appropriate for and efficiently use the infrastructure and public service facilities which are planned and available and avoid the need for their unjustified and uneconomical expansion and support active transportation. As discussed in the review of the Planning Act, planning for the proposed development of these lands has been underway for many years and the detailed direction established through the IMP, together with the detailed background technical studies, will ensure efficient and sustainable development. <li data-bbox="821 969 1892 1399">iii. Regarding Policy 1.1.3.6 which requires that new development take place in designated growth areas adjacent to existing built up areas, with a compact form and mix of uses and densities, the development provides a mix of residential uses including single detached and townhouse dwellings and a medium density affordable housing block. It is located in the urban settlement area with direct access to the Downtown to provide support Downtown businesses. Small-scale commercial opportunities are provided in the form of home based businesses and in the redevelopment of the golf course club house area so as not to detract from the Downtown and other key employment areas. Dwelling designs allow for an option for homeowners to include basement rough-ins for Additional Dwelling Units which provides for the potential for affordable rental housing. Further, the modified street grid allows for more efficient use of land.

Issue	
Planning Issues	Review and Opinion
	<p>Section 1.4 Housing:</p> <p>Policy 1.4.1 identifies that planning authorities provide an appropriate range and mix of housing types and densities to meet the projected requirements of current and future residents. This includes as set out in Policy 1.4.3:</p> <p>“Planning authorities shall provide for an appropriate range and mix of housing options and densities to meet projected market-based and affordable housing needs of current and future residents of the regional market area....”</p> <p>The Subject Lands will provide a range and mix of housing including townhouses, an affordable housing block and the option for homeowners to include basement rough-ins for Additional Dwelling Units.</p> <p>Policy 1.6.4 and Section 1.6.8 Transportation and Infrastructure Corridors Policy 1.6.4 states that infrastructure and public service facilities should be strategically located to support the effective and efficient delivery of emergency management services, and to ensure the protection of public health and safety. The current development plan (June 12, 2024) includes two (2) accesses to the Subject Land and these corridors will be protected as development proceeds. In a memo dated May 24, 2022, HP Engineering confirmed load capacity of the Peter Street bridge is adequate for construction and emergency response equipment. CGH Transportation prepared a memo outlining potential bridge options which is included within the Transportation Impact Study (TIS) prepared by CGH (February 2023), which identified a preferred option of twinning the existing Peter Street bridge and this will be maintained, together with the construction of a second access as recommended in the IMP as outlined in the evidence of Mr. Gordon.</p> <p>Section 3.1 Natural Hazards: The potential natural hazards have been evaluated in accordance with provincial guidelines and mapped on the Subject Lands. In particular, flood plain boundary refinement has been carried out and will be finalized to the satisfaction of the RVCA. Further, as outlined in the evidence of Ms. Chandler the OPA and ZBLA and draft plan of subdivision conditions are designed to</p>

Issue	
Planning Issues	Review and Opinion
	ensure that development cannot occur in the floodplain through the use of the hold in the zoning bylaw and the draft plan conditions.
<p>3. Does the Application conform to the policies of the County of Lanark Sustainable Communities Official Plan (SCOP)?</p> <p>a. The application of the conformity test will consider, but not be limited to the following policies of the SCOP:</p> <ul style="list-style-type: none"> i. Policy 1.1 Population Projections and Distribution, as amended by Amendment No. 8 to the SCOP; ii. Appendix 2 - Historical and Projected Population by Municipality, as amended by Amendment No. 8 to the SCOP; iii. Section 2.3 Settlement Area Policies; iv. Section 5.0 Natural Heritage; v. Section 7.0 Public Health and Safety; vi. Policy 8.2.1 Plan of Subdivision; vii. Policy 8.2.9 Affordable Housing, Subsection 5. 	<p>Policy 1.1 and Appendix 2 As outlined in detail in Section 5 of the Witness Statement and in Section 2 of this Table, the County and the Town have long planned for the development of the Subject Lands including through OPAs 8 and 9. The location of the Subject Land in the urban settlement boundary confirms this direction. This direction is reinforced by recent consultant reports for the County with respect to their 2023 Growth Study and for the Town with respect to their 2024 Official Plan Update. In particular, the Town’s consultant has identified the need to designate the subject lands for residential development to accommodate future population growth.</p> <p>Section 2.3 Settlement Area Policies Section 2.3 provides direction with respect to the approach which should be taken in Local Official Plans to development in Settlement Areas including encouraging efficient development patterns and providing for a mix of development. The Town Plan follows these general directions in my opinion and as reviewed in Section 7 of this Witness Statement, the proposed development, in my opinion, conforms with the Town’s Official Plan.</p> <p>Section 5.0 Natural Heritage The County Plan provides extensive direction with respect to the conservation and protection of natural heritage features similar to the PPS. As demonstrated by the EIS prepared in support of the subdivision proposal and the Witness Statement of Mr. Francis, any negative impacts on significant wetlands, woodlands, and wildlife habitat will be mitigated in accordance with the policies of Section 2.1 of the PPS and as such the development will conform to the SCOP.</p> <p>Section 7.0 Public Health and Safety These policies in the SCOP, similar to the PPS, are primarily concerned with ensuring development does not occur in hazardous areas and that land use conflicts are minimized. As noted above, the potential natural hazards have</p>

Issue	
Planning Issues	Review and Opinion
	<p>been evaluated in accordance with provincial guidelines and mapped on the Subject Lands. In particular, flood plain boundary refinement has been carried out and will be finalized to the satisfaction of the RVCA. Further, as outlined in the evidence of Ms. Chandler the OPA and ZBLA and draft plan of subdivision conditions are designed to ensure that development cannot occur in the floodplain through the use of the hold in the zoning bylaw and the draft plan conditions.</p> <p>As such the development is in conformity with these policies of the SCOP.</p> <p>Policy 8.2.1 Plan of Subdivision Policy 8.2.1 identifies the list of studies commonly required as part of the submission of a plan of subdivision. In addition, certain planning and design considerations are identified such as lot and block configuration and road access. As identified in the Chronology, the County deemed the application for plan of subdivision complete and as such, in my opinion, the requirements of this section can be deemed to be satisfied.</p> <p>Policy 8.2.9 Affordable Housing Subsection 5 This Policy is applicable to the County and the local municipalities. Subsection 5 requires monitoring of population projections and residential development targets in section 1.0 of the Plan. It is not clear if this monitoring is being carried out or not. However, regardless the applicant has provided for the dedication of a block of land for affordable housing as well as the option of additional residential units for home owners to include basement rough-ins for Additional Dwelling Units</p>
<p>4. Does the Application conform to the policies, purpose and intent of the Town of Perth Official Plan (the “Official Plan”)?</p> <p>a. The application of the conformity test will consider, but not be limited to the following policies of the Town of Perth Official Plan:</p> <p>i. 2.4 Official Plan Review Process;</p>	<p>Section 2.4 Official Plan Review Process: As discussed in Section 2 of this Table, the Subject Lands have long been planned for development and, in my opinion, the policy framework as well as the other work undertaken by the Town supports that intent. This direction is reinforced by recent consultant reports for the County with respect to their 2023 Growth Study and for the Town with respect to their 2024 Official Plan Update. In particular, the Town’s consultant has identified the need to designate the subject lands for residential development to accommodate future population growth.</p>

Issue	
Planning Issues	Review and Opinion
<ul style="list-style-type: none"> ii. 2.6 Planning Period; iii. 3.1 Population; iv. 3.2 A) Housing; v. 3.4 C) Infrastructure and Public Service Facilities; vi. 5.0 Functional Support Policies; vii. 5.1 Statement of Intent; viii. 5.2 Sewage and Water; ix. 5.3 Storm Water Management and Drainage; x. 5.5 Transportation; xi. 5.9.1(d); xii. 5.9.3; xiii. 5.10; xiv. 7.3.2; xv. 7.4; xvi. 8.1.4; xvii. 8.6; and xviii. 8.8 Special Study Area Designation. <p>b. Can the Official Plan be amended to designate lands currently designation as <i>Special Study Area</i> to <i>Residential</i> without conducting a comprehensive review as required by Section 8.8 of the Town Official Plan?</p>	<p>Further, the IMP sets out the framework for transportation, water supply, sanitary sewer and stormwater servicing for the Western Annex Lands, identifies key challenges in the development of this area, and contains a series of recommended servicing improvements. The development associated with the applications uses the IMP as foundation, which has been refined through further consultant studies including those listed in Table 8-1 of the Infrastructure Master Plan. The following studies have been completed for the Subject Lands and form part of the Draft Plan of Subdivision, OPA, and ZBLA applications:</p> <ul style="list-style-type: none"> • Western Annex Lands, 141 Peter St. Urban Design Brief, February 2023, Second Submission– Prepared by Nak Design Strategies • Phase One And Phase Two Environmental Site Assessment (Gemtec Consulting Engineers and Scientists Limited, April 7, 2022, and February 2023) • Environmental Impact Study (Kilgour and Associates Ltd., February 2023) • Hydrogeological Investigation (Gemtec Consulting Engineers and Scientists Limited, February 2022) • Geotechnical Investigation (Gemtec Consulting Engineers and Scientists Limited, April 4, 2022) • Slope Stability Assessment (Gemtec Consulting Engineers and Scientists Limited, February 2023) • Integrated Hydrological Impact Assessment (February 2023) • Functional Servicing Report (David Schaeffer Engineering Ltd., February 2023) • Transportation Impact Study (CGH Transportation, February 2023) • Stage 3 Archaeological Assessment, January 31, 2023 – Prepared By Matrix Heritage Inc. • Heritage Impact Assessment (WSP, March 23, 2022) <p>Section 2.6 Planning Period: and Section 3.1 Population The Planning Period is 2014 to 2034 although it is noted the vacant residential land base is based on the County growth allocation to 2038. Regardless the Subject Lands have been long considered for development by the Town and it is appropriate to proceed with the approvals, particularly since Section 3.1 Population recognizes the potential for development as it states:</p>

Issue	
Planning Issues	Review and Opinion
	<p data-bbox="825 298 1892 394">“This target population builds upon the population analysis undertaken by the Town in 2014..which demonstrated that Perth is very likely to experience a positive rate of growth....’</p> <p data-bbox="825 431 1860 462">The section then goes on to provide the basis for that assumption including that:</p> <p data-bbox="825 500 1797 563">“Several properties were annexed into the Town in 2009 and added into the inventory of residential lands available for future development.”</p> <p data-bbox="825 600 1892 696">Section 3.2 A) Housing: The Town’s Official Plan directs that greenfield housing will be directed to the areas annexed in 2009 to the west, which include the Subject Lands.</p> <p data-bbox="825 734 1892 862">Section 3.4 C) Infrastructure and Public Service Facilities: This section documents the expansion of sewage treatment capacity “essential for growth” in 2018 to a population equivalent of 8,100 and that with a fourth cell the population equivalent could be increased to 10,500 people.</p> <p data-bbox="825 899 1881 1066">Again this direction is reinforced by recent consultant reports for the County with respect to their 2023 Growth Study and for the Town with respect to their 2024 Official Plan Update. In particular, the Town’s consultant has identified the need to designate the subject lands for residential development to accommodate future population growth.</p> <p data-bbox="825 1104 1339 1135">Section 5.0 Functional Support Policies:</p> <p data-bbox="825 1172 1892 1367">An Updated Functional Servicing Study was prepared by DSEL (February 2023), which includes detailed water and wastewater analysis at a Town-wide level as outline in the evidence of Mr. Frobert. Triggers for the expansion of water and wastewater system are identified. Modelling indicates that sufficient capacity exists to accommodate the proposed development, with residual capacity available. The Functional Servicing Study takes into consideration all the information and</p>

Issue	
Planning Issues	Review and Opinion
	<p>direction referenced in Sections 5.1 Statement of Intent, 5.2 Sewage and Water and 5.3 Storm Water Management and Drainage: Section 5.5 Transportation:</p> <p>The current development plan (June 12, 2024) reflects the direction in the Official Plan. In particular, it includes two (2) accesses to the Subject Land and these corridors will be protected as development proceeds. In a memo dated May 24, 2022, HP Engineering confirmed load capacity of the Peter Street bridge is adequate for construction and emergency response equipment. CGH Transportation prepared a memo outlining potential bridge options which is included within the Transportation Impact Study (TIS) prepared by CGH (February 2023), which identified a preferred option of twinning the existing Peter Street bridge and this will be maintained, together with the construction of a second access as recommended in the IMP as outlined in the evidence of Mr. Gordon.</p> <p>Sections 5.9.1(d) and 5.9.3 Community Sustainability</p> <p>The proposed development is designed to be sustainable in my opinion. It directs development away from sensitive natural heritage features. Grant Greek PSW and the Tay River riparian corridor will be retained and potential impacts to these areas from the proposed development will be mitigated as outlined in the EIS and as outlined in the Witness Statement of Mr. Francis.</p> <p>To ensure the wetland water balance is maintained, the stormwater management on the site has been designed to provide contributions equivalent to the contributions from the same area, predevelopment as outlined in the Integrated Hydrological Impact Study.</p> <p>A modified grid network also contributes to sustainable neighbourhood design by providing efficient pedestrian and cycling routes within the neighbourhood and to downtown which encourages active transportation. Street trees will be provided creating a more comfortable pedestrian realm.</p>

Issue	
Planning Issues	Review and Opinion
	<p data-bbox="821 266 1209 293">5.10 Source Water Protection</p> <p data-bbox="821 331 1860 428">Portions of the development are within an intake protection zone. However, the stormwater management pond and proposed development are not considered a significant threat as outlined in the evidence of Mr. Frobert</p> <p data-bbox="821 466 1680 493">Section 7.3.2 Floodplains, Hazardous Lands and Hazardous Sites</p> <p data-bbox="821 531 1812 764">As noted above, the potential natural hazards have been evaluated in accordance with provincial guidelines and mapped on the Subject Lands. In particular, flood plain boundary refinement has been carried out and will be finalized to the satisfaction of the RVCA. Further, as outlined in the evidence of Ms. Chandler the OPA and ZBLA and draft plan of subdivision conditions are designed to ensure that development cannot occur in the floodplain through the use of the hold in the zoning bylaw and the draft plan conditions.</p> <p data-bbox="821 802 1251 829">Section 7.4:Contaminated Lands</p> <p data-bbox="821 867 1877 997">A Phase 1 Environmental Site Assessment (ESA) was carried out which identified two areas of potential concern. A Phase Two ESA was then conducted for the western portion of the Subject Lands which made specific recommendations for resolving the issues which will be implemented as recommended.</p> <p data-bbox="821 1034 1797 1099">Section 8.1.4: See discussion in Section 7.5.3 of the Witness Statement which concluded:</p> <p data-bbox="821 1153 1818 1386">The proposed development implemented by the proposed OPA and ZBLA conforms with the general intent of the Residential Area policies. The proposed housing types and densities are projected to meet the demand of future residents and are consistent with the housing policies of the Official Plan. The proposed OPA introduces a new designation with specific policies to enable the future redevelopment of the Subject Lands. Two accesses are now proposed to the Subject Lands.</p>

Issue	
Planning Issues	Review and Opinion
	<p>Section 8.6:Environmental Protection Area Designation – Natural Heritage Features</p> <p>The Town Plan, similar to the County Plan, provides extensive direction with respect to the conservation and protection of natural heritage features similar to the PPS. As demonstrated by the EIS prepared in support of the subdivision proposal and the Witness Statement of Mr. Francis any negative impacts on significant wetlands, woodlands, and wildlife habitat will be mitigated in accordance with the policies of Section 2.1 of the PPS and as such the development will conform to the Town OP.</p> <p>Section 8.8 Special Study Area Designation:</p> <p>The submitted OPA application seeks to redesignate the Subject Lands from “Special Study Area” to “Residential Area”, “Parks and Open Space”, and “Environmental Protection,” including boundary adjustments to better reflect site conditions and support the proposed development.</p> <ul style="list-style-type: none"> • The policies in Section 8.8.1 state that land uses designated Special Study Area are not within the urban settlement boundary under the Town OP and the County OP, and that lands within this designation will be considered for inclusion in the Town’s urban service boundary whenever a comprehensive review of the OP is undertaken in accordance with the PPS and/or in conjunction with a comprehensive review of growth for an update of the County OP. I • The Subject Lands have been in the urban settlement boundary since 2019. • As noted above, the Special Study Area policies related to requiring a comprehensive review do not apply as the Subject Lands are already within the Town’s urban settlement boundary area.
Zoning Amendment Issues	
13. Are the proposed zoning performance standards appropriate?	<p>The proposed zoning performance standards will implement the Vision & Design Principles in the Urban Design Report including:</p> <ul style="list-style-type: none"> • A high standard of design that reflects the heritage character of Perth while reflecting a character and style which is unique to this new neighbourhood;

Issue	
Planning Issues	Review and Opinion
	<ul style="list-style-type: none"> • Creation of an appropriate streetscape which is pedestrian oriented including achievement of the required front yard setback of 3 metres established in the Official Plan. • An efficient land use pattern and which is generally consistent with the existing R1, R2, R3 zoning requirements for rear yard setbacks (6m), side yards (1.2m + 0.6m), while recognizing the need for more efficient development. <p>In addition, I am advised that Caivan was requested by the Town to prepare right-of-way cross-sections for the proposed road classifications, as the Town did not have standard cross-sections available. Caivan developed cross-sections based on the Town OP policies for right-of-way widths in Section 5.5.4 Local Roads. The Draft Plan of Subdivision and the proposed ZBLA were developed to integrate the cross-sections and their land requirements, in accordance with the right-of-way standards in Section 5.5.4 Local Roads.</p>
Draft Plan of Subdivision Issues	
<p>14. Does the proposed draft plan of subdivision have appropriate regard for the matters and criteria to be addressed pursuant to s. 51(24) of the <i>Planning Act</i>?</p>	<p>As outlined in the Witness Statement Section 7.2, the proposed Draft Plan of Subdivision meets the applicable criteria under Section 51(24) of the Planning Act:</p> <p>a) The proposed Draft Plan of Subdivision has regard to matters of provincial interest as outlined in Section 7.2.3 of this Witness Statement. In particular, by ensuring the orderly development of the community, adding to the range of housing options, supporting active transportation, and promoting a well designed built form;</p> <p>b) The proposal is not premature as it located within an urban settlement area that is identified for growth. Further, the neighbourhood is being planned comprehensively to ensure that it will proceed in a manner which reflects the public interest in accordance with the availability of infrastructure and services. The Draft Plan of Subdivision is also in the public interest as it will provide diverse and appropriate housing options for residents of the Town of Perth. The proposed development will complement the existing surrounding community by introducing new and compatible housing forms. The proposed development will support the</p>

Issue	
Planning Issues	Review and Opinion
	<p>continued desirability of downtown Perth as a destination and will fulfill the Town of Perth's Growth Strategy as outlined in the local and County OPs and Infrastructure Master Plan.</p> <p>c) The proposed Draft Plan of Subdivision generally conforms with the intent of the County and Town OPs, and the processes required to permit development. The design and scale of the proposed development is intended to complete and complement adjacent neighbourhoods.</p> <p>d) As demonstrated through the supporting studies for the proposed Draft Plan of Subdivision, the land is suitable for the subdivision and development of the proposed residential community including with respect to the protection of the natural environment, cultural heritage, access and servicing.</p> <p>d.1) The revised development plan (June 12, 2024) includes the addition of a medium-density 60-65 unit affordable housing block. The block of land is proposed to be dedicated to the Town or other public agency for affordable housing. The subject lands are adjacent to a park and the natural heritage system, in a central location directly accessible to the Peter Street bridge</p> <p>e) The proposed road network is designed to be safe for pedestrians, cyclists, and motorists. The modified grid network and hierarchy of streets ensure easy orientation throughout the community, as well as pedestrian-oriented scale and permeability. The revised development plan (June 12, 2024) includes the construction of a second bridge on the north side of the property, to provide two points of access to the development, thereby alleviating certain concerns relating to traffic congestion and safe passage as discussed in the evidence of Mr. Gordon, include detailed information about the road network, and the adequacy within the proposed subdivision and surrounding network at full build out scenarios.</p> <p>f) The dimensions and shapes of the proposed lots allow for a variety of arrangements. The affordable housing block included in the revised development plan (June 12, 2024) is +/-0.6 ha. The Official Plan and</p>

Issue	
Planning Issues	Review and Opinion
	<p>Zoning By-law amendments establish restrictions on development including appropriate setbacks and other limitations to ensure development which will provide a high quality urban form that promotes a sense of place including an enhanced streetscape through creation of less car dominant facades and public spaces that are high quality, safe, accessible and attractive.</p> <p>g) There are no proposed restrictions on the land proposed to be subdivided or the buildings and structures proposed to be erected on it, or restrictions on adjoining land.</p> <p>h) The EIS undertaken in support of the development identified some natural resources on the site that require conservation. Development shall have no net negative impacts on the natural features or on their ecological function as the development proposal has been designed to protect, restore, and enhance the existing natural features and ecological functions. Further, the proposal is limited to lands outside of natural hazards (erosion and flooding) to ensure public safety.</p> <p>i) Municipal services are required to be constructed in order to service the proposed community. Details regarding the provision of utilities and municipal services have been submitted with the applications.</p> <p>j) No school sites are proposed within the Draft Plan of Subdivision area.</p> <p>k) Future residents of the neighbourhood will benefit from the existing and retained Perth Golf Course, proposed trail network and natural heritage areas. Three (3) neighbourhood parks are proposed, ranging in size from 0.20 ha to 1.11 ha, for a total of 2.25 ha</p> <p>l) The density of the proposed community and range of lot size and variety of housing typologies optimizes the available land supply. The proposal makes efficient and sustainable use of land, infrastructure, and services.</p>

Issue	
Planning Issues	Review and Opinion
15. What revisions, if any, need be made to the Draft Plan of Subdivision prior to approval?	As part of the Draft Plan of Subdivision resubmission, Caivan prepared a revised development concept encompassing the entirety of the Subject Lands. The Draft Plan of Subdivision was further revised on March 1, 2024 by the Appellant to address concerns from the Parties and the community, by including the addition of a proposed second access on the north side of the Subject Lands and a medium density affordable housing block comprised of 60-65 affordable dwelling units. Further revisions were made to the plan on June 12, 2024 to reflect revisions to the Natural Heritage System based on site walks in May 2024.
16. What conditions of draft plan approval should be applied in accordance with s. 51(25) of the <i>Planning Act</i> ?	See conditions in Attachment J to Witness Statement
Overall	
17. Would the approval of the applications constitute good planning in the greater public interest?	The proposed Draft Plan of Subdivision, OPA, and ZBLA applications to support the proposed Western Annex Lands community meet the requirements under the Planning Act, are consistent with the PPS, 2020, conform with the County of Lanark Sustainable Communities Official Plan, and the Town of Perth Official Plan. As such, the proposed applications represent good planning and are in the public interest.

ATTACHMENT A

Elizabeth Howson B.E.S., MCIP, RPP, Principal

Education

Bachelor of Environmental Studies
(Urban & Regional Planning)
University of Waterloo - 1975

Professional Affiliation

Full Member, Canadian Institute of Planners
Registered Professional Planner

Professional Experience

Macaulay Shiomi Howson Ltd.
Principal, 1983 to present

Walker Wright Young Associates Ltd,
Planning Consultants, Senior Planner,
1981 to 1983

City of London Planning Department,
Planner, 1978 to 1981

James F. Maclaren Limited, Planning and Engineering
Consultants, Planner I, Planner II. 1975 to 1978

Awards

North Oakville Secondary Plan & Implementation
Strategy, Ontario Professional Planners Institute,
Excellence in Planning, 2010

Cornell Secondary Plan,
Canadian Institute of Planners,
Award for Planning Excellence, 1994

Elizabeth has over 40 years of planning experience
and has prepared a variety policy documents.

Project Experience

Some specific consulting projects which Ms. Howson
has had major responsibility in serving public clients
include:

- Official Plans: Towns of Grimsby, Milton, Cobourg, Whitchurch-Stouffville, East Gwillimbury, and Richmond Hill, Townships of Brighton, Chandos, Galway and Cavendish and Village of Lucan
- Secondary Plans
 - » Ninth Line and Class EA, City of Mississauga
 - » Block 27 and Kirby Hub, City of Vaughan
 - » New Toronto, City of Toronto
 - » North Oakville East and West, Town of Oakville
 - » Sharon Community, Town of East Gwillimbury
 - » East Markham/Ninth Line Community (Cornell) Ministry of Housing East Markham Project
 - » Upper Middle Road/Appleby Line: Mixed Use Activity Area, City of Burlington
 - » Bronte Creek Business Park, City of Burlington
 - » Shell Lands, Town of Oakville/City of Burlington
 - » Community of Stouffville Phase 2 Secondary Plan, Town of Whitchurch-Stouffville
 - » Tremaine Road, Region of Halton, City of Burlington, Town of Oakville
 - » Bristol Survey, Town of Milton
 - » Boyne Survey and Milton Education Village, Town of Milton
 - » Sherwood Survey, Town of Milton
 - » 401 Industrial/Business Park, Town of Milton
 - » Derry Green Business Park, Town of Milton
 - » Georgetown GO Station, Town of Halton Hills
 - » Uxbridge Urban Area, Township of Uxbridge
 - » Development Area B (Cobourg West), Town of Cobourg
 - » Elgin Densmore, Town of Cobourg

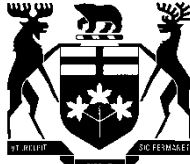
- Victoria Square Boulevard EA
- Yonge Street North Planning Study and Class EA
- Yonge Street Corridor Transitway Study, Region of York
- Highway 7 Transitway Corridor Study, Region of York
- Community of Stouffville Residential Intensification Study, Town of Whitchurch-Stouffville
- North Oakville Zoning By-law and Implementation Strategy, Town of Oakville
- Cooksville District Specific Area Review, City of Mississauga
- Downtown Stouffville Community Improvement Plan, Town of Whitchurch-Stouffville
- Uxbridge Urban Area Downtown Vision & Action Plan, and Community Improvement Plan, Township of Uxbridge
- Places of Worship Study, Town of Markham
- Peer Review, Phase 3 Urban Expansion (OPA 198), Town of Oakville
- Urban Area Expansion/Housing Official Plan Policies and Related Zoning Regulations, Town of Markham
- Commercial Policy Review, City of Peterborough
- Official Plan and Zoning By-law Streamlining Guidelines, Ministry of Municipal Affairs
- Halton Parkway Belt Plan and Site Specific Proposals Review, City of Burlington
- Niagara Escarpment Conformity Exercise, City of Burlington, and Towns of Milton and Halton Hills
- Oak Ridges Moraine Conservation Plan Conformity Exercises, East Gwillimbury, Whitchurch-Stouffville, and Uxbridge
- Zoning By-law, Phase I Urban Expansion Area, Town of Milton
- Presentation of evidence as an expert planning witness before the Local Planning Appeal Tribunal (LPAT) (formerly O.M.B.) on a variety of

matters including official plan amendments, secondary plans, rezonings and land division proposals.

As a consulting planner for private clients, her work has included planning support for a range of development projects including:

- » Joint planning lead, Robinson Glen Secondary Plan, Markham
 - » Three Neighbourhood Plans and related Plans of Subdivision for a major land owner, Seaton, City of Pickering
 - » Represents major land owner as part of Green Lane Secondary Plan process, East Gwillimbury
 - » Range of minor variance applications in various municipalities
 - » Automobile dealership and related office/restaurant uses, City of Toronto
 - » Provision of advice to owner of industrial building with respect to protection of use related to adjacent development proposals, City of Toronto
 - » Expansion veterans care facility, City of Toronto
 - » Berczy Village Secondary Plan, Town of Markham
 - » Vaughan City Centre, a mixed use project, City of Vaughan
 - » Humber Flats residential community, Town of Richmond Hill
 - » Office/industrial/mixed use campus, Town of Markham
 - » Canadian Tire store, City of Peterborough
 - » Commercial plaza, Town of Ancaster
 - » Detailed design, medium density townhouse blocks, City of Burlington
 - » Conversion of industrial buildings for mixed use project, City of Peterborough
 - » Industrial subdivision, City of Vaughan
- Presentation of evidence as an expert planning witness before the LPAT (formerly OMB) on a wide range of matters in a variety of municipalities throughout southern Ontario.

ATTACHMENT B



Ontario
Ontario Land Tribunal
Tribunal ontarien de l'aménagement du territoire

Acknowledgment Of Expert's Duty

OLT Case Number	Municipality
OLT-23-000534	Town of Perth

1. My name is.....Elizabeth Howson.....(*name*)
 I live at theCity of Toronto.....(*municipality*)
 in the.....(*county or region*)
 in theProvince of Ontario.....(*province*)

2. I have been engaged by or on behalf of.....Caivan (PG) Limited...(*name of party/parties*) to provide evidence in relation to the above-noted Ontario Land Tribunal (`Tribunal`) proceeding.

3. I acknowledge that it is my duty to provide evidence in relation to this proceeding as follows:
 - a. to provide opinion evidence that is fair, objective and non-partisan;
 - b. to provide opinion evidence that is related only to matters that are within my area of expertise;
 - c. to provide such additional assistance as the Tribunal may reasonably require, to determine a matter in issue; and
 - d. not to seek or receive assistance or communication, except technical support, while under cross examination, through any means including any electronic means, from any third party, including but not limited to legal counsel or client.

4. I acknowledge that the duty referred to above prevails over any obligation which I may owe to any party by whom or on whose behalf I am engaged.

Date.....April 15, 2024...

.....
Signature

ATTACHMENT C

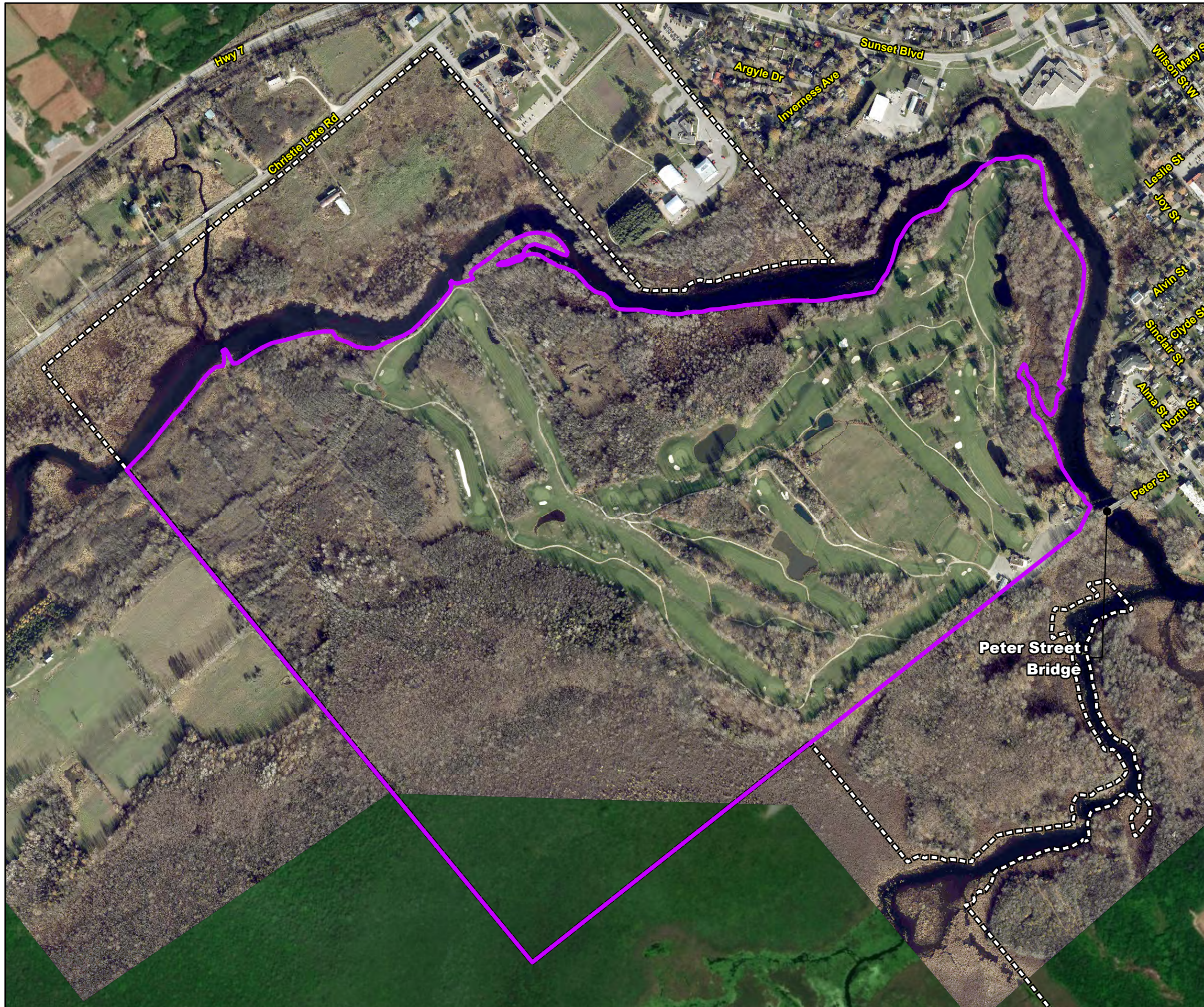
Attachment “C”

Key Document Review

The following is a summary of the key documents I reviewed which form the basis for my evidence and opinion for this hearing:

1. *Planning Act*
2. Provincial Policy Statement, 2020
3. County of Lanark Sustainable Communities Official Plan (SCOP)
4. Lanark County Council Agenda June 12, 2019, Agenda Item 13i Amendment No. 8 to the Lanark County Sustainable Communities Official Plan
5. Lanark County Council Agenda June 12, 2019, Agenda Item 13 ii Amendment No. 9 to the Lanark County Sustainable Communities Official Plan
6. Town of Perth Official Plan- consolidated text online
7. Town of Perth Zoning By-law
8. Staff Report to Committee of the Whole of the Town of Perth, Public Meeting for Official Plan Amendment – OPA -01-2023 and Zoning By-law Amendment – ZBL-03-2023,, 141 Peter Street, Perth Golf Course – CAIVAN(Perth GC) Limited, From Joanna Bowes, Director of Development Services, August 10, 2023
9. All documents referenced in this Witness Statement and Attachments including the Chronology in Attachment F including:
 - i. Planning Rationale, February 2023 prepared by WSP
 - ii. Environmental Impact Study for the Proposed Development of the Western Annex Lands 141 Peter Street) in Perth Ontario, February 23, 2023 (EIS) prepared by Kilgour & Associates Ltd
 - iii. Functional Servicing Report for Caivan (Perth GC) Limited Proposed Residential Subdivision, February 2023, prepared by David Schaeffer Engineering Ltd. (DSEL)
 - iv. Town of Perth Infrastructure Master Plan, Jp2g Consultants Inc. November 2019
 - v. Residential Lands Comprehensive Review for Councils Review Town of Perth, Jp2g Consultants Inc. June 4, 2024
 - vi. Lanark County 2023 Growth Study – Area Municipal Growth Allocations, Presentation to County Council, **Watson & Associates Ltd., May 22, 2024**
10. CAIVAN OPA, ZBLA and POS applications and supporting materials
11. Witness Statements of CAIVAN consultant team

ATTACHMENT D



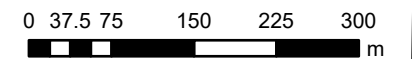
- Legend**
- Perth Golf Course Boundary
 - Town of Perth Municipal Boundary/Settlement Area Boundary

Source: Caivan Perth Golf Course Preliminary Plan; Air Photography by First Base Solutions

Golf Course Development Lands

Perth Golf Course

CAIVAN



May 2024



ATTACHMENT E

Attachment E
OLT-23-000534 Chronology
Perth Golf Course Lands
(Additional matters not identified in the PASF are highlighted)

#	Date	Action
1.	2009	Perth Golf Course lands (Subject Lands) annexed to the Town of Perth (Town).
2.	June 27, 2012	County of Lanark Sustainable Communities Official Plan (SCOP) adopted by County Council.
3.	2012	<p>The Town filed an appeal of the Province’s approval of the SCOP (PASF Chronology Item 3) because as described in the OPA 16 Chronology (page 4-5):</p> <p>“The Town’s vision as a regional growth centre for the western half of Lanark County was not fully reflected in the Lanark County Sustainable Communities Official Plan adopted in 2012. As a result, the Town of Perth appealed the approval of the LCSCOP. “</p> <p>More specifically, as outlined in the IMP in November 2019 (page 1):</p> <p>“The SCOP has projected slow growth rates for Perth and had not included the annexed lands on the County Schedule ‘A’. The Town was concerned that the population projections could affect its anticipated development, as the County is the approval authority for plans of subdivision and condominium. In addition, the Town of Perth has conducted extensive studies, was undertaking repairs to the sanitary sewage collection system, and was proposing an Environmental Assessment to address the limited sewage treatment capacity – a servicing issue which would limit the development in the annexed lands.”</p>

Attachment E
OLT-23-000534 Chronology
Perth Golf Course Lands
(Additional matters not identified in the PASF are highlighted)

#	Date	Action
4.	September 9, 2014	Town Official Plan Amendment 14 (OPA 14), adopted by Council pursuant to section 26 of the Planning Act.
5.	May 27, 2015	Minutes of Settlement (MOS) reached between the Town, the County of Lanark (County) and the Province which resolved the Town's appeal of the SCOP.
6.	June 22, 2015	<p>MOS executed on June 22, 2015. As a result of the MOS, the Town modified OPA 14 with respect to the land use designations and added new policy sections.</p> <p>Official Plan Amendment 14 established a Future Urban Service Area Designation for lands needed to accommodate future residential and neighbourhood development in years beyond the planning horizon of this Plan and included the Subject Lands in that designation.</p> <p>The MOS changed the Future Urban Service Area designation to a Special Study Area designation clarifying that the Subject Lands and the Tayview lands were outside of the settlement area boundary. The designation also indicated that future development of these lands would only be done following a comprehensive review of the Official Plan, occur at urban densities using municipal services, and in consideration of natural heritage features.</p>
7.	January 13, 2016	<p>County OPA 4 was adopted to reflect the MOS. Together with the Town's modifications to OPA 14, the OPAs had the following effect on the Subject Lands:</p> <ul style="list-style-type: none"> • Expanding the Town's municipal boundary to include the lands annexed in 2009; • Modifying the Town's urban settlement boundary to include a portion of the Subject Lands (designated as Residential) and to reallocate some of the residential development

Attachment E
OLT-23-000534 Chronology
Perth Golf Course Lands
(Additional matters not identified in the PASF are highlighted)

#	Date	Action
		<p>potential (120 units) from another area of the Town to the area; and,</p> <ul style="list-style-type: none"> • Remainder of Subject Lands designated “Special Study Area”, “Parks and Open Space” and “Environmental Protection Area”.
8.	April 16, 2019	<p>Town OPA 16 adopted.¹</p> <p>The OPA 16 Chronology (page 3)² notes:</p> <p>“Over the past two (2) decades the Town of Perth has been pursuing opportunities to encourage growth and development of the community as a fully serviced, completed Settlement Area within Lanark County, consistent with Section 1.1.3 of the PPS. To this end the Town has undertaken a number of studies and initiatives which support the growth and development of the town and the expansion of the Urban Settlement Boundary.....</p> <p>In 2009, the Town worked with area property owners to annex three parcels of land into the Corporation of the Town of Perth commonly referred to as “Golf Course Lands”, “Tayview Lands”, “Meadow Lands”...These annexations were approved by order of the Minister of Municipal Affairs and House(sic) on December 21, 2009. The intent of this effort is to provide the Town with sufficient lands to accommodate future development consistent with the direction in the PPS and the desire for future development to be on full municipal services.”</p>

¹ Chronology with respect to matters leading up to the adoption by the Town of Official Plan Amendment 16 (OPA 16) reflects a detailed description in Section 2.0 of the Planning Justification Report (PJR) for Official Plan Amendment 16 (OPA 16), Chronology of Events Leading up to OPA #16 (OPA 16 Chronology) and in Part A, The Preamble Purpose of OPA 16 itself. The PJR and the Amendment were prepared by the Town of Perth Development & Protective Services Department and the PJR is dated January 11, 2019. OPA 16 was adopted by the Town on April 16, 2019.

² Note – All references and quotations from the OPA 16 Chronology are the same as or similar to statements in Part A, The Preamble Purpose of OPA 16 itself.

Attachment E
OLT-23-000534 Chronology
Perth Golf Course Lands
(Additional matters not identified in the PASF are highlighted)

#	Date	Action
9.	June 12, 2019	<p>County OPAs 8 and 9 adopted, and Town OPA 16 approved with modifications, all concurrently including the following:</p> <ul style="list-style-type: none"> • County OPA 8 updated the County’s population projections to 2038, including an estimated population for the Town of 8,085; • County OPA 9 designated lands within the Town’s municipal boundary as “Settlement Area” as shown on Schedule “A”; • Town OPA 16 expanded the urban settlement boundary to include all the Subject Lands in the municipal boundary; and, • The land use designations for the Subject Lands in the Town’s OP were not changed from those agreed to in the Town’s OPA 14 modified as a result of the MOS. <p>The effect of the County OPAs and OPA 16 was (OPA 16 Chronology Page 6)</p> <p>“...to expand the Urban Settlement Boundary of the Town of Perth and identify additional lands for Residential development consistent with the population allocation of 8,085. OPA #16 will also update policies within the TOPOP which related to the new design population of 8,085, acknowledge the increased waste water treatment capacity of the lagoon, designate certain lands from Residential to Business Park, and establish policies for lands designated Future Development. In addition, both the County OPA and Perth OPA #16 are designed to expand the Urban Settlement Boundary to included non-developable lands, primarily provincially significant wetlands, which are within the boundaries of the Corporation of the Town of Perth.”</p> <p>Further, the effect of the County OPAs and OPA 16 was (OPA 16 Chronology Page 6) as set out in OPA 16, Section 2, Details of the Amendment, which amends Section 2.2,</p>

Attachment E
OLT-23-000534 Chronology
Perth Golf Course Lands
(Additional matters not identified in the PASF are highlighted)

#	Date	Action
		<p>History of Land Use Planning in Perth to include the following:</p> <p>“In 2018, the Town initiated OPA #16 which incorporated the 2009 annexed lands into the Town of Perth Urban Settlement Boundary, providing the community with sufficient lands to accommodate the 2038 planned populations of 8,085.”</p> <p>OPA 16, Section 11, Details of the Amendment, also deletes Section 8.8, Special Study Area Designation and replaces it with a new section “8.8 Future Development Designation”. Section 8.8.1, General Scope, states that:</p> <p>“Lands within the Future Development designation are needed for long term infrastructure planning and may be needed to accommodate future residential development in years beyond the planning horizon of this Plan. Lands within this designation will be considered for residential development whenever a comprehensive review of the Plan is undertaken in accordance with the Provincial Policy Statement and/or in conjunction with a comprehensive review of growth for an update of the Lanark County SCOP.”</p> <p>OPA 16, Section 8.8 Future Development Designation, Section 8.8.3, Future Development Policies however, provides specific direction which must be satisfied prior to the development of the lands including development at urban densities with future planning determining the preferred land use mix. In addition, development is to be serviced by municipal water supply, sanitary sewer and stormwater management facilities. Development should not limit the potential future use of the land or extension of services or development. The impact of development on</p>

Attachment E
OLT-23-000534 Chronology
Perth Golf Course Lands
(Additional matters not identified in the PASF are highlighted)

#	Date	Action
		Natural Heritage Features must also be considered prior to any change in the designation.
10.	September 2019	Town OP consolidated, however, it should be noted that the online GIS Town of Perth Community Map and OP Schedules have not been consolidated following OPA 16. The expanded urban settlement boundary resulting from OPA 16 is not shown.
11.	November 2019	<p>The Town of Perth hired Jp2g to prepare an Infrastructure Master Plan (IMP), which was completed in November 2019, for the lands referred to as the Western Annexed Area which includes the Subject Lands in order to</p> <p>“develop a framework for transportation, water supply, sanitary sewer and stormwater servicing for the study area and provide the Town with an understanding of both the short- and long-term opportunities and constraints associated with the development of this unique area.” (IMP Page 1)</p> <p>The IMP, in the context of County Council’s approved 2038 population for Perth of 8,025, identifies that with respect to the Western Annexation Lands, including the Subject Lands,</p> <p>“The Town OPA No. 14 and 16 designated the developable lands for residential growth...The proposed communities are shown in Figure 2-1.</p> <p>2.3.1 Perth Golf Course Lands</p> <p>Based on a Concept Plan...the first ten (10) holes of the existing golf course are to be retained and would form the northeasterly portion of the property. The plan illustrates a mix of single detached, townhouse, and medium-density residential dwellings with an estimated total of 650 residential units proposed. The portion of the site presently</p>

Attachment E
OLT-23-000534 Chronology
Perth Golf Course Lands
(Additional matters not identified in the PASF are highlighted)

#	Date	Action
		<p>in the Residential Area designation on Schedule A of the Official Plan has potential for 120 units.”</p> <p>The IMP sets out the framework for transportation, water supply, sanitary sewer and stormwater servicing for the Western Annex Lands, identifies key challenges in the development of this area, and contains a series of recommended servicing improvements.</p>
12.	October 24, 2000	Town’s Comprehensive Zoning By-law No. 3358 was originally adopted on October 24, 2000. It was consolidated in December 2022, including amendments per By-laws 2002-3467; 2006-3358-36; 2008 3358-46; 2017 3358-91; and 2020 2258-107.
13.	July 8, 2021	Meeting involving servicing between Appellant (Caivan) and Town.
14.	November 25, 2021	Pre-application consultation meeting was held with the Appellant (Caivan), and the Town. The County was invited it is not agreed as to whether they attended or not.
15.	January 14, 2022	Pre-application consultation meeting held with Caivan and the County with respect to the draft plan of subdivision (DPS).
16.	February 4, 2022*	Meeting held with Caivan, County, Town, and Rideau Valley Conservation Authority (RVCA) planners to discuss the Town’s Official Plan mapping discrepancies and policies as a follow up to the January 14, 2022 pre-application consultation meeting.
17.	February 11, 2022*	Meeting held with Caivan, County, Town, and RVCA planners to discuss a memorandum (memo) prepared by WSP (Caivan’s consultant) entitled “Official Plan Review and Analysis re: Boundary Adjustments”, dated February 11, 2022.
18.	April 14, 2022	Original application for the DPS submitted to the County.

Attachment E OLT-23-000534 Chronology Perth Golf Course Lands (Additional matters not identified in the PASF are highlighted)		
#	Date	Action
19.	May 13, 2022	County deemed application for DPS incomplete.
20.	June 7, 2022	Letter sent to the County by Caivan’s solicitor Aird & Berlis LLP submitting that the County had received the necessary information and materials in accordance with O. Reg. 544/06 under the Planning Act, the County Official Plan, and the Town Official Plan in order to deem the DPS complete.
21.	June 8, 2022	County deemed the DPS complete.
22.	July 12, 2022	RVCA email in response to the circulation of the Caivan application which asked that review of the application be deferred because there was insufficient information.
23.	August 8, 2022	Town provided comments on the DPS to the County.
24.	August 9, 2022	County emailed circulation comments, including the Town’s comments, to Caivan. The County required an OPA to the Town’s OP and a Zoning By-law amendment (ZBLA) to the Town’s Zoning By-law to be submitted concurrently.
25.	February 24, 2023	Submission meeting held with Caivan, the County, Town, and RVCA. The Original applications for an OPA and ZBLA were submitted to the Town, which included cheques, application forms, and digital copies of submission materials. In addition, the DPS application was resubmitted with a revised development concept encompassing the entirety of the Subject Lands.
26.	February 24, 2023	Notice of Commencement and Public Consultation for the Class Environmental Assessment (Class EA) for the Western Annex Lands, 141 Peter Street, Town of Perth was circulated to the Ministry of the Environment, Conservation and Parks (MECP).

Attachment E OLT-23-000534 Chronology Perth Golf Course Lands (Additional matters not identified in the PASF are highlighted)		
#	Date	Action
27.	March 2, 2023	Notice of Commencement and Public Consultation for the Class EA for the Western Annex Lands was posted in the Smiths Falls, Carleton Place, Kemptville, and Perth Courier.
28.	March 6, 2023	Hard copies and USB sticks of the OPA, ZBLA, and DPS applications and submission materials were provided to the Town and the County.
29.	March 7, 2023	Representatives of Caivan made a presentation to the Town's Committee of the Whole meeting.
30.	March 9, 2023	Town advised that a pre-application consultation meeting was required for the OPA and ZBLA.
31.	April 13, 2023	Pre-application consultation meeting for the OPA and ZBLA.
32.	April 24, 2023	Town emails Caivan with list of items missing.
33.	May 2, 2023	The Town deemed the OPA and ZBLA applications complete. The Town provided preliminary planning and building comments for consideration.
34.	May 12, 2023	Caivan filed an appeal of the DPS application pursuant to subsection 51(34) of the Planning Act.
35.	August 10, 2023	The Town held a Special Committee of the Whole Meeting – Public Meeting on the OPA and ZBLA.
36.	September 8, 2023	Caivan filed appeals of the OPA and ZBLA applications pursuant to subsections 22(7) and 34(11) of the Planning Act respectively.
37.	March 1, 2024	Pursuant to paragraph 10 of the Procedural Order established by the Ontario Land Tribunal (OLT) for the hearing of the appeals dated February 27, 2024, Caivan notified the Parties of the intention to seek approval of a revised version of its proposal and issued a revised development concept plan and

Attachment E OLT-23-000534 Chronology Perth Golf Course Lands (Additional matters not identified in the PASF are highlighted)		
#	Date	Action
		explanatory memorandum from their transportation consultant, CHG Transportation Inc.
38.	May 22, 2024	Lanark County 2023 Growth Study – Area Municipal Growth Allocations, Presentation to County Council. The presentation was by Watson & Associates Ltd. The presentation identifies 1000 low density units in the development approvals process for Perth. It also identifies a demand for 410 medium density and 740 apartments and stacked townhouses for Perth to 2051. Finally, it includes a growth forecast for Perth of 10,370 in 2051 from 6,469 in 2021.

*NOTE: Ms. Bowes does not agree “to any specifics that happened to before” she was hired by the Town (May 16, 2022) because “there are no real records or unclear or half records....unless I can locate a paper trail as below.” Specific meetings she was able to establish a paper trail for prior to her employment with the Town are July 8, 2021, November 5, 2021, and January 14, 2022.

ATTACHMENT F

APPENDIX A – ATTACHMENT G

OFFICIAL PLAN AMENDMENT

DRAFT BY-LAW NO. 2024-XX

This amendment was adopted by the Corporation of the Town of Perth by By-law No. 2024-XX in accordance with the Planning Act, R.S.O. 1990, as amended, on the _____ day of _____, 2024.

STATEMENT OF COMPONENTS

PART A – THE PREAMBLE contains an explanation of the purpose and basis for the amendment, as well as a description of the lands that are affected, but does not constitute part of this amendment.

PART B – THE AMENDMENT consisting of the adoption of replacement text and policies for the Western Annex Lands as illustrated in “Schedule A – Key Location Map”. Changes to the Town of Perth Official Plan Schedule A – Land Use Designations and Overlays are described and illustrated in “Schedule B – Proposed Land Use Designations” attached hereto and forming part of this By-law. Changes to the Town of Perth Official Plan Schedule B – Transportation and Utility Corridors are illustrated in “Schedule C – Proposed Road Classifications” attached hereto and forming part of this By-law.

PART A – THE PREAMBLE

PURPOSE

The purpose of Official Plan Amendment No. 2024-XX is to address necessary changes to the Town's policies and mapping to allow for the development of a planned residential neighborhood on the Western Annex Lands.

The Town of Perth intends to be a fully serviced, completed settlement area within Lanark County, and has been actively planning the development of the Western Annex Lands as part of this vision. The policies in this proposed amendment will guide the development and neighbourhood design of these lands through Zoning By-law Amendment, Site Plan, and Draft Plan of Subdivision application processes.

LOCATION

The lands affected by By-law 2024-XX include the lands within the Western Annex boundary shown in "Schedule A – Key Location Map". These lands are generally described as lands bounded by the Tay River to the north and east, the Town of Perth municipal boundary to the west, and the municipal boundary and Grants Creek to the south, and legally described as:

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

All lands are within the County of Lanark.

BASIS

The Town of Perth has been actively planning for the growth and residential development of the Western Annex Lands as part of their strategy to become a fully serviced and completed settlement area within the County of Lanark.

As part of this growth strategy, the Western Annex Lands were annexed by the Town in 2009 to provide sufficient lands for future residential growth. In 2014, the Town initiated Official Plan Amendment (OPA) No. 14 and designated a portion of these lands as Special Study Area to accommodate future residential development although a portion of these lands remained outside of the urban settlement boundary. In

2019, the Town initiated concurrent OP amendments to the Town and County Official Plans (Town OPA No. 16 and County OPA No. 9) to establish a growth strategy for future residential development including expanding the urban settlement boundary to include all lands within the Town's municipal boundary, including the Western Annex Lands, and the Town adopted the Western Annex Infrastructure Master Plan (IMP) to guide the development of this area.

Continuing the implementation of the Town's growth strategy an amendment to the Town of Perth Official Plan is proposed which would remove the Special Study Area designation, and redesignate the lands as per Schedule B to this amendment. This amendment also identifies the preferred and required transportation and servicing infrastructure, consistent with the Town's Western Annex IMP, to deliver on the Town of Perth's growth management strategy. The proposed development concept will provide a fully serviced residential neighbourhood on the Western Annex Lands that accommodates Perth's sustained growth, and provides additional housing supply.

This amendment will:

- Amend Section 8.1.4 New Residential Area Designation, specifically Policy 8.1.4.2 a) to remove reference to the Perth Golf Course;
- Add a new Section 8.10 Western Annex Lands in the Official Plan to provide policy direction specific to the development of the Western Annex Lands. This includes policy direction and guidance on housing, parks and open space, transportation, servicing, and environmental protection; and
- Amend Schedules A and B of the existing Official Plan.

EFFECT

The effect of the proposed Official Plan Amendment is to:

- Amend Policy 8.1.4.2 a) to delete "particularly the Perth Golf Course", as the lands are not designated New Residential Area.
- Add a new Section 8.10 – Western Annex Lands to provide policies specific to the development of the Western Annex Lands. In the event of a conflict with policies in other sections of the Official Plan, the policies of Section 8.10 will take precedence.
- Amend Schedule A – Land Use Designations and Overlays of the Town of Perth Official Plan to redesignate the lands within the Western Annex from 'Special Study Area', 'Residential Area', 'Parks and Open Space', and 'Environmental Protection' to 'Residential Area', 'Parks and Open Space', and 'Environmental Protection', as shown in the attached "Schedule B – Proposed Land Use Designations". The majority of the lands currently designated 'Residential Area' shall remain designated 'Residential Area'.
- Amend Schedule A – Land Use Designations and Overlays of the Town of Perth Official Plan to include the 'Flood Plain Overlay (Updated Flood Plain Boundary May 2024)', as shown in the attached "Schedule B – Proposed Land Use Designations".
- Amend Schedule B – Transportation and Utility Corridors of the Town of Perth Official Plan to include proposed road classifications for the Western Annex Lands, as shown in the attached "Schedule C – Proposed Road Classification".

PART B – THE AMENDMENT

Introductory Statement

All of this part of the document entitled Part B – The Amendment, consisting of the text in “Schedule B – Proposed Official Plan Amendment Text” and changes to the Official Plan land designations illustrated in “Schedule B – Proposed Land Use Designations”, and changes to the road classifications illustrated in “Schedule C – Proposed Road Classifications” attached hereto, constitutes Amendment **No. 2024-XX** to the Official Plan for the Town of Perth including amendments per By-law 3304-16 (OPA Amendment #16) passed April 16, 2019.

Details of the Amendment

The Official Plan Amendment will:

- i) amend Policy 8.1.4.2 a) as provided in the attached text;
ii) add Section 8.10 entitled ‘Western Annex Lands’ to the Town of Perth Official Plan as provided in the attached text;
- ii) amend Schedule A – Land Use Designations and Overlays of the Town of Perth Official Plan to have the Western Annex Lands redesignated from ‘Special Study Area’, ‘Residential Area’, ‘Parks and Open Space’, and ‘Environmental Protection’ to ‘Residential Area’, ‘Parks and Open Space’, and ‘Environmental Protection’ as shown in the attached “Schedule B – Proposed Land Use Designations”. The majority of the lands currently designated ‘Residential Area’ shall remain designated ‘Residential Area’;
- iii) Amend Schedule A – Land Use Designations and Overlays of the Town of Perth Official Plan to include the ‘Flood Plain Overlay (Updated Flood Plain Boundary May 2024)’ as shown in the attached “Schedule B – Proposed Land Use Designations”; and,
- iv) Amend Schedule B – Transportation and Utility Corridors of the Town of Perth Official Plan to add the proposed road classifications for the Western Annex Lands as shown in attached “Schedule C – Proposed Road Classification”.

Implementation and Interpretation

The implementation and interpretation of this Amendment shall be in accordance with all other relevant policies of the Official Plan for the Town of Perth. In event of a conflict, the policies of Section 8.10 – Western Annex Lands will have precedence.

Schedule B - Proposed Official Plan Amendment Text

Amend Section 8.1.4 - New Residential Area Designation

Subsection 8.1.4.2 Development Concept, Policy a) be amended to delete “particularly the Perth Golf Course.”

Proposed New Section 8.10 – Western Annex Lands:

8.10 - Western Annex Lands

8.10.1 General Scope

A new comprehensively planned residential neighbourhood will be developed west of the Tay River in keeping with the Town’s growth management strategy. The Western Annex is intended to be a walkable residential community inspired by the Town’s rich heritage character that provides diverse housing options and quality recreational opportunities with strong connections to the Tay River and Downtown Perth. This residential area will be developed based on the policies below. In the event of a conflict with policies in other sections of the Official Plan, the policies of Section 8.10 will take precedence.

8.10.2 Goal

To create a compact, walkable residential neighbourhood that provides quality park and trail amenities, protects the surrounding natural heritage, and results in the efficient use of municipal services.

The policies contained in Sections 8.10.1 to 8.10.10 apply to the Western Annex Lands shown on Schedule A – Land Use Designations and Overlays as amended.

8.10.3 Objectives

1. Provide for a range of housing types and densities, to support a variety of lifestyles and to meet diverse housing needs, including affordable housing.
2. Create a multi-modal transportation network that provides safe and convenient connections to neighbourhood destinations within the Western Annex, and to Downtown Perth and other adjacent neighbourhoods, including improvements to the existing Peter Street bridge and a new second bridge providing access to the Western Annex Lands.
3. Protect, maintain, and enhance the Tay River corridor, environmentally significant wetlands, and surrounding natural heritage features.
4. Provide active and passive recreational opportunities for all ages and abilities that foster community connections, encourage active lifestyles, and enhance community well-being.
5. Encourage a high standard of urban design that contributes to a strong a sense of place.
6. Require all development to be on full municipal water and sanitary services.
7. Ensure logical progression of the planned and orderly phasing of the development and future build out based on housing demand.

8.10.4 Residential Area Designation

8.10.4.1 Permitted Uses in the Residential Area Designation

The following uses are permitted in the 'Residential Area' designation:

1. Residential uses
2. Parks and recreational facilities
3. Home Based Businesses
4. Golf course clubhouse and accessory buildings / structures
5. Small-scale neighbourhood-serving commercial uses
6. Municipal services and utilities, including but not limited to, transportation infrastructure, stormwater ponds, sanitary systems, and water infrastructure

8.10.4.2 Residential Policies

1. Enable compact, efficient development that supports a range of housing types.
2. Permit a variety of housing types, sizes, and densities to meet diverse household needs, including the provision of affordable housing. Ground-oriented housing including rowhouses and townhouses is strongly encouraged to help achieve the housing mix targets of the Official Plan.
3. Encourage residential development and a general density target of 19 dwelling units per gross hectare.
4. Permit additional dwelling units in all single-detached, semi-detached, rowhouse and townhouse dwellings as a means of increasing rental housing options, and supporting attainable home ownership, and to support diverse housing needs such as multi-generational households or in-home care.
5. Require the provision of a dedicated block on the plan of subdivision to accommodate affordable residential units as defined by the *Development Charges Act, 1997*.
6. Support limited small-scale, pedestrian-oriented, neighbourhood-serving commercial uses, as ancillary to the Golf Course clubhouse.
7. Permit compatible home based business uses where they are secondary to the primary residential use, in an effort to diversify the local economy and to reduce people's reliance on the automobile.
8. Permit the continued operation of the Perth Golf Course including the clubhouse and accessory buildings, and support the redevelopment and expansion of the clubhouse and accessory buildings to include commercial uses which serve the broader community.
9. Parks and recreational facilities shall be subject to the policies of the 'Parks and Open Space' designation in Section 8.10.5.

8.10.5 Parks and Open Space Designation

8.10.5.1 Permitted Uses in the Parks and Open Space Designation

The following uses are permitted in the 'Parks and Open Space' designation:

1. Neighbourhood parks, community parks, natural green spaces, golf course, walking and cycling trails.
2. Municipal services and utilities, including but not limited to, stormwater ponds, sanitary systems, and water infrastructure.

8.10.5.2 Parks and Open Space Policies

The following policies shall apply to the 'Parks and Open Space' designation and the parks and recreational facilities permitted within the 'Residential Area' designation:

1. Locate neighbourhood and community parks such that residents will generally have access to a park within a convenient 5-minute walk of each dwelling.
2. Parks shall have frontage onto public roads, and park features shall be sited to ensure visibility from the street to promote a sense of safety and security and to ensure public accessibility.
3. Parks shall be designed to offer amenities in keeping with the needs of the Town of Perth.
4. The retention of existing tree stands within parks is encouraged to provide shade, neighbourhood cooling, and other environmental benefits.
5. An integrated system of trails for all ages and abilities that encourages all-season use, and connects the community to natural features, existing trails, and Downtown Perth shall be provided.
6. The precise location of the Parks and Open Space lands, other than the existing Golf Course, and the Storm Water Management Ponds, shown conceptually on Schedule A – Land Use Designations and Overlays as amended, will be determined at the detailed design stage.

8.10.6 Environmental Protection Area Designation

8.10.6.1 Permitted Uses in the Environmental Protection Area Designation

The following uses are permitted in the 'Environmental Protection Area' designation:

1. Conservation uses
2. Existing golf course, clubhouse, and accessory buildings / structures, and their continued operation
3. Low impact recreational trails and boardwalks
4. Temporary structures with no long-term impact that support educational activities
5. Passive recreational activities that do not require site alteration
6. Flood mitigation works and infrastructure
7. Linear servicing and transportation infrastructure, including but not limited to roadways and bridges

8.10.6.2 Environmental Protection Policies

1. Ensure natural heritage features, as defined in an Environmental Impact Statement (EIS) written by a qualified professional, specifically Grants Creek Provincially Significant Wetland (PSW), the Tay River and tributaries, and significant woodlands, wildlife habitat, and important linkages between them, are supported. Development shall have no net negative impacts on the natural features or on their ecological function, in accordance with recommendations arising from a site-specific EIS conducted according to best practices and accepted guideline documents.
2. Development adjacent to natural features shall be setback 30 metres except where it can be shown that a net benefit can be achieved to enhance, restore, or protect the values or functions associated with the feature.
3. The use of alternative low impact development techniques for stormwater management is encouraged where suitable conditions exist to support groundwater recharge and reduce stormwater runoff.

- Trail development that uses environmentally sensitive design principles and construction practices will be supported along the Tay River corridor and within the setback buffer of the Grants Creek PSW. Trail users shall be encouraged to stay on the designated path through signage and trail design to avoid damage to adjacent sensitive environments.

8.10.7 Natural Hazards

Natural hazards are lands that could be unsafe for development due to flooding (at or below the 1:100 year flood elevation), erosion, river meander, unstable slopes, sensitive marine clays or organic soils. The following policies apply to lands within the 'Flood Plain Overlay (Updated Flood Plain Boundary May 2024)' as shown on Schedule A - Land Use Designations and Overlays.

8.10.7.1 Permitted Uses in the Flood Plains, Hazardous Lands, and Hazardous Sites

- Flood or erosion mitigation works
- Linear servicing and transportation infrastructure, including but not limited to roadways and bridges
- Passive non-structural uses which do not affect flood flows
- Non-structural recreational uses including pathways and golf course playing surfaces
- Non-structural conservation and education activities

8.10.7.2 Natural Hazard Policies

- Development is not permitted in lands subject to natural hazards unless:
 - associated with and supports a permitted use;
 - approved by Council; or
 - approved under the Conservation Authorities Act if applicable.
- Site alterations are not permitted on lands subject to natural hazards unless approved under the Conservation Authorities Act where applicable and are one of the following:
 - flood or erosion control work;
 - municipal linear infrastructure that has satisfied Municipal Class Environmental Assessment (MCEA) process;
 - a waterside dock or deck;
 - supports restoration or improvements to the natural environment; or
 - a site alteration which mitigates, removes, or reduces the hazard risk without adverse impacts in accordance with provincial guidelines and policies.
- The flood plain boundary shown on Schedule A – Land Use Designations and Overlays as amended is determined by the Rideau Valley Conservation Authority (RVCA). Changes to the flood plain boundary shall not require an Official Plan Amendment or a Zoning By-law Amendment, and shall be confirmed through the normal permitting process with the Conservation Authority.

8.10.8 Transportation Network

Notwithstanding the policies in the Official Plan, the following shall apply to the Western Annex Lands.

8.10.8.1 Transportation Policies

- Establish a street network based on a modified grid that provides a well connected, integrated, and efficient transportation network that supports safe and convenient movement of pedestrians, cyclists, and vehicles within the Western Annex and connecting to Downtown Perth.

2. Improvements to the Peter Street Bridge shall include the twinning of the bridge and a multi-use pathway and sidewalk to accommodate existing and future transportation demand.
3. A second bridge providing access to the Western Annex Lands shall be provided in accordance with the Western Annex Lands Infrastructure Master Plan (November 2019), as endorsed by Council, to provide additional transportation network capacity to service the lands. The planning and design of the second bridge shall be confirmed through the completion and approval of subsequent phases of the Municipal Class Environmental Assessment (MCEA) process, to the satisfaction of the Town.
4. Ensure that parks and neighbourhood services and amenities are easily accessible by people of all ages and abilities using all modes of transportation.
5. Short block lengths are encouraged to promote efficient transportation patterns and a walkable neighbourhood design. Longer blocks shall provide pedestrian pathways for convenient travel between adjacent streets.
6. Alternative design standards are supported where they are more cost-effective, lessen environmental impact, are designed for low travel speeds and promote a safe and comfortable pedestrian environment.
7. Street trees shall be required for all public roads to provide shade, reduce heat absorption, and provide an attractive streetscape.

8.10.8.2 Street Hierarchy

The street classification shown in Schedule B - Transportation and Utility Corridors as amended shall be applied to lands in the Western Annex Lands based on the function and level of service required for each municipal street and adjacent land uses.

1. Collector streets shall serve as the primary route connecting local roads within the Western Annex and connecting the Western Annex to adjacent neighbourhoods. Collector streets shall have a 23.0 metre right-of-way and accommodate a sidewalk and a dedicated on-street cycling lane to encourage walking and cycling to neighbourhood destinations and into Downtown Perth, and be generally consistent with the cross-section shown in **Figure 1**.
2. Local streets are intended to provide a comfortable pedestrian experience with relatively low levels of local vehicular traffic. The local street network shall facilitate logical, direct, permeable, and safe neighbourhood connections and shall have a right-of-way width between 16.75 and 18.5 metres.
 - a) 18.5 metre Road Right-of-way: These routes will connect pedestrians from the collector road and community open spaces to areas throughout the neighbourhood. These streets provide a sidewalk along one side of the street, one travel-lane each direction, and parking on one side and shall be generally consistent with the cross-section shown in **Figure 2**.
 - b) 16.75 metre Road Right-of-Way: These routes use shared public space with no designated sidewalk; provide one drive lane in each direction, on-street parking on one side, and street trees in a grass boulevard on both sides of the street; and shall be generally consistent with the cross-section shown in **Figure 3**.

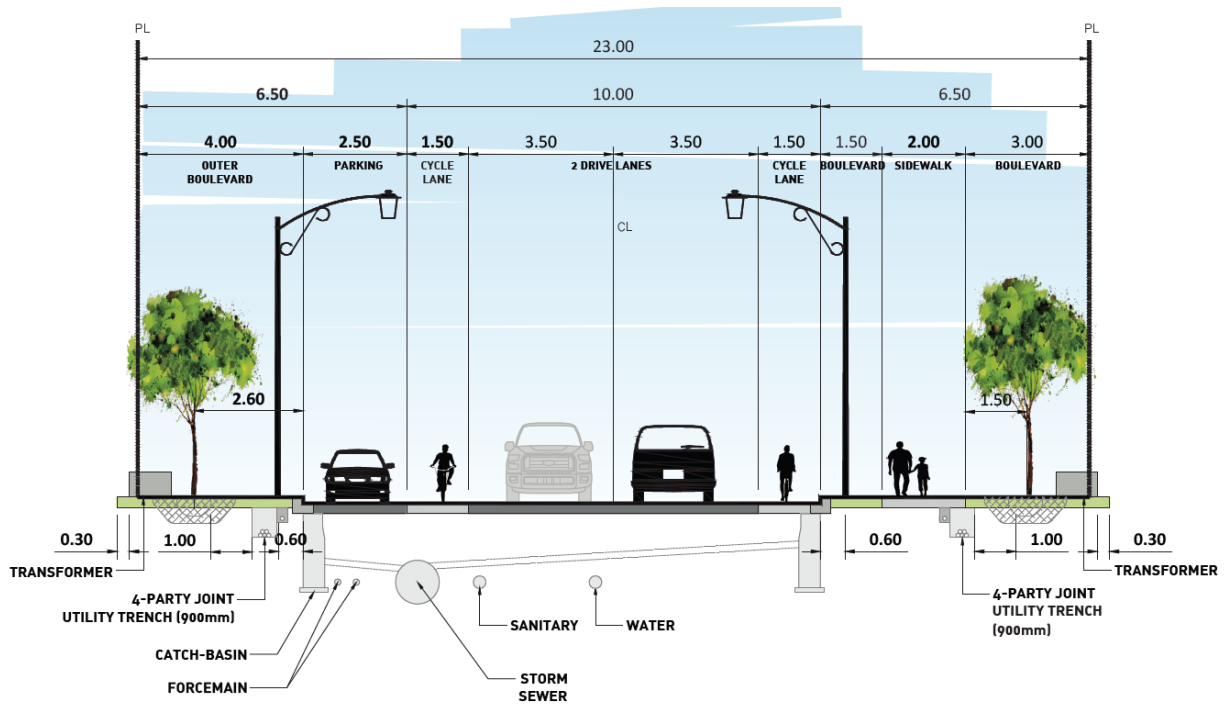


Figure 1. Collector Street with 23 m ROW

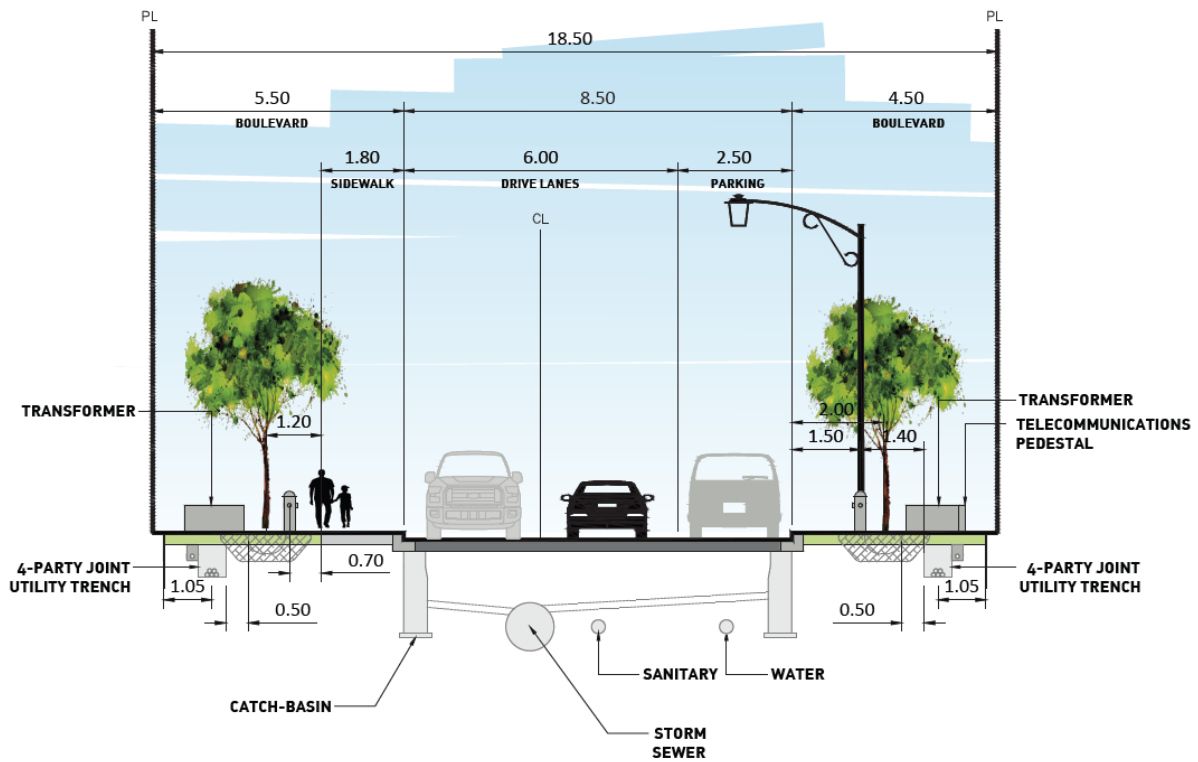


Figure 2. Local Street with 18.5 m ROW

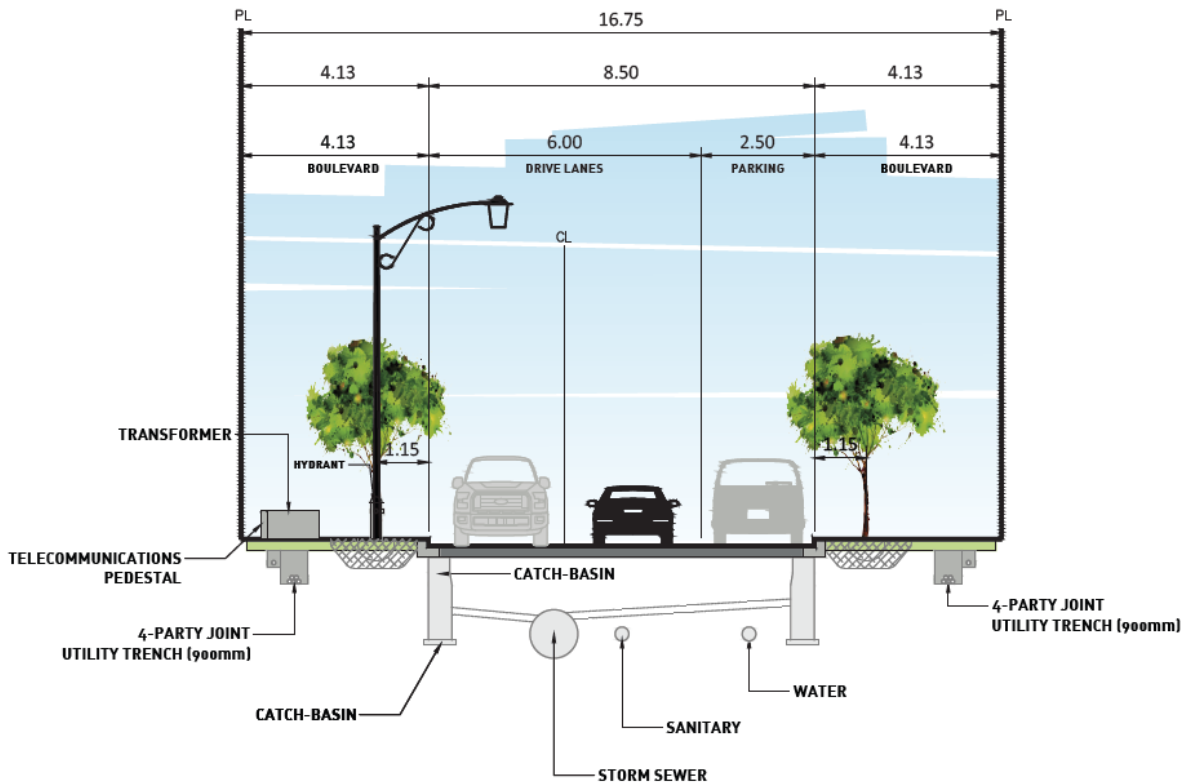


Figure 3. Local Street with 16.75 m ROW

8.10.9 Community Design Policies

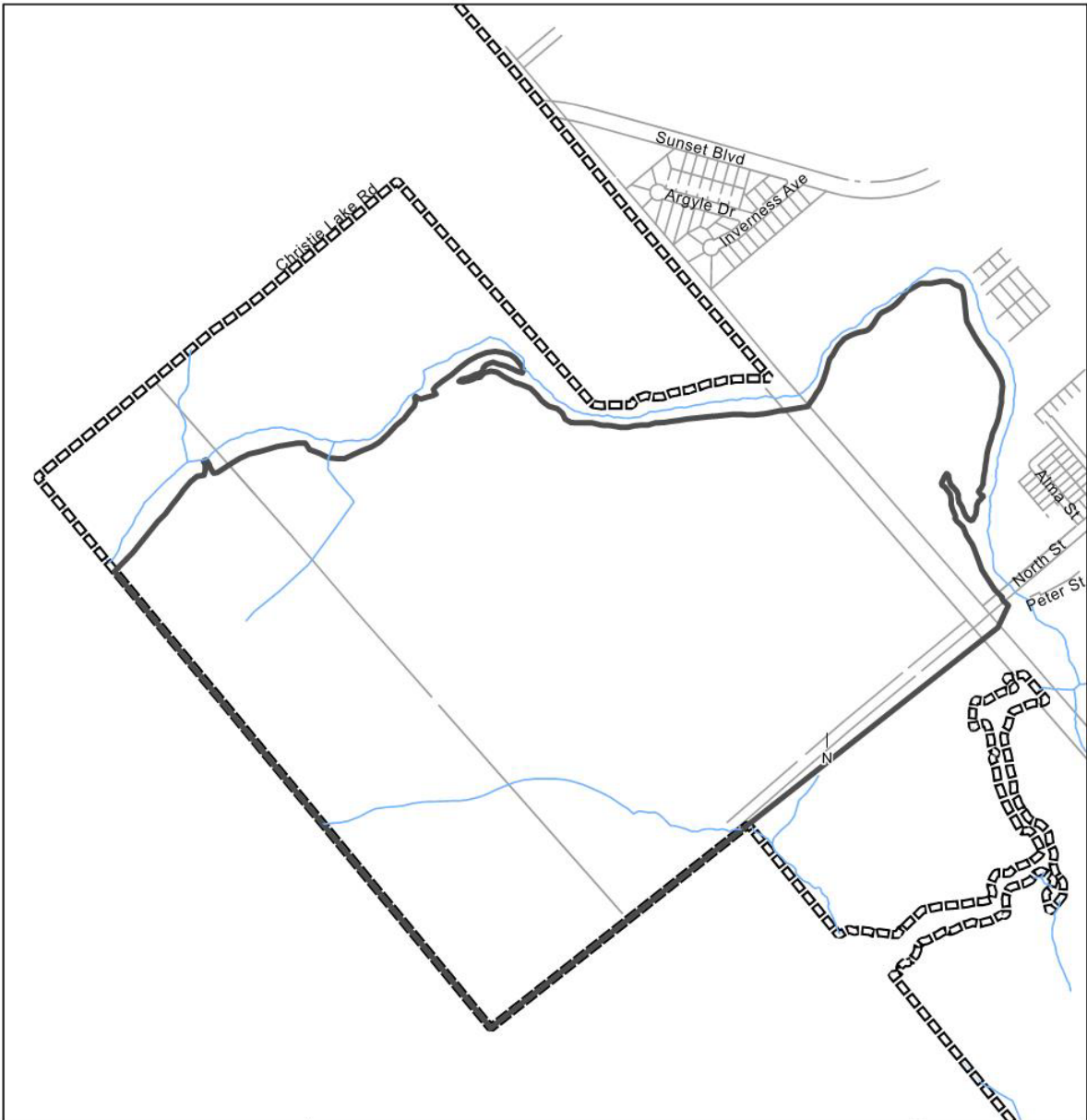
1. Consideration for community gateways should be explored with the Town, where appropriate.
2. Landscape features shall be integrated throughout the Western Annex as a defining character element.
3. Building design shall contribute to a sense of place and an attractive public realm.
4. Porches, stairs, canopies, and other entrance features shall be permitted to encroach into the required front yard of residential uses to provide visual interest and contribute to an attractive public realm.

8.10.10 Implementation Policies

1. The policies in this section are specific to lands within the Western Annex Lands. In the event of a conflict with policies in other sections of the Official Plan, the policies of Section 8.10 will take precedence.
2. The boundaries of the land use designations established in the Western Annex Lands are intended to be approximate and shall be considered as absolute only where they coincide with roads, rivers, or lot lines, or other clearly defined physical features.
3. Precise boundaries of the land use designations established in the Western Annex Lands as shown on Schedule A , as amended, shall be determined at the time of Final Subdivision approval. Revisions to reflect site specific conditions shall be permitted without requiring an Official Plan Amendment.




4. The flood plain boundary and the implementing Flood Plain Overlay shown on Schedule A as amended may be revised based on approval by the RVCA without requiring an Official Plan Amendment.

5. Should the Golf Course and its operations cease to exist due to financial or other issues, the lands shall be available for residential development subject to an amendment to the Official Plan which demonstrates through the submission of updated technical studies including an EIS, Functional Servicing Study, and Transportation Impact Study, that the proposed development is in conformity with Section 8.10 Residential – Western Annex Lands policies of this Official Plan and subject to consideration of the preservation of the identified heritage attributes of the Golf Course as established by the Heritage Impact Assessment Perth Golf Course, March 23, 2022.




CAIVAN

Western Annex Lands
Schedule A
 Subject Lands - Western Annex
 Revised
 May 2024

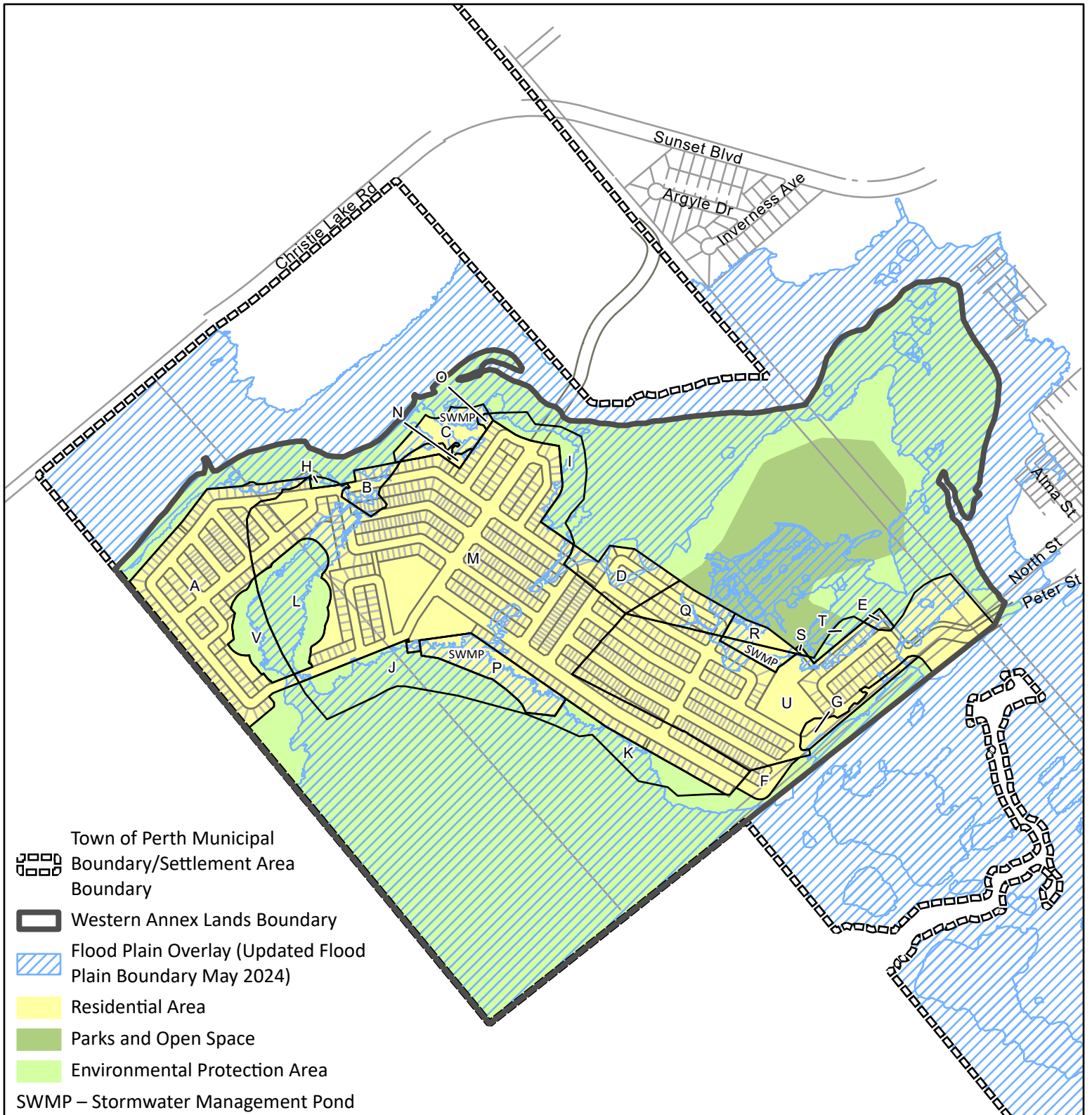
 Town of Perth Municipal Boundary/
 Settlement Area Boundary
 Western Annex Lands Boundary
 River







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-  Town of Perth Municipal Boundary/Settlement Area Boundary
 -  Western Annex Lands Boundary
 -  Flood Plain Overlay (Updated Flood Plain Boundary May 2024)
 -  Residential Area
 -  Parks and Open Space
 -  Environmental Protection Area
- SWMP – Stormwater Management Pond

CAIVAN

Western Annex Lands
Schedule B

Proposed Land Use Designations

Revised
June 2024

Areas A, B, C, D, E, F, and G to be redesignated from Environmental Protection Area to Residential Area

Areas H, I, J, K, L to be redesignated from Special Study Area to Environmental Protection Area

Areas M, N, O, and P to be redesignated from Special Study Area to Residential Area

Areas Q, R, and S to be redesignated from Parks and Open Space to Residential Area

Areas T to be redesignated from Residential Area to Environmental Protection Area


Area U to remain designated Residential Area

Area V to remain designated Environmental Protection Area


Source: Spatial data was digitized based on the Town of Perth Official Plan – Schedule A (May 2015) PDF document and verified on the online Town of Perth Community Map (CGIS Spatial Solutions) (Accessed: June 3, 2024)

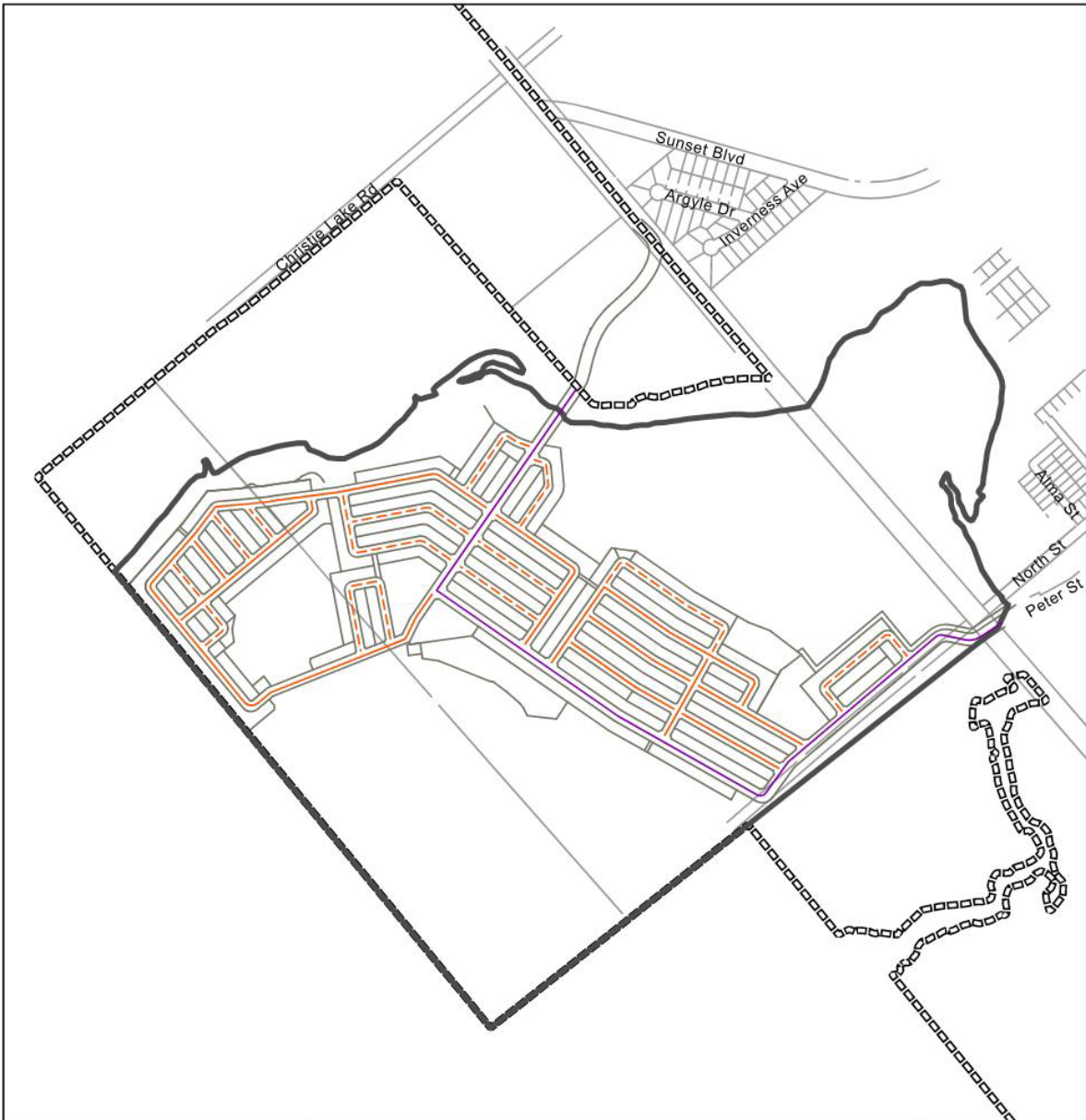
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CAIVAN


Western Annex Lands
Schedule C
 Proposed Road Classifications

Revised
 May 2024

-  Town of Perth Municipal Boundary/
Settlement Area Boundary
-  Western Annex Lands Boundary
-  Western Annex Collector (23.0 m ROW)
-  Western Annex Local (18.5 m ROW)
-  Western Annex Local (16.75 m ROW)

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ATTACHMENT G

DRAFT BY-LAW NO. 2024-XX

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

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

The Council of the Town of Perth, pursuant to Section 34 of the Planning Act, R.S.O. 1990, enacts as follows:

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

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

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

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

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

23.1 Permitted Uses

- Accessory Buildings or Structures
- Additional Dwelling
- Additional Dwelling Unit
- Apartment Dwelling
- Clinic
- Convenience store or confectionary store
- Golf Course Clubhouse and ancillary uses (restaurant, spa, conference rooms)
- Home Based Business
- Semi-detached Dwellings
- Single Detached Dwelling
- Park

- Public use or public service facility
- Rowhouse and Townhouse Dwelling
- Stacked Townhouse Dwelling
- Wellness Centre

23.2 Zone Requirements

Requirement	Semi-detached Dwelling	Single Detached Dwelling	Rowhouse / Townhouse Dwelling	Apartment Dwelling / Stacked Townhouse
minimum lot area	137 m ²	190 m ²	120 m ²	464.52 m ² for 1 st 4 units plus 46 m ² for each additional unit thereafter
minimum lot frontage	7.3 m	9.4 m	5.95 m	7.5 m
minimum front yard	3.0 m	3.0 m	3.0 m	3.0 m
minimum interior side yard	1.5 m	1.8 m total, with a minimum setback on one side not less than 0.6 m	1.5 m	2 m for less than 3 storeys; 3 m for 3 storeys; 4.5 m for more than 3 storeys
minimum exterior side yard	2.5 m	2.5 m	2.5 m	4.5 m
minimum rear yard	6.0 m, except that the minimum rear yard may be reduced to 4.5 m for up to 50% of the lot width provided the total rear yard exceeds 33 m ²	6.0 m, except that the minimum rear yard may be reduced to 4.5 m for up to 50% of the lot width provided the total rear yard exceeds 33 m ²	6.0 m, except that the minimum rear yard may be reduced to 4.5 m for up to 55% of the lot width provided the total rear yard exceeds 30 m ²	6.0 m
maximum height	14.0 m	14.0 m	14.0 m	14.0 m
maximum lot coverage	65%	55%	66% (including porch)	35%

23.3 Additional Requirements

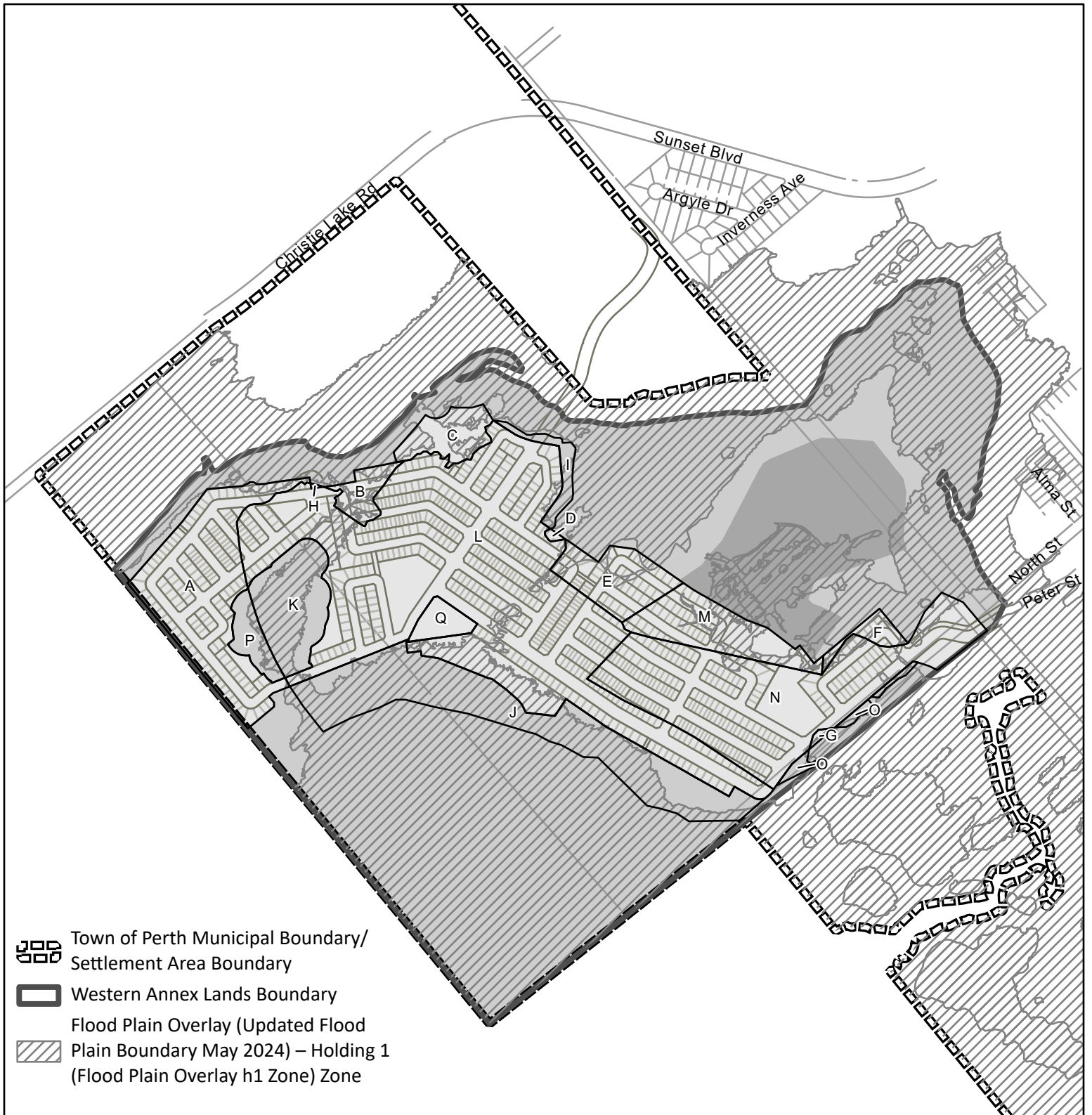
- Notwithstanding any other provisions and definitions of this by-law, stacked townhouse dwellings may contain more than eight (8) dwelling units.

- b) Notwithstanding Section 4.35 “Parking and Storage of Motor Vehicles” or any other provisions of this by-law, parking may occur within a garage and/or driveway, provided that the driveway meets the requirements for the minimum length of 5.5 m for a parking space between the garage and the edge of the sidewalk where applicable.
 - c) Notwithstanding Section 4.35 “Parking and Storage of Motor Vehicles” or any other provisions of this by-law, a maximum of 55% of the area of the front yard, or the required minimum width of one (1) parking space, whichever is greater, may be used or constructed for a driveway.
 - d) Notwithstanding Section 4.42 “Sight Triangle” or any other provisions of this by-law, on a corner lot a sight triangle with the following minimum sight distances shall be required:
 - i. At the intersection of a local road with a local road: 3 m x 3 m
 - ii. At the intersection of a local road with a collector road: 3 m x 5 m
 - iii. At the intersection of a collector road with a collector road: 5 m x 5 m
 - e) Notwithstanding Section 4.35.4 “Driveways”, Section 4.42 “Sight Triangle”, or any other provisions of the by-law, the minimum sight distance at the intersection of a driveway and a public street shall be 3 m.
 - f) Any front yard not required for a driveway, a walkway up to 1.8 m in width, or covered by a projection permitted in subsection (i) below, shall be landscaped with soft landscaping.
 - g) Notwithstanding Section 4.19.4 “Employees, Hours and Parking for Home Based Businesses”, or any other provisions of this bylaw, no additional parking spaces are required for a home based business except that one (1) additional parking space will be required for each non-resident employee that works on the premise.
 - h) Section 4.28 “Lot Coverage, Impervious Surfaces” of this by-law does not apply to residential uses within the Western Annex Lands.
 - i) Notwithstanding Section 4.37 “Permitted Projections” of this by-law:
 - i. a porch or balcony may project up to 2.0 m into a required front yard but shall not be located closer than 1.0 m to the front lot line.
 - ii. stairs may project up to 2.5 m into a required front yard but shall not be located closer than 0.5 m to the front lot line.
 - iii. An air conditioner or heat pump may project up to 2.0 m into a required side, rear or front yard but shall not be located closer than 0.2 m from any lot line.
2. To rezone the lands identified as Areas A, B, C, D, E, F, and G on Schedule A as attached from Environmental Protection Area (EP) Zone to the Residential – Western Annex Lands Holding 2 (R-WAL- h2) Zone.
 3. To rezone the lands identified as Areas H, I, J, and K on Schedule A as attached from Open Space Holding (OS-h) Zone to the Environmental Protection Area (EP) Zone.
 4. To rezone the lands identified as Areas L and M on Schedule A as attached from Open Space Holding (OS-h) Zone to the Residential – Western Annex Lands Holding 2 (R-WAL-h2) Zone.
 5. To rezone the lands identified as Area N on Schedule A as attached from Residential First Density Holding (R1-h) Zone to the Residential – Western Annex Lands Holding 2 (R-WAL- h2) Zone.

6. To rezone the lands identified as Area O on Schedule A as attached from Residential First Density Holding (R1-h) Zone to the Environmental Protection Area (EP) Zone.
7. The lands identified as Area P on Schedule A as attached shall remain zoned Environmental Protection Area (EP) Zone.
8. To rezone the lands identified as Area Q on Schedule A as attached from Open Space Holding (OS-h) Zone to the Residential – Western Annex Lands Holding 1, Holding 2 and Holding 3 (R-WAL-h1, h2, and h3) Zone.
9. To add the “Flood Plain Overlay (Updated Flood Plain Boundary May 2024) – Holding 1 (Flood Plain Overlay h1 Zone) Zone” to Schedule A. Such lands shall be subject to the regulations of Section 4.10 of the Zoning By-law.
10. The following provisions with respect to permitted uses shall apply to all lands zoned with a Holding 1, Holding 2 or Holding 3 (h1, h2 or h3) Zone as shown on Schedule A as attached until the h1, h2, or h3 provisions as applicable are removed from the lands or a portion thereof pursuant to Subsection 36(3) or (4) of the *Planning Act*:
 - a) A use legally existing on the lands as of June 10, 2024;
 - b) A use permitted in the Flood Plain in accordance with Section 4.10.1 of this By-law; and
 - c) Site alteration, and construction of underground servicing and other infrastructure required for permitted development in the “R-WAL Zone” prior to the twinning of the Peter Street Bridge or the construction of a second bridge crossing of the Tay River provided all other requirements have been met to the satisfaction of the Town of Perth and any necessary Rideau Valley Conservation Authority (RVCA) permits have been issued.
11. A by-law or by-laws to remove the Holding 1 (h1) Zone from all or a portion of the “R-WAL Zone” and/or “Flood Plain Overlay (Updated Flood Plain Boundary May 2024) Zone” as shown on Schedule A shall not be enacted until the Town has received written confirmation from the RVCA that either:
 - a) The lands are deemed to no longer be affected by the regulatory floodplain; and/or
 - b) The RVCA confirms that a permit under O. Reg. 41/24 has been issued resulting in the revision of the floodplain boundaries and any conditions of that permit have been fulfilled to their satisfaction.
12. A by-law or by-laws to remove the Holding 2 (h2) Zone from all or a portion of the lands shown on Schedule A to allow for the construction of the first 200 dwelling units and related public facilities such as parks in the Residential – Western Annex Lands (R-WAL) Zone shall not be enacted until all necessary financial securities have been provided to the Town of Perth and a Commence Work Notice has been issued by the Town of Perth for the twinning of the existing Peter Street bridge. Subsequent to the construction of the first 200 dwelling units in the “R-WAL Zone”, a by-law or by-laws to remove the Holding 2 (h2) Zone for all or a portion of the lands shown on Schedule A to permit development beyond the first 200 dwelling units shall not be enacted until all necessary financial securities for the second bridge crossing of the Tay River have been provided to the Town of Perth, and a Commence Work Notice has been issued by the Town of Perth for the construction of the second bridge.

13. A by-law or by-laws to remove the Holding 3 (h3) Zone from all or a portion of the lands in the “R-WAL Zone” shown on Schedule A shall not be enacted until a commitment to the provision of affordable housing for a minimum of 25 years is secured through the Plan of Subdivision development or other agreement, for a 0.6 hectare affordable housing block identified in the Plan of Subdivision.
14. Notwithstanding any other provisions in the Zoning By-law, the following are permitted uses in the EP Zone for the Western Annex Lands:
 - a) Conservation uses
 - b) Existing golf course, clubhouse, and accessory buildings/structures, and their operation
 - c) Flood and/or erosion control works for which a Conservation Authorities permit has been issued where required
 - d) The construction or maintenance of infrastructure authorized under the environmental assessment process
 - e) Linear servicing and Transportation infrastructure, including but not limited to roadways and bridges.
 - f) Low impact recreational trails and boardwalks
 - g) Non-structural recreational uses including pathways and golf course playing surfaces
 - h) Non-structural conservation and education activities
 - i) Passive recreational activities that do not require site alteration
 - j) Passive non-structural uses which do not affect flood flows
 - k) Temporary structures with no long-term impact that support educational activities

ENACTED AND PASSED this _____ day of _____, 2024.



CAIVAN

**Western Annex Lands
Schedule A**

Draft Zoning By-law Amendment

Revised
June 2024

Areas A, B, C, D, E, F, and G to be rezoned from Environmental Protection Area (EP) to Residential – Western Annex Lands Holding 2 (R-WAL-h2)

Areas H, I, J, and K to be rezoned from Open Space Holding (OS-h) to Environmental Protection Area (EP)

Areas L and M to be rezoned from Open Space Holding (OS-h) to Residential – Western Annex Lands Holding 2 (R-WAL-h2)

Area N to be rezoned from Residential First Density Holding (R1-h) to Residential – Western Annex Lands Holding 2 (R-WAL-h2)

Area O to be rezoned from Residential First Density Holding (R1-h) to Environmental Protection Area (EP)

Area P to remain zoned Environmental Protection Area

Area Q to be rezoned from Open Space Holding (OS-h) to Residential – Western Annex Lands Holding 2 and Holding 3 (R-WAL-h2 and h3)

Source: Spatial data was digitized based on the Town of Perth Community Map Zoning By-law layer (CGIS Spatial Solutions) (Accessed: June 3, 2024)

DRAFT

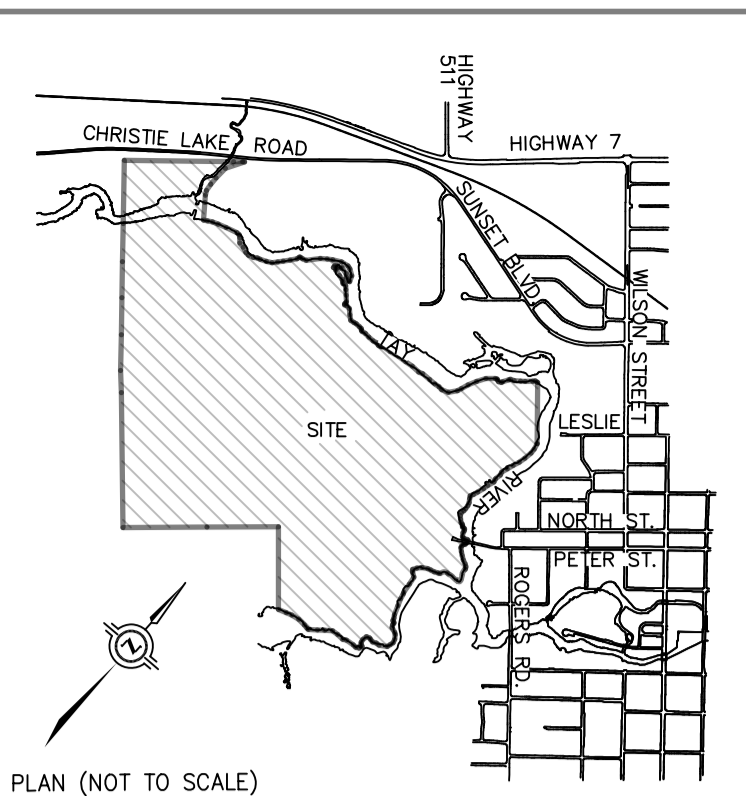
N



0 100 200
m

ATTACHMENT H

LAND USE	LOT/BLOCK	AREA (sqm/acs)
DETACHED HOMES	LOT 1 TO 632 BOTH INCLUSIVE	177247.3 / 43.8
TOWNHOUSE	BLOCK 633 TO 696 BOTH INCLUSIVE	49832.4 / 12.3
MULTI-USE PATH	BLOCKS 697, 698, 699 AND 709	916.7 / 0.2
TRAMP STATION	BLOCK 706	502.3 / 0.1
PARK/OPEN SPACE	BLOCKS 700, 701 AND 702	22474.2 / 5.6
AFFORDABLE HOUSING	BLOCK 707	6099.9 / 1.5
SWM	BLOCKS 703, 704, 705 AND 710	40397.3 / 9.9
WETLAND	BLOCK 708	32793.8 / 81.0
STREETS	STREETS A TO STREET X	152142.2 / 37.8
TOTAL		777242.2 / 192.0



ADDITIONAL INFORMATION REQUIRED UNDER SECTION 51 OF THE PLANNING ACT.

- (A)(B)(C)(E)(G) AND (L)-AS SHOWN ON DRAFT PLAN
- (C)-AS SHOWN ON DRAFT AND KEY PLANS
- (D)-LAND TO BE USED IN ACCORDANCE WITH SCHEDULE OF LAND USE (BY-TOWN MUNICIPAL SERVICES)
- (I)-OFFSHORE MARINE DEPOSITS OF CLAY, SILTY CLAY AND SILT, BEDROCK

SHEET 3 OF 3

DRAFT PLAN OF SUBDIVISION OF
**PART OF LOT 26 AND 27
 CONCESSION 1**
 AND
**PART OF LOT 25 AND 26
 CONCESSION 2**
 AND
**PART OF PARK LOT 1
 IN LOT 27
 CONCESSION 2**

AND
**PART OF THE ROAD ALLOWANCE
 BETWEEN CONCESSIONS 1 & 2
 CLOSED BY BY-LAW LC204235**
 ALL IN THE GEOGRAPHIC TOWNSHIP OF BATHURST

AND
**SOUTH EAST PART OF LOT 1
 CONCESSION 1 AS SHOWN ON
 COMPILED PLAN No. 8828**

IN THE GEOGRAPHIC TOWNSHIP OF DRUMMOND
 TOWN OF PERTH

AND
**PART OF THE ROAD ALLOWANCE
 BETWEEN GEOGRAPHIC TOWNSHIPS
 OF BATHURST AND DRUMMOND**

COUNTY OF LANARK
 J.D. BARNES LIMITED

METRIC DISTANCES AND/OR COORDINATES SHOWN ON THIS PLAN ARE IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048.

SCALE 1 : 1750

NOTES
 BEARINGS ARE UTM GRID, DERIVED FROM SPECIFIED CONTROL POINTS (SCP) 00872050511 AND 01019902271, UTM ZONE 18, NAD83 (CSRS).

- LEGEND**
- DENOTES FLOODPLAIN
 - - - DENOTES 30m SETBACK FROM RIVER
 - DENOTES WETLAND/ECOSITES
 - DENOTES 30m SETBACK BUFFER WETLAND/ECOSITE

OWNER'S CERTIFICATE
 CAIVAN (PERTH) INC. BEING THE REGISTERED OWNER OF THE SUBJECT LANDS HEREBY AUTHORIZES J.D. BARNES LIMITED TO PREPARE AND SUBMIT THIS DRAFT PLAN OF SUBDIVISION FOR APPROVAL.

DATE: _____
 FRANK CARO
 PRESIDENT
 (I HAVE THE AUTHORITY TO BIND THE CORPORATION)
CAIVAN (PERTH) INC.

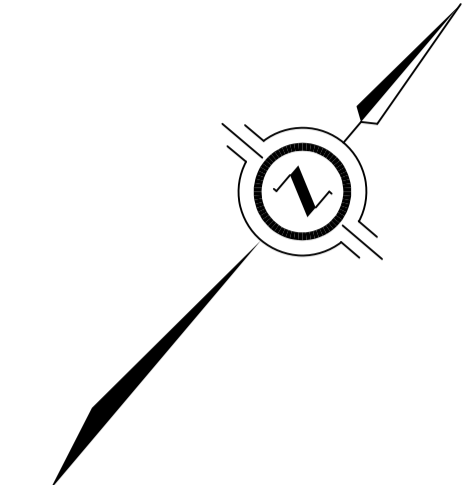
SURVEYOR'S CERTIFICATE
 I HEREBY CERTIFY THAT THE BOUNDARIES OF THE LAND TO BE SUBDIVIDED ARE CORRECTLY SHOWN.

DATE: MAY 31, 2024
 DATE: _____
 J.D. BARNES
 ONTARIO LAND SURVEYOR

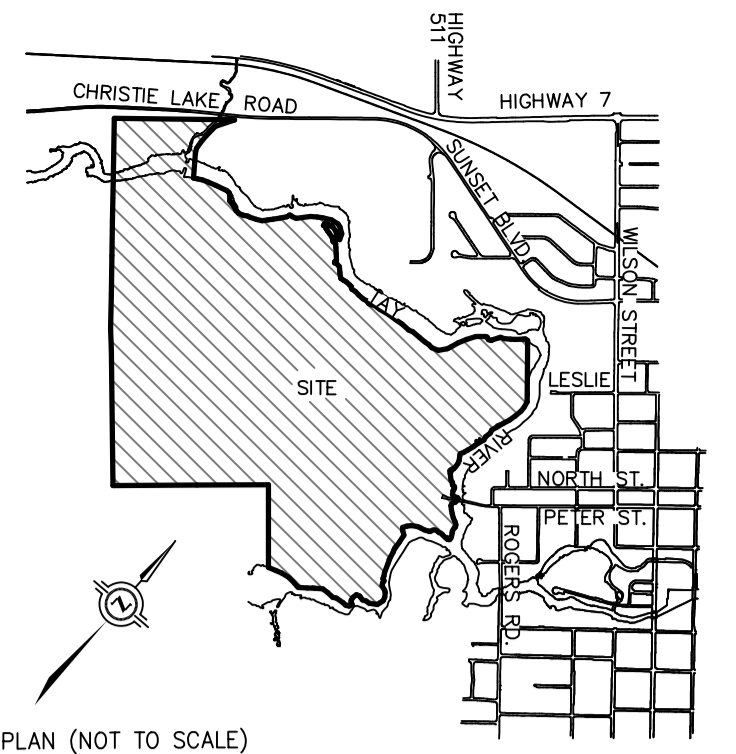
DATA SOURCE
 DATA SHOWN HEREON IS COMPILED FROM VARIOUS SOURCES:
 -1:100 FLOOD PLAN - PERTH SOUP COURSE FLOODPLAIN MAPPING AMENDMENT MAY 31, 2024, FSA
 -2024 GRANTS OPEN PROSPECTIVELY SIGNIFICANT WETLAND BOUNDARY AS PER WETLAND AND ASSOCIATES
 -2022 THE EROSION AND EROSION ACCESS ALLOWANCE AS PER QUINCY CONSULTING ENGINEERS AND SCIENTISTS
 -2024 MEMBERSHIP AS PER GEO MORPHO LTD
 -TOPOGRAPHIC INFORMATION SHOWN HEREON AS PER FIRST BASE MAPPING 2022 - SECOND BRIDGE OPTION AS PER CGH TRANSPORTATION

J.D. BARNES LIMITED
 SURVEYING & MAPPING GIS
 LAND INFORMATION SPECIALISTS
 62 TREVOR BROS. RD. BILKANA, ONT. L0R 2S0
 T: (416) 731-7241 F: (416) 254-8697 www.jdbarnes.com

DRAWN BY: CE CHECKED BY: CF
 PLOTTED: 6/12/24 DATE: 06/12/2024



SCHEDULE OF LAND USE		
LAND USE	LOT/BLOCK	AREA (sq.m/acs.)
DETACHED HOMES	LOT 1 TO 632 BOTH INCLUSIVE	177247.3 / 43.8
TOWNHOUSE	BLOCK 633 TO 696 BOTH INCLUSIVE	49832.4 / 12.3
MULTI-USE PATH	BLOCKS 697, 698, 699 AND 709	916.7 / 0.2
TRAMP STATION	BLOCK 706	502.3 / 0.1
PARK/OPEN SPACE	BLOCKS 700, 701 AND 702	22474.2 / 5.6
AFFORDABLE HOUSING	BLOCK 707	6099.9 / 1.5
SWM	BLOCKS 703, 704, 705 AND 710	40397.3 / 9.9
WETLAND	BLOCK 708	32793.8 / 81.0
STREETS	STREETS A TO STREET X	152142.2 / 37.8
TOTAL		777242.2 / 192.0



ADDITIONAL INFORMATION REQUIRED UNDER SECTION 51 OF THE PLANNING ACT.

- (A)(B)(C)(E)(G) AND (L)-AS SHOWN ON DRAFT PLAN
- (C)-AS SHOWN ON DRAFT AND KEY PLANS
- (D)-LAND TO BE USED IN ACCORDANCE WITH SCHEDULE OF LAND USE
- (F)-FULL MUNICIPAL SERVICES
- (I)-OFFSHORE MARINE DEPOSITS OF CLAY, SILTY CLAY AND SILT, BEDROCK

SHEET 1 OF 3

DRAFT PLAN OF SUBDIVISION OF
PART OF LOT 26 AND 27 CONCESSION 1
 AND
PART OF LOT 25 AND 26 CONCESSION 2
 AND
PART OF PARK LOT 1 IN LOT 27 CONCESSION 2
 AND
PART OF THE ROAD ALLOWANCE BETWEEN CONCESSIONS 1 & 2 CLOSED BY BY-LAW LC204235
 ALL IN THE GEOGRAPHIC TOWNSHIP OF BATHURST

AND
SOUTH EAST PART OF LOT 1 CONCESSION 1 AS SHOWN ON COMPILED PLAN No. 8828
 IN THE GEOGRAPHIC TOWNSHIP OF DRUMMOND TOWN OF PERTH

AND
PART OF THE ROAD ALLOWANCE BETWEEN GEOGRAPHIC TOWNSHIPS OF BATHURST AND DRUMMOND
 COUNTY OF LANARK
 J.D. BARNES LIMITED

METRIC DISTANCES AND/OR COORDINATES SHOWN ON THIS PLAN ARE IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048.

SCALE 1 : 1750

NOTES
 BEARINGS ARE UTM GRID, DERIVED FROM SPECIFIED CONTROL POINTS (SCP) 08872055011 AND 01019802271, UTM ZONE 18, NAD83 (CSRS).
 ELEVATIONS
 ELEVATIONS SHOWN ON THIS PLAN ARE RELATED TO GEODETIC DATUM CGVD08/20
 CONTOUR INTERVALS ARE SHOWN AS 1m FOR MAJOR AND 0.25m FOR MINOR
 --- DENOTES MAJOR CONTOUR
 - - - - DENOTES MINOR CONTOUR

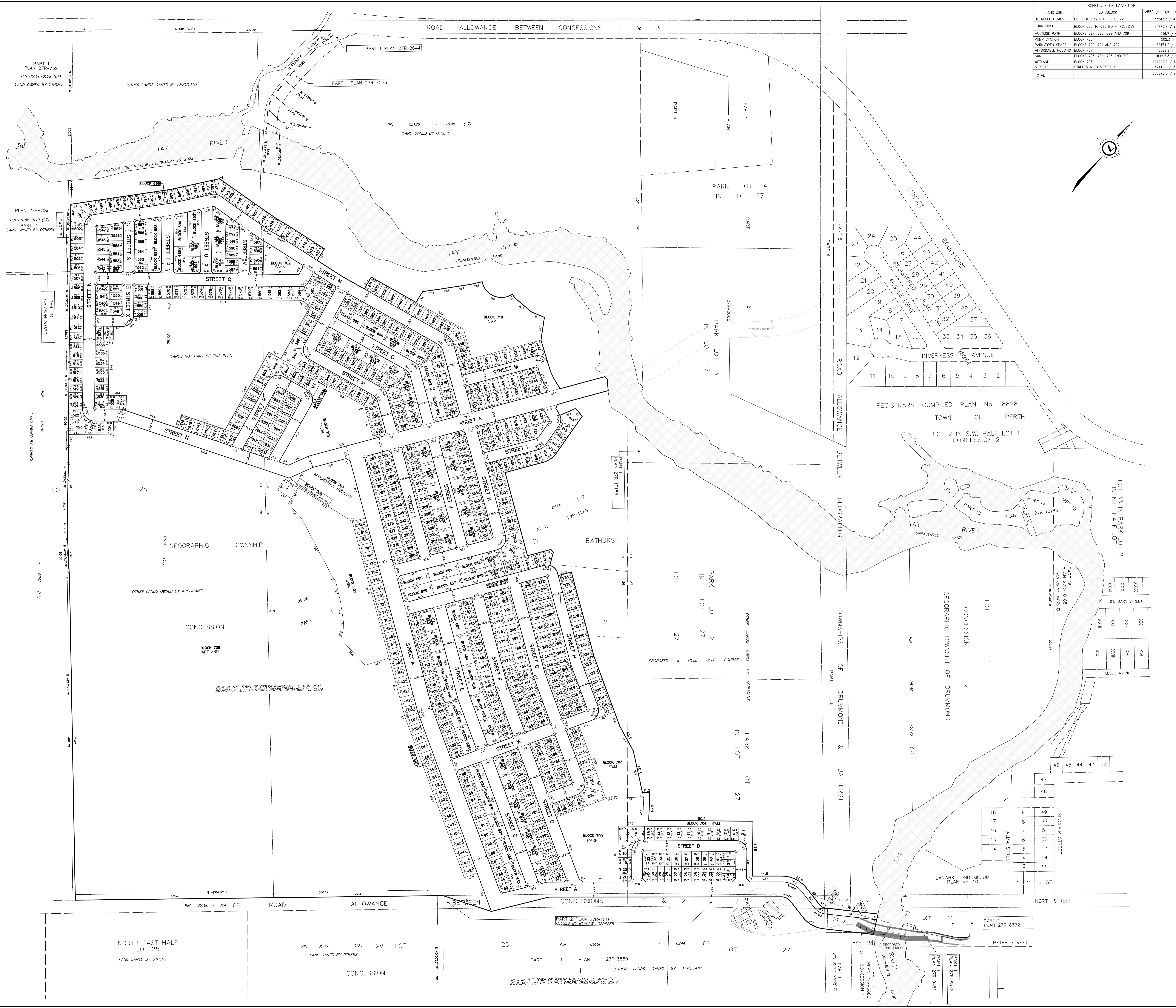
OWNER'S CERTIFICATE
 CAIVAN (PERTH) INC. BEING THE REGISTERED OWNER OF THE SUBJECT LANDS HEREBY AUTHORIZES J.D. BARNES LIMITED TO PREPARE AND SUBMIT THIS DRAFT PLAN OF SUBDIVISION FOR APPROVAL.
 DATE _____
 FRANK CARO PRESIDENT
 (I HAVE THE AUTHORITY TO BIND THE CORPORATION)
 CAIVAN (PERTH) INC.

SURVEYOR'S CERTIFICATE
 I HEREBY CERTIFY THAT THE BOUNDARIES OF THE LAND TO BE SUBDIVIDED ARE CORRECTLY SHOWN.
 DATE MAY 31, 2024
 DATE _____
 J.D. BARNES LIMITED
 ONTARIO LAND SURVEYOR

DATA SOURCE
 DATA SHOWN HEREON IS COMPILED FROM VARIOUS SOURCES:
 - 1:100 FLOOD PLAN - PERTH GOLF COURSE FLOODPLAIN MAPPING AMENDMENT MAY 31, 2024, FSA
 - 2024 GRANTS OVER PROPOSED SIGNIFICANT WETLAND BOUNDARY AS PER METHURP AND ASSOCIATES
 - 2022 THE EROSION AND EROSION ACCESS ALLOWANCE AS PER GARDNER CONSULTING ENGINEERS AND SCIENTISTS
 - 2024 MENDERSHALL AS PER GEO MAPPING LTD
 - HYDROGRAPHIC INFORMATION SHOWN HEREON AS PER FIRST BASE MAPPING 2022
 - SECOND BRIDGE OPTION AS PER CGH TRANSPORTATION

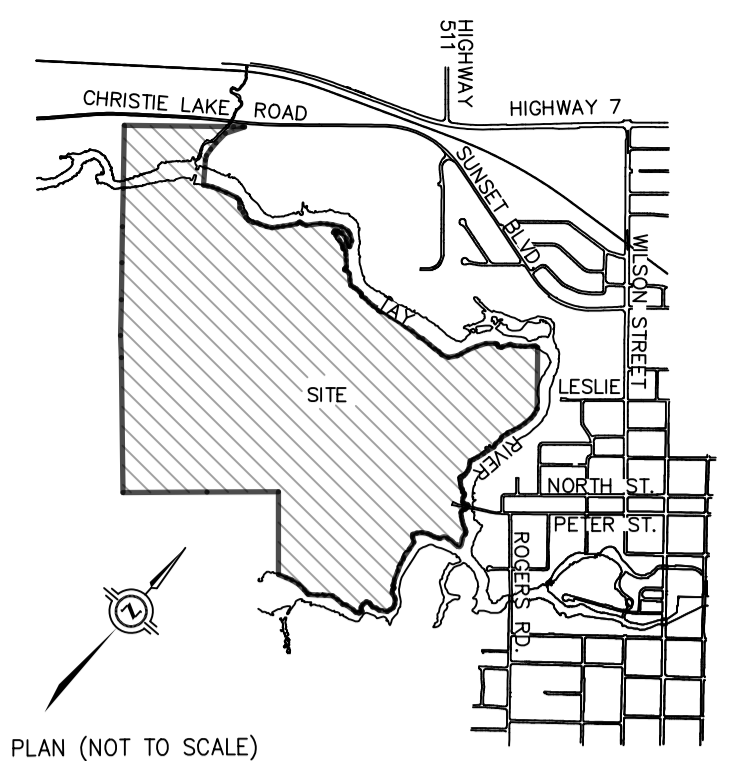
J.D. BARNES LIMITED
 SURVEYING & MAPPING GIS
 LAND INFORMATION SPECIALISTS
 62 STRAITS DRIVE, SUITE 101, LANARK, ON L2K 2W7
 T: (613) 731-7254 F: (613) 254-8609 www.jdbarnes.com

DRAWN BY: CE CHECKED BY: CF
 PLOTTED: 5/23/24 REFERENCE NO: 22-10-008-00-07 SHEET 1 OF 3
 DATE: 05/23/2024



FILE: G:\22-10-008\00\Drawings\Draft Plan\G:\22-10-008-00\Draft Plan v7.2_25 1.dwg

SCHEDULE OF LAND USE		
LAND USE	LOT/BLOCK	AREA (sqm/acs)
DETACHED HOMES	LOT 1 TO 632 BOTH INCLUSIVE	177247.4 / 43.8
TOWNHOUSE	BLOCK 633 TO 696 BOTH INCLUSIVE	49832.4 / 12.3
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TRAMP STATION	BLOCK 706	502.3 / 0.1
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- (D)-LAND TO BE USED IN ACCORDANCE WITH SCHEDULE OF LAND USE
- (F)-FULL MUNICIPAL SERVICES
- (I)-OFFSHORE MARINE DEPOSITS OF CLAY, SILTY CLAY AND SILT, BEDROCK

SHEET 2 OF 2

DRAFT PLAN OF SUBDIVISION OF
PART OF LOT 26 AND 27 CONCESSION 1
 AND
PART OF LOT 25 AND 26 CONCESSION 2
 AND
PART OF PARK LOT 1 IN LOT 27 CONCESSION 2

AND
PART OF THE ROAD ALLOWANCE BETWEEN CONCESSIONS 1 & 2 CLOSED BY BY-LAW LC204235
 ALL IN THE GEOGRAPHIC TOWNSHIP OF BATHURST

AND
SOUTH EAST PART OF LOT 1 CONCESSION 1 AS SHOWN ON COMPILED PLAN No. 8828

IN THE GEOGRAPHIC TOWNSHIP OF DRUMMOND TOWN OF PERTH

AND
PART OF THE ROAD ALLOWANCE BETWEEN GEOGRAPHIC TOWNSHIPS OF BATHURST AND DRUMMOND

COUNTY OF LANARK
 J.D. BARNES LIMITED

METRIC DISTANCES AND/OR COORDINATES SHOWN ON THIS PLAN ARE IN METRES AND CAN BE CONVERTED TO FEET BY DIVING BY 0.3048

SCALE 1 : 1750

NOTES
 BEARINGS ARE UTM GRID, DERIVED FROM SPECIFIED CONTROL POINTS (SCP) 088205051 AND 0109802271, UTM ZONE 18, NAD83 (CSRS).

ELEVATIONS
 ELEVATIONS SHOWN ON THIS PLAN ARE RELATED TO GEODETIC DATUM CGVD08 78

CONTOUR INTERVALS ARE SHOWN AS 1m FOR MAJOR AND 0.25m FOR MINOR

- DENOTES BULLOCK CONTOUR
- DENOTES MIRROR CONTOUR

OWNER'S CERTIFICATE
 CAIVAN (PERTH) INC. BEING THE REGISTERED OWNER OF THE SUBJECT LANDS HEREBY AUTHORIZES J.D. BARNES LIMITED TO PREPARE AND SUBMIT THIS DRAFT PLAN OF SUBDIVISION FOR APPROVAL.

DATE _____
 FRANK CARO
 PRESIDENT
 (I HAVE THE AUTHORITY TO BIND THE CORPORATION)
CAIVAN (PERTH) INC.

SURVEYOR'S CERTIFICATE
 I HEREBY CERTIFY THAT THE BOUNDARIES OF THE LAND TO BE SUBDIVIDED ARE CORRECTLY SHOWN.

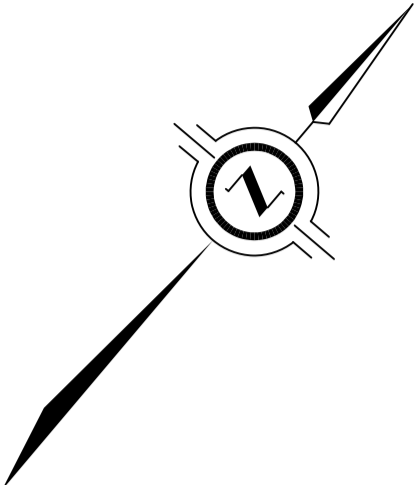
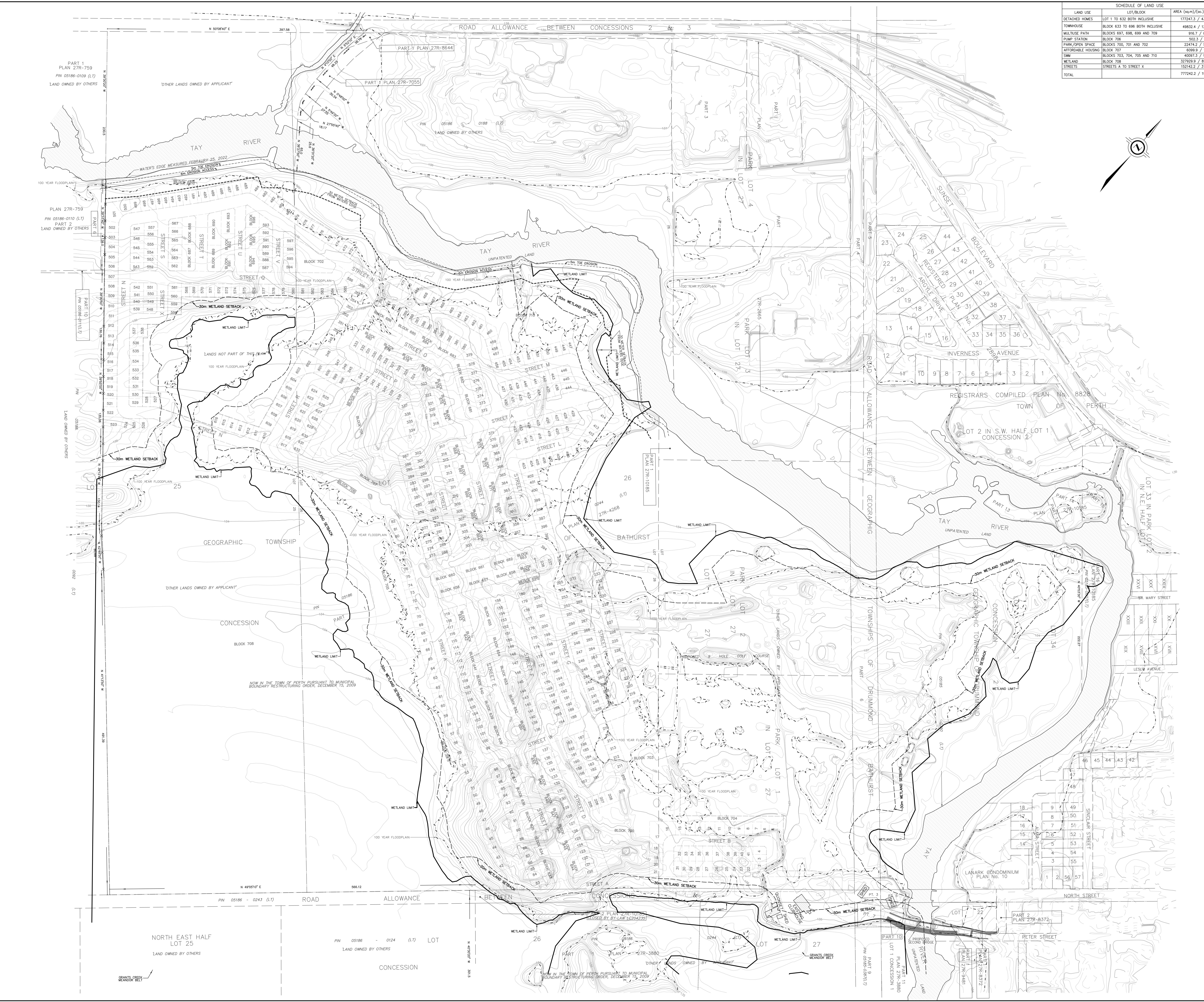
MAY 31, 2024
 DATE _____
 J.D. BARNES
 ONTARIO LAND SURVEYOR

DATA SOURCE
 DATA SHOWN HEREON IS COMPILED FROM VARIOUS SOURCES:
 - 1:100 FLOOD PLAN - PERTH SOUP COURSE FLOODPLAIN MAPPING AMENDMENT MAY 31, 2024 - FSA
 - 2024 GRANTS OPEN PROSPECTOR SIGNIFICANT WETLAND BOUNDARY AS PER WETLUP AND ASSOCIATES
 - 2024 THE EROSION AND EROSION ACCESS ALLOWANCE AS PER GRANTS CONSULTING ENGINEERS AND GEOTECHNISTS
 - 2024 MEMBERSHIP AS PER GEO MAPPING LTD
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 10 ZEPHYRUS DRIVE, SUITE 101, LANARK, ON N3B 2W9
 T: (513) 731-7241 F: (513) 251-8669 www.jdbarnes.com

DRAWN BY: CE CHECKED BY: CF REFERENCE NO: 22-10-008-00 37
 PLOTTED: 6/12/24 DATE: 06/12/2024 SHEET 2 OF 3



ATTACHMENT I

Attachment I Technical Studies		
#	Study	Description
1.	PHASE ONE AND PHASE TWO ENVIRONMENTAL SITE ASSESSMENT (GEMTEC CONSULTING ENGINEERS AND SCIENTISTS LIMITED, APRIL 7, 2022, AND FEBRUARY 2023)	A Phase One Environmental Site identified a potential environmental concern (APEC) on the Site. The Phase Two Environmental Site Assessment was undertaken in accordance with the requirements as defined in Part VII and Schedule E of Ontario Regulation 153/04, as amended by O. Reg. 511/09, for the purpose of obtaining a Record of Site Condition for the Site, as the property use is changing from commercial to residential, a more sensitive land use. The Phase Two ESA identified concentrations of several metal parameter exceedances in both soil and groundwater and provides recommendations to manage these exceedances.
2.	ENVIRONMENTAL IMPACT STUDY (KILGOUR AND ASSOCIATES LTD., FEBRUARY 2023)	<p>The Environmental Impact Study (EIS) assessed the potential impacts of the proposed development on natural heritage features on and adjacent to the site, including habitat for species at risk (SAR), Grants Creek PSW, watercourses and fish habitat, and habitats that meet the definitions of Significant Wildlife Habitat and Significant Woodlands. A full Headwater Drainage Feature Assessment (HDFA) was undertaken on the tributaries on-site and is contained in the EIS.</p> <p>The site is characterized by a mix of the man-made golf course environment and natural or naturalizing areas of the wetland, trees and brush. There are two watercourses (Grants Creek and the Tay River) and 20 headwater drainage features. None of Tributaries on the</p>

**Attachment I
Technical Studies**

#	Study	Description
		<p>site were found to support fish. As such, no provincially and/or nationally listed (SAR) fish species were captured and no critical habitat for aquatic SAR or sensitive spawning habitat were identified.</p> <p>The proposed development boundary is entirely outside of the 30 metre environmental setback measures from the waters edge as identified by an OLS. Opportunities for significant improvements to restore and enhance the shoreline vegetation are available.</p> <p>Improvements to the Peter Street bridge over the Tay River are required, although detail design of the project is unknown at this time. Any work affecting the bed or the banks of the Tay River and associated aquatic habitat will be undertaken with appropriate approvals and mitigation in consultation with Fisheries and Oceans Canada (DFO) and the Rideau Valley Conservation Authority (RVCA) as required.</p> <p>Grants Creek Provincially Significant Wetland abuts the south and east boundaries of the development lands. Kilgour and Associates has undertaken a site-specific delineation of the wetland boundary in accordance with OWES guidelines.</p> <p>The following species at risk have been observed on or are considered to have habitat on the site and implications for the proposed development process: Gray Rat snake, Blanding's Turtle, Little Brown Bat, Tri-Coloured Bat, Butternut and Black Ash.</p> <p>Four (4) types of Significant Wildlife Habitat exist on the site: Woodland Amphibian Breeding</p>

Attachment I		
Technical Studies		
#	Study	Description
		Habitat, Wetland Amphibian Breeding Habitat, Woodland Area-sensitive Bird Breeding Habitat, and Habitat for Special Concern Species. The removal of the woodland and alterations to wetlands will impact these habitats; however, more suitable locations for these habitats exist elsewhere on site, such as in Grants Creek PSW and along the Tay River.
3.	HYDROGEOLOGICAL INVESTIGATION (GEMTEC CONSULTING ENGINEERS AND SCIENTISTS LIMITED, FEBRUARY 2022)	<p>A technical study was undertaken to characterize the hydrogeological function of the site to evaluate its ability to sustain a residential development without negatively impacting surrounding natural features (i.e., the Tay River and Grants Creek PSW). Approximately 44 boreholes, 24 of which had monitoring wells installed, were distributed over the site footprint for the purpose of soil, water quality, hydraulic conductivity, hydraulic gradient, and water level characterization.</p> <p>A water budget was undertaken for the development area to support infrastructure design and mitigation measures to maintain pre-development infiltration.</p> <p>The study concluded that with the effective application of low impact development features to offset alterations to the water budget, no significant adverse impacts to the Tay River or Grants Creek PSW are anticipated. Similarly, dewatering during construction is not anticipated to cause significant adverse impacts to surface water features with the use of appropriate discharge measures, and groundwater quality for the development site meets the Town of Perth Storm Sewer Use By-law No. 4819 except for</p>

Attachment I Technical Studies		
#	Study	Description
		manganese. The proposed development would be serviced with municipal water and sanitary sewers and is not expected to impact neighbouring private services in the short- or long-term, which are approximately 200 metres away at their closest location.
4.	GEOTECHNICAL INVESTIGATION (GEMTEC CONSULTING ENGINEERS AND SCIENTISTS LIMITED, APRIL 4, 2022)	<p>Site specific fieldwork was undertaken on the site during 2021 and 2022 by GEMTEC staff and included boreholes, auger holes and probe holes. Soil and bedrock samples were returned to the laboratory for examination by a geotechnical engineer. Subsurface conditions included materials such as peat, fill material, silty sand, silty clay and glacial till, all overlying Precambrian bedrock. The bedrock surface was encountered between 129.0 and 137.7 mask. Groundwater elevations ranging from 133.3 to 138.1 mask were measured in the test pits and boreholes.</p> <p>Recommendations and guidelines regarding site and building construction, material, design and best practices are provided to prevent or mitigate any potential for negative impacts or outcomes.</p>
5.	SLOPE STABILITY ASSESSMENT (GEMTEC CONSULTING ENGINEERS AND SCIENTISTS LIMITED, FEBRUARY 2023)	<p>A slope stability analysis was undertaken in accordance with the Ministry of Natural Resources (MNR) Technical Guide "Understanding Natural Hazards" dated 2001. The geometry and material comprising the slopes as surveyed. No signs of slope instability (e.g., tension cracks) were observed and minor erosion were noted. The slopes along the Tay River are generally sloped at about 3 horizontals to 1 vertical, except for cross section D-D which has a slope height of about 0.9 metres, there for</p>

Attachment I Technical Studies		
#	Study	Description
		<p>the Stable Slope Allowance described in the MNR procedures is not required. Given that minor erosion was observed along the slope, a conservative Toe Erosion Allowance of 8 metres was established and applied at the crest of the slope. The MNR procedures also include the application of a 6-metre-wide Erosion Access Allowance beyond the Toe Erosion Allowance to allow for access by equipment to repair a possible failed slope. The Erosion Hazard Limit for the slopes along the Tay River has been determined to be 14 metres, as measured from the crest of the slope.</p>
6.	<p>INTEGRATED HYDROLOGICAL IMPACT ASSESSMENT (February 2023)</p>	<p>An Integrated Hydrologic Impact Assessment (IHIA) has been prepared to ensure the form and function of Grants Creek PSW is supported and maintained as the development advances. The report draws from the data and analysis undertaken by the supporting technical consultants to establish the existing hydrological conditions on the site and the adjacent wetland. This approach, prepared by surface and groundwater professionals, biologists, civil and geotechnical engineers, has resulted in a holistic understanding of the relationship between the proposed development lands and the adjacent wetland environment.</p> <p>The report contains a water budget incorporating hydrologic modelling of surface water flows, groundwater flows, storage, and evapotranspiration. This budget has then been used to compare pre and post development scenarios considering the surface and ground water hydrologic system and its relationship with</p>

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Technical Studies**

#	Study	Description
		<p>the Grants Creek wetland hydrology and function.</p> <p>The findings indicate that the development land contributions to the hydrogeological regime of the wetland are small in the context of the larger wetland catchment and are predominantly of a surface water origin. Limited relationships exist between the wetland and groundwater recharge related to the development lands. The report contains recommended mitigation strategies for short term construction and long-term development phases, suggested strategies to bring post development water budget closer to predevelopment through infrastructure design, and potential opportunities for improving areas of degraded wetland function.</p> <p>The report contains the information and analysis required to satisfy tests under the CA Act (where applicable), and local and provincial policies related to wetland protection.</p>
7.	<p>FUNCTIONAL SERVICING REPORT (DAVID SCHAEFFER ENGINEERING LTD., February 2023)</p>	<p>The proposed development will be serviced by a new internal network of 150mm, 200mm, and 300mm diameter watermains designed in accordance with Town Standards. Two connections to existing infrastructure are proposed at North Street and Rogers Road.</p> <p>Additionally, it will be serviced by a network of gravity sanitary mains, which will feed into a new wastewater pump station located west of the Tay River. The new pump station will outlet to existing trunk sewers on Rogers Road at Jessie Drive. The receiving sewers have sufficient</p>

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Technical Studies**

#	Study	Description
		<p>capacity to accommodate the full buildout of the subdivision.</p> <p>Finally, the development will be serviced by an internal gravity storm sewer system. Three stormwater management ponds will be built, two of which will outlet to the Tay River and one to the Grants Creek PSW. The site will also be serviced with two oil / grit separators (OGS). One OGS will outlet into the Tay River and the other into the Grants Creek PSW.</p> <p>Stormwater will be controlled for quality and quantity before being released into the Tay River and Grants Creek PSW. Predevelopment peak flows will be maintained, and Low Impact Development measures will be implemented upstream of end of pipe treatment facilities to provide quality and quantity controls.</p> <p>Erosion and sediment controls will be implemented prior to any site alteration and development and will be maintained during construction. Silt fencing, catch basin inserts, and mud mats will be installed.</p>
8.	<p>TRANSPORTATION IMPACT STUDY (CGH TRANSPORTATION, FEBRUARY 2023)</p>	<p>Access to the development is proposed to be by way of the existing Peter Street Bridge and a proposed new bridge across the Tay River immediately adjacent, each for one-way traffic. The subdivision layout is functionally similar to the Infrastructure Master Plan concept but with no through connection to a second bridge to the north. The development is forecast to generate 593 total AM and 743 total PM peak hour two-way auto trips. The introduction of a directional restriction will push all inbound traffic to arrive via North Street, while outbound traffic is</p>

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#	Study	Description
		<p>forecast to use both Peter Street and North Street. A new signal at the intersection of North Street and Wilson Street West will facilitate acceptable operations within the study area at full subdivision buildout, while queuing is anticipated to increase from the background conditions. As auto trip generation rates have been trending down and the development will include active mode connections and many destinations are within walking distance of the site, the auto trips generated by the site are anticipated to be conservatively represented within this study and monitoring activities will be part of determining need for future traffic calming and traffic control modifications.</p>
9.	<p>STAGE 3 ARCHAEOLOGICAL ASSESSMENT, JANUARY 31, 2023 – MATRIX HERITAGE INC.)</p>	<p>A Stage 3 archaeological assessment was conducted for the Flett Farm site to assess the cultural heritage value as recommended in previous Stage 1 and Stage 2 investigations. A significant number of artifacts associated with the previous farmstead use were recovered. The Flett Farm Site will be disturbed by the proposed development therefore a Stage 4 excavation is recommended to document recovered artifacts.</p>
10.	<p>HERITAGE IMPACT ASSESSMENT (WSP, MARCH 23, 2022)</p>	<p>The site is not listed on the Town of Perth's Municipal Heritage Register under Section 27 (1.2) of the Ontario Heritage Act (OHA), nor is it designated under Part IV or Part V of the OHA. The site was evaluated using the criteria of Ontario Regulation 9/06 and determined to possess cultural heritage value or interest as it is one of Canada's oldest golf courses, an important</p>

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#	Study	Description
		institution in the local community, and supporting the context of the area. The development will have minor impacts to the Perth Golf Course's identified heritage attributes. The Heritage Impact Assessment recommends maintaining the existing trees and foliage between the front nine holes of the golf course and the subdivision and installing plaques outlining the history of the Perth Golf Course and identifying holes #1, #8, and #9 as the original holes dating back to 1890.
	WESTERN ANNEX LANDS 141 PETER ST. URBAN DESIGN BRIEF, FEBRUARY 2023, SECOND SUBMISSION – NAK DESIGN STRATEGIES	The Urban Design Brief illustrates the conceptual community structure for the Western Annex Lands including building typologies, streets and mobility networks, natural areas, parks and open space.

ATTACHMENT J

Caivan (Perth GC) Limited

141 Peter Street

OLT Case No: OLT-23-000534

Procedural Order – Issues List:

16. *What conditions of draft plan approval should be applied in accordance with s. 51(25) of the Planning Act?*

Proposed Draft Approvals Conditions

General

- 1) That this approval applies to the draft plan of subdivision, prepared by JD Barnes Surveying dated June 12, 2024.
- 2) That if the final approvals are not given to this plan within three (3) years of the draft approval date, and no extensions have been granted, the draft approval will lapse.
- 3) The Owner shall provide the County of Lanark with a final plan intended for registration in .pdf format.
- 4) That road allowances included on the draft plan shall be shown on the final plan and dedicated as public highways.
- 5) The streets will be named to the satisfaction of the Town of Perth.
- 6) Such easements as may be required for utility or drainage purposes shall be granted to the appropriate authority.

Parkland

- 7) That the Owner as part of Parkland Dedication and pursuant to the Town of Perth Parkland Dedication By-Law (4898), agrees to convey Blocks 700, 701 and 702 as shown on the Draft Plan prepared by JD Barnes dated June 12, 2024, at no cost, to the Town of Perth. The total parkland to be dedicated by the Owner shall not exceed 5% of the Gross Land Area as defined by the Town of Perth Parkland Dedication By-Law (4898).
- 8) The Owner acknowledges and agrees to design and construct, at no cost to the Town, the Park Block(s) in accordance with the Town specifications and standards.

Zoning

- 9) That prior to final approval by the County, the County is to be advised by the Town of Perth that this proposed subdivision conforms to the zoning by-law in effect and that any zoning issues identified are appropriately satisfied through an amendment to the Town's Zoning By-Law.
- 10) The Owner acknowledges and agrees that a holding zone will be placed on the proposed subdivision lands as follows:
 - a) That prior to proceeding with registration of any phase of development beyond the first 200 units, the Owner shall have completed the detailed design of the second bridge to the satisfaction of the Town of Perth.

b) That the works within the floodplain required to fulfill the permit obtained through Rideau Valley Conservation Authority's "Development, Interference with Wetlands and Alterations to Shorelines and Watercourses" regulation, made under Section 28 of the Conservation Authority Act, R.S.O 1990, c. C27, as amended, are completed.

Subdivision Agreement

- 11) That the subdivision agreement between the Owner and the municipality be registered against the lands to which it applies once the plan of subdivision has been registered.
- 12) The applicant shall enter into a subdivision agreement with the Town of Perth to satisfy all the requirements, financial and otherwise, of the municipality concerning the provision of roads, the installation of services and utilities, and the completion of drainage facilities in accordance with methods, specifications and designs acceptable to the Town of Perth.
- 13) Specific conditions identified by the commenting agencies will be addressed in the agreement or the applicant shall demonstrate to the satisfaction of the Town and the County of Lanark that the condition has been addressed by separate agreement or other means acceptable to the commenting agency.

Affordable Housing

- 14) The Owner will convey Block 707 for \$1.00 to a third party for the purposes of accommodating affordable housing development in accordance with the *More Homes Built Faster Act (2022)*.

Landscaping/Streetscaping

- 15) Prior to registration of each phase of the subdivision, the Owner agrees to provide a landscape plan(s) prepared by a Landscape Architect to the satisfaction of the Town of Perth.

The landscape plan(s) shall include detailed planting locations, plant lists, which include species, plant form and sizes, details of planting methods, pathway widths and materials, access points, fencing requirements and fencing materials, other landscape features where required.

The Owner agrees to implement the approved landscape plan(s) and bear all costs and responsibility for the preparation and implementation of the plan(s).

Tree Conservation

- 16) The Owner acknowledges and agrees to abide by the Tree Conservation By-Law, 2020-4892, and that any trees to be removed from the site shall be in accordance with an approved Tree Permit issued by the Town.
- 17) The Owner agrees to maintain tree protection measures until construction is complete and/or the Town has provided written permission to remove them.

Roads and Servicing

- 18) No road preparation shall begin prior to formal approval of construction design plans by the Town's Manager of Public Works or their designated alternate.
- 19) All watermains, sanitary sewer and stormwater sewer, facilities, works and connections are to be installed to the Town's specifications with respect to design, materials used and installation requirements.
- 20) Prior to the registration of each phase of the subdivision, the Owner shall provide the following to the satisfaction of the Town of Perth:
 - a) A site servicing and stormwater management report
 - b) Sanitary Sewer drainage plans and profiles
 - c) Storm Sewer drainage plans and profiles

- d) Watermain plans and profiles
- e) Grading Plans
- f) Erosion Sediment Control Plans
- g) Any such reports as identified by the Town of Perth.

- 21) The applicant shall submit a detailed stormwater management plan prepared by a professional engineer licensed to practice in Ontario and acceptable to the Town of Perth which will indicate the means whereby erosion and siltation will be contained and minimized, both during and after the construction period.
- 22) The road allowances included in this draft plan of subdivision shall be designed to specifications acceptable to the Town of Perth and dedicated as public highways, and the Town shall be satisfied that the final road design is appropriate.
- 23) Any dead ends and open sides of road allowance created by this draft plan shall be terminated in 0.3 metre reserves to be conveyed to, and held in trust, by the municipality pending future extension of the road allowance(s).
- 24) Any temporary turning circles shown on or added to the draft plan, shall be shown on the final plans as blocks. These shall be subject to easements in favour of the Town of Perth and/or held by the Town in the same manner as reserve blocks until the extension of the road allowance, when the blocks shall be released or conveyed without change to the owners of abutting lots.
- 25) The Owner shall provide: At the intersection of a local road with a local road: 3 m x 3 m sight triangle; at the intersection of a local road with a collector road: 3 m x 5 m; and at the intersection of a collector road with a collector road: 5 m x 5 m.
- 26) Final "as built" construction drawings shall be provided in both hard copy and digital format to specifications acceptable to the Town with respect to all roads, water distribution, sanitary sewer and stormwater management works.
- 27) The developer will agree that before commencing any grade changes or construction on any lot, to have prepared a report and/or grading plans, acceptable to the municipality, to show the location of all buildings and structures to be erected on the site and demonstrate that all final grades comply with stormwater management plan.

Pump station early servicing

- 28) The Owner may begin construction of the on-site sanitary pump station and associated forcemains along Rogers Road prior to completion of a subdivision agreement. The design of the works shall be to the satisfaction of the Town's Manager of Public Works or their designated alternate. No work shall take prior to the Town of Perth receiving all necessary securities and insurance associated to the work thereto from the Owner, and no work shall commence without the express written permission from the Town of Perth.

Peter Street Bridge

- 29) The first phase of development shall consist of a maximum of 200 units and can proceed once the twinning of the Peter Street Bridge is completed. The following improvements shall be required to the Peter Street Bridge and nearby right of ways prior to the first occupancy:
 - a) The new structure for the twinning of the Peter Street Bridge will be adjacent to the existing structure, and the total transportation facilities crossing these twinned bridges will comprise of two vehicle travel lanes, one multi-use pathway, and one sidewalk.
 - b) Improvements to Peter Street between Lustre Lane and the existing Peter Street Bridge shall be completed to the satisfaction of the Town of Perth to ensure appropriate emergency vehicle access and egress to the improved Peter Street Bridge.

- 30) Notwithstanding condition #29, additional units (beyond 200) may be permitted within the first phase of development prior to the construction of a second bridge subject to traffic monitoring at the intersections of Peter/Lustre and Peter/Rogers to be undertaken by the Owner, all to the satisfaction of the Town of Perth.

Second Bridge

- 31) A second bridge crossing of the Tay River shall be required to support the development beyond the first phase expressed in conditions #29 and 30. The Owner will complete the process initiated in the Western Annex Lands Infrastructure Master Plan (Town of Perth, 2019) and follow the requirements of the Municipal Class Environmental Assessment, as applicable, including functional design.
- 32) The Owner will construct the second bridge with final "as built" construction drawings provided in both hard copy and digital format to specifications acceptable to the Town.
- 33) Occupancies beyond the first phase of development can occur when the second bridge is completed. Notwithstanding the foregoing, the Town of Perth shall not withhold building permits for the second phase of development provided the Owner has provided all necessary financial securities for the second bridge to the Town of Perth, and provided that a Commence Work Notice has been issued by the Town of Perth for the construction of the second bridge.
- 34) Notwithstanding the above, the Owner shall be permitted to commence underground servicing beyond the first phase prior to the second bridge being completed provided all other requirements have been met to the satisfaction of the Town of Perth.
- 35) The Owner and the Town of Perth will enter into discussions to identify cost recovery for proposed infrastructure (off-site externals and 2nd bridge) which benefits the existing residents of the Town of Perth or other benefiting development lands.

Stormwater Management

- 36) Prior to registration or commence of any works, the Owner shall prepare a final stormwater site management plan and lot grade and drainage plan which shall be consistent with the report entitled "Functional Servicing Report prepared by David Schaeffer Engineering Ltd.," dated February 2023.
- 37) The final stormwater site management plan and the lot grade and drainage plans shall be to the satisfaction of the Town of Perth.
- 38) That the subdivision agreement contain a clause whereby the Owner agrees that on completion of all stormwater management works, to provide certification to the Town of Perth, through a professional engineer, that all works have been implemented in conformity with the approved stormwater site management plan.
- 39) The Owner shall maintain the stormwater management facilities until such time as the Town of Perth assumes the facilities. The Owner acknowledges and agrees that the Town shall not assume any such facilities until a minimum of 60% of the tributary area of the facility is constructed, or at an earlier agreed upon date.
- 40) That the subdivision agreement contains a clause whereby prior to the commencement of construction of any phase of the subdivision (roads, utilities, any off-site works, etc.) the Owner agrees to:
- a) have an erosion and sediment control plan prepared by a professional engineer in accordance with current best management practices.
 - b) monitor the effectiveness of and maintain the erosion and sediment control works as necessary.

Environmental Constraints

- 41) The Owner acknowledges and agrees that the construction of the subdivision shall be in accordance with the recommendations of the Environmental Impact Study for the Proposed Development of the Western Annex Lands (141 Peter Street) in Perth, Ontario dated February 23, 2023 (version 3), as revised, prepared by Kilgour and Associates.
- 42) The Owner shall agree that all development including, infrastructure, lot grading and dwellings, located outside of the floodplain but within the regulation limit are subject to Rideau Valley Conservation Authority's "Development, Interference with Wetlands and Alterations to Shorelines and Watercourses" regulation, made under Section 28 of the Conservation Authority Act, R.S.O 1990, c. C27, as amended. The regulation requires that the Owner of each property obtain a permit from the Conservation Authority prior to development.
- 43) The Owner agrees that prior to registration of any phase of the subdivision, the Rideau Valley Conservation Authority shall confirm that no residential lot, road fabric, park block or stormwater management facility is affected by the regulatory flood plain and that the conditions of any floodplain related permits under O.Reg 41/24 have been fulfilled to their satisfaction.
- 44) The Owner acknowledges and agrees that prior to registration, limited work within the Grants Creek PSW to construct part of Street A, as shown on the Draft Plan by JD Barnes (12 June 2024) immediately west of the Peter Street Bridge will be addressed through a Municipal Class Environmental Assessment process.
- 45) The Owner acknowledges and agrees that prior to registration, the Collector Road shown as Street A on the Draft Plan of Subdivision by JD Barnes (12 June 2024) along the south-east boundary of the development will be designed to ensure that no part encroaches within a 15 m setback from the boundary of the Grants Creek PSW. The area between the paved surface road curb and the PSW will include a 4 m wide, 0.5 m high berm and robust native vegetation planting to mitigate the effects of the road proximity. A 2:1 planting compensation for the encroached area within the 30 m setback will be established elsewhere on the site.
- 46) The Owner acknowledges and agrees that prior to registration, Street A as shown on the Draft Plan of Subdivision by JD Barnes (12 June 2024) in the south-west corner of the development where the road takes a 90 degree turn, closest to the PSW, will be designed to ensure that no part of the ROW encroaches within a 15 m setback from the boundary of the Grants Creek PSW. The area between the paved surface road curb and the wetland will include a 4 m wide, 0.5 m high berm and robust native vegetation planting to mitigate the effects of the road proximity. A 2:1 planting compensation for the encroached area within the 30 m setback will be established elsewhere on the site.
- 47) The Owner acknowledges and agrees that prior to registration, Street N as shown on the Draft Plan by JD Barnes (12 June 2024), between Lot 527 and Lot 616 shall be designed to completely span the area designated as PSW. Support structures shall be established outside of the PSW but may be located within the 30-metre setback. A 3:1 planting compensation for the encroached area within the 30 m setback will be established elsewhere on the site.
- 48) The Owner acknowledges and agrees that prior to registration, the subdivision layout shall be revised so that no residential lot fabric shall encroach on the 15 m setback from the non-PSW running adjacent the Tay River at the north boundary of the property.
- 49) The Owner acknowledges and agrees that one encroachment in the 15-metre setback to the non-PSW running adjacent the Tay River at the north boundary of the property is permitted to establish 70 m of the Street N ROW. No intrusion into the wetland is permitted.
- 50) The Owner acknowledges and agrees that bat habitat is present throughout the site where current tree stands are present and at-risk species occur transiently over most of the site. To mitigate impacts

on bat species present on the site, 1) no clearing of vegetation shall occur on the site between April 1 and September 30 inclusive, 2) trees shall be planted across the site as per the recommendation of the TCR (1 tree per lot and additional trees in open areas), and 3) 'rocket houses' shall be installed in storm pond areas in numbers commensurate with a snag count.

Record of Site Condition

51) The Owner shall be required to submit to the Town of Perth, a Record of Site Condition (RSC) completed in accordance with the O.Reg 153/04, and acknowledged by the Ministry of Environment. The RSC shall confirm that all or part of the site will be suitable for the proposed use in accordance with O.Reg. 153/04. The RSC shall be completed and approved by the Ministry of Environment prior to building occupancies for each respective phase of development.

Enbridge Gas Distribution Inc.

52) That prior to final approval by the County, the County shall be advised by Enbridge Gas Distribution Inc. that the subdivision agreement between the Owner and the municipality contain the following conditions to the satisfaction by Enbridge Gas Distribution Inc.

- a) The applicant shall contact Enbridge Gas Distribution's Customer Connections department by emailing SalesArea60@enbridge.com for service and meter installation details and to ensure all gas piping is installed prior to the commencement of site landscaping (including, but not limited to: tree planting, silva cells, and/or soil trenches) and/or asphalt paving.
- b) If the gas main needs to be relocated as a result of changes in the alignment or grade of the future road allowances or for temporary gas pipe installations pertaining to phase construction, all costs are the responsibility of the applicant.
- c) In the event that easement(s) are required to service this development, the applicant will provide the easement(s) to Enbridge Gas Distribution at no cost. The inhibiting order will not be lifted until the application has met all of Enbridge Gas Distribution's requirements.
- d) The applicant will grade all road allowances to as final elevation as possible, provide necessary field survey information and all approved municipal road cross sections, identifying all utility locations prior to the installation of the gas piping.

Bell Canada

53) That prior to final approval by the County, the County shall be advised by Bell Canada that the subdivision agreement between the Owner and the municipality contain the following to the satisfaction of Bell Canada:

- a) The Owner will grant to Bell Canada any easements that may be required, which may include a blanket easement, for communication / telecommunication infrastructure. In the event of any conflict with existing Bell Canada facilities or easements, the Owner shall be responsible for the relocation of such facilities or easements.
- b) The Developer is hereby advised that prior to commencing any work, the Developer must confirm that sufficient wire-line communication / telecommunication infrastructure is available. In the event that such infrastructure is unavailable, the Developer shall be required to pay for the connection to and/or extension of the existing communication / telecommunication infrastructure. If the Developer elects not to pay for such connection then the Developer will be required to demonstrate to the satisfaction of the municipality that sufficient alternative communication / telecommunication facilities will be provided to enable at a minimum, the effective delivery of communication / telecommunication services for emergency management services (i.e., 911 Emergency Services).

Clearance of Conditions

- 54) That prior to registration of the final plan, the County of Lanark is to be advised by the Town of Perth that Conditions 1 through 53 have been satisfied.
- 55) That prior to registration of the final plan, the County of Lanark is to be advised by the Rideau Valley Conservation Authority that Conditions 10, and 41 through 43 have been satisfied.
- 56) That prior to registration of the final plan, the County of Lanark is to be advised by Enbridge Gas that Condition 52 has been satisfied.
- 57) That prior to registration of the final plan, the County of Lanark is to be advised by Bell Canada that Condition 53 has been satisfied.