

Mediation Update

CAIVAN (Perth GC) Limited - OPA-01-2023, ZBL-03-2023

Presented on June 11, 2026
at The Royal Canadian Legion Perth



Welcome



Joanna Bowes
Director of Development Services

Background & Overview

Until recently, Perth had not experienced this level of growth. That brings both new opportunities and new challenges.

Our goal tonight is to help the community better understand what has happened between CAIVAN (Perth GC) Limited and the Town of Perth through mediation. While specific discussions from mediation cannot be shared, we can provide an update on the process.

Tonight's meeting will cover:

- Brief History of the File
- Second Bridge
- Phasing
- Affordable Housing
- Commercial Lands
- Setbacks/Lot Size
- Ecology
- Street Width
- Next Steps
- Review of the petition signed by residents of the Town

Brief History of the file




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Timeline



Original Proposal Submitted

Included:

- 640 Single Family Dwellings
- 299 Townhouses
- Maintaining 9-hole golf course
- 16.75-metre roadways

Did not Include:

- Second Access Point
- Affordable Housing
- Mix of Building Types
- No Commercial Block
- Lack of Sidewalks and Bicycle Lanes
- Insufficient parking



Public Meeting – August 10, 2023

- A Public Meeting was held the evening of August 10, 2023 at Algonquin College.
- Following the meeting, a motion was passed by Council based on Staff recommendations and public input.
- Shortly after, CAIVAN filed an appeal to the Ontario Land Tribunal (OLT).



Public Meeting – Council Motion

As recommended by the Committee of the Whole, be it resolved that the Council of the Town of Perth:

1. Receive for information Report 2023-COW-13.1 and the presentation from the Director of Development Services regarding the Official Plan Amendment OPA-01-2023, and Zoning By-law Amendment Application ZBL-03-2023, 141 Peter Street from CAIVAN;
2. Direct staff to work with the Developer to take the comments made by Town Staff, Council, the public, agencies, and peer reviewers thus far and provide suggested amendments to the proposal, specifically, but not limited to:
 - i) The addition of a second bridge
 - ii) Review of the functionality of the subdivision with respect to street width, parking, landscaping vs servicing on smaller lots (landscaping to be on private property and setbacks/lot coverage);
 - iii) Lessening impermeable surfaces;
 - iv) Ensuring protection of many statements found within Section 8.1.4 of the Town of Perth Official Plan;
 - v) Stronger wording within the amendments to ensure a complete neighbourhood is constructed (Western Annex lands SHALL have commercial, institutional and mix of residential as well as affordable/accessible housing)
 - vi) Clarity on secondary units
3. Direct that a second Public Meeting be held for the applications once the Developer reviews Town staff, Council, public agencies and peer review comments and amends their plans accordingly.



Case Management Conferences

- December 14, 2023
- February 12, 2024
- September 13, 2024
- November 19, 2024



OLT Hearing Dates & Outcomes

- The original Ontario Land Tribunal hearing was scheduled for August 19 to September 13, 2024.
- CAIVAN requested a deferral to allow time to gather information needed to respond to witness statements prepared by the Town of Perth. All parties agreed.
- Witness statements were exchanged.(available on Engage Perth)
- The merit hearing was then rescheduled for February 10 to February 28, 2025.
- On January 7, CAIVAN's request to postpone the hearing and move to Tribunal-led mediation was approved. All parties agreed.
- Mediation was scheduled to begin February 11, 2025.



Revised Concept Plan

(Submitted March 1, 2024)



LEGEND:

- STANDARD TOWNHOUSE
- DETACHED HOME
- 23m ROW
- 18.5m ROW
- 16.75m ROW
- PATHWAY
- 100 YEAR FLOOD PLAIN
- 30m WETLAND SETBACK

Lot Count

Unit Type	# Units
Single Detached	620
Townhouse	290
Medium Density	60-65
Total	975

03		
02		
01		
REV#	DESCRIPTION	DATE

PROJECT NAME:

141 Peter Street

DRAWING NAME:

Concept Plan

Changes Based on Witness Statement Review

INCORPORATED INTO REVISED CONCEPT PLAN RECEIVED JUNE 12, 2024

- A second bridge was added to the plan
- An affordable housing block was also added
- A commercial block was identified again, but it was not shown on the concept plan
- The total number of units increased from 939 to 975 after CAIVAN added higher-density housing at the Town's request to support a mix of housing types:
 - 620 single detached homes
 - 290 townhouses
 - 60 to 65 higher-density units
- At that stage, there was no approval from the RVCA or Species at Risk approval from the Ministry of the Environment, Conservation, and Parks.

Second Bridge

Peter Street Bridge, Twinning, and Multi-Use Pathway

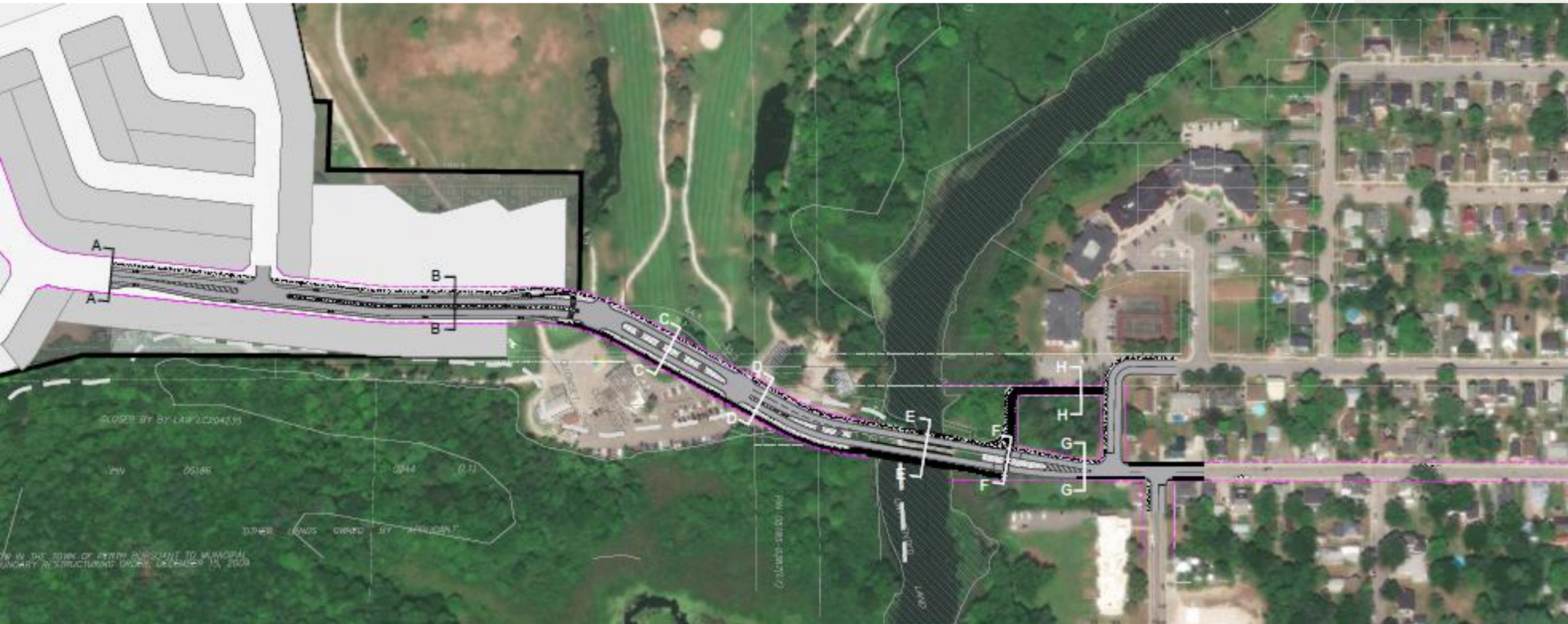


Phasing

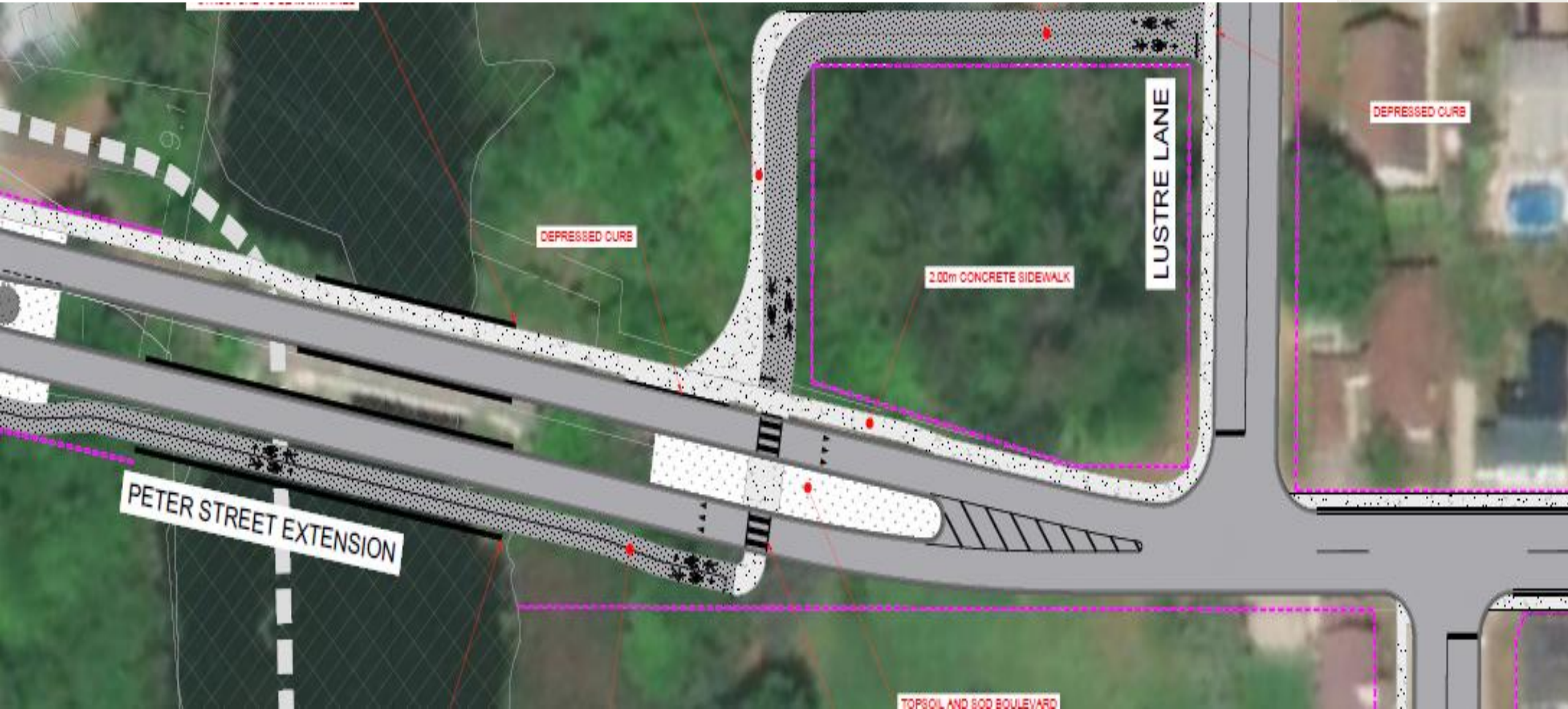
PHASING FOR HOUSE CONSTRUCTION/ACCESS & EGRESS

Bridge Type	Units
As is	0 units to be constructed
Twinned Peter Street Bridge Complete	100 units
Twinned Peter Street Bridge and Multi-Use Pathway Complete	200 units
Second Bridge Crossing (County Building Side)	200+

Peter Street Bridge & Multi-Use Pathway/Emergency Access

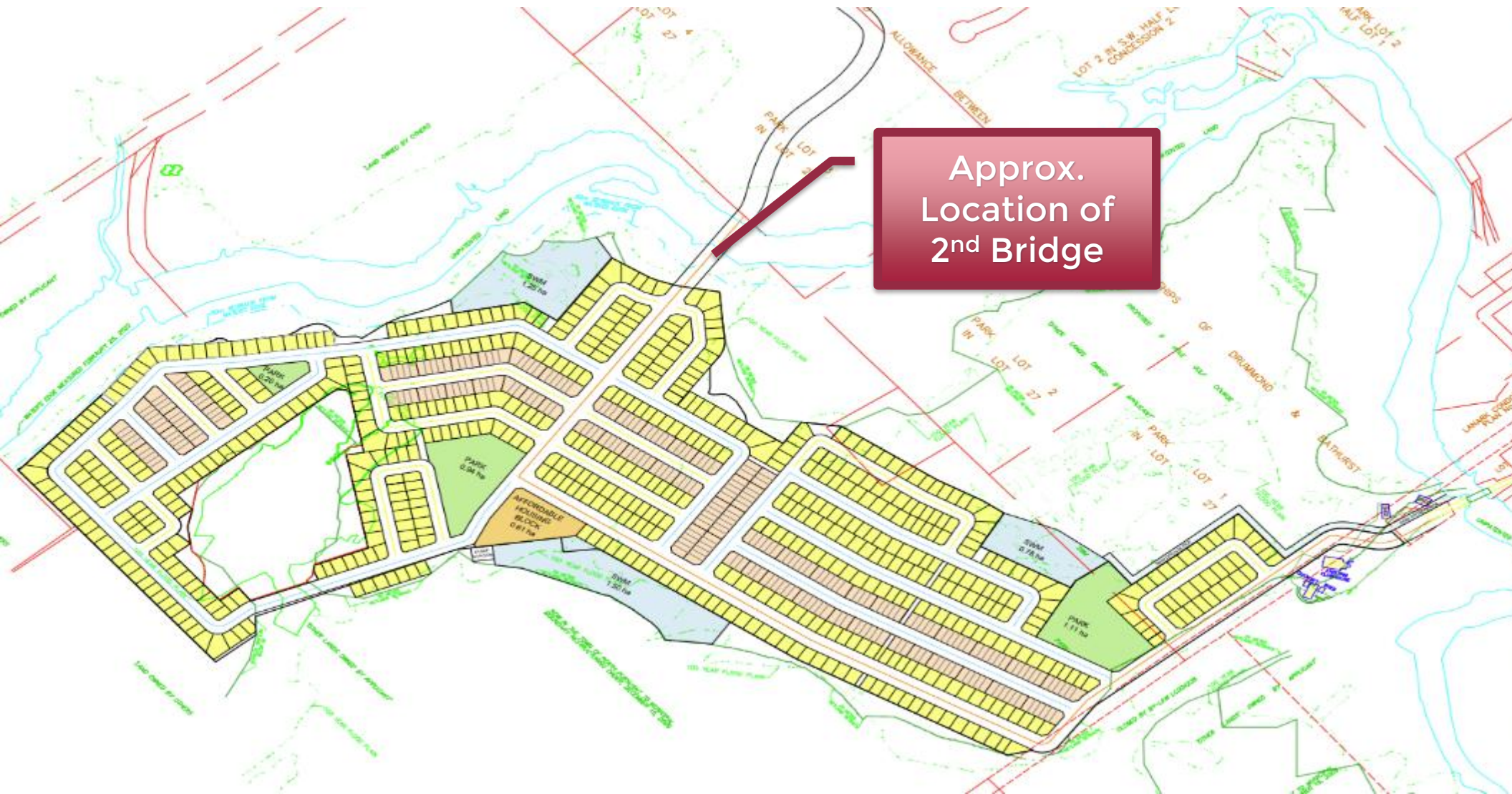


Twinned Bridge & Multi-Use Pathway



Revised Concept Plan

(Submitted March 1, 2024)



Approx.
Location of
2nd Bridge

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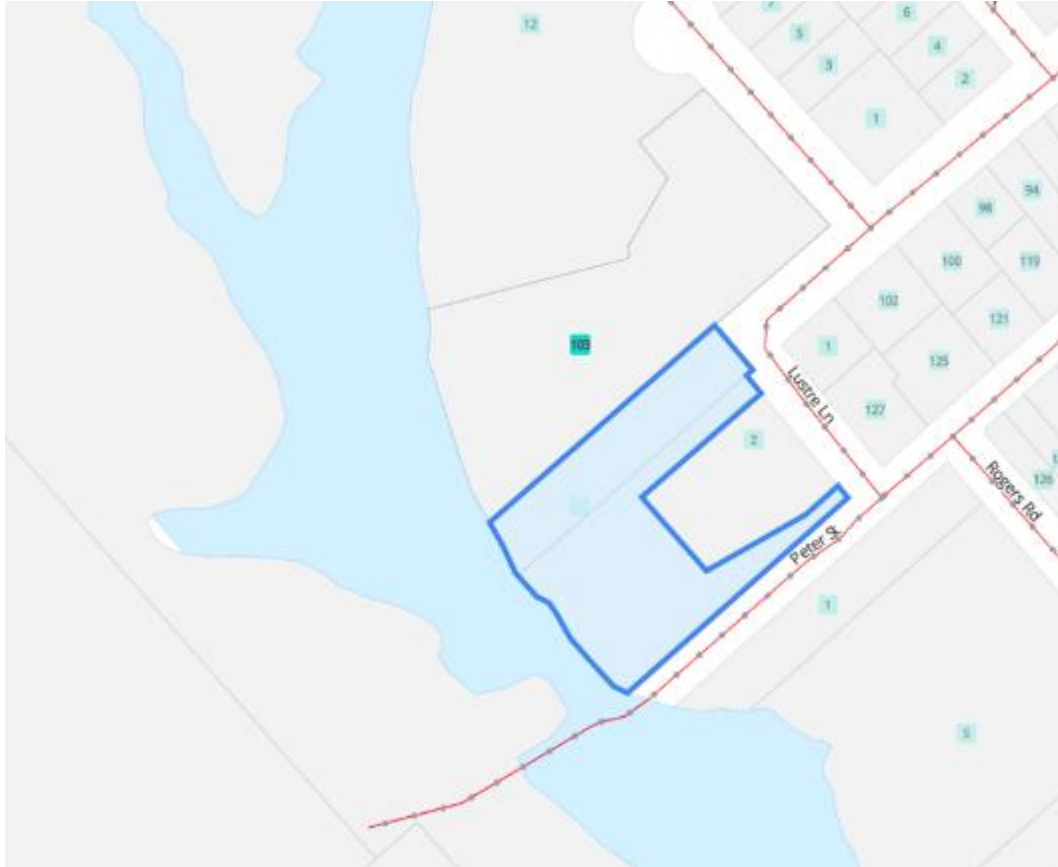
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Land Sales (Town of Perth & Lanark County)



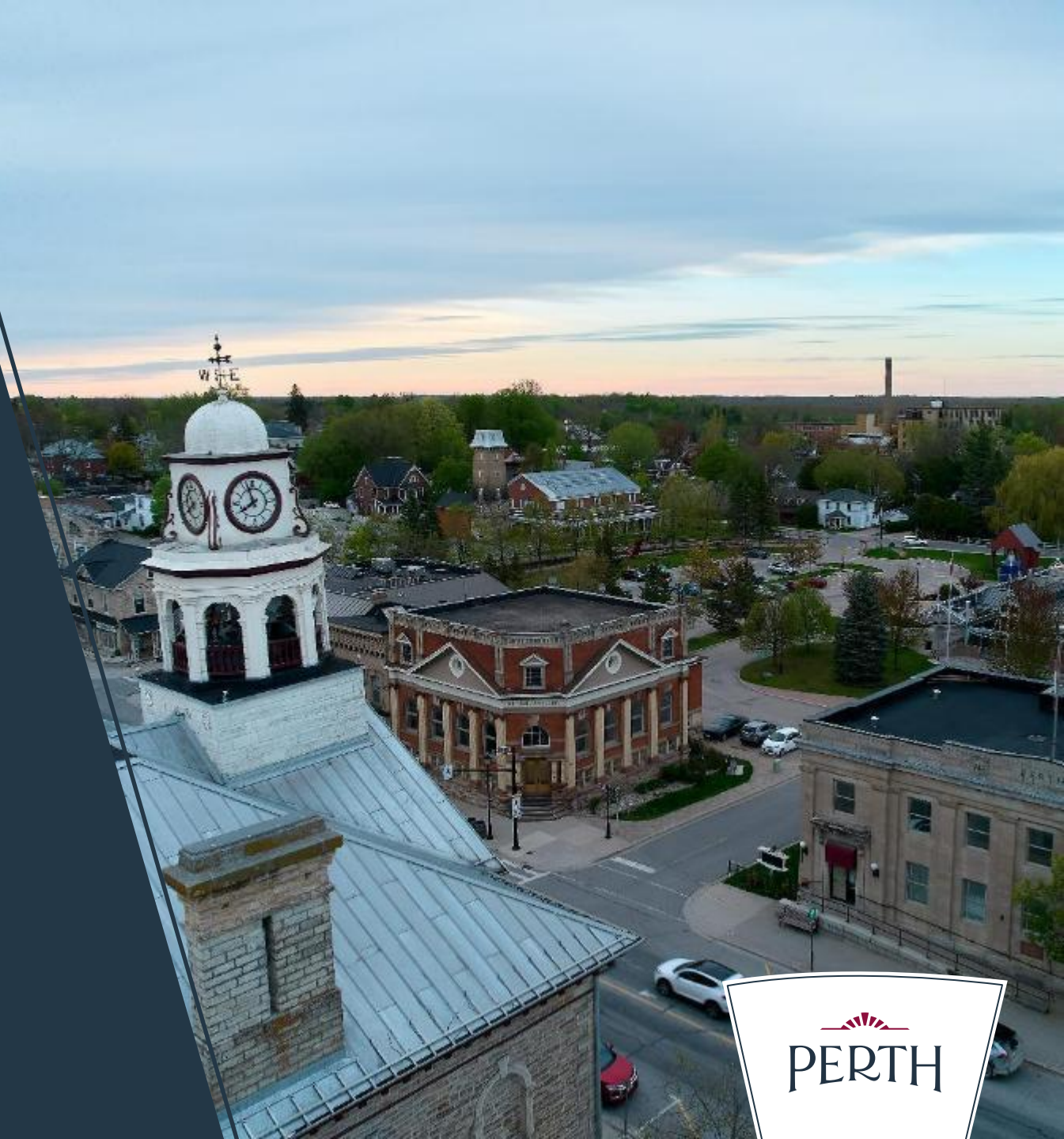
Twinned Bridge – parcel adjacent to Peter Street and Lustre Lane.



North Bridge – parcel adjacent to County lands.

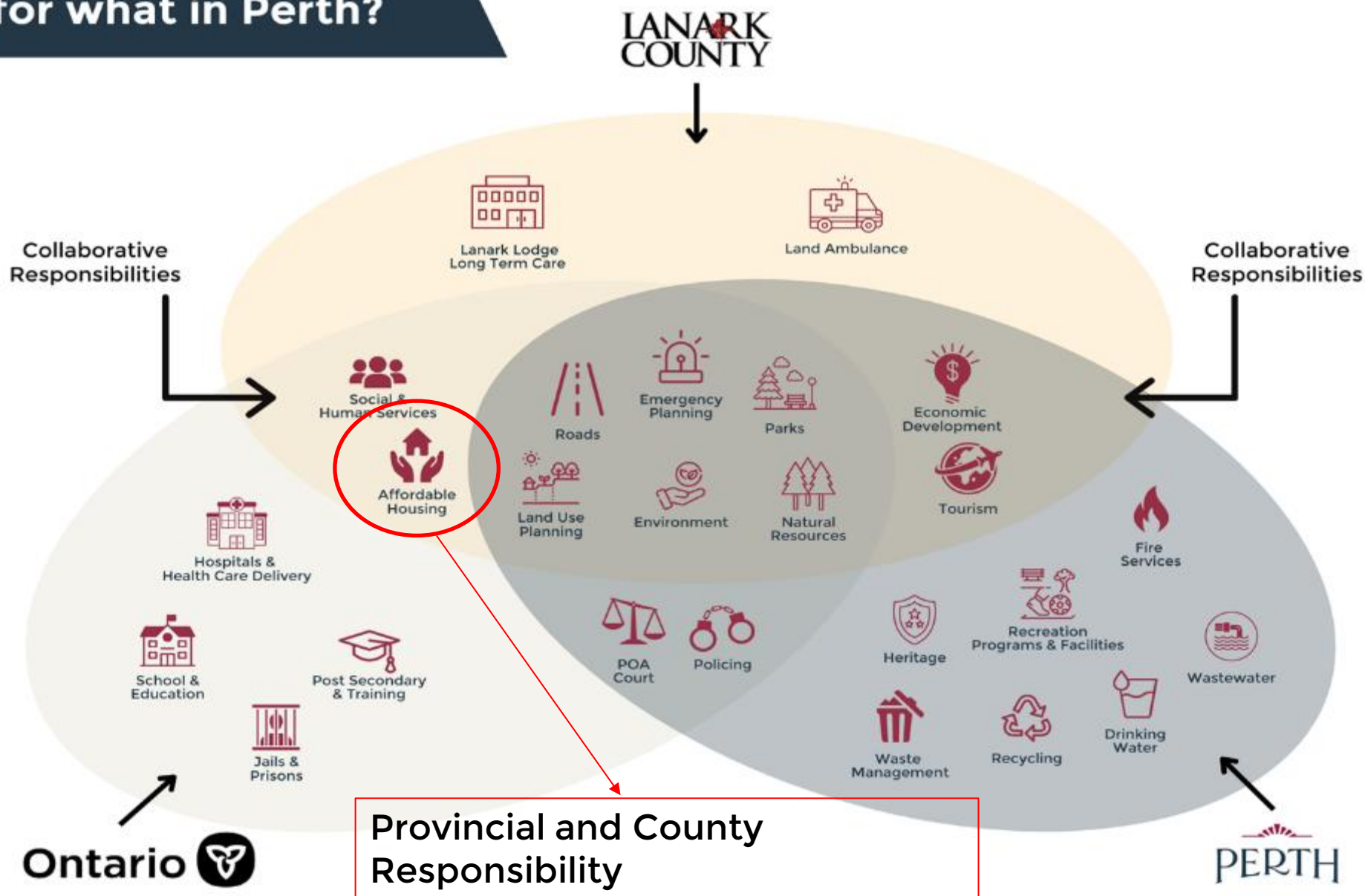
Affordable Housing

A quick look at responsibilities



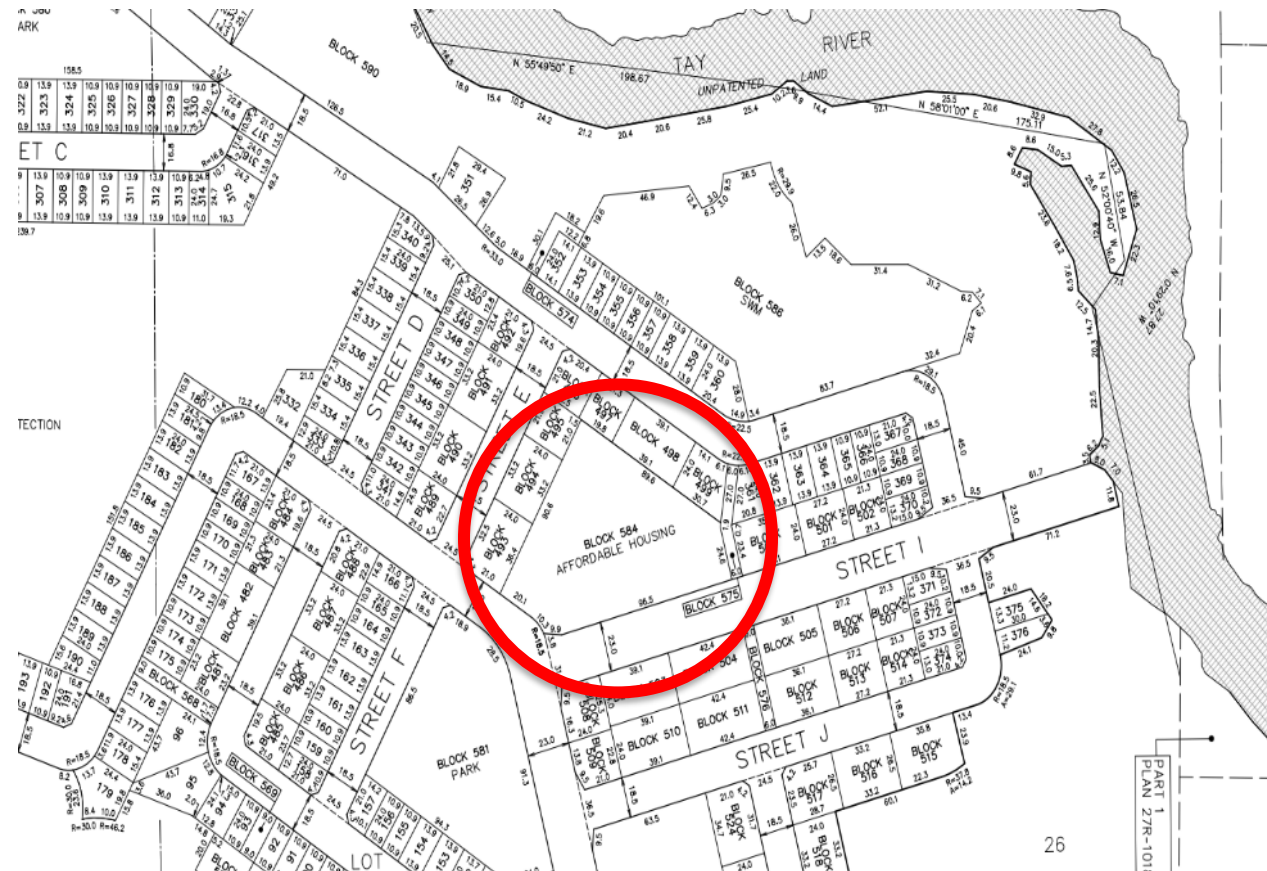

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Who is responsible for what in Perth?



Relevant Legislation

Affordable Housing Block Provided



Draft Conditions

Conditions in the subdivision agreement will require the lands to be properly serviced and transferred at no cost to a third-party provider for the development of affordable housing, through a site plan control agreement.

Lanark County, as the provider of affordable housing services, will take charge of this block.

Commercial Lands




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Land Use

The original proposal referenced commercial lands, but did not identify a dedicated commercial block on the draft plan of subdivision. It was not identified in the second round of plans either.

Through mediation, the Town secured clear recognition of commercial lands (golf club building area) and uses in the Official Plan and Zoning By-law. Further commercial uses are enabled through home-based businesses within residential units.

If a mixed-use development is proposed, commercial or institutional space could be located on the ground floor of the affordable housing block.



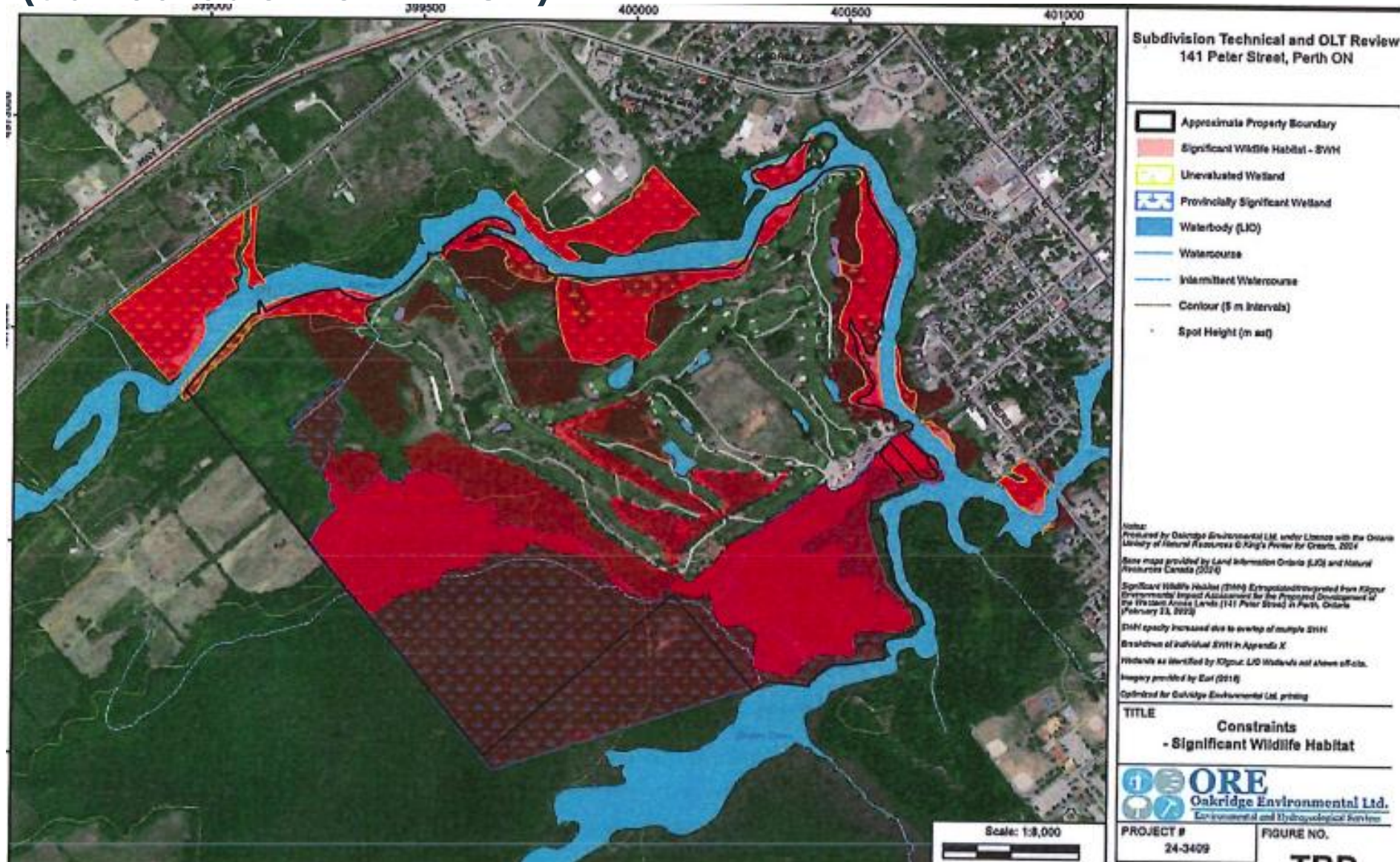
Ecology

Ministry of the Environment, Conservation, and Parks
(MECP)

Rideau Valley Conservation Authority



Species at Risk & Their Habitat (Jurisdiction of MECP)



Floodplain

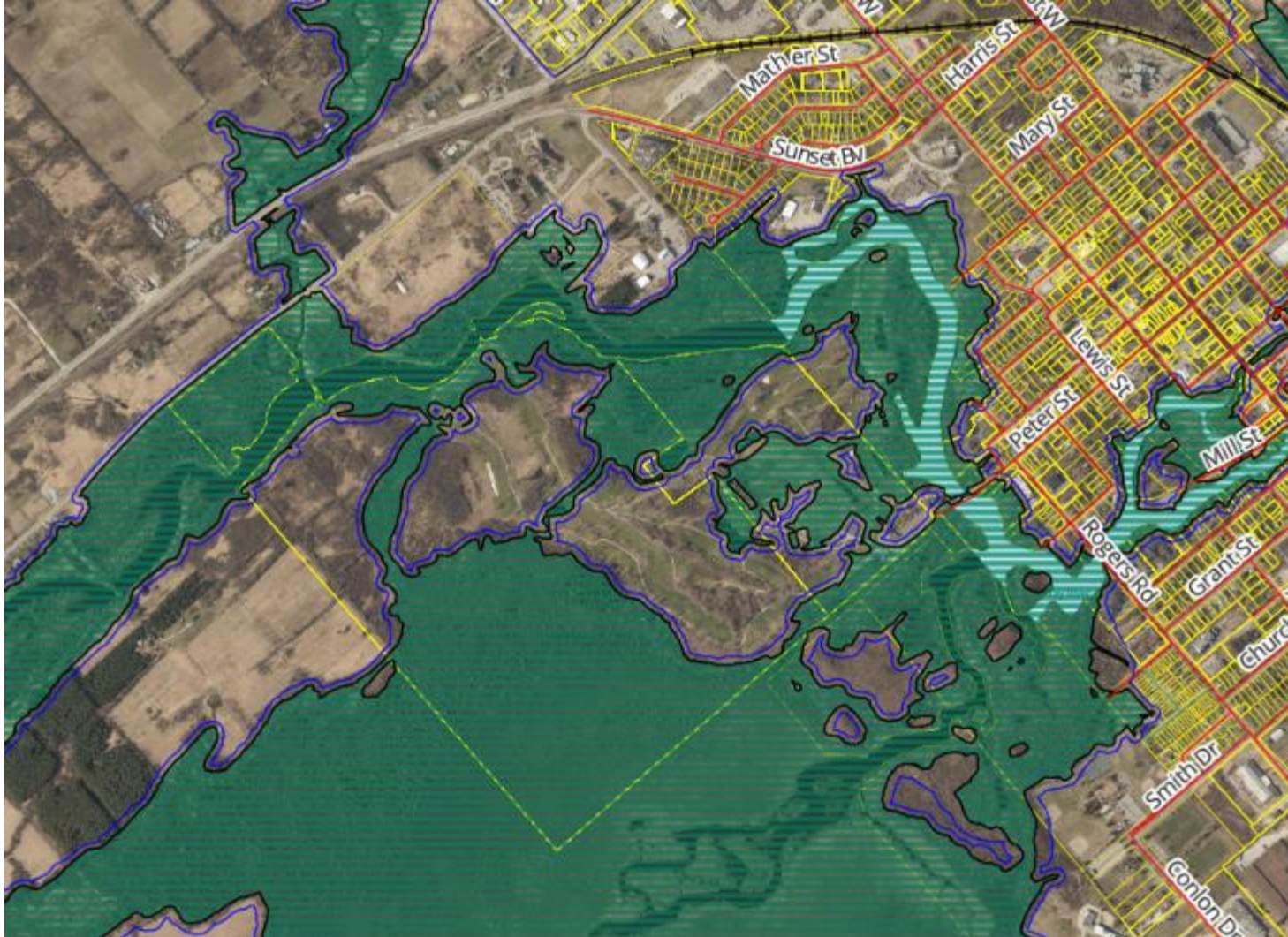
A portion of the CAIVAN lands is located within the floodplain. Any development within the floodplain requires approval from the Rideau Valley Conservation Authority.

CAIVAN has also applied for a large cut-and-fill project, which has been **approved by the Rideau Valley Conservation Authority January 12, 2026**

We have received many questions about flood-related damages. In general, developers, municipalities, conservation authorities, and other agencies are not responsible for compensating private property owners for damages caused by flooding.

Floodplain

(Jurisdiction of the Rideau Valley Conservation Authority)

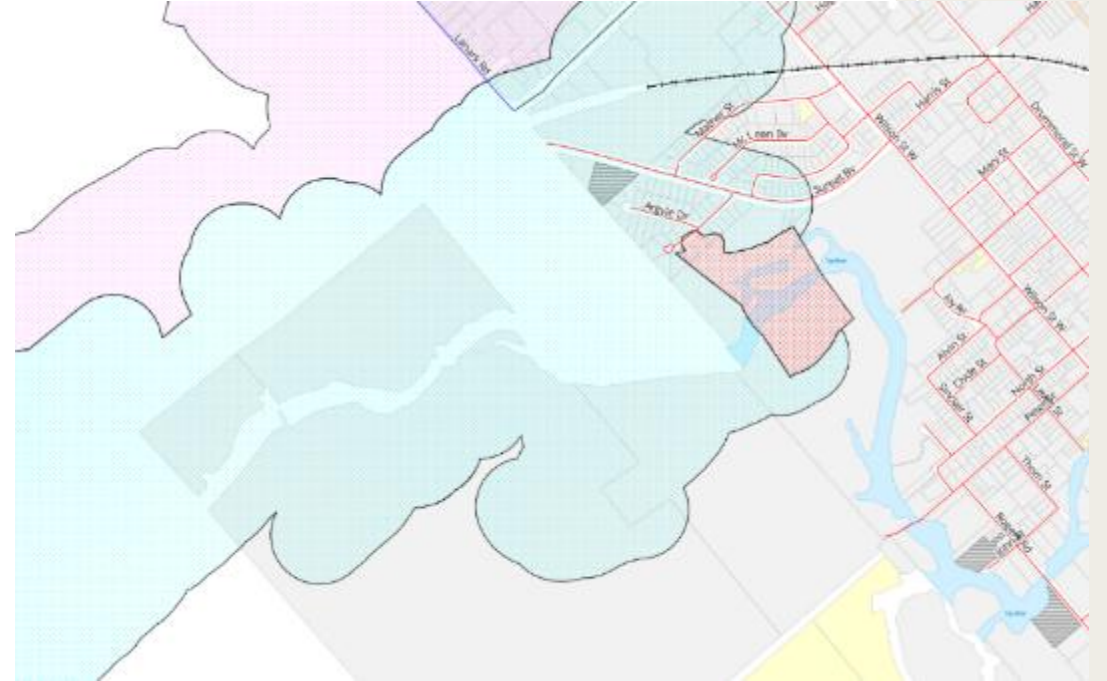


Source Water Protection - Intake Protection Zone

A portion of the CAIVAN GC Limited lands is located within the Intake Protection Zone.

Development within Intake Protection Zones are reviewed by the RVCA and the Source Water Protection Committee.

At the time of submission, and to date, no concerns have been identified regarding the proposed development and the Intake Protection Zone.



Street Width



Fig. 1 – Collector Street with 23m Right-of-Way

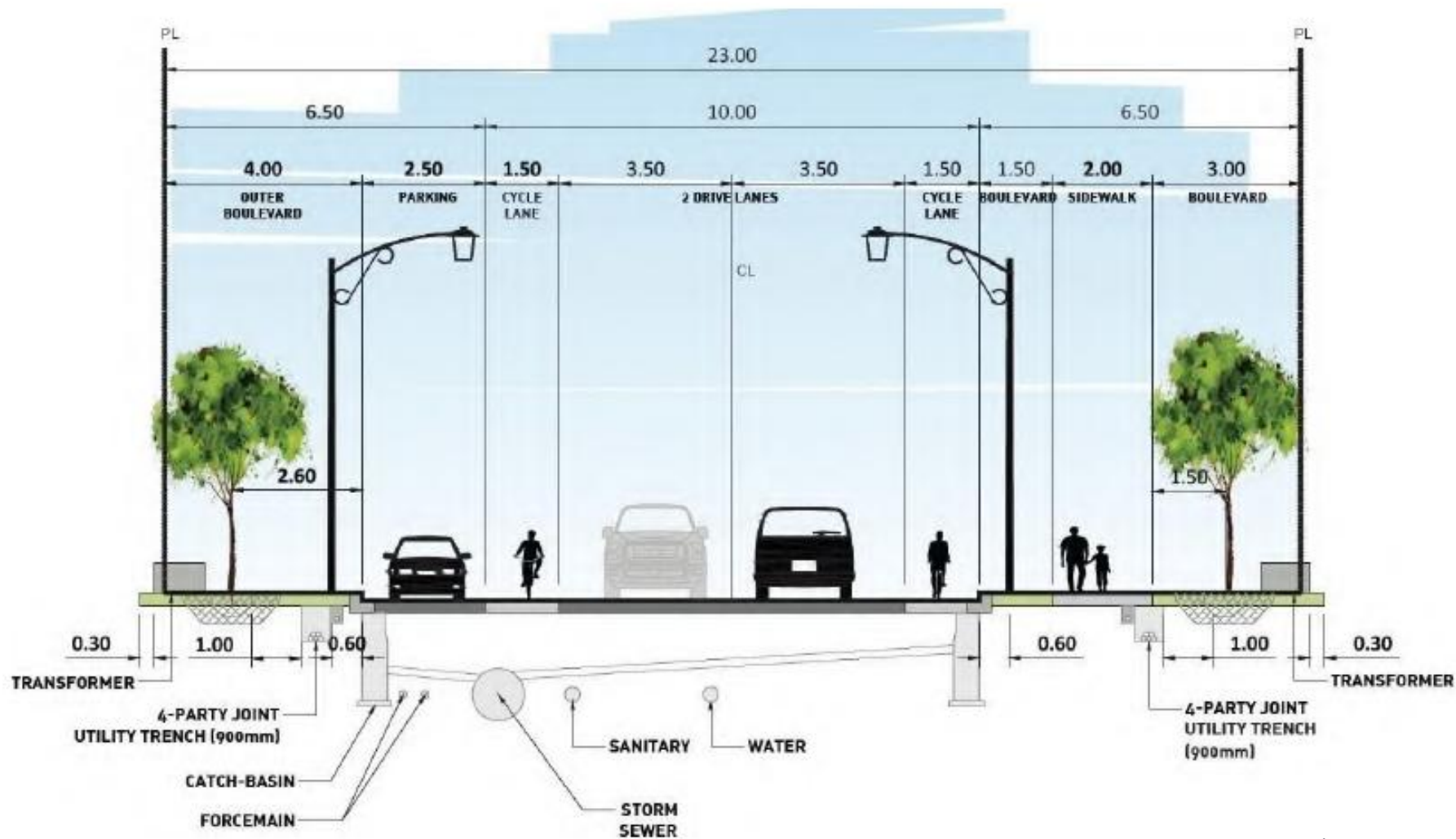


Fig. 2 – Local Street with 18.5m Right-of-Way

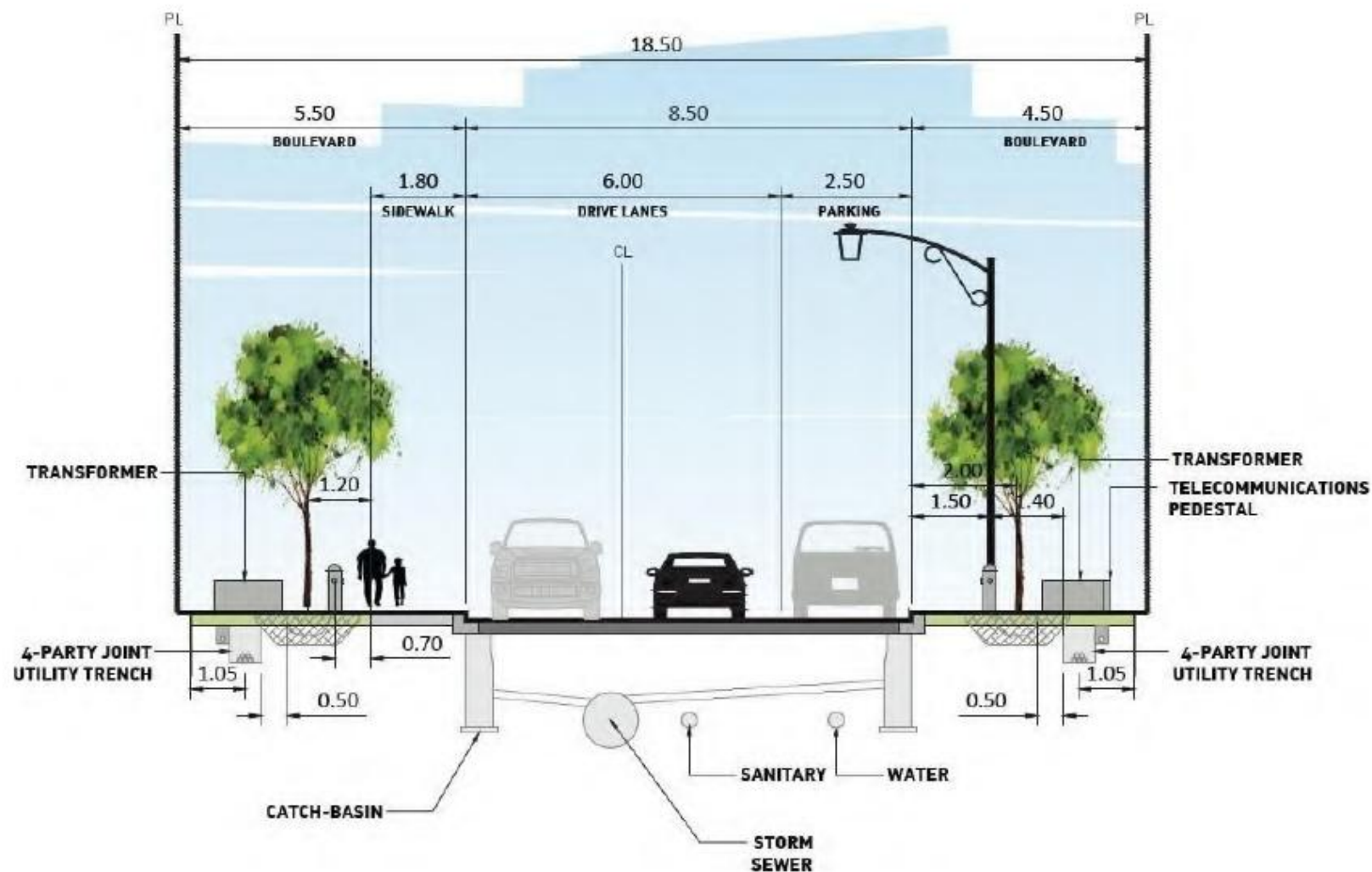


Fig. 3 – Local Street with 16.75m Right-of-Way

Figure 2. Local Street with 18.5 m ROW

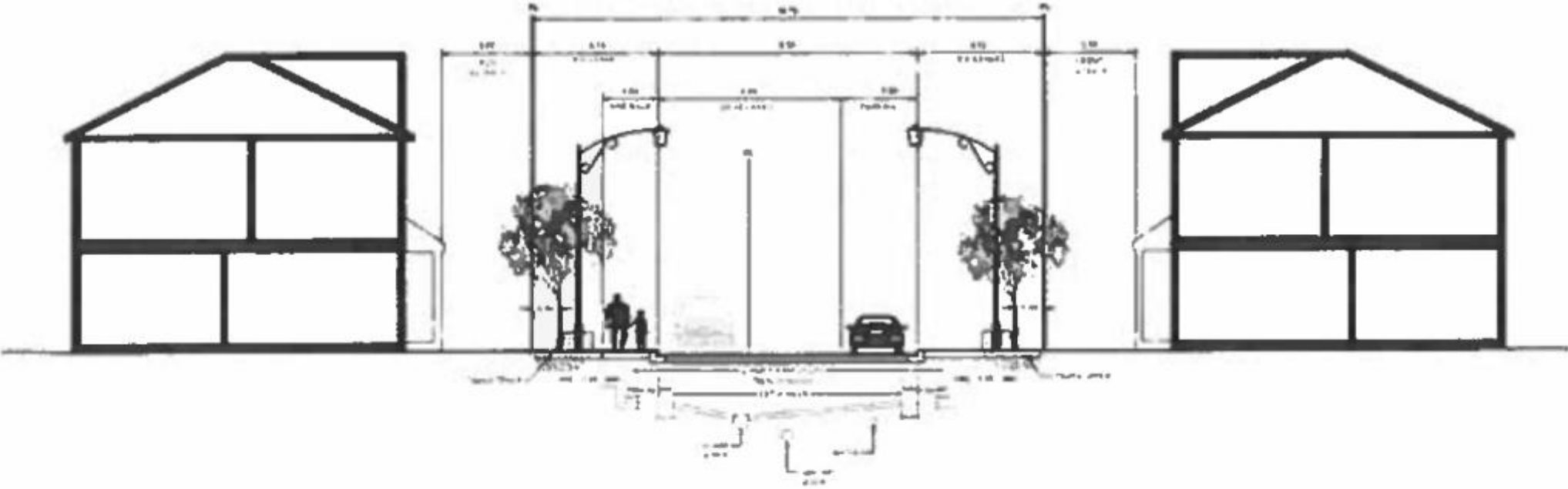


Figure 3. Local Street with 16.75 m ROW

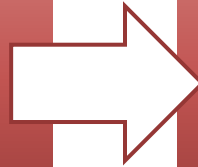
Next Steps




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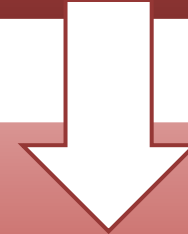
Next Steps after Mediation

Mediation has concluded, and the Town of Perth, Lanark County, and CAIVAN have reached a settlement. Minutes of Settlement will be presented to the OLT for review and approval.



The OLT will provide existing participants with time to review the updated plan. During the review period, participants may choose to:

- Withdraw their participant statement if they are satisfied with the plan
- Update their existing participant statement
- Submit a new participant statement



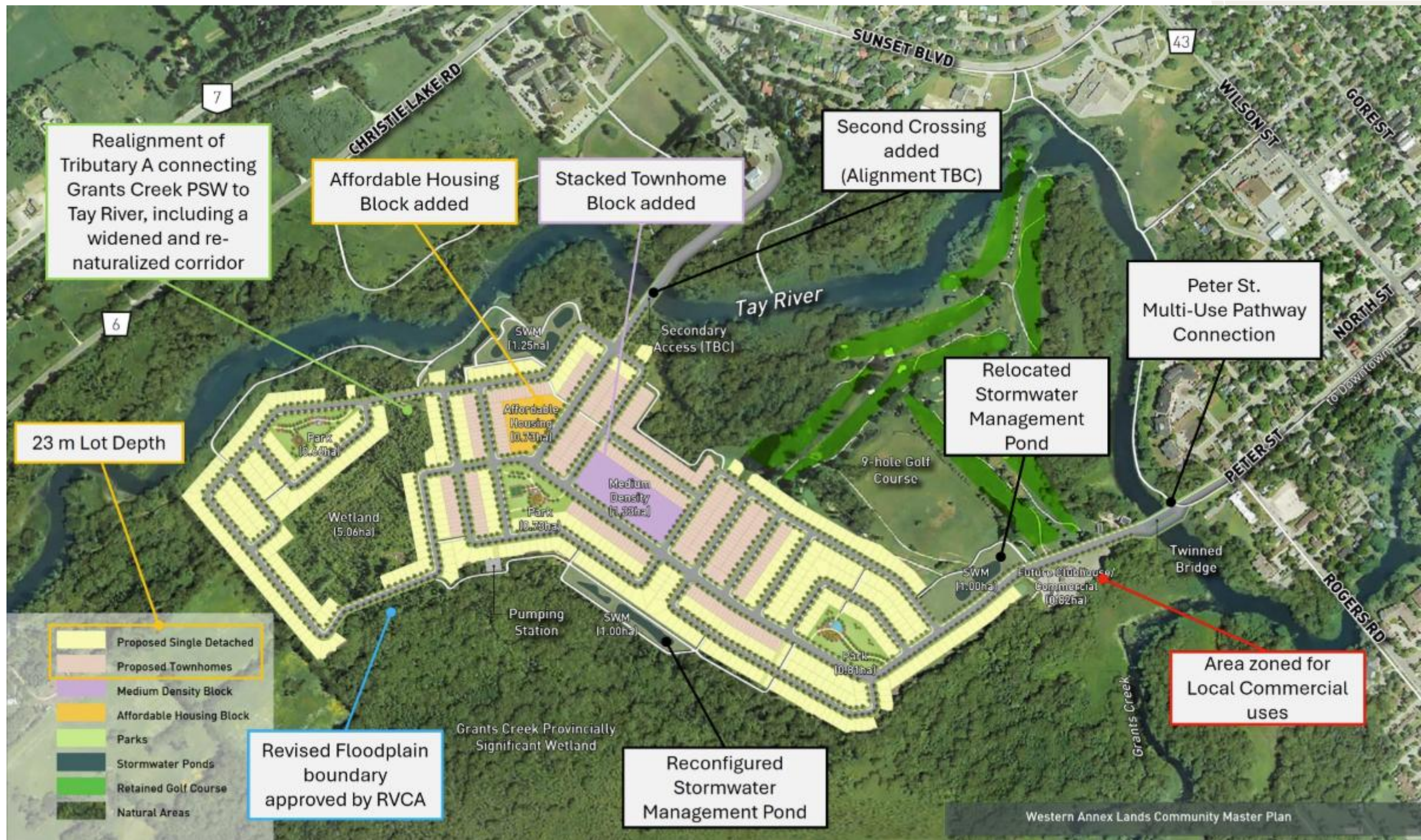
Following the hearing, the OLT will make its decision.



The OLT will hold a one-day hearing on August 6, 2026 to review the proposed settlement, along with any comments submitted by participants.

Concept Plan - FINAL





Next Steps

- If the OLT approves the settlement on August 6, 2026, the next stages of the process will begin.
- CAIVAN will be required to satisfy all draft conditions. Some conditions apply to specific phases, while others apply to the full property. Once those conditions are met, a subdivision agreement can be signed to allow Phase 1 to proceed:
 - up to 100 homes with twinned bridge or
 - up to 200 homes if the twinned bridge and multi-use pathway are completed.
- It is also likely CAIVAN will request a Pre-Servicing Agreement. This can allow earthworks and municipal servicing to proceed. However, building permits and occupancy cannot be issued until the subdivision agreement is signed and registered on title.

Concerns Outlined by the Perth Citizens for Sensible Development: Stop CAIVAN



#1: An access to the north is created from the outset of development and used as the primary access for all construction and residential traffic.

The Ontario Land Tribunal and the *Planning Act* do not and cannot regulate construction traffic or determine how construction activities are carried out.

As part of the settlement, the Town secured requirements for both a twinned bridge with a multi-use pathway and a future northern bridge connection. Additional land acquisition, studies, and approvals are required before these connections can be built.

Phase 1 is limited to 200 dwelling units. Traffic and emergency services experts determined that this level of development can be safely accommodated until future access connections are in place.

Outcome: Addressed. Future northern access has been secured through the settlement; however, it cannot be provided from the outset of development.

#2: The total number of housing units is no more than 650 units as stated in the Town of Perth's existing infrastructure plan.

The Infrastructure Master Plan (IMP) was prepared in 2019 using the information and growth projections available at the time. Since then, the developable area has been expanded through the Official Plan Amendment process.

The Town does not have complete discretion to determine the number of units that may be permitted on the site. Planning decisions must be consistent with Provincial policy, supported by technical studies, and informed by relevant Ontario Land Tribunal decisions.

Based on the current planning framework and recent OLT decisions on similar developments, a limit of 650 units would be difficult to defend.

Outcome: Not supported. A 650-unit cap is not supported under the current planning framework.

#3: One quarter (25%) of the housing development is affordable housing, as stated in the Town's Official Plan.

The developer is proposing approximately 77 affordable housing units, which exceeds the current provincial requirement of 5% of development.

The final number and delivery of affordable units will be determined through discussions involving the County of Lanark, the Town of Perth, an affordable housing provider, and the developer.

Although the Town's Official Plan identifies a target of 25% affordable housing, the Town's ability to require that level is limited by the broader provincial planning framework. As a result, the Town cannot compel the developer to provide 25% affordable housing as a condition of approval.

Outcome: Addressed. Affordable housing exceeds provincial requirements but does not meet the 25% Official Plan target.

#4: Development is not permitted within the 100-year flood zone.

Development within floodplain areas is regulated by the Conservation Authority, not the Town.

Where the Conservation Authority issues the required permits and approvals, the Town must rely on its technical expertise and decisions regarding floodplain management.

For this development, a cut and fill permit has already been issued by the Conservation Authority and forms part of the draft approval conditions. Additional studies and approvals will be required for future works, including areas where new bridge connections are proposed.

Outcome: Achieved. Development within the regulated area has been approved through the Conservation Authority process.

#5: The front 9 golf course is permanently retained as a golf course or open space.

The Town does not have the authority to require privately owned land to remain as a golf course or open space indefinitely.

Decisions regarding the sale or future use of private land rest with the property owner. Any future development proposal would still be subject to the planning policies, zoning regulations, and approval processes in place at that time.

Outcome: Not supported. The Town cannot require privately owned land to remain a golf course or open space.

#6: Retain existing Environmental Protection Areas identified in the Town's Official Plan.

The identification and protection of Significant Wildlife Habitat and Species at Risk are regulated through provincial legislation and approval processes.

Environmental studies are completed by the developer and independently peer reviewed on behalf of the Town. Where impacts to protected habitat or species are proposed, approvals must be obtained from the Province, including any required permits from the Ministry of the Environment, Conservation and Parks.

Outcome: Pending. The Town is awaiting information from the Province regarding the permitting process.

#7: There is no attempt to address net zero.

There is currently no provincial requirement of this development to achieve net-zero standards.

Recent provincial legislative changes, including Bill 98, have reduced the ability of municipalities to apply certain climate-related planning policies through the development approval process. The Ontario Building Code also does not require net-zero construction standards.

As a result, the Town does not have the authority to require net-zero development as a condition of approval.

Outcome: Not supported. The Town cannot require net-zero development under the current provincial framework.

#8: Introduction of a phased approach to manage demand on infrastructure, recognizing other development opportunities in Town.

The development is already being phased, with Phase 1 limited to a maximum of 200 dwelling units and subject to a number of conditions before construction can proceed.

The Town is investing in infrastructure to support growth. In 2025, the Province of Ontario announced an investment of nearly \$3 million from the Housing-Enabling Water Systems Fund to support the wastewater lagoon expansion project.

Updates to the Infrastructure Master Plan and Transportation Master Plan are underway, and an Active Transportation Plan was adopted in 2025.

Growth is also being accommodated through other approved developments, including Perthmore Phase 6 and more than 350 additional residential units throughout the community.

#8 (Continued): Introduction of a phased approach to manage demand on infrastructure, recognizing other development opportunities in Town.

Construction activities cannot be regulated through the draft plan approval process.

Traffic, emergency access, road conditions, and pedestrian safety have been reviewed through technical studies and agency comments. An updated Traffic Management Plan will also be required.

The settlement includes measures to support pedestrian safety, including a twinned bridge with a multi-use pathway and requirements for parking to be accommodated on private lots.

Traffic and emergency services experts have determined that Phase 1 can be safely accommodated while future transportation connections are advanced.

Outcome: Achieved. The development is phased, with Phase 1 limited to 200 units, and infrastructure planning and investment are underway to support growth across the community.

#9: Plans are revised to provide a more complete community design approach and meet the developer's commitment to an integrated, walkable and cyclable community.

The proposed development incorporates key elements of a complete community, including a mix of housing types, parkland, active transportation infrastructure, and opportunities for future commercial and institutional uses.

Sidewalks, cycle lanes, and multi-use pathways are included throughout the development, and discussions are ongoing regarding additional pathway connections to other areas of Perth.

Outcome: Achieved. The development supports a more integrated, walkable, and cyclable community.

Factors Beyond Municipal Control




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The Broader Policy Context

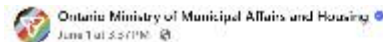


We're partnering with Ontario to cut development charges by up to 50% across the province — so innovative builders like Caivan here in Nepean can get more homes built faster, at a lower cost.

Nous travaillons en partenariat avec l'Ontario pour réduire de près de la moitié les redevances d'aménagement dans toute la province — pour que les constructeurs innovateurs, comme Caivan ici à Nepean, puissent bâtir plus de logements plus rapidement, à plus faible coût.



Recent federal and provincial initiatives continue to prioritize housing supply, accelerated approvals, and reduced development costs.



Today, Ontario launched the Development Charge Reduction Program to reduce building costs and speed up the construction of new homes. Municipalities that cut development charges by at least 30% or more and maintain the reduction for 3 years can apply for funding to support housing-enabling infrastructure projects. The program is backed by up to \$10 billion in federal and provincial funding. [Learn more: https://news.ontario.ca/jontario-and-canada-open...](https://news.ontario.ca/jontario-and-canada-open...)



QUESTIONS?

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