



Planning and Protection Committee Action Report
for the June 21st, 2016 meeting to be held in
the Council Chambers following Corporate Services Committee

- 1) **DECLARATION OF PECUNIARY/CONFLICT OF INTEREST AND GENERAL NATURE THEREOF – now or anytime during the meeting**
 - 2) **PUBLIC MEETING – NONE THIS EVENING**
 - 3) **REGISTRATION OF PUBLIC WISHING TO SPEAK**
 - 4) **PLEASE TURN OFF ALL CELL PHONES AND PAGERS**
 - 5) **COMMUNICATION 127264 IS A CLOSED MEETING**
 - 6) **IF THERE IS AN ADDENDUM, IN ACCORDANCE WITH SECTION 15.2.4 (OF STRIKING REPORT) DOES THE COMMITTEE WISH TO APPROVE THIS ADDENDUM?**
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COMMUNICATION 127199

Received from Jane Almond, Acting Director of Planning and Development
Addressed to Planning and Protection Committee
Date April 26th, 2016
Topic County of Lanark Forest Conservation By-law

SUMMARY

The County has undertaken this review of their existing tree cutting by-law to achieve objectives set out in the Official Plan that includes:

- Sustaining a healthy natural environment
- Conserving and sustaining woodlands and good forestry practices
- Regulating and controlling the removal, maintenance and protection of Trees and Woodlands
- Protecting, promoting and enhancing all values of Woodlands; biodiversity, wildlife habitat and ecosystem services.

The by-law applies to all woodlands over two (2) hectares in the County but exempts the following:

- The harvesting of trees by the owner of the woodland for their own use
- Injuring or destruction of Trees undertaken as Normal farm practices
- The injuring or destruction of trees imposed by a condition of planning approvals
- Activities authorized by the Ontario Municipal Board
- Activities undertaken under a license issued under the Crown Forestry Sustainability Act

127199 Continued

- Activities undertaken while surveying, laying of transmission lines
- Destruction of trees on land where a license for a pit, wayside pit or wayside quarry has been issued
- Removal of trees that occurs while installing access or utilities to a site where a Building Permit has been issued
- The installation of a fence within a maximum width of 2.5m
- Activities authorized by the Drainage Act
- Removal of unhealthy trees.

Generally the by-law prohibits the harvest, injure, or destruction, cause or permit to be harvested, injured or destroyed, any Tree or Trees in woodlands unless, good forest practices are followed. Woodlands are defined as:

- 1,000 Trees, of any size, per hectare; or
- 750 Trees, measuring over five (5) centimeters in diameter, per hectare; or
- 500 Trees, measuring over twelve (12) centimeters in diameter, per hectare;
- 250 Trees, measuring over twenty (20) centimeters in diameter, per hectare; but does not include a cultivated fruit or nut orchard or a plantation established for the purpose of producing Christmas trees.

COMMENT

The County Official Plan is generally a high level document that directs specific and unique planning decisions to the local level. The Town's Official Plan and policies require developers to prepare tree conservation plans, landscape plans, etc. If this by-law is approved as drafted it would require developers to also seek approvals from the County, duplicating the Town's requirements. This would impact larger development including the projects commonly known as the Bodnar lands, the developments to the south of Highway 7 and the developments to the east of McNeely among others.

Lanark County consists of large tracts of rural lands with designated settlement areas. Development is generally directed and encouraged to locate within these settlement areas where local Official Plans should govern. All settlement areas should be exempt from the requirement of this by-law. This would enable local municipalities the ability to regulate within their prime development areas activities related to tree removal or injury.

The Committee decided on May 3, 2016 that the Urban Forest/River Corridor Committee is to be circulated for comment.

UPDATE- June 21st, 2016

Staff has consulted with the Urban Forest/River Corridor Committee and it has been determined that if exemption were to be granted by the County the Town should implement their own Tree Conservation By-law.

127199 Continued

COMMENT

The Official Plan and Development Permit schedules indicate no specific woodlands slated for protection/conservation. However, the Town's current Official Plan Policies provide protection/ re-establishment of trees that have been removed and promotes green infrastructure.

Given that it will take considerable time to discuss and create a new by-law specifically for the Town, it is proposed that the Town continues to use the County of Lanark Forest Conservation By-law at this time.

STAFF RECOMMENDATION

That staff continue to monitor the creation and implementation of the County of Lanark Forest Conservation By-law. No action is to be taken at this time.

COMMITTEE DECISION

That staff continue to monitor the creation and implementation of the County of Lanark Forest Conservation By-law. No action is to be taken at this time.

COMMUNICATION 127264

Received from	Paul Knowles, Chief Administrative Officer
Addressed	Planning and Protection Committee
Date	June 17 th , 2016
Topic	Closed Meeting

SUMMARY

As authorized by the Municipal Act, Council should review selected items in closed session.

STAFF RECOMMENDATION

THAT in accordance with Section 239 of the Municipal Act, S.O. 2001, that the meeting be closed to the public with the following agenda:

AGENDA

- 19-04-16-1 a proposed or pending acquisition or disposition of land by the municipality of local board; General Nature – Beckwith Street Property
- 13-01-15-1 personal matters about an identifiable individual, including municipal or local board employees; General Nature - Staffing
- 12-04-16-3 a proposed or pending acquisition or disposition of land by the municipality of local board; General Nature – Bates Avenue
- 21-06-16-1 a proposed or pending acquisition or disposition of land by the municipality of local board; General Nature – Sale of Property

127264 Continued

COMMITTEE DECISION

THAT in accordance with Section 239 of the Municipal Act, S.O. 2001, that the meeting be closed to the public with the following agenda:

AGENDA

- 19-04-16-1 a proposed or pending acquisition or disposition of land by the municipality of local board; General Nature – Beckwith Street Property
- 13-01-15-1 personal matters about an identifiable individual, including municipal or local board employees; General Nature - Staffing
- 12-04-16-3 a proposed or pending acquisition or disposition of land by the municipality of local board; General Nature – Bates Avenue
- 21-06-16-1 a proposed or pending acquisition or disposition of land by the municipality of local board; General Nature – Sale of Property
- 21-06-16-2 personal matters about an identifiable individual, including municipal or local board employees; General Nature – Striking Committee

REPORT TO COUNCIL

- 13-04-16-1 Bring forward
- 31-01-15-1 Bring forward
- 12-04-16-3 Bring forward
- 21-06-16-1 Receive and Record
- 21-06-16-2 Bring forward

COMMUNICATION 127275

Received from Paul Knowles, Chief Administrative Officer
 Addressed to Planning and Protection Committee
 Date March 8th, 2016
 Topic Carambeck Property

SUMMARY

The distributed offer from Quest Homes Ltd. has been received for property on Bridge Street (Carambeck)

The offer to purchase the property for \$400,000 is conditional on the following items:

- That the seller issues building permits for a semi-detached dwelling on Part 3 and 9 town homes on Part 4, and
- The lot's shall be fully serviced on the closing date
- Closing date is 10 days after the lots are serviced and building permit is ready
- That the seller agrees to pay 5% consulting fee to CP Rental and Property Management upon closing
- That the offer is null and void if the conditions are not met by August 1, 2016.

COMMENT

These properties were advertised for sale in March 2015. In May 2015, Council considered and countered an offer as shown below.

Parcel	Asking Price	Offer May 2015 5% Commission	Counter Offer 2015 2% Commission	Offer February 2016 5% Consulting fee
Part 1 & 2	\$95,000	\$60,000	\$85,500	
Part 3	\$110,000	\$70,000	\$99,000	\$98,876
Part 4	\$335,000	240,000	\$301,500	\$301,124

The property for sale has been listed by the Town and does indicate that the proposed semi and townhome dwellings would be appropriate and possible. Prior to listing the property staff undertook an exercise to investigate building yield on the lands. The Official Plan requires that a Plan of Subdivision is necessary for the creation of any more than four lots. There are many technical studies and documents that would be required as part of that process at the county prior to any building permit being issued. The timeline outlined in the offer could not be met as the subdivision approval process takes longer than six months.

However, an alternative approach to developing (sale of blocks and severances) could proceed more quickly but this approach will require some effort to properly structure the purchase and sale agreement.

UPDATE – April 19th, 2016

At the April 12th, 2016 meeting Committee instructed staff to counter for \$485,000 for Parts 1, 2, 3 and 4.

127275 Continued

UPDATE – May 3rd, 2016

Developer is now proposing significantly denser development that was originally anticipated.

Area	Advertised	Proposed
Parts 1 & 2	1	4
Part 3	2	6
Part 4	Max 9	20

This is a change from the original offer which referred to 1 semi-detached and 9 townhomes.

Two issues should be considered;

- 1) Is the development proposed appropriate? Council should not sell the property knowing the proposed use unless Council is prepared to approve the application for the proposed site.
- 2) Property was advertised with an 'asking price' and stated "Property is suitable for". The proposed development includes significantly more units and property is often valued as a cost/unit. Is the proposed purchase price fair?

At the May 3rd, 2016 meeting Council decided that the proposal to construct 30 units on the lots along Bridge Street was not acceptable and suggested that the developer consider constructing his proposed dense development on part 6.

UPDATE – June 7th, 2016

When we acquired Carambeck our goal was to create a facility that would benefit the community with little or no cost to the taxpayer. In addition to the pool (that already existed), we wanted the community facility to include multi-use indoor space, dedicated space for the youth centre, accommodation for the School Board's continued use (this provides ongoing rental revenue), outdoor recreational space and an opportunity for a seniors building similar to Elizabeth Court. With these goals in mind, we renovated the building and constructed parking with the intent to recover as much of the cost of this work as possible through the sale of a portion of the property. The property along Bridge St (Parts 1, 2, 3 and 4) offers little opportunity for outdoor recreational use and can easily be developed. If sold for close to the appraised value it would largely achieve the goal of financing the capital cost to date. Intensify residential development on the property to achieve maximum development has not been the goal.

The Developer has proposed a project that was too dense to fit onto Parts 1, 2, 3 and 4 (that are along Bridge St) so we suggested he look at part 6. He is now interested in Part 6 for his version of a seniors style development. When staff first heard the Developer wanted to increase the size of Part 6, staff advised this would not be acceptable. However, the Developer felt that the size of Part 6 should be increased to accommodate his specific development proposal and provided the attached sketch.

127275 Continued

Staff feel it is important to maintain open space parkland for community use at the Carambeck Community Centre. Increasing the size of Part 6 as requested would significantly reduce the amount of open space and not allow for the planned splash pad, outdoor rink and other outdoor uses. Last year, staff provided the same answer to a similar proposal from another developer.

Staff would certainly support the creation of seniors housing on the property. The Childcare program currently operates intergenerational programs with Waterside Retirement Residence and would welcome the opportunity to expand the program to a nearby facility. However, the project being proposed is for stacked townhomes – the ground floor would be accessible but ½ of the units would be on the upper floors only accessible via stairs and not suitable for seniors. Also, a key feature for a seniors development is interior halls so the residents can easily move about the building for both exercise and social exchange. A common area would also be important. Stacked townhomes each have their own private exterior entrance so there would not be any interior halls or common area. Stacked townhomes would be more suitable in other locations around the Town (Lansdowne at Arthur, Coleman at MacGregor, etc)

Also, the term 'affordable' generally means that the rent for the units is less than the market rent and this can only be achieved if a grant or a subsidy is provided. On May 20th, 2016, a representative from CMHC explained current funding that is available to create 'affordable' housing. It seems the County is pursuing rebuilding their homes on Edwards Drive and this may address a portion of the affordable seniors housing need in the community. However, it is doubtful there will be any grants or subsidy to create additional affordable units at this time.

STAFF RECOMMENDATION

THAT the developer be asked scope their development plans to fit within the property which has been identified for sale (Part 6)

COMMITTEE DIRECTION

THAT the developer be asked scope their development plans to fit within the property which has been identified for sale (Part 6). Receive and Record



Planning and Protection Committee Agenda
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COMMITTEE DECISION

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