

**1. OFFICIAL PLAN AND ZONING BY-LAW AMENDMENT FOR 6139 AND 6143
PERTH STREET**

**MODIFICATION AU PLAN OFFICIEL ET AU RÈGLEMENT DE ZONAGE
VISANT LES 6139 ET 6143, RUE PERTH**

COMMITTEE RECOMMENDATION

That Council:

- a. Approve the proposed modifications to the Official Plan for 6139 and 6143 Perth Street to permit future parcel or lot creation serviced by the existing private communal water system that is owned and operated by one owner as detailed in Document 2;**
- b. Approve the proposed amendment to the Zoning By-law for 6139 and 6143 Perth Street to rezone from Village Mixed Use Subzone 4 – VM4 to Village Mixed Use Subzone 4 rural exception xxx – VM4[xxxxr] and to amend the exceptions zones for Village Residential Third Density Subzone 3 rural exception 858 - V3E[858r] and Village Residential Third Density Subzone 3 rural exception 859 with a holding provision - V3E[859r]-h to permit a planned unit development and that all of the site be considered one lot for zoning purposes as detailed in Document 3 and shown in Document 4.**

RECOMMANDATION DU COMITÉ

Que Conseil :

- a. Approuver les modifications proposées au Plan officiel visant les 6139 et 6143, rue Perth, afin de permettre la création d'une parcelle ou d'un lot viabilisé par le réseau collectif privé existant de distribution d'eau d'un seul et même propriétaire-exploitant, comme l'expose en détail le document 2;**

- b. Approuver la modification proposée au Règlement de zonage visant les 6139 et 6143, rue Perth, qui ferait passer la désignation de Zone d'utilisations polyvalentes de village, sous-zone 4 – VM4 à Zone d'utilisations polyvalentes de village, sous-zone 4, exception rurale xxx – VM4[xxxxr] et qui modifierait les secteurs assortis d'exceptions de la Zone résidentielle de village de densité 3, sous-zone 3, exception rurale 858 - V3E[858r] et Zone résidentielle de village de densité 3, sous-zone 3, exception rurale 859 assortie d'un symbole d'aménagement différé - V3E[859r]-h, afin de permettre la création d'un complexe immobilier et de considérer l'ensemble de l'emplacement comme constituant un seul lot aux fins de zonage, comme l'expose en détail le document 3 et comme l'illustre le document 4.

Documentation/Documentation

1. Acting Director's report, Planning Services, Planning, Infrastructure and Economic Development Department, dated February 21, 2020 (ACS2020-PIE-PS-0024)

Rapport du Directeur par intérim, Services de la planification, Direction générale de la planification, de l'infrastructure et du développement économique, daté le 21 février 2020 (ACS2020-PIE-PS-0024)
2. Extract of draft Minutes, Agriculture and Rural Affairs Committee, March 5, 2020

Extrait de l'ébauche du procès-verbal, Comité de l'agriculture et des affaires rurales, le 5 mars 2020

**AGRICULTURE AND RURAL
AFFAIRS COMMITTEE
REPORT 12
APRIL 8, 2020**

3

**COMITÉ DE L'AGRICULTURE ET
DES AFFAIRES RURALES
RAPPORT 12
LE 8 AVRIL 2020**

**Report to
Rapport au:**

**Agriculture and Rural Affairs Committee
Comité de l'agriculture et des affaires rurales
5 March 2020 / 5 mars 2020**

**and Council / et au Conseil
March 25, 2020 / 25 mars 2020**

**Submitted on February 21, 2020
Soumis le 21 février 2020**

**Submitted by
Soumis par:**

Douglas James

Acting Director / Directeur par intérim

Planning Services / Services de la planification,

**Planning, Infrastructure and Economic Development Department / Direction
générale de la planification, de l'infrastructure et du développement économique**

Contact Person/Personne ressource:

**Cheryl McWilliams, Planner / urbaniste, Development Review Rural / Examen des
demandes d'aménagement ruraux
(613) 580 2424, 30234, Cheryl.McWilliams@ottawa.ca**

Ward: RIDEAU-GOULBOURN (21)

File Number: ACS2020-PIE-PS-0024

**SUBJECT: Official Plan and Zoning By-law Amendment for 6139 and 6143 Perth
Street**

**OBJET: Modification au Plan officiel et au Règlement de zonage visant les
6139 et 6143, rue Perth**

REPORT RECOMMENDATIONS

- 1. That Agriculture and Rural Affairs Committee recommend Council:**
 - a. Approve the proposed modifications to the Official Plan for 6139 and 6143 Perth Street to permit future parcel or lot creation serviced by the existing private communal water system that is owned and operated by one owner as detailed in Document 2;**
 - b. Approve the proposed amendment to the Zoning By-law for 6139 and 6143 Perth Street to rezone from Village Mixed Use Subzone 4 – VM4 to Village Mixed Use Subzone 4 rural exception xxx – VM4[xxxr] and to amend the exceptions zones for Village Residential Third Density Subzone 3 rural exception 858 - V3E[858r] and Village Residential Third Density Subzone 3 rural exception 859 with a holding provision - V3E[859r]-h to permit a planned unit development and that all of the site be considered one lot for zoning purposes as detailed in Document 3 and shown in Document 4.**
- 2. That Agriculture and Rural Affairs Committee approve the Consultation Details Section of this report be included as part of the 'brief explanation' in the Summary of Written and Oral Public Submissions, to be prepared by the City Clerk and Solicitor's Office and submitted to Council in the report titled, "Summary of Oral and Written Public Submissions for Items Subject to Bill 73 'Explanation Requirements' at the City Council Meeting of 25 March 2020 subject to submissions received between the publication of this report and the time of Council's decision.**

RECOMMANDATIONS DU RAPPORT

- 1. Que le Comité de l'agriculture et des affaires rurales recommande ce qui suit au Conseil :**
 - a. Approuver les modifications proposées au Plan officiel visant les 6139 et 6143, rue Perth, afin de permettre la création d'une parcelle ou d'un lot viabilisé par le réseau collectif privé existant de distribution d'eau d'un seul et même propriétaire-exploitant, comme l'expose en détail le document 2;**

- b. Approuver la modification proposée au Règlement de zonage visant les 6139 et 6143, rue Perth, qui ferait passer la désignation de Zone d'utilisations polyvalentes de village, sous-zone 4 – VM4 à Zone d'utilisations polyvalentes de village, sous-zone 4, exception rurale xxx – VM4[xxxxr] et qui modifierait les secteurs assortis d'exceptions de la Zone résidentielle de village de densité 3, sous-zone 3, exception rurale 858 - V3E[858r] et Zone résidentielle de village de densité 3, sous-zone 3, exception rurale 859 assortie d'un symbole d'aménagement différé - V3E[859r]-h, afin de permettre la création d'un complexe immobilier et de considérer l'ensemble de l'emplacement comme constituant un seul lot aux fins de zonage, comme l'expose en détail le document 3 et comme l'illustre le document 4.**
- 2. Que le Comité de l'agriculture et des affaires rurales donne son approbation à ce que la section du présent rapport consacrée aux détails de la consultation soit incluse en tant que « brève explication » dans le résumé des observations écrites et orales du public, qui sera rédigé par le Bureau du greffier municipal et de l'avocat général et soumis au Conseil dans le rapport intitulé « Résumé des observations orales et écrites du public sur les questions assujetties aux 'exigences d'explication' aux termes du projet de loi 73 », à la réunion du Conseil municipal prévue le 25 mars 2020, à la condition que les observations aient été reçues entre le moment de la publication du présent rapport et le moment de la décision du Conseil.**

BACKGROUND

The property at 6139 and 6143 Perth Street is on the north side of Perth Street west of Huntley Road in the Village of Richmond. The development was originally known as Hyde Park, with the original phases called the Groves and the new owner calling the development Samara. The rear portion of the property fronts onto the east end of Cedarstone Street and Talos Circle. Richmond Gate is the adjacent single-family residential development to the west of the site. To the east is Lions Park, an active community facility and fairgrounds. There are a mix of residential and commercial uses along the abutting lands along Perth Street.

The Official Plan amendment and Zoning By-law amendment are to allow for lot creation or separate ownership of the various phases of the development. The Official Plan and Zoning By-law amendment in 2018 for this property allowed for the residential uses to form part of the development with that original 2018 application and circulation also requesting the ability to create separate parcels.

The Hyde Park development was intended to be an aging in place senior's campus. Phase 1 and 2 were completed (about 2005 and 2010 respectively) as 92 residential townhouses on private roads located off Perth Street, serviced with a private communal water system and connected to the municipal central sanitary sewer system. Those units are occupied by life-lease tenants.

Phase 3A and 3B were approved in 2010, with a three-storey 35-unit and two three-storey 52-unit independent living buildings and a three and five-storey 124-unit retirement home off of Talos Circle and Cedarstone Street, to the rear of 6143 Perth Street. Construction of Phase 3A commenced in about 2011 and was partially built out prior to the previous owner's bankruptcy. The current owner bought the whole property including the 92 residential townhouses from phases 1 and 2, and is currently in the process of resuming the development of phases 3A and 3B. Following the 2018 amendments to the Official Plan and Zoning By-law, the 35-unit building was completed and occupied as a low-rise residential apartment. The balance of Phase 3A is the partially built five-storey building with the three-storey wing. It is to remain a retirement home but with a potential unit count reduction.

Construction of Phase 3B has not started. It had originally been site plan approved with two, three-storey, 52-unit retirement homes – with only independent living units. The development plan in the Planning Rationale for the condominium application filed with this current proposal shows eight, three-storey, 14-unit low-rise apartment buildings. An amendment application to the Site Plan Approval will be required to address any of those proposed changes to the site.

Phase 3 is serviced with an extension of the private well system. Access to Phase 3 would be off Cedarstone Street and Talos Circle, as well as through the private roads in Phases 1 and 2.

The infrastructure internal to the site and servicing all phases, including the drinking water system, sanitary pipes, stormwater management system, roads and parking are privately owned.

The amendment to the Official Plan is required as small drinking water systems are only contemplated for servicing one lot.

The Zoning By-law amendment would add a planned unit development as a permitted use and to consider it all one lot for zoning compliance purposes.

DISCUSSION

The intent of the original Hyde Park development was to allow for people to age in place in a campus of buildings, providing more active seniors with independent living options from the existing primarily bungalow townhouses, to apartments, and retirement home units as the requirement for assistive living increases.

Any proposed Phase 3B changes will require Site Plan Approval and would be subject to demonstrating that there is capacity within the existing municipal sanitary system, within their own private communal water system and the balance of the infrastructure. A holding provision will be remaining on the Phase 3B lands.

To facilitate the approved build out of this development, the applicants are contemplating future lot creation to divide the phases into legally conveyable freehold parcels that are tied through a Common Elements Condominium to the development's infrastructure. There are issues surrounding this approach, relating to policy, financial and technical matters for the City, the Ministry of Environment and Climate Change (MOECC), the current life-lease occupants and the owner.

Provincial Policy Statement

The Provincial Policy Statement (PPS) sets out a hierarchy for servicing with full municipal services being the ideal and is less supportive of split public and private servicing. It does still contemplate private communal water systems. For all servicing, it looks to ensure that they are safe, financially viable and have an appropriate source of water. The owner has indicated by allowing the various phases or potentially buildings in this development to be held in separate ownership, it will facilitate the financing of the development and thus the viability of the private communal drinking water system. The Richmond Secondary Plan does have policies that contemplate full municipal water

service, and private communal water. These amendments do not preclude that possibility.

Staff have reviewed this proposal and have determined that it is consistent with the Provincial Policy Statement, 2014.

City Official Plan, Richmond Secondary Plan and Village of Richmond Community Design Plan

The lands are designated Village on Schedule A of the Official Plan, which permit a range of uses. Volume 2C of the Official Plan contains the Richmond Secondary Plan and designates this site Residential Apartment and Residential Ground Oriented Attached. The existing Richmond Secondary Plan and Village of Richmond CDP and zoning recognizes the ground oriented attached (townhouses in Phases 1), the low-rise apartments as well as the more institutional nature of the balance of the site known as Phases 3A. The site is identified through the Official Plan and Infrastructure Master Plan as being serviced with municipal sanitary sewer services.

Private Communal

The MOECC guideline D-5-3 contemplates residential uses on private communal services. The City's Official Plan intends for private communal systems only where there is one lot and one owner and operator for the system(s) for up to five residential units, or for institutional uses such as schools and retirement homes. The 2018 Official Plan amendment supports the whole of the build out of the site for residential and institutional uses on the private communal well water system. This requested amendment will require the well water system to be on one lot, owned and operated by one owner but also allow for the buildings themselves to be held in separate ownership but legally tied to the parcel containing the well water system. The most efficient planning mechanism for that is a Common Elements Condominium.

In order to obtain MOECC approval for private services, the Ministry requires that the City be ultimately responsible for those systems through municipal responsibility agreements (MRA) that are between owners and the City. Restricting the permitted uses on private communal systems minimizes the exposure for the City being responsible for the maintenance, operating and financial liability of those private systems. The City further limits that exposure by requiring owners to provide a one-year operating fund and a capital reserve fund to be held in trust to allow the City to access

funds to maintain and operate systems if required to do so by the MOECC. The City currently has an MRA with the owner of this development that covers Phases 1, 2 and 3. That agreement may require amendment to reflect any proposed Common Elements Condominium. That will be addressed through the separate condominium application process.

Zoning

The zoning as proposed, and detailed in Document 3, will ensure that the entire development as site plan approved in 2010 remains one lot for zoning purposes and also allow for planned unit development as a permitted use. The planned unit development is defined as having two or more residential use buildings on one lot (excluding coach houses and so on). These amendments would support future parcel creation.

Planned unit developments have specific zoning provisions that contemplate creation of separate properties without private road frontages and access, setbacks to the private roads, parking and building separation.

The provision proposed to be added to the lands to recognize them as one lot for zoning purposes.

The zoning amendment will not remove the holding provision for Phase 3B that would only be considered for removal of the holding provision subject to demonstrating servicing and revision to the approved site plan.

Related Common Elements Condominium application

The application for the Common Elements Condominium (draft plan attached as Document 7) application was circulate concurrently with the Official Plan and Zoning By-law amendments. That form of condominium creates a legal entity – condominium corporation - that will own the lands containing the well water system as well as other infrastructure. Other infrastructure could include the sanitary pipes, the stormwater management system, private roads, parking, landscaping, paths, fire suppression system and so on. The parts of the development containing the dwelling units - held in freehold – would be legally tied to that infrastructure through the common element's condominium essentially as shareholders in the condominium corporation. The freehold parcels can be created through separate planning processes including standard

condominiums or severances. The current condominium application has been circulated concurrently with the Official Plan and Zoning amendment applications and would not be considered for draft approval, which is delegated to staff until those amendments are complete and any outstanding issues with the condominium draft approval are resolved.

RURAL IMPLICATIONS

The proposal would allow for the completion of a development geared for seniors and provides for alternative housing forms within the Village of Richmond.

CONSULTATION

Notification and public consultation was undertaken in accordance with the Public Notification and Consultation Policy approved by Council for development applications.

Staff and the Ward Councillor met with a committee for the Life-lease Committee in January 2020 to discuss the proposal and their concerns. A Public Meeting for the Common Elements Condominium was held February 18th in the Village of Richmond with approximately 90 people attending. Approximately six written comments, including the life-lease committee comments were filed during the initial consultation process. Most comments to date expressed concerns with the existing approved development, with respect to traffic, construction, well service and the financial and legal implications on the life-lease owners.

For this proposal's consultation details, see Document 5 of this report.

COMMENTS BY THE WARD COUNCILLOR

Councillor Moffatt has no comment at this time.

LEGAL IMPLICATIONS

There are no legal impediments to adopting the recommendations in the report. Should the amendments be adopted, and the matters appealed to the Local Planning Appeal Tribunal, it is anticipated that a two to three-day hearing would be required that could likely be done within staff resources. In the event the applications are refused, reasons must be provided. Should the refusals be appealed to the Tribunal, an external witness would need to be retained.

RISK MANAGEMENT IMPLICATIONS

There are existing risks for the City with this site. The site plan and related municipal responsibility agreements and servicing types mean that the MOECC can order the City to take over operation of the water system. The MRA sets out reserve funds to allow for capital cost replacement of the system and annual operating costs all held in trust in the event that should happen. With the proposed change to allow for the condominium the MRA may need to be amended to reflect ownership changes to property as well as the funds held in trust.

ASSET MANAGEMENT IMPLICATIONS

There are no asset management implications associated with the recommendations of this report.

FINANCIAL IMPLICATIONS

There are no direct financial implications associated with report recommendations. In the event the applications are refused and appealed, an external witness would need to be retained. This expense would be absorbed from within Planning, Infrastructure and Economic Development's operating budget.

ACCESSIBILITY IMPACTS

There are no accessibility impacts.

TERM OF COUNCIL PRIORITIES

This project addresses the following Term of Council Priorities:

Sustainable Environmental Services; Healthy and Caring Communities; Governance, Planning and Decision-Making, and Financial Sustainability.

APPLICATION PROCESS TIMELINE STATUS

This application was processed by the "On Time Decision Date" established for the processing of Official Plan and Zoning By-law amendments.

SUPPORTING DOCUMENTATION

Document 1	Location Plan
Document 2	Draft Official Plan Amendment
Document 3	Details of Recommended Zoning By-law Amendment
Document 4	Zoning Key Map
Document 5	Consultation Details
Document 6	Site Concept Plan
Document 7	Draft Plan of Condominium

CONCLUSION

The Richmond Secondary Plan identifies the servicing for the Village as municipal sanitary services and a mix of private water wells and municipal communal wells. It also contemplates that ultimately the Village could be serviced by municipal communal well systems. The amendments proposed to the Official Plan and Zoning By-law will permit the creation of freehold parcels for various parts of the development that are all still legally tied to the shared infrastructure through a Common Elements Condominium. The amendments are intended to apply to and be only appropriate for this development as it is; partially built and occupied, intended to maintain the intent of the aging in place campus, and has approved servicing in place.

DISPOSITION

Legislative Services, Office of the City Clerk and Solicitor to notify the owner; applicant; Ottawa Scene Canada Signs, 1565 Chatelain Avenue, Ottawa, ON K1Z 8B5; Krista O'Brien, Tax Billing, Accounting and Policy Unit, Revenue Service, Corporate Services (Mail Code: 26-76) of City Council's decision.


Zoning and Interpretations Unit, Economic Development and Long Range Planning to prepare the implementing by-laws and forward to Legal Services.

Legal Services, Office of the City Clerk and Solicitor to forward the implementing by-laws to City Council.

Planning Operations Branch, Planning Services to undertake the statutory notification.

Document 1 – Location Plan



		LOCATION MAP / PLAN DE LOCALISATION ZONING KEY PLAN / SCHÉMA DE ZONAGE 6139, 6143 rue Perth Street	
D02-02-19-0127	20-0026-D	Area A is zoned as VM4 Secteur A est zonée comme VM4 Area B is zoned as V3E[858r] Secteur B est zonée comme V3E[858r] Area C is zoned as V3E[859]-h Secteur C est zonée comme V3E[859]-h  Village Residential Enterprise (Section 128A) / Zone sous-jacente résidentielle de village - Entreprise (article 128A)	
I:\CO\2020\Zoning\Perth_6139_6143_V2			
©Parcel data is owned by Teranet Enterprises Inc. and its suppliers All rights reserved. May not be produced without permission THIS IS NOT A PLAN OF SURVEY ©Les données de parcelles appartient à Teranet Enterprises Inc. et à ses fournisseurs. Tous droits réservés. Ne peut être reproduit sans autorisation. C'EST NI EST PAS UN PLAN D'ARPENTAGE			
REVISION / RÉVISION - 2020 / 02 / 06			

**AGRICULTURE AND RURAL
AFFAIRS COMMITTEE
REPORT 12
APRIL 8, 2020**

14

**COMITÉ DE L'AGRICULTURE ET
DES AFFAIRES RURALES
RAPPORT 12
LE 8 AVRIL 2020**

Document 2 – Official Plan Amendment

Official Plan Amendment XX to the

Official Plan for the

City of Ottawa

**AGRICULTURE AND RURAL
AFFAIRS COMMITTEE
REPORT 12
APRIL 8, 2020**

15

**COMITÉ DE L'AGRICULTURE ET
DES AFFAIRES RURALES
RAPPORT 12
LE 8 AVRIL 2020**

INDEX

THE STATEMENT OF COMPONENTS

PART A – THE PREAMBLE

PURPOSE

LOCATION

BASIS

PART B – THE AMENDMENT

INTRODUCTION

DETAILS OF THE AMENDMENT

IMPLEMENTATION AND INTERPRETATION

SCHEDULE 1 OF AMENDMENT XX – OFFICIAL PLAN FOR THE CITY OF OTTAWA

PART C – THE APPENDIX

PART A – THE PREAMBLE

PART A – THE PREAMBLE introduces the actual amendment but does not constitute part of Amendment No. XX to the Official Plan for the City of Ottawa.

PART B – THE AMENDMENT constitutes Amendment XX to the Official Plan for the City of Ottawa.

1. Purpose

The purpose of the amendment is to site specifically revise the Official Plan policy with respect to allowing a private communal water system to continue being owned and operated by one owner while the residential and institutional units it services may be on separate properties.

2. Location

The amendment applies to the property at 6139 and 6143 Perth Street and related addresses.

3. Basis

Background

The Hyde Park (now called Samara) development was previously intended to be an aging in place senior's campus. Phase 1 and 2 were completed as 92 life-lease residential townhouses on private roads located off Perth Street, serviced with a private communal water system and connected to the municipal central sanitary sewer system.

Phase 3A and 3B were approved in 2010, with a three-storey 35-unit and two three-storey 52-unit independent living buildings and a three and five-storey 124-unit retirement home off of Talos Circle and Cedarstone Street, to the rear of 6143 Perth Street. Construction of Phase 3A commenced in about 2011 and was partially built out prior to the previous owner's bankruptcy. The 35-unit low-rise apartment building is complete. The balance of Phase 3A is the partially built five-storey building with the three-storey wing. It is to remain a retirement home but with a potential unit count reduction, as some units may change from one to two bedroom. The intent of the development was and continues to be that the

common services such as dining, personal and medical, are provided in the Phase 3A retirement home building and be available to other residences of the campus.

Construction of Phase 3B has not started. It had originally been site plan approved with two, three-storey, 52-unit retirement homes – with only independent living units.

The intent of the amendment is to ensure that the well water system remains on one property with one owner and operator but then to allow the various phases or buildings within those phases to be held as freehold and be able to be transferred separately while still tying the rights and responsibilities of the well water system to each freehold parcel. A Common Elements Condominium will be established with the water system, sanitary pipes, storm system accesses, fire suppression systems and so on being tied to each freehold parcel.

Rationale

The Provincial Policy Statement, the Official Plan and Richmond Secondary Plan set the guidelines for the development and servicing of the Village of Richmond. The water service for the Village is to be a combination of private wells and municipal communal wells. The Official Plan supports private communal only for institutional uses. The range of housing types and uses is contemplated within the Village with retirement homes supported in all institutional and residential areas. The Secondary Plan also establishes guidelines for contemplating apartments within the Village.

The proposed amendments remain within the intent of the Official Plan and Secondary Plan. The City has an existing municipal responsibility agreement for the private communal water system. No new demand on the water and municipal sanitary system is contemplated as part of the amendments. Local intersections will remain functioning at an appropriate level of service.

PART B – THE AMENDMENT

1. Introduction

All of this part of this document entitled Part B – the Amendment consisting of the following text constitutes Amendment No. XX to the Official Plan for the City of Ottawa.

2. Details

A. The following changes are hereby made to Volume 1 of the Official Plan for the City of Ottawa:

i. Section 4.4.2.4 5. is hereby amended by replacing it with

“Notwithstanding policy 1 and 2, small water works at 6139 and 6143 Perth Street and its related addresses will remain owned, operated and managed by the single owner of the land containing that system. The small water works is to serve the complex of buildings that may be considered for institutional, multiple attached residential and low-rise apartment uses, at those addresses whether or not the buildings or units are held in separate ownership. Lot or parcel creation shall only occur as part of a Common Elements Condominium.

3. Implementation and Interpretation

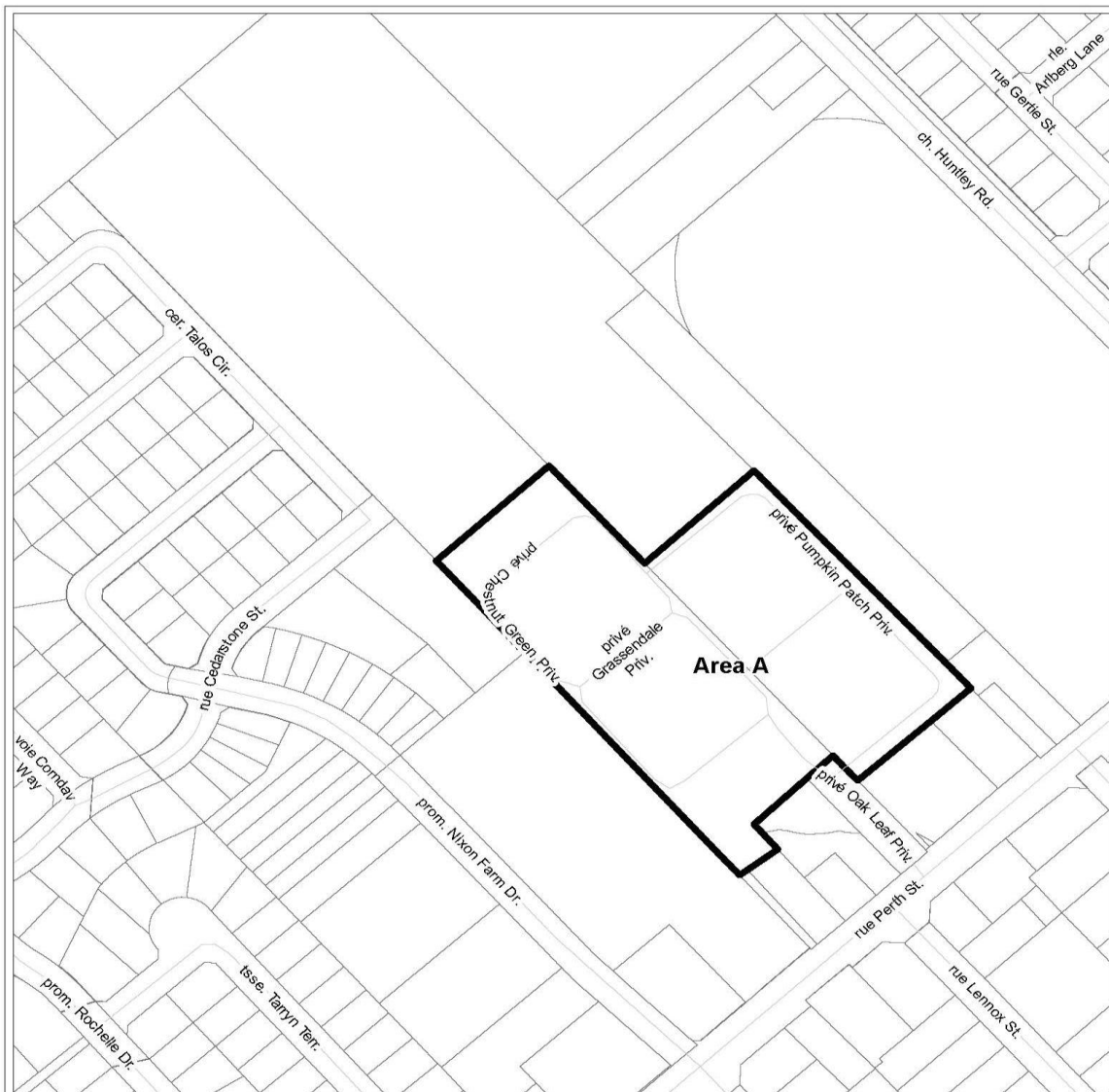
Implementation and interpretation of this Amendment shall be in accordance with the policies of the Official Plan for the City of Ottawa.



Document 3 – Details of Recommended Zoning By-Law Amendment

The proposed change to the City of Ottawa Zoning By-law 2008-250 for 6139 and 6143 Perth Street:

1. Add exception, VM4[xxxxr], Section 240 – Rural Exceptions with a provision similar in effect to the following:
 - a. Add to Column III Additional Land Uses Permitted –
 - i. Planned unit development
 - b. Add to Column V Provisions -
 - i. Considered one lot for zoning purposes
2. Amend exception, V3E[858r], Section 240 – Rural Exceptions with a provision similar in effect to the following:
 - a. Add to Column III Additional Land Uses Permitted –
 - i. Planned unit development
 - b. Add to Column V Provisions -
 - i. Considered one lot for zoning purposes
3. Amend exception, V3E[859r]-h, Section 240 – Rural Exceptions with a provision similar in effect to the following:
 - a. Add to Column III Additional Land Uses Permitted –
 - i. Planned unit development
 - b. Add to Column V Provisions -
 - i. Considered one lot for zoning purposes

Document 4 – Zoning Key Map



		This is Attachment 1 to By-law Number _____, passed _____, 2020	
D02-02-19-00127	20-0112-D	Lands Affected by By-law	
I:\CO\2020\Lands\Perth_6139_6143_LAM		Area A to be rezoned from VM4 to VM4[xxxxr]	
<small>©Parcel data is owned by Teranet Enterprises Inc. and its suppliers All rights reserved. May not be produced without permission. THIS IS NOT A PLAN OF SURVEY</small>			
<small>©Les données de parcelles appartient à Teranet Enterprises Inc. et à ses fournisseurs. Tous droits réservés. Ne peut être reproduit sans autorisation. C'EST PAS UN PLAN D'ARPENTAGE</small>			
LANDS AFFECTED PART OF THE ZONING MAP OF BY-LAW NO. 2008-250			

Document 5 – Consultation Details

Meeting was held January 16, 2020 with the Life-Lease Community committee, staff and the Ward Councillor to review the proposed amendments to the Zoning By-law and the Official Plan as well as explaining the proposed Common Elements Condominium Applications. The formal Planning Act Public Meeting for the Common Elements Condominiums was held February 18, 2020 with about 90 people in attendance. The following are the comments and questions as well as the responses that have been received to date.

Comment: Concerns were expressed with traffic – counts out of date, increased traffic making it unsafe.

Response: Traffic studies were completed based on full build out of the adjacent community and this site and found that the intersections remain at acceptable levels.

A missing link sidewalk project has been initiated for the part of Nixon Farm Drive nearer Perth Street to facilitate safe access from the community, this site and Perth Street.

Comment: Two Written comments filed also expressed concerns with the impact of the development on groundwater and specifically their individual wells.

Response: When the build out of the development was approved in 2010 it was supported with a hydrogeological report that demonstrated that the development could be built out without impact the aquifer. As the development proposal has not changed in terms of the number of units no new study is needed. Should subsequent applications be filed to change the number of units then a new assessment will be needed.

Comment: It was suggested that a new road be created to connect the back of Phase 3 out to Huntley Road.

Response: It was noted that the only possible connection within the Village to Huntley Road is through Lions Park, which would divide the park. Connection made outside of the Village are not supported by City and Provincial Policy.

Comment: Will the registration of the condominium have implications to the life-lease agreements?

Response: We are reviewing this from a legal perspective and will respond as part of the condominium process. There are no implications from the proposed Official Plan and Zoning By-law amendments.

Comment: Will the development remain and adult only community?

Response: The City cannot legally dictate who can live in or purchase a unit. The developer can design and market to gear a development to a specific community and indicated their intent to continue with that.

Comment: Where will construction traffic go for the completion of the existing building and the balance of the development. Consider going through Lions Park

Response: There is access available from the end of Cedarstone and Talos Circle as well as through Oak Leaf. The actual route will need to be assigned in conjunction with SMD. Options will be considered to minimize impacts on the existing resident and infrastructure. One option may be through the farm fields to the north, although this is not supported by City policy for protecting agricultural lands.

Comment: Concern was expressed over the water supply for the build out and for the Talos development.

Response: The well and water system, quality and quantity was reviewed and approved taking into consideration the full build out of the site and the build out of the adjacent development. Likewise, the adjacent development approval would have had to review the well water quality and quantity available for the individual wells based on build out of that site and adjacent uses.

Comment: A question was asked about the expansion of the existing water system and whether the existing residents would have to pay or benefit from the expansion.

Response: SMD indicated that the contribution from existing will decrease as more units come on line.

Comment: Was the well water tested recently?

Response: SMD indicated it was tested last year for quantity specifically.

Comments: Questions were asked at the Public Meeting for the condominium about the details relating to the costs for new development on the existing residents.

Response: These are not matters the City can be involved with for consideration of the planning applications.

Comments: A neighbour to the north expressed concern with their off-site drainage being captured by this development.

Response: The City is aware of the concern and are looking into it.

Document 7 – Draft Plan of Condominium

