

## ONTARIO LAND TRIBUNAL

**PROCEEDING COMMENCED UNDER** subsections 51(34); 22(7) and 34(11) of the *Planning Act*, R.S.O. 1990, c. P.13, as amended.

Applicant and Appellant: Caivan (Perth GC) Limited  
Subject: Applications for Draft Plan of Subdivision Approval, Official Plan Amendment and Zoning By-law Amendment  
Property Address: 141 Peter Street, Town of Perth, County of Lanark  
Municipality/UT: Town of Perth/County of Lanark  
Municipal File Nos.: 09-T-22001; OPA-01-2023 and ZBL-03-2023  
OLT Case No.: OLT-23-000534  
OLT Case No.: OLT-23-000939  
OLT Case No.: OLT-23-000940  
OLT Lead Case No.: OLT-23-000534  
OLT Case Name: Caivan (Perth GC) Limited v Lanark County

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### WITNESS STATEMENT OF ANTHONY HOMMIK, MCIP, RPP

June 12, 2024

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#### A. Introduction & Retainer

1. I, Anthony Hommik, am a professional land use planner working in the Province of Ontario. I have been a Senior Planner with Jp2g Consultants Inc. (Jp2g) since January 2022. Since June of 2023, I have been the manager of the planning department at Jp2g.
2. I have been a full member of the Ontario Professional Planners Institute and Canadian Institute of Planners since 2017. My curriculum vitae is attached to this witness statement as Appendix A and my executed Acknowledgement of Expert's Duty is attached as Appendix B.
3. I have been practicing as a land use planner in Ontario since 2012 and have experience in all types of applications under the *Planning Act*. I provide planning services to private sector clients on a range of residential, commercial, industrial, and institutional projects in eastern Ontario. I also provide planning services to public sector clients, including the review of development applications.
4. I am familiar with the applicable planning documents associated with making informed planning decisions, including the Provincial Policy Statement (PPS) and the *Planning Act*, as well as the relationship between Official Plans and Zoning By-laws.
5. Jp2g has been providing consulting services, including land use planning, to the County of Lanark since 2010. I was engaged on these appeals in May 2024 by County staff to replace Brian Whitehead, MCIP, RPP who went on an indefinite medical leave on May 28, 2024.

6. Brian Whitehead had been involved in an advisory capacity with County of Lanark File No. 09-T-22001 since May 2022, and had been retained to provide professional planning evidence on the appeal of the subdivision since June 2023.
7. I have not been involved in any pre-consultation, public meetings, or meetings with the applicant for any of the applications under appeal.
8. I have reviewed the draft plan of subdivision as well the following reports and technical documents submitted in support of the original application for Draft Plan of Subdivision Approval including:
  - a. Planning Rationale, dated April 14, 2022, prepared by WSP Canada Inc.;
  - b. Urban Design Brief, dated April 2022, prepared by NAK Design Strategies;
  - c. Preliminary Functional Servicing Report, dated April 2022, prepared by DSEL;
  - d. Preliminary Environmental Impact Study, dated April 12, 2022, prepared by Kilgour and Associates; and
  - e. Transportation Review, dated April 2022, prepared by CGH Transportation.
9. I have reviewed the amended draft plan of subdivision as well as the following updated/amended reports and technical documents submitted in support of the revised Application for Draft Plan of Subdivision Approval including:
  - a. Planning Rationale, dated February 2023, prepared by WSP Canada Inc.;
  - b. Functional Servicing Report, dated February 2023, prepared by DSEL;
  - c. Transportation Impact Study, dated February 2023, prepared by CGH Transportation;
  - d. Urban Design Brief, dated February 2023, prepared by NAK Design Strategies;
  - e. Environmental Impact Study, dated February 2023, prepared by Kilgour & Associates Ltd.;
  - f. Tree Preservation Report, dated February 2023, prepared by Kilgour & Associates Ltd.;
  - g. Peter Street Bridge Crossing Memo, dated May 24, 2022, prepared by HP Engineering Inc.;
  - h. Access Options Technical Memorandum, dated November 24, 2022 – Prepared by CGH Transportation;
  - i. Fiscal Impact Study, dated February 7, 2023, prepared by Altus Group Economic Consulting; and
  - j. Comment response matrix, dated February 21, 2023, prepared by WSP Canada Inc.
10. For context and background, I have reviewed the applications for Official Plan and Zoning By-law amendment as the Staff Report dated August 10, 2023, which was presented at the public meeting for these amendments on the same date.
11. Lanark County is the approval authority for the draft plan of subdivision and, ultimately, the proposed amendment to the Town of Perth Official Plan.

12. My evidence will focus on the draft plan of subdivision as it relates to the subdivision criteria in the *Planning Act*, consistency with the PPS and compliance with the County's Official Plan.
13. I have reviewed the decisions issued by the Tribunal, dated December 22, 2023, and February 27, 2024, including the Procedural Order and Issues List attached to the February 27, 2024 order.
14. I have reviewed the letter from Aird and Berlis, dated March 1, 2024, which provided a revised concept plan and brief transportation technical memorandum.

**C. Response to Issues**

15. The Procedural Order dated February 27, 2024, identified a list of issues which constitute the nature of the appeal.
16. In my assessment of the Issues, I have conducted the following:
  - a. a review of matters of provincial interest as enumerated in section 2 and subdivision matters and criteria to be addressed pursuant to section 51(24) of the *Planning Act*;
  - b. a review of the current 2020 Provincial Policy Statement (the "PPS"); the former 2014 PPS and the proposed 2024 PPS; and
  - c. a review of the Sustainable Communities Official Plan for the County of Lanark (SCOP)
17. I have also reviewed the witness statements prepared by the expert witnesses for the Town of Perth, being:
  - a. Joanna Bowes
  - b. Tyler Bauman
  - c. Eric Lalande
  - d. Jennifer Luong
  - e. Mark Bissett
  - f. Trevor Choffe
  - g. Robert West

**Issue 1: Do the applications have appropriate regard for matters of provincial interest as enumerated in section 2 of the *Planning Act*?**

18. The *Planning Act*, in Section 2, provides an extensive list of matters of provincial interest. I will address those matters in Section 2 that are relevant to the appeals, in my professional opinion.
19. Section 2 (a) speaks to the protection of ecological systems, including natural areas, features and functions. The current development concept proposes to remove large areas that are considered to be significant wildlife habitat. The Province's Significant wildlife

habitat mitigation support tool (SWHMiST) provides advice and recommendations on how to mitigate impacts to wildlife habitat during a development process. According to the evidence of Mr. West, the proposed development does not comply with the SWHMiST recommendations for residential development.

20. Section 2 (f) speak to the adequate provision and efficient use of communication, transportation, sewage and water services and waste management systems.
21. A significant issue raised early in the review process was the development's reliance on a single ingress/egress (the Peter Street bridge, including the proposed 'twinning' of the bridge). The revised concept plan, provided in the March 1, 2024 letter from Aird and Berlis, includes a second access point in the form of a new bridge over the Tay River in addition to the twinned Peter Street bridge. However, little detail has been provided with the exception of a conceptual location for the bridge.
22. There are a number of significant challenges with the construction of a new bridge, including the need to complete a municipal class environmental assessment. In this particular instance, there is the additional complicating factor that the proposed second bridge would rely on a connection to lands within Tay Valley Township. While the second bridge may alleviate traffic congestion and emergency access concerns, it is presumptuous to assume, based on a concept plan, that the crossing can be constructed exactly where it is shown. It is not appropriate to provide approval on a draft plan of subdivision knowing that such an integral component could change.
23. Furthermore, given the proposed bridge would connect Tay Valley Township with the Town of Perth and cross lands owned by the County, there will need to be an agreement amongst the three parties with respect to the location of the new road connection on the north side of the Tay River. There will then need to be an agreement between at least two parties, if not three (Tay Valley Township, Town of Perth, Lanark County) concerning ownership and ongoing maintenance responsibilities. It is presumptuous that the parties will be able to come to an agreement on the location of the new road connection in the proposed location. It is important to note that while the 2019 Infrastructure Master Plan contemplates the new crossing, the location has not been approved in any way.
24. With respect to water and sewage services, sufficient capacity should be reserved for infill and redevelopment opportunities. It is not reasonable to allocate all available reserve capacity at the expense of other more efficient forms of development within the settlement area. It would be more appropriate to pursue a phased development approach, which would therefore maintain capacity for infill and intensification projects.
25. With respect to waste management, it is not clear if the development proposal has contemplated the impact on the Town's ability to provide solid waste services to a development of this magnitude in addition to other proposed developments. Again, it would be more appropriate to phase the development, such that solid waste capacity could be added incrementally.

26. Section 2 (j) speaks to the adequate provision of a full range of housing, including affordable housing. There was no affordable housing proposed in the initial or revised subdivision applications. In the March 1, 2024 letter from Aird and Berlis, the applicant is committed to providing lands set aside for affordable housing.
27. No detail was provided with respect to the built form, number of units or unit mix being proposed for the affordable block. The inclusion of affordable housing is certainly a positive step, but more detail needs to be provided. As discussed in the evidence of Ms. Bowes, the Town of Perth Official Plan has a requirement that, in a development of this scale, 25% of the units be affordable. It is unclear how the inclusion of the one affordable housing block will satisfy the requirements for affordable housing. At 0.61 hectares, it would appear that this block is not sufficient to meet the 25% requirement.
28. Section 2 (o) speaks to the protection of public health and safety. As discussed in the evidence of Mr. Choffe, the need for a second means of ingress/egress is a significant concern from a fire protection perspective. In the event that the Peter Street bridge is impassable, due to a car accident, fire, or construction, as examples, there needs to be another way to access the proposed development to respond to an emergency situation. Again, the proposed second bridge may alleviate this concern, but it is not known if the new bridge is technically feasible, at least in the proposed location.
29. Section 2 (p) speaks to the appropriate location of growth and development. Through the process to adopt Official Plan Amendment No. 16 to the Town of Perth Official Plan, it was recognized that there will be some growth to occur on the subject lands. This was expressed as a population allocation of 129 persons in OPA No. 16. The subject lands are certainly capable of accommodating some level of redevelopment, but it is premature to say how much without first having a better understanding of the feasibility of the new bridge connection. Without the knowledge that the bridge can be constructed in the proposed location, it is not appropriate to approve the scale of development proposed through the subdivision at this time.
30. A significant portion of the proposed development is located within the current 100-year floodplain, which is not permissible. The applicant proposes to alter the floodplain elevation, however, if the floodplain is not permitted to be altered or is not altered exactly as proposed, the subdivision layout may need to be revised. As noted in the witness statement of Messrs. Lalande and Bauman, an application for works under the Conservation Authorities Act has not been submitted to alter the floodplain.

**Issue 2: Is it appropriate to introduce the proposed number of residential units without conducting a comprehensive review to assess:**

- a. **the need for the increase in population over the identified planning horizon of the Town's Official Plan;**
- b. **opportunities to address demonstrable need through intensification, redevelopment and existing designated growth areas; and**
- c. **the demands on infrastructure and public service facilities that the development will create?**

31. PPS policy 1.1.3.8 states that a planning authority may identify a settlement area or allow the expansion of a settlement area boundary only at the time of a comprehensive review and where certain criteria have been considered. Similarly, Town of Perth OPA 16 also requires a comprehensive review.
32. As noted in the witness statement of Ms. Bowes, the lands are designated in the Town of Perth Official Plan as Special Study Area.
33. Policy 8.8.3 states that “lands within the Special Study Area will be required to accommodate future development at urban densities including: all forms of residential development, neighbourhood commercial uses, institutional uses and community service uses, and parks and open space uses.”
34. Policy 8.8.3 d) further states that the impact of development on Natural Heritage Features and other areas subject to the policies under Section 8.6 must be considered prior to any change in this designation.
35. While a comprehensive review is required by the current in-force PPS and the Town of Perth Official Plan, given provincial directives to increase the supply of housing in the province, it is my professional opinion that a traditional comprehensive review, using a pure population forecasting and growth allocation perspective, is not appropriate.
36. If adopted as drafted, the proposed 2024 PPS would eliminate the requirement for a comprehensive review but would still require consideration of servicing and infrastructure capacity, which are already issues in this appeal. The new provincial direction is ostensibly to allow the market to dictate where housing is built, and it is therefore my opinion that attempting to derive an upper limit of the population forecasted to reside in Perth is less germane than the question of whether or not the Town’s infrastructure can accommodate the amount of growth proposed by the development proposal.

**Issue 3: Is the Application consistent with the Provincial Policy Statement, 2020 (and 2023 if this version of the PPS is in force and effect when this matter is heard by the Tribunal)?**

- a. **The application of the “consistency with” test will consider, but not be limited to the following policies of the PPS, 2020:**
  - i. **i. Policy 1.1.1;**
  - ii. **ii. Policy 1.1.2;**
  - iii. **iii. Section 1.1.3;**
  - iv. **iv. Section 1.4;**
  - v. **v. Policy 1.6.4;**
  - vi. **vi. Policy 1.6.8; and**
  - vii. **vii. Section 3.1**
37. As with matters in Section 2 of the *Planning Act* above, I will provide opinion evidence on those PPS policies that are relevant to the decision on the subdivision in my professional opinion.

38. Policy 1.1.1 a) states that healthy, liveable and safe communities are sustained by promoting efficient development and land use patterns which sustain the financial well-being of the Province and municipalities over the long term.
39. It must be demonstrated that the development being proposed will be financially sustainable. Altus prepared a fiscal impact study, but the study only assessed the twinning of the Peter Street bridge but it did not assess the second bridge that was proposed on the revised concept plan. Before a conclusion can be made in this regard, the Altus study needs to be updated to provide evidence that the development will sustain the financial well-being of the municipality.
40. Policy 1.1.1 b) states that healthy, liveable and safe communities are sustained by accommodating an appropriate affordable and market-based range and mix of residential types (including single-detached, additional residential units, multi-unit housing, affordable housing and housing for older persons), employment (including industrial and commercial), institutional (including places of worship, cemeteries and long-term care homes), recreation, park and open space, and other uses to meet long-term needs.
41. The current draft plan of subdivision is providing a unit mix that is predominantly single detached dwellings on similarly sized lots together with townhomes. The development would be more consistent with the PPS if there was a greater mix of housing typologies such as semi-detached dwellings and multi-unit housing.
42. The development would also benefit from a mix of tenure (ownership and rental) and the introduction of neighbourhood scale retail and commercial uses. The scale of development is such that, if developed to the extent that is being proposed, there would likely be the demand for local commercial uses, such as a convenience store.
43. As discussed earlier in this witness statement, the applicant has provided a minimal amount of information with respect to affordable housing. The concept plan provided in the March 1, 2024 letter from Aird and Berlis provides a 0.61 hectare affordable housing block. As noted, the Perth Official Plan requires 25% affordable housing in a development of this size and the block provided appears to be insufficient. More detail is required to determine if the affordable housing being proposed is adequate.
44. Policy 1.1.1 c) states that healthy, liveable and safe communities are sustained by avoiding development and land use patterns which may cause environmental or public health and safety concerns.
45. As previously noted, the original proposal to provide access to the subdivision by way of one bridge (even if twinned) is a public safety concern. The proposed second bridge, in addition to the twinning, may resolve this concern, but it is not yet known if the proposed bridge is feasible in the location that has been suggested.
46. The current proposal has also placed dwellings, roads and stormwater management facilities within the 100-year floodplain. It is understood that the applicant intends to

submit a cut/fill permit to the Rideau Valley Conservation Authority, however, it is presumptuous to assume that the Conservation Authority is going to grant this approval.

47. Policy 1.1.1 d) states that healthy, liveable and safe communities are sustained by promoting the integration of land use planning, growth management, transit-supportive development, intensification and infrastructure planning to achieve cost-effective development patterns, optimization of transit investments, and standards to minimize land consumption and servicing costs.
48. Regard must be had to the cost effectiveness of developing the golf course lands to the extent that has been proposed. As noted above, the cost of the second bridge was not evaluated in the fiscal impact study. It would also be more cost effective to approach the development in phases, and upgrade municipal services accordingly, rather than to require significant upgrades to accommodate the proposed subdivision all at once.
49. Policy 1.1.1 g) states that healthy, liveable and safe communities are sustained by ensuring that necessary infrastructure and public service facilities are or will be available to meet current and projected needs. As discussed, the second bridge is required to support the subdivision that has been proposed. It is not clear if the bridge is feasible in the location that has been proposed.
50. Section 1.4 of the PPS provides specific housing policies. Policy 1.4.3 c) states that Planning authorities shall provide for an appropriate range and mix of housing options and densities to meet projected market-based and affordable housing needs of current and future residents of the regional market area by directing the development of new housing towards locations where appropriate levels of infrastructure and public service facilities are or will be available to support current and projected needs.
51. Currently, the infrastructure does not exist to support the development of the full-build out of the subdivision. As discussed in the evidence of Mr. Bissett, upgrades would be required to expand the Town's reservoir and/or water tower to supplement the current municipal water supply system. Upgrades would also be required to the sewage treatment plant in the form of a fifth submerged attached growth reactor.
52. Policy 1.6.4 states that Infrastructure and public service facilities should be strategically located to support the effective and efficient delivery of emergency management services, and to ensure the protection of public health and safety in accordance with the policies in Section 3.0: Protecting Public Health and Safety.
53. The PPS provides specific direction with respect to natural hazards in Section 3.1. Policy 3.1.1 b) states that Development shall generally be directed, in accordance with guidance developed by the Province (as amended from time to time), to areas outside of hazardous lands adjacent to river, stream and small inland lake systems which are impacted by flooding hazards and/or erosion hazards.
54. A portion of the subject lands are located within the 1:100 year floodplain. According to the evidence of Messrs. Lalande and Bauman, the entirety of the floodplain in this area is



considered a floodway. PPS Policy 3.1.2 d) states that development and site alteration shall not be permitted within a floodway regardless of whether the area of inundation contains high points of land not subject to flooding.

**Issue 4: Does the Application conform to the policies of the County of Lanark Sustainable Communities Official Plan (SCOP)?**

- a. **The application of the conformity test will consider, but not be limited to the following policies of the of the SCOP:**
- i. **i. Policy 1.1 Population Projections and Distribution, as amended by**
  - ii. **Amendment No. 8 to the SCOP;**
  - iii. **ii. Appendix 2 – Historical and Projected Population by Municipality, as**
  - iv. **amended by Amendment No. 8 to the SCOP;**
  - v. **iii. Section 2.3 Settlement Area Policies;**
  - vi. **iv. Section 5.0 Natural Heritage;**
  - vii. **v. Section 7.0 Public Health and Safety;**
  - viii. **vi. Policy 8.2.1 Plans of Subdivision;**
  - ix. **vii. Policy 8.2.9 Affordable Housing, Subsection 5.**

55. The subject lands are designated Settlement Area, Flood Plain, Provincially Significant Wetland and Rural in the SCOP.

56. With respect to the SCOP intent and objectives, sustainability is the overarching theme of the plan. This is evident in that it is titled the Sustainable Communities Official Plan and was informed by an Integrated Communities Sustainability Plan.

57. Section 1.0 Introduction provides some indication of the intent of the Plan in developing sustainable communities. Applicable to this application, the Plan intends:

- a. to guide residential development in areas which are not required for resource development or for their natural heritage values;
- b. to manage change;
- c. to promote efficient use of infrastructure and achieve efficient development patterns;
- d. to protect natural and environmental resources; and
- e. to protect the distinct character of [the] towns.

58. Section 1.1 speaks to population projections. Currently the Plan projects a population for the Town of Perth of 8,085 by 2038. The population estimates in the Plan are under review as a part of an ongoing Growth Management Study. The current draft population forecasting projects a net population increase of 3,820. The 2021 Perth Statistics Canada Census population figure was 6,469. This suggests a total population of 10,289 by 2051.

59. Section 1.2 outlines the Objectives of the Plan. Relevant objectives to this development include:

- a. We will strengthen our communities by providing for efficient land use and opportunities for mixed use development on appropriate infrastructures which recognizes the diversity of Lanark County's settlement areas.
  - b. Local municipalities will, in a fiscally and environmentally responsible manner, maintain a three year supply of serviced land at all times as part of the ten year supply of land designated for residential development. This objective does not apply where local municipalities do not provide public piped services or where such services are constrained by environmental or financial conditions.
  - c. A broad range of housing types will be permitted in local municipal planning documents in order to meet the requirements of a growing population.
  - d. The distinct character and heritage of our towns, villages, hamlets and rural and waterfront areas will be maintained.
  - e. Significant natural heritage sites and areas will be protected from incompatible land uses.
  - f. Development shall be directed away from areas of natural or man-made hazards where there is an unacceptable risk to public health or safety or of property damage.
60. The Plan is focused on managing community growth and change in a sustainable manner. In rendering a decision, the OLT should weigh the community's stated objectives to ensure community change is socially, economically, and environmentally appropriate, and will have a cumulative positive outcome. This is especially important for the proposed development, which on an assumed population basis of 2.3 persons per household, would grow the community by 30% in a short period of time. For a community with a historic growth rate of 23 units per year, forecasted to be 64 units based on the ongoing Growth Management Study, the proposed development is a material amount of population growth to accommodate and absorb, in terms of both availability of local infrastructure and services and resident sense of community town character.
61. The development should be scaled to what can be reasonably achieved and absorbed in terms of build-out and unit absorption within the three-year period to satisfy draft conditions. Subsequent applications, with similarly appropriate numbers of lots and blocks, should be brought forward for the balance of the lands.
62. Using the current draft growth management figures, a three-year supply of draft approved lots as per PPS direction would be in the range of 69-192 units based on historic and forecasted growth. This figure is consistent with the Town's anticipated growth for these lands during the previous comprehensive review.
63. The balance of the lands could be developed through subsequent new applications to reach full build-out. This would provide the community with the necessary time to become accustomed to growth and community change. Approving full-build out of the lands at this time, even with phasing provisions, would be premature and inconsistent with the local

public interest and therefore inconsistent with the objectives of the SCOP, particularly managing change and preserving the distinct character of towns.

64. Section 2.0 addresses Settlement Area policies. Section 2.1 notes “the policies are intended to ensure that local Councils will have the ability and authority to shape their communities in accordance with local needs and local characteristics.”
65. Relevant to this development, Section 2.3.1.1 states:
- a. Settlement Areas are identified on Schedule A to this Plan. The limits of the Settlement Areas are in accordance with the limits established in local Official Plans.
  - b. Local Official Plans shall designate Settlement Areas and shall ensure that there is sufficient land area to accommodate a broad range of land uses to meet current needs and expected population growth over a maximum twenty year timeframe.
  - c. Local Official Plans shall promote intensification in existing built-up areas based on the type of servicing infrastructure.
  - d. Efficient development patterns will be encouraged in Settlement Areas to optimize the use of land, resources, infrastructure and public service facilities.
66. Section 2.6 provides the Settlement Area Land Use Policies. The County of Lanark’s objectives respecting development in Settlement Areas are as follows:
- a. to ensure the provision of an adequate supply of residential land;
  - b. to provide for a range and mix of low, medium and high density housing types in accordance with servicing capacities;
  - c. to provide for neighbourhood facilities and amenities which are appropriate to a residential living environment;
  - d. to ensure the provision of roads and other municipal services necessary to the development of functional neighbourhood areas; and
  - e. to provide for mixed use communities with appropriate commercial, institutional and employment uses.
67. Section 2.6.2 Local Planning Framework, and specifically Section 2.6.2.4 details the SCOP’s expectations of Local Official Plans in regulating development, including through plans of subdivision. Relevant criteria include:
- a. permit and zone a range of residential housing types and sizes;
  - b. ensure development can proceed on appropriate and verified water, wastewater, storm water and transportation services;
  - c. permit increased housing densities through redevelopment of existing residential and non-residential buildings to meet locally established intensification targets where infrastructures permit;
  - d. permit accessory apartments in accordance with section 16(3) of the *Planning Act*;
  - e. provide for open space and parkland and the protection of natural heritage features;

- f. allow residential infill and redevelopment provided there is sufficient reserve capacity in water;
  - g. regulate the physical character of infill or redevelopment projects to ensure their compatibility with established communities; and
  - h. when reviewing applications for redevelopment or infill, consider the impact of the proposed development on the neighbourhood in terms of parking, traffic, open space, and proposed uses.
68. An approval, subject to addressing issues related to overall scale, including servicing capacity, environmental impact and natural hazards, would be consistent with the Settlement Area policies of the Plan.
69. Section 4.0 outlines infrastructure policies. Section 4.1 states, in part, “the objective of these policies is to ensure that effective infrastructure services will be provided by the appropriate level of government or the private sector in a cost-efficient manner which recognizes development priorities and which ensures the protection of our environment.”
70. Section 4.2.1 states, in part, “the Plan further recognizes and supports ongoing efforts to resolve local infrastructure problems. Continued efforts to find solutions to local infrastructure problems by local municipalities are considered to be appropriate and in conformity with the policies of the County Official Plan.”
71. Section 4.3 states that the County’s objective for the development and maintenance of the transportation infrastructure is to ensure that the road network within the County will function in a cost effective, efficient and safe manner for the movement of people and goods throughout the county.
72. The proposed second bridge, if appropriately designed and sited, could assist with the Town’s concerns regarding more north-south road connections.
73. Section 4.4.1 on Water Waste and Stormwater Services states “the allocation of infrastructure capacity for infill and economic development purposes is encouraged.”
74. On the issue of Solid Waste, Section 4.5.2 states “development shall be reviewed to ensure that appropriate solid waste disposal services can be provided in a manner which is consistent with environmental considerations.”
75. It is important that sufficient infrastructure capacity is reserved for infill and redevelopment opportunities. The proposed development should not be permitted to consume available reserve capacity at the expense of these other more efficient forms of development within the settlement area. It would be more appropriate to pursue a phased development approach, whereby capacity would still be reserved for infill and intensification projects and increased incrementally as required.
76. It is unclear if solid waste management has been adequately considered as a part of the development that would add approximately 30% of the existing population to the town. The remaining local landfilling capacity needs to be assessed, together with the financial

implications of regional disposal should local landfill capacity be consumed at a more rapid rate and/or if an expansion of the local landfill is not be achievable for environmental, social or economic reasons.

77. Section 5.0 of the SCOP provides the Natural Heritage policies. The Objectives stated in Section 5.3 include:
- a. The County's significant natural heritage features shall be protected from negative impacts of development.
  - b. The County's natural heritage features, including non-significant features, should be conserved and rehabilitated for the benefit of future generations according to best management practices undertaken today and as they evolve.
78. Section 5.4.4 states: "the County of Lanark and its constituent municipalities have an obligation to consider the impact of development and land use on waterbodies throughout the County in order to ensure the long-term viability of this important natural and economic resources."
79. Section 5.5.1.4, in discussing wetlands, states: "development or site alteration in a significant wetland designated in a Local Official Plan is not permitted." However, section 5.5.1.5 exempts infrastructure created or maintained through the Environmental Assessment process.
80. Section 5.5.1.5 requires a 120-metre setback from Provincially Significant Wetlands, unless an EIS is completed to the satisfaction of the approval authority.
81. Section 5.5.2 covers Endangered Species Habitat. The plan states that where endangered or threatened species habitat is identified in Lanark County then the following policies shall apply:
- a. Development and/or site alteration is prohibited in significant habitat of endangered or threatened species as may be identified from time to time.
  - b. Approval authorities shall, subject to federal or provincial legislation, refuse development applications where the development review process, which can include an Ecological Site Assessment, confirms the existence of significant habitat of endangered or threatened species as approved by the Ministry of Natural Resources.
  - c. Notwithstanding sub-sections 1 and 2 above, development and site alteration may be permitted on lands within 120 metres of the habitat of endangered or threatened species provided it has been demonstrated through an Environmental Impact Statement (EIS) that there will be no negative impacts on the natural features or the ecological functions for which the area is identified.
82. Section 7.0 address Public Health and Safety. The SCOP identifies floodplains as a constraint to development. It further states "promoting quality of life and self-sufficiency for our citizens requires that all development be carried out in a manner which ensures that life, safety and economic welfare be protected."

83. Section 7.3.2 notes that development and site alteration are prohibited in areas subject to a floodplain, however the floodplain can be refined based on detailed local topographic surveying in accordance with Section 7.3.1.3.
84. It has not yet been established that there will be no negative impacts on the adjacent provincially significant wetland. There is no indication of the impact that the development may have on the non-designated wetland. As per the plan policies, these impacts should be considered and a plan to conserve, or ideally rehabilitate, should be part of the development. Lastly, it is unclear if impacts on fish habitat or significant endangered species habitat have been adequately addressed.
85. The development has failed to fully refine the floodplain, including the open technical questions presented by the Conservation Authority. Development is currently proposed within the floodplain which does not conform to the Official Plan. Approval of the development should not be granted until the constraints that would impact the lot fabric and layout are fully defined and understood.

**Issue 14: Does the proposed draft plan of subdivision have appropriate regard for the matters and criteria to be addressed pursuant to s. 51(24) of the *Planning Act*?**

86. Section 51(24) of the *Planning Act* requires that, in considering a draft plan of subdivision, regard shall be had to a number of criteria. The relevant criteria, in my opinion, will be discussed in order.
87. Criterion (a) requires consideration of the effect of development of the proposed subdivision on matters of provincial interest as referred to in Section 2 of the *Planning Act*. As discussed earlier in this witness statement, there are matters in Section 2 that remain unaddressed and, without more conclusive information, the subdivision should not be approved.
88. Criterion (b) requires consideration of whether the proposed subdivision is premature or in the public interest.
89. In my professional opinion, this criterion is the one that most clearly encapsulates why the subdivision that is before the Tribunal should not be approved. There are several reasons why the proposed subdivision should be considered premature that have been articulated elsewhere in this witness statement, but they will be reiterated in the following paragraphs.
90. The second bridge is required to alleviate concerns from a traffic and public safety perspective. While the applicant's proposal to include a second bridge is positive, and it may be possible to construct, there is no assurance that the bridge can be located exactly where it has been shown on the revised concept plan. The bridge will require the completion of an environmental assessment and negotiations between two separate municipalities and the County of Lanark. There is no assurance that these stakeholders agree to construct the bridge where proposed, if at all.

91. The second bridge is a fundamental part of the feasibility of redeveloping the golf course with the intensity of development that has been proposed. If the bridge needs to be sited in another location, this may impact the proposed road layout/network, lotting pattern, and overall developable area. It is therefore premature to consider approving the subdivision without first knowing where the new bridge is going to be located.
92. It also must be noted that the proposed 'twinning' of the Peter Street bridge will also require the completion of an environmental impact assessment. The feasibility of the twinning may also impact the overall lot layout and road network being proposed.
93. The application is proposing cutting and filling to alter the elevation of the current floodplain to facilitate the subdivision. Currently, portions of the stormwater management facilities are located within the floodplain. The applicant has not yet applied for a cut/fill permit from the RVCA, and it is therefore not known if a permit will be granted. Therefore, portions of the development as currently proposed, are located within the floodplain. If the permit is not granted, the subdivision layout will need to change. Again, it is premature to approve the subdivision without the knowledge that a cut/fill permit is achievable.
94. The applicant has now proposed to include a 0.61-hectare affordable housing block. There has not been enough detail provided with respect to number of units/unit mix for the proposed affordable units to determine if what is being envisioned is appropriate. Approving the subdivision without more information on the proposed affordable units is premature.
95. A constraints map, which is typically included in an Environmental Impact Study/Assessment, provides a visual representation of environmentally sensitive features or areas on a site and is used to inform a subdivision or site layout. No constraints map was provided with the application for subdivision. Mr. West prepared various constraints maps and concluded that the level of significant wildlife habitat proposed to be removed is not appropriate. It is premature to approve the subdivision without agreement between the natural heritage experts on how much significant wildlife habitat is appropriate to remove.
96. Lastly, as per the EIS that was included with the revised submission, a net benefit permit from the MECP will be required. There is no certainty that the net benefit permit can be issued for the development as proposed.
97. Criterion (c) requires consideration of whether the plan conforms to the official plan and adjacent plans of subdivision, if any.
98. As discussed, the proposed plan does not conform to the County's official plan, in particular policies related to natural heritage, natural hazards and public health and safety. As discussed by Ms. Bowes, the proposed plan also does not conform to the Town of Perth Official Plan.
99. Criterion (d.1) requires consideration of, if any affordable housing units are being proposed, the suitability of the proposed units for affordable housing.

100. As discussed in several areas in this witness statement, the suitability of the proposed units cannot be evaluated because no further information has been provided in this regard beyond the proposed 0.61-hectare block.
101. Criterion (h) requires consideration of conservation of natural resources and flood control.
102. As discussed, the subdivision application that is currently being advanced is showing dwellings, roads and stormwater management facilities within the 100-year floodplain. In the event that a cut/fill permit is not issued by the RVCA, the subdivision will not be able to be constructed as designed.

**Issue 15: What revisions, if any, need be made to the Draft Plan of Subdivision prior to approval?**

103. As discussed in this witness statement, there are several elements of the proposal that should be revised, from the County of Lanark perspective, related to *Planning Act* matters, PPS consistency and SCOP conformity. The revisions relate directly to the reasons for considering the subdivision premature in my professional opinion.
104. The draft plan needs to be revised in order to:
- a. provide for appropriate development phasing, build-out timelines/milestones, including the appropriate timing for major infrastructure upgrades together with capacity monitoring;
  - b. confirm the location and extent of the Tay River crossings;
  - c. confirm the floodplain;
  - d. confirm the endangered species habitat constraints as determined through an MECP Net Benefit Permit;
  - e. provide an appropriate affordable housing strategy; and
  - f. to address Town of Perth Official Plan conformity.

**Issue 16: What conditions of draft plan approval should be applied in accordance with s. 51(25) of the *Planning Act*?**

105. In my professional opinion, a phased approach should be pursued. Further to the revisions that are required, in my professional opinion, it would be reasonable to provide draft plan approval on a first phase, provided that other technical matters have been addressed, on the lands already designated residential.
106. Future development of the lands could be facilitated by an Official Plan Amendment to redesignate the lands designated Special Study Area to Residential.
107. Zoning should be used to implement the build out of the golf course lands. In my professional opinion, it would be reasonable to require that a holding symbol be placed on the balance of the lands that are not able to be developed in the absence of a second bridge.



**Issue 17: Would the approval of the applications constitute good planning in the greater public interest?**

108. It is agreed and understood that some form of redevelopment is going to occur on the Perth Golf Course. However, approval of the draft plan of subdivision that is before the Tribunal would be premature for several reasons. First and foremost, development of this scale can only be accommodated by the construction of a second Tay River crossing. The location of the second crossing can only be confirmed through the completion of the Municipal Class Environmental Assessment process. Until the EA process is completed, the subdivision road network, lot fabric, and developable area remains uncertain and subject to change.
109. It is not a reasonable expectation of a property owner that a jurisdiction/approval authority will accept a new bridge, simply because it is shown on a draft plan. There must be some form of agreement in principle (i.e., memorandum of understanding) that the new road connection is acceptable.
110. As currently proposed, the draft plan of subdivision includes roads, building lots and stormwater management facilities within the 100-year floodplain. While it may be permissible by the RVCA in due course, it is again presumptuous to assume that the RVCA will issue the cut/fill permit required to facilitate the development. This needs to be resolved prior to the approval of the draft plan.
111. Based on the evidence of Mr. West, the amount of significant wildlife habitat to be removed is not appropriate. As noted earlier, a net benefit permit from the MECP will be required to alter the significant wildlife habitat that is present on the subject lands. Whether a net benefit permit can be issued for the development, as proposed, is not known.
112. Without further information on the inclusion of affordable housing, it is not possible to make a determination in this regard as to whether or not there is an appropriate amount of affordable housing proposed.
113. With respect to the proposed 2024 PPS, the areas for which I have provided opinion remain largely unchanged. The draft 2024 PPS still directs development away from natural hazards and focuses on the protection of public health and safety. The 2024 PPS still aims to protect natural heritage and areas. The currently available draft changes proposed by the 2024 PPS do not impact my opinion on prematurity and appropriateness of the development as proposed.
114. Lastly, Lanark County, as approval authority, prior to issuing a decision on a draft plan of subdivision, needs to be satisfied that the concerns raised by all of the commenting agencies, including the local municipality and conservation authority, have been appropriately addressed. Relying on the expert evidence provided by the Town witnesses, there remain unresolved issues that should be addressed before draft plan of subdivision approval can be granted.

115. With the level of uncertainty that remains with the current draft plan of subdivision, it must be concluded that the approval would not constitute good planning in the greater public interest.

116. Approaching the redevelopment of the golf course in phases that can be accommodated by available infrastructure, availability to provide emergency services, and that can be reasonably absorbed by the market would be more appropriate. Approving a development that may require repeated extensions to the draft approval does not represent good land use planning in the public interest.

All of which is respectfully submitted.

A handwritten signature in black ink, appearing to read "A Hommik". The signature is written in a cursive, flowing style with a large initial "A" and a long, sweeping underline.

Anthony Hommik, MCIP, RPP



# ANTHONY HOMMIK

MCIP, RPP

Manager – Planning Services | Senior Planner

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## Experience

12 years (2 years with Jp2g)

2022 – Present: Jp2g Consultants Inc., Manager  
– Planning Services | Senior Planner

2017 – 2022: Concert Properties, Senior  
Development Manager

2013 – 2017: City of Toronto, Planner/Assistant  
Planner

2012 – 2013: City of Toronto, Facilities Planning  
Specialist

## Languages

English

## Education

Master of Urban and Regional Planning,  
Queen's University, 2012

Bachelor of Arts in Geography (Honours),  
Queens University, 2010

## Associations

Canadian Institute of Planners - Member

Ontario Professional Planners Institute -  
Registered Professional Planner

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## Professional Profile

Anthony is a Registered Professional Planner and project manager with 12 years of experience in both the public and private sectors. His professional experience includes serving as a Senior Development Manager with Concert Properties in Toronto, where he was responsible for all municipal planning approvals including zoning by-law amendments, site plan control, consent, minor variance, and condominium applications. Prior to that, Anthony was a Planner with the City of Toronto where he evaluated and processed all types of planning applications. He has experience providing expert planning opinion evidence at the Ontario Municipal Board (now Ontario Land Tribunal). Anthony is skilled in effective communication and negotiation involving elected officials, community members, developers, consultants, and government agencies.

## Role and Responsibilities

As Manager of the Jp2g Planning department, Anthony oversees a six-person, multidisciplinary team including planners, GIS specialists and a biologist. As Senior Planner, Anthony is responsible for the research, preparation, and submission of planning applications, reports, and studies for Jp2g's public and private sector clients. He prepares materials such as Planning Justification Reports and oversees a full range of planning applications from Official Plan Amendments to Minor Variance applications. He is also responsible for the management of complex development applications involving multidisciplinary teams and multiple subconsultants.



# ANTHONY HOMMIK

MCIP, RPP – Manager – Planning Services | Senior Planner

## Relevant Project Experience

### MUNICIPAL PLANNING

#### **Official Plan Review and Update – Town of Renfrew, Ontario, 2023 - Present**

Jp2g has been retained by the Town of Renfrew to complete a review and update of the Town of Renfrew Official Plan. The review of the Official Plan will involve a background review for consistency with the Provincial Policy Statement, 2020 and the County of Renfrew Official Plan; consultations with Town and County Planners, Town Staff and Council; and agency and public engagement. A draft update OPA will be presented to Council to obtain their consent to proceed with the public open house and public meeting to receive comments on the draft document. Once comments have been received, any recommended changes to the draft OPA will be presented to Council for their consideration. Once Council is satisfied with the OPA, they will adopt the document and forward it to Renfrew County for final approval. Anthony is the Back-Up Project Manager and Senior Planner assigned to this project, and will be involved in public consultation, research, and policy development.

#### **Official Plan Review and Update – Town of Perth, Ontario, 2023 - Present**

Jp2g has been retained by the Town of Perth to complete a review and update of the Town of Renfrew Official Plan. The review of the Official Plan will involve a background review for consistency with the Provincial Policy Statement, 2020 and the County of Lanark Official Plan; consultations with Town and County Planners, Town Staff and Council; and agency and public engagement. A draft update OPA will be presented to Council to obtain their consent to proceed with the public open house and public meeting to receive comments on the draft document. Once comments have been received, any recommended changes to the draft OPA will be presented to Council for their consideration. Once Council is satisfied with the OPA, they will adopt the document and forward it to Lanark County for final approval. Anthony is the Back-Up Project Manager and Senior Planner assigned to this project, and will be involved in public consultation, research, and policy development. The Official Plan Review and Update will be followed by the review and update of the Town of Perth Zoning By-law.

#### **Official Plan Review & Update – Township of South Algonquin, Ontario, 2022 - Present**

Jp2g has been retained by the Township of South Algonquin to complete a review and update of the Official Plan. The review of the Official Plan will involve a background review for consistency with the Provincial Policy Statement, 2020; consultations with Township Staff and Council; agency engagement; and engagement with the public including the holding of a Special Public Meeting and Open Houses. A Draft Update OPA will be presented to Council to obtain their consent to proceed with the public open house and public meeting to receive comments on the draft document. Once comments have been received, any recommended changes to the draft OPA will be presented to Council for their consideration. Once Council is satisfied with the OPA, they will adopt the document and forward it to the Ministry of Municipal Affairs for final approval. Anthony is the Back-Up Project Manager and Senior Planner assigned to this project, and will be involved in public consultation, research, and policy development.

#### **Planning Services, County of Lanark, Ontario, 2022 - Present**

Jp2g has been providing professional planning services to the County of Lanark for several years and Anthony began working with the County in 2022. Anthony's services for the County of Lanark include peer reviews for subdivision applications, including the preparation of technical reports to the County Economic Development Committee; file review and preparation of staff reports for Land Division Committee; and assistance with policy development and the preparation of Requests for Proposals. Anthony also provided more fulsome planning locum services to the County for several months in 2023 when the County was without any planning staff. During that period, Anthony fulfilled all the job duties of the County Planner, including organizing pre-consultation meetings; reviewing and circulating files; and liaising with lower tier staff on various subdivision and consent files.



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## **South Algonquin Planning Services, Township of South Algonquin, Whitney, Ontario, 2021 - Present**

Jp2g was awarded a Standing Offer Agreement (SOA) with the Township of South Algonquin for professional planning services. Under the SOA, Anthony provides a range of planning services in support of the Municipality's efforts to address day-to-day and long-term planning requirements. Anthony reviews and provides reports to Council and Committee of Adjustment on zoning by-law amendment, consent, and minor variance applications. He also reviews and provides feedback to Township staff on pre-application inquiries for various planning applications as well as building permit applications.

## **Hastings Street Trunk Sewer Extension Preliminary Design and Water Distribution System Assessment, Town of Bancroft, Ontario, 2022**

Jp2g was retained as a sub-consultant to the Greer Galloway Group as part of an assessment of potential sewer and water upgrades in the Town, including the possibility of extending full municipal services to the northern Town boundary. As Senior Planner, Anthony was responsible for developing a population/growth forecast to support the study.

## **Extension of Enbridge Natural Gas Facilities, Township of North Algona Wilberforce, Ontario, 2022**

The Township of North Algona Wilberforce retained Jp2g for professional planning advice on the proposed expansion of Enbridge natural gas facilities through a portion of the township. Anthony prepared a report to Council assessing the potential benefits and issues associated with entering into an agreement to provide gas service to the Township.

## **LAND DEVELOPMENT**

### **Quinte Health Care Prince Edward County Memorial Hospital Site Redevelopment, Ontario, 2022 - 2023**

Jp2g is providing a full range of civil engineering services in support of the construction of the new Prince Edward County Memorial Hospital in Picton. Anthony oversaw a successful Minor Variance application to reduce several required building setbacks to facilitate the redevelopment.

### **King's Landing, Private Client, Barry's Bay, Ontario, 2020 - Present**

Jp2g is providing professional services for a subdivision application in Barry's Bay in the Township of Madawaska Valley. The draft plan of subdivision currently contemplates approximately 78 units on an 18.5-acre waterfront property on Kamaniskeg Lake. Work included a Planning Justification Report, a preliminary engineering analysis, an archeological assessment, and an environmental impact study. Anthony is the Project Manager on this project, and he was also responsible for attendance and a presentation at the public meeting. Anthony secured draft approval for the subdivision in 2023.

### **Black Bay Road Subdivision, Private Client, Petawawa, Ontario, 2020 - Present**

This project involves a draft plan of subdivision application for a 56-lot residential subdivision on a 41-acre property in Petawawa. Jp2g was retained to provide Planning, Engineering, Environmental, and Project Management services. Anthony is the Project Manager and Senior Planner overseeing the project. The subdivision application was submitted in 2023 and is working its way through the approval process.

### **River Road Estates, McNab/Braeside, Ontario, 2022 - Present**

Anthony is the Project Manager for this rural residential subdivision and associated Official Plan Amendment. He presented at the public meeting for the Official Plan Amendment. The 24-acre subdivision will contain 23 residential lots just outside the Town of Arnprior. The Official Plan Amendment was adopted in 2022 and the subdivision application was submitted in 2023. The subdivision application is currently working its way through the approval process.



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## **Lakewoods Development - Phase II and III, Private Client, Barry's Bay, Ontario, 2020 - Present**

This multi-phased development currently involves two active draft plan of subdivision applications for 7 waterfront and 22 'back lots' on and adjacent to Bark Lake in the Township of Madawaska Valley. Anthony is the Project Manager overseeing the subdivision application.

## **Laurentian Valley Subdivision, Private Client, Laurentian Valley, Ontario, 2022 – Present.**

Jp2g is providing professional planning services for the development of a 90-acre residential subdivision in the Township of Laurentian Valley on the border of the City of Pembroke. The overall concept involves a mix of apartment buildings, townhouses, semi-detached and detached dwellings with a total unit count of approximately 1,000 homes. A subdivision application for the first phase (156 units) was submitted in 2023 and is currently working its way through the approval process.

## **10 Brookdale Avenue Cornwall, Private Client, Cornwall, Ontario, 2022 - Present**

Jp2g is providing professional planning services for a two-tower, 500-unit residential condominium development on a former brownfield site in downtown Cornwall. Anthony is the Project Manager for this project, which involves a zoning by-law amendment and a site plan control application. Applications for Zoning By-law Amendment and Site Plan Control were submitted in 2023.

## **Former Morrison School, Private Client, Deep River, Ontario 2022 - Present**

Jp2g is providing professional planning and engineering services in support of a subdivision application for 12 townhouses on a former school site in Deep River. The subdivision received draft plan approval in 2024 and the first building is currently under construction. The project also involved an Official Plan and Zoning By-law Amendment to allow additional commercial uses in the former school building that has already been repurposed into a mixed commercial/residential building.

## **Matheson Drive Rezoning, Private Client, Pembroke, Ontario, 2021-2022**

Jp2g was retained by a private client to oversee an application for rezoning to permit a 22-townhome infill development in the east end of Pembroke. Anthony was responsible for the preparation of the Planning Justification Report and assembly of the application. He was also involved in the submission and approval of the associated site plan control application.

## **Industrial Site Plan, Private Client, Laurentian Hills (Chalk River), Ontario, 2022-2024**

Jp2g was retained by a private client to oversee site plan control applications for a site in Chalk River for uses that will support ongoing projects at Canadian Nuclear Laboratories. The first site plan application was to permit a portable concrete batch plant. The application involved liaison with the Ministry of Transportation and Town staff with respect to concerns from nearby residents. The second site plan application was to permit temporary office trailers and associated outdoor storage of materials. The second application also involved a zoning by-law amendment application that was approved in 2023.

## **Selected Additional Private Sector Development Projects:**

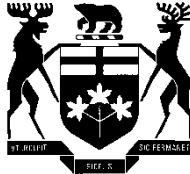
- H&H Construction, Petawawa: zoning by-law amendment and site plan control application to facilitate a landscape supply depot ancillary to an existing aggregate pit.
- H&H Construction / Hec Clouthier & Sons, Petawawa: official plan and zoning by-law amendment applications to permit the establishment of a logging hauler operation.
- VC Athletic Therapy, Petawawa: site plan control, lifting of holding symbol, part lot control to permit the development of a new standalone physiotherapy clinic.
- Petawawa Animal Hospital, Petawawa: zoning by-law amendment and site plan control application to permit the development of a new standalone animal hospital building within the Towns' industrial park
- Cavanagh Construction, Ashton: planning justification report and ARA summary statement in support of an application to establish a new Class A aggregate pit outside Renfrew.



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- Maynooth Station Lodge, Hastings Highlands: zoning by-law amendment to permit a 'glamping' establishment.
- Magenta Waterfront Development, Ottawa: vacant land condominium to facilitate the development of four new waterfront lots in South Frontenac.
- Hasanville Community Association, Madawaska Valley: zoning by-law amendment and site plan control applications to permit the development of a mosque.
- Ace Mini Storage, Pembroke: zoning by-law amendment and site plan to permit self-storage development.
- Habraken Homes, Petawawa: minor variance and part lot control to facilitate a four-unit townhouse development.
- M. Sullivan & Son, Arnprior: highest and best use analysis for large industrial/commercial landholding in Arnprior.
- Douwe and Enne Baker, Horton Township: three concurrent consent applications on three separate properties to create a total of eight new residential lots.
- Bonnechere Development, Renfrew: consent applications to create two new commercial lots outside Renfrew.



Ontario  
Ontario Land Tribunal  
Tribunal ontarien de l'aménagement du territoire

**Acknowledgment Of Expert's Duty**

OLT Case Number	Municipality
OLT-23-000534	Town of Perth

1. My name is...Anthony Hommik.....(*name*)  
I live at the City of Pembroke.....(*municipality*)  
in the .....(*county or region*)  
in the Province of Ontario.....(*province*)
2. I have been engaged by or on behalf of.....County of Lanark...( *name of party/parties*) to provide evidence in relation to the above-noted Ontario Land Tribunal ( `Tribunal` ) proceeding.
3. I acknowledge that it is my duty to provide evidence in relation to this proceeding as follows:
  - a. to provide opinion evidence that is fair, objective and non-partisan;
  - b. to provide opinion evidence that is related only to matters that are within my area of expertise;
  - c. to provide such additional assistance as the Tribunal may reasonably require, to determine a matter in issue; and
  - d. not to seek or receive assistance or communication, except technical support, while under cross examination, through any means including any electronic means, from any third party, including but not limited to legal counsel or client.
4. I acknowledge that the duty referred to above prevails over any obligation which I may owe to any party by whom or on whose behalf I am engaged.

Date...06/04/2024... Signature