

COMMUNICATION 136018

Received From: Tyler Duval MCIP RPP M.Pl., Senior Planner
Addressed To: Committee of the Whole
Date: February 18, 2025
Topic: Comrie Hills DPA – Addendum Report

SUMMARY

This is an **addendum** report to Communication 136005 (attached) that was considered at the January 28, 2025 Committee of the Whole meeting.

The purpose of this report is to provide an update to Council respecting the Comrie Hills Development Permit Amendment Application. The DP Amendment was as outlined in Communication 136005 (Attached 3) by Tyler Duval, Senior Planner, with the statutory Open House and Public Meeting events held on January 7, 2025 and January 14, 2025 respectively.

Committee passed a resolution to defer the discussion pending further information regarding the “splitting” of the motion to approve parts of the amendment (Residential District – Special Exception 1, and Parks and Open Space blocks) and deny or defer other sections, specifically Block 13 on the Draft Subdivision Plan to recognize Planned Unit Developments (PUDs) (Residential District – Special Exception 2).

The application proposed to amend the Development Permit Areas of the lands making part of the Comrie Hills Subdivision (municipal file no. 09-T-23004). The amendment is listed as a required condition making up the Draft Approval of the subdivision application.

COMMENT

Staff conferred with legal counsel and confirmed that a decision on the application must be made in totality, meaning that Council shall either approval or deny the entire application.

Legal counsel also advised that the amending by-law include an additional provision that was not included in the draft by-law that was presented previously. Specifically, this new provision would have the effect of requiring the upset unit count from a Planned Unit Development be in conformity with the policies listed in the Town’s Official Plan. Attachment 1 to this report includes the Draft By-law for consideration, in which this new provision had been highlighted and bolded for emphasis (it is the only change from the previous by-law presented on January 28, 2025).

As a result, staff have prepared an amended set of options for Committee’s consideration.

OPTIONS

Option 1: Approve Development Permit Amendment Application DPA-02-2024

With the new provision included in the draft by-law (Attachment 1), and the density calculations prepared by Staff in Communication 135007 on February 20, 2024 (see Attachment 2), the upset limit for residential dwelling units on Block 13 would be 110 units.

Electing to approve the application would establish the new Development Permit Areas for the lands in the Comrie Hills Subdivision, being Residential District – Exception 1, Residential District - Special Exception 2, and Parks and Open Space.

As per the condition of the draft plan of subdivision, a subsequent development permit application will be required prior to the development and construction of Block 13. Through this process, the detailed design of the site will be contemplated and evaluated against the uses and provisions established by this Development Permit By-law Amendment.

Option 2: Deny Development Permit Amendment Application DPA-02-2024

Denying the application would result in the lands making up the Comrie Hills Subdivision remaining in the Residential District Development Permit Area. This would apply to the lands slated for residential development and the lands intended for parks, open space, and stormwater management.

Should the subject application be denied by Committee, the applicant may appeal the decision to the Ontario Land Tribunal (OLT).

STAFF RECOMMENDATION

THAT Council pass a by-law to amend Development Permit By-law 15-2015 in accordance with DPA-02-2024 for the Comrie Hills Subdivision as outlined in the report by the Senior Planner dated January 28, 2025 and as amended by the February 18, 2025 report.

ATTACHMENT:

- 1) Amended Draft By-law
- 2) Communication 135007 (Committee of the Whole February 20 2024)
- 3) Communication 136005 (Committee of the Whole January 28 2025)