

## **COMMUNICATION 131023**

Received from: Joanna Bowes, Manager of Development Services  
Addressed to: Committee of the Whole  
Date: January 28, 2020  
Topic: Deadline Extension of DP3-04-2019 and Development Charges –  
McArthur Island Development

### **SUMMARY**

At the Council meeting held December 17, 2019, an addition was made to the agenda with respect to the extension of the exemption deadline related to the Development Permit Agreement and Development Charges related to the McArthur Island Development. Council dealt with the item due to the impending deadline of December 31, 2019.

At the time, Council passed the following resolution:

Resolution 2-131-06

Moved by Deputy Mayor Redmond

Seconded by Councillor Randell

THAT Council agrees to an extension of the exemption deadline under Section 1.1 (a) and (b) of Development Charges By-law 76-2018 and Section 4(c) of the Water and Wastewater Charges By-law 77-2018 and an extension to the Development Permit Agreement for Phases 1a and 1b of the McArthur Island Development until January 31, 2020 on the understanding that no further extension shall be granted.

CARRIED

In December 2019, the Mississippi Valley Conservation Authority (MVCA), held open houses with respect to revised floodplain mapping which Planning Department staff attended. At that time, it was noted that no major changes to the mapping as a whole had occurred. Unfortunately, as the developer has been working through his final plans with the Town and Conservation Authority Staff, it has been determined that in fact, the floodplain changes have affected the renovation of Phases 1a, b and c and the construction of Phases 2a and b of the McArthur Island Development.

### **COMMENT**

The Developer has been working diligently with staff to finalize plans and to review draft versions of the Development Permit agreement and has provided additional information and drawings as required. During the engineering review with both Town staff and the Conservation Authority, some concerns were raised with respect to safe access and egress from the site for Phases 1a, b, and c and the underground parking portion of Phase 2. The developer and his engineer along with the Town and MVCA engineer have been discussing potential solutions in the hope that all will be resolved by the new approved January 31, 2020 deadline. If these issues are not resolved, a building permit will not be able to be issued at which point development charges will no longer be able to be waived (as development charges are payable at time of building permit issuance) unless Council can grant a further extension.

Potential changes due to the new floodplain mapping include the requirement to raise the level of the floor of the existing building a foot above the new floodplain elevations. This will force the developer to revise the building plans for the entire structure. Further, additional information with respect to openings, groundwater levels and utility drawings will be required for the underground parking garage. These changes could take considerable time to make, and Town and MVCA staff will also need time to review and approve the new drawings.

Although the floodplain mapping has not yet been officially approved by the MVCA, it is the best and most up to date information and will provide for the highest level of safe access and egress with respect to this site in the event of a flooding emergency. The Planning Department feels, as does the MVCA that this is the information that should guide the development of this project.

Due to circumstances beyond the Developer's control, it is the recommendation Town and MVCA staff that an extension to both the Development Permit Agreement and of the exemption deadline in the Development Charges By-law be granted with conditions.

#### **STAFF RECOMMENDATION**

THAT Council agrees to an extension of the exemption deadline under Section 1.1 (a) and (b) of Development Charges By-law 77-2018 and an extension to the Development Permit Agreement for Phases 1a,b and c and 2a and b of the McArthur Island Development until May 29, 2020 in order to allow time to address issues related to the proposed floodplain mapping changes to the satisfaction of the Mississippi Valley Conservation Authority and the Town of Carleton Place; and

THAT all other approvals, unrelated to the floodplain mapping changes shall be satisfied by January 31, 2020 or no further extension shall be provided in relation to the floodplain issues.