

REGION OF OTTAWA CARLETON
 RÉGION D'OTTAWA CARLETON

REPORT
RAPPORT

Our File/N/Réf. 05-00.0002

DATE 28 March 2000

TO/DEST. Coordinator, Planning & Environment Committee

FROM/EXP. Planning and Development Approvals Commissioner

SUBJECT/OBJET **SUMMARY OF ASSIGNED FUNCTIONS:
 OFFICIAL PLAN AMENDMENTS, SUBDIVISIONS,
 CONDOMINIUMS, PART LOT CONTROL BY-LAWS,
 ZONING BY-LAWS, SITE PLANS AND SEVERANCES,
 AND APPEALS OF FOUR ZONING BYLAWS
 AND ONE COMMITTEE OF ADJUSTMENT DECISION**

DEPARTMENTAL RECOMMENDATION

That the Planning and Environment Committee and Council receive this report for information purposes and confirm the Planning and Development Approvals Department's appeal of four zoning bylaws (Annex V, VII & VIII) and one Committee of Adjustment decision (Annex VI).

PURPOSE

This report summarizes the activities of the Development Approvals Division concerning the assigned approval authority from the Minister of Municipal Affairs and Housing to Regional Council. Regional Council has further assigned certain functions to the Regional Planning and Development Approvals Commissioner.

This report is presented to Regional Planning and Environment Committee for information and deals with those assigned activities which have taken place since the last report was submitted.

Official Plan applications	- Annex I
Subdivision applications	- Annex II
Condominium applications	- Annex III
Part Lot Control By-laws	- Annex IV
City of Gloucester Comprehensive Zoning Bylaw #333 of 99 Appeal Report	- Annex V
City of Gloucester Committee of Adjustment Canril/NCC Appeal Letter	- Annex VI
Township of Goulbourn Comprehensive Zoning Bylaw #40 of 99 Appeal Report	- Annex VII
City of Ottawa Zoning Bylaws # 5 & 6 Appeal Report	- Annex VIII
City of Nepean LOPA No. 16 Loblaw Properties Ltd. Appeal	- Annex IX

Comments on Area Municipal **Official Plan Amendments**

Regional approval of City of Nepean Local Official Plan Amendment No. 16 has been appealed by Loblaw Properties Limited (see Annex IX).

Comments on Area Municipal **Zoning By-laws** (Draft and Enacted)

The area municipalities have submitted 158 zoning by-laws and the Development Approvals Division has commented accordingly. Any Regional requirements will be secured at the time of site plan approval. Four zoning bylaws have been appealed (see Annex V, VII and VIII).

Comments on Area Municipal **Site Plans**

The area municipalities have submitted 151 site plans to the Development Approvals Division for review and comment.

Comments on **Severance Applications** and Monitoring of Decisions

In accordance with the Minister's delegation, the Development Approvals Division has reviewed and commented on 336 severance applications from the Rural Alliance Severance Committee and the local Committees of Adjustment. One Committee of Adjustment application has been appealed (see Annex VI).

CONSULTATION

The public consultation process was not applicable for this information report.

FINANCIAL IMPLICATIONS

Where applicable, processing fees provide significant cost recovery.

Approved by
N. Tunnacliffe, MCIP, RPP

Attach. (9)

ANNEX I

Since the date of the last report, the following official plan amendments have been submitted to the **Development Approvals Division for review and approval.**

MUNICIPAL OFFICIAL PLAN AMENDMENT No. and RMO FILE No.	MUNICIPALITY AND SITE LOCATION	DATE RECEIVED	PURPOSE OF AMENDMENT
Amendment No. 23 14-98.0032	Osgoode Pt Lot 1, Con 9, (OF) Parts 2 & 3, 4R- 13964	Prel. Subm. 98/09/15 Formal Subm. 99/07/29 “complete” as per Bill 20 99/07/29	Undisputed LOPA Approved 99/08/31 As per Bill 20 Amend site specific policy to “Limited Development”
Amendment No. 5 14-98.0033	Osgoode Potential Shopping Centre outside the Village of Greely 8.16 ha (20 ac) Pt Lot 6 Con 5 SE corner Parkway & Reg Rd 31	Prel. Subm. 98/09/23 Formal Subm. 99/06/30 “complete” as per Bill 20 99/07/13	Undisputed LOPA Approved 99/09/02 As per Bill 20 From “Agricultural Resource” To “CC-1 Community Core - Special Policy Area” to permit a shopping centre on Regional Road 31, & to expand the Village boundary, & to amend policies

MUNICIPAL OFFICIAL PLAN AMENDMENT No. and RMOC FILE No.	MUNICIPALITY AND SITE LOCATION	DATE RECEIVED	PURPOSE OF AMENDMENT
Amendment No. 45 14-98.0038	Kanata Blk 120, Plan 4M-789 opposite Loblaws northwest corner of Terry Fox & Campeau	Formal Subm. 98/12/29 “complete” as per Bill 20 98/12/30	Disputed LOPA OMB Approved 99/12/03 (under review) Divisional From: “Neighborhood Commercial-Special Policy Area” (CN-4) To: “Community Commercial- Special Policy Area” (CC-3) To permit shopping centre
14-99.0006 Amendment No.51	Kanata The proposed regional shopping centre located north of the interchange of Terry Fox Dr & Highway 417	Prel. Subm. 99/04/15 Formal Subm. 99/06/29 “complete” as per bill 20 99/07/09	Disputed LOPA OMB Appeals 99/07/27 Devine 99/08/04 Houser 99/08/09 Butler To set out policies for the proposed regional shopping centre located north of the interchange of Terry Fox Dr & Highway 417
14-99.0007 Amendment No.50	Kanata Blk 6, M 310 On Hearst Way, immediately south of the east bound off- ramp at Eagleson Rd & Highway 417	Prel. Subm. 99/02/19 Formal Subm. 99/06/21 “complete” as per bill 20 99/07/16	Undisputed LOPA Approved 99/08/24 As Per Bill 20 To: amend “Low Density Employment Area” to allow hotel and suites hotel as permitted uses

MUNICIPAL OFFICIAL PLAN AMENDMENT No. and RMOC FILE No.	MUNICIPALITY AND SITE LOCATION	DATE RECEIVED	PURPOSE OF AMENDMENT
Amendment No. 27 14-99.0009	Gloucester Part of Lots 28 & 29 Con BF between River Road & Spratt Road	Prel. Subm 99/03/11 Formal Subm. 99/10/15 “complete” as per bill 20 99/10/15	Undisputed LOPA Approved by PDAD Comsrs. 99/11/19 Appeal Period ends per Bill 20 on 99/11/18 & in effect 99/11/19 From: “Agricultural” To: “Limited Development”
14-99.0012 Amendment No. 71	West Carleton Pt Lot 26 Con 3(F) 50 acres	Prel. Subm. 99/04/01 Formal Subm. 99/07/22 “complete” as per bill 20 99/07/26	Undisputed LOPA Approved 99/08/19 As Per Bill 20 To permit an expansion of the Madawaska golf course along Hwy 417 realignment area and amend the text for “Agricultural Resource”
14-99.0015 Amendment No. 26	Gloucester Ogilvie Road at Aviation Parkway 0.4 ha	Prel. Subm. 99/05/17 Formal Subm. 99/07/09 “complete” as per bill 20 99/07/09	Undisputed LOPA Approved 99/08/03 As per Bill 20 From “Open Space” To “Institutional” to permit a church.

MUNICIPAL OFFICIAL PLAN AMENDMENT No. and RMOC FILE No.	MUNICIPALITY AND SITE LOCATION	DATE RECEIVED	PURPOSE OF AMENDMENT
14-99.0017 Amendment No.25	Gloucester Textual changes	Prel. Subm. 99/05/11 Formal Subm. 99/06/25 “complete” as per bill 20 99/07/08	Undisputed LOPA Approved 99/11/02 As per Bill 20 To allow 18m ROW’s for local streets
14-99.0025 Proposed Amendment	Ottawa 600 Peter Morand Crescent	Prel. Subm. 99/08/03	To adopt Site Specific Policy to permit establishment of offices & allows uses to complement adjacent medical/hospital complex
14-99.0026 Proposed Amendment	Ottawa 1530 Fisher Avenue	Prel. Subm. 99/08/20	To change land use from residential to commercial to permit commercial use
14-99.0027 Proposed Amendment	West Carleton Highway 417 Interchange Lot 26, Con 2	Prel. Subm. 99/08/13	To adhere to interchange uses in the new proposed OP & Reg. OP
14-99.0028 Proposed Amendment	Kanata 2750 Dunrobin Rd. Lot 4, Con 4	Prel. Subm. 99/09/14	Redesignate from Agriculture Resource to General Rural
Amendment No.28 14-99.0029	Gloucester Does not affect any specific property	Prel. Subm. 99/10/01	To establish criteria for development of snow disposal facilities
Amendment No.19 14-99.0030	Ottawa Does not affect any specific property	Prel. Subm. 99/09/27	To make non-substantive changes to City of Ottawa Official Plan

MUNICIPAL OFFICIAL PLAN AMENDMENT No. and RMOC FILE No.	MUNICIPALITY AND SITE LOCATION	DATE RECEIVED	PURPOSE OF AMENDMENT
Amendment No.29 14-99.0031	Gloucester Does not affect any specific property	Formal Subm. 00/01/05 “complete” as per Bill 20 00/01/06	To update polices relating to airport lands and airport constraints to bring Official Plan into conformity with Federal, Provincial & Regional requirements
Amendment No. 30 14-99.0032	Gloucester Seiveright Avenue Extension and Courtyard Crescent Parts of Lots 5, 6, and 7	Prel. Subm. 99/10/26 Formal Subm. 99/12/07 “complete” as per Bill 20 99/12/08	Undisputed LOPA Approved 00/01/06 As per Bill 20 Redesignate from Highway Commercial to Residential and to rezone property from Industrial General to Residential Single
Amendment No.6 14-99.0033	Osgoode Lots 6-8, Con 4	Prel. Subm. 99/11/22	To partially lift Deferral 9 on Land use & Roads plan for Village of Greely
Proposed Amendment 14-99.0034	Gloucester Armstrong and River Roads	Prel. Subm. 99/11/24	Redesignate 2 parcels of land from Residential to Commercial
Proposed Amendment 14-99.0035	Kanata Part Lot 10, Con 3, South of Klondike & West of Goulbourn Forced Rd. Morgan’s Grant Phase 5B	Prel. Subm. 99/23/99	To permit development of fully- detached dwelling units within the entire phase 5B lands
Proposed Amendment 14-00.0001	Cumberland Rural	Prel. Subm. 99/03/31	Comprehensive Review of Rural Policies

MUNICIPAL OFFICIAL PLAN AMENDMENT No. and RMOC FILE No.	MUNICIPALITY AND SITE LOCATION	DATE RECEIVED	PURPOSE OF AMENDMENT
Proposed Amendment 14-00.0002	Kanata NW corner of Terry Fox and Goulbourn Forced Rd.Blk. 223, 4M-744	Prel. Subm. 00/02/01	Re-designate from commercial to residential
Amendment No. 38 14-00.0003	Ottawa 161 Laurier Ave.	00/03/17	Expand commercial transitional area to include individual properties.
Amendment No. 75 14-00.0004	West Carleton Village of Carp Glencastle/Donald Munro/Rivington.	Formal Subm. 00/03/17	Add units to village allocation.
Proposed Amendment 14-00.0005	Ottawa 525 Coventry Road	Prel. Subm. 00/02/17	Seek relief from site specific policy Section 14.5 i to accommodate retail office use.
Proposed Amendment 14-00.0006	Kanata NW corner of Goulbourn Rd. & Terry Fox (South March)	Prel. Subm. 00/03/07	From Neighborhood Commercial to Medium Density Residential-Special
Proposed Amendment 14-00.0007	West Carleton MacHardy Road (Fitzroy)	Prel. Subm. 00/03/10	Creation of lot on private road.
Amendment No. 76 14-00.0008	West Carleton Village of Constance Bay 161 Bishop Davis Dr.	Prel. Subm. 00/03/14	Policies to permit commercial garage
Amendment No. 16 14-98.0011	Nepean Merivale Road	Formal Subm. 99/05/20	Disputed LOPA OMB Appeal 00/03/16 Loblaw Properties To incorporate a secondary plan for the Merivale Road corridor.

SUBDIVISION APPLICATIONS**(including resubdivisions, revisions, resubmissions and extensions of draft plan approval)**

Since the date of the last report, the following **subdivision applications** have been submitted to the **Development Approvals Division for review and approval.**

OWNER NAME RMOC FILE NO. PROV. FILE NO.	MUNICIPALITY AND SITE LOCATION	DATE RECEIVED BY RMOC	NO. AND TYPE OF UNITS	STATUS OF FILE
Barry Hobin In Trust 15-98.SD19 06T-98019	Nepean Pt. Lot 16 Con 3 Acres Rd	98/10/30	2 Blks for 30 SD & TH units	P&DA Comssr. Draft Approved 99/10/18 after Appeal period ended per Bill 20
Minto Developments Inc 15-18.148(R5) O6T-86050	Kanata Part Lot 10, Con 3 Morgan's Grant Phase 5A	86/08/18	84 SF	P&DA Comssr. Draft Approved 99/10/19 after Appeal period ended per Bill 20
Kelly 15-99.SD08 06T-99008	Gloucester Pt Lot 1 Con 2(OF) & Blks 61-63 4M-643 EUC	99/06/04	4 SF	P&DA Comssr. Draft Approved 99/10/20 after Appeal period ended per Bill 20
Tartan Development Corp. 15-04.283(R4) O6T-89047	Nepean Part Lot 16, Con 2 (RF)	89/11/17	298 SF 40 TH	Draft Approval Extended to 01/10/09

OWNER NAME RMO FILE NO. PROV. FILE NO.	MUNICIPALITY AND SITE LOCATION	DATE RECEIVED BY RMO	NO. AND TYPE OF UNITS	STATUS OF FILE
Campanale 15-99.SD12 06T-99012	Ottawa Woodroffe Ave at Richmond Rd (former CP Railway row)	99/06/17 Complete as of 99/08/18 per Bill 20	18 SF	P&DA Comssr. Notice of Decision 99/11/16
Hiawatha River 15-99.SD13 06T-99013	Gloucester Blks 238 & 239 RP 288 Roslyn Ave EUC	99/09/27 Complete as of 99/11/18 per Bill 20	12 SF	P&DA Comssr. Notice of Decision 00/02/16
Earl Charles Henry Thomas, Gerald Leonard Thomas 15-99.SD15 06T-99015	Nepean Pt. Lot 13 & 14, Con. 2, OF 70 Corkstown Rd.	99/08/09 Complete as of 99/08/16 per Bill 20	53 SF	P&DA Comssr. Notice of Decision 99/11/16
Signature Ridge Developments Inc. 15-99.SD16 06T-99016	Kanata Blk. 1 4M-790	99/08/06 Complete as of 99/08/16 per Bill 20	73 SF	Under Circulation
Marchvale Developments Ltd. (D. Faulkner) 15-99.SD17 06T-99017	Kanata Parts of Lot 15, Con. 1 & 2 Formerly part of Bannockburn Park	99/09/02 Complete as of 99/09/15 per Bill 20	34 SF	P&DA Comssr. Notice of Decision 99/12/15
Sunoco Inc. 15-99.SD18 06T-99018	Ottawa Part lot 3, Con.5 Johnston Rd.	99/09/21 Complete as of 99/09/29 per Bill 20	40 SF 58 SD	P&DA Comssr. Notice of Decision 99/12/27

OWNER NAME RMO FILE NO. PROV. FILE NO.	MUNICIPALITY AND SITE LOCATION	DATE RECEIVED BY RMO	NO. AND TYPE OF UNITS	STATUS OF FILE
Uniform Urban Developments 15-99.SD19 O6T-99019	Nepean 3304 Carling Avenue	99/09/29 Complete as of 99/10/04 per Bill 20	8 Row	P&DA Comsr. Notice of Decision 00/01/03
Tartan Land Corp. 15-99.SD20 O6T-99020	Nepean Part lots 15, 16, Con.1 Planning Area 4	99/10/05 Pre- consultation meeting	375 SD	Preliminary Discussion
Minto Developments 15-99.SD21 O6T-99021	Gloucester Jeanne D'Arc Plateau	99/10/07 Pre- consultation meeting	159 SD	Preliminary Discussion
Claridge Homes 15-99.SD22 O6T-99022	Ottawa Blk. 9 4M-997 Hunt Club Enclave	99/10/20 Complete as of 99/12/20 per Bill 20	52 SF	P&DA Comsr. Notice of Decision 00/03/19
Claridge Homes 15-99.SD23 O6T-99023	Ottawa Lots 1-99, Blk. 100 4M-1031 Blk. 1 4M-1032 710 Montreal Rd.	99/11/23 Complete as of 99/11/30 per Bill 20	148 SF 110 Row	P&DA Comsr. Notice of Decision 00/02/28
Signature Ridge Developments Inc. 15-99.SD24 O6T-99024	Kanata Blks. 9, 10, 12-14, 18, Part Blk. 17, 19, 20, 27 4M-790 Goldridge Drive	99/10/27 Complete as of 99/11/09 per Bill 20	219 SF 157 SD	P&DA Comsr. Notice of Decision 00/02/08

OWNER NAME RMO FILE NO. PROV. FILE NO.	MUNICIPALITY AND SITE LOCATION	DATE RECEIVED BY RMO	NO. AND TYPE OF UNITS	STATUS OF FILE
Olympia Homes 15-99.SD25 O6T-99025	Kanata Part lot 30, Con. 12, Blk. 40 4M-405 Young Road	99/11/05 Complete as of 99/11/09 per Bill 20	28 Rows	P&DA Comsr. Notice of Decision 00/02/09
West Ridge Estates Phase 3B 15-99.SD26 O6T-99026	Goulbourn Lot 22, Con. 11, Blk. 111 & 112 4M-1057	99/12/01 Complete as of 99/12/10 per Bill 20	133 SF	P&DA Comsr. Notice of Decision 00/03/10
1120919 Ontario Inc. - Phoenix Homes 15-99.SD27 O6T-99027	Ottawa Part Lots 24 & 25, Con. 1 711-713 Montreal Rd.	99/11/18 Pre- consultation meeting	38 SF 42 SD 70 Row	Letter "received" as per 99/12/16
Rivard 15-99.SD28 O6T-99028	Cumberland Part West Half Lot A, Con.9	99/11/26 Complete as of 99/12/09 per Bill 20	101 SF 46 SD	P&DA Comsr. Notice of Decision 00/03/09
Claridge 15-98.SD17 O6T-98017	Ottawa Station Boulevard	99/02/15 "Complete" as per Bill 20 99/02/18	50 Row	P&DA Comsr. Draft Approved 99/09/03 after Appeal period ended per Bill 20
Urbandale 15-94.0513(R1) O6T-94046	Gloucester Pt Lot 20 Con 1(RF) South Urban Centre	95/07/06	UB2 494 Mixed Res. 1 Blk. Apt 2 Blks Com	P&DAD Comsr. Draft Approved 99/12/09 Old Act

OWNER NAME RMO FILE NO. PROV. FILE NO.	MUNICIPALITY AND SITE LOCATION	DATE RECEIVED BY RMO	NO. AND TYPE OF UNITS	STATUS OF FILE
Richcraft Homes 15-04.284 (5) 06T-89060	Nepean Pt. N1/2 Lot 16 Con 2 (RF) Woodroffe Estates	89/12/22	15 Blks 115 SD 68 TH 1 Blk INST	Draft Approval Extended to 01/11/30
Claridge Homes 15-97.SD13 06T-97013	Kanata Westcreek Meadows Pt. Lot 30 Con 11	97/12/18 Complete as of 98/01/07 per Bill 20	77 TH 20 SF	P&DA Comsr. Draft Approved 99/10/27
Monarch Const. 15-98.SD14 06T-98014	Nepean Pt. Lots 9-12 Con. 2 (RF)	98/12/04 Complete as of 98/12/08 per Bill 20	233 SF 2 Blks 99 Multiple Attached for a total of 332 units 5 Blks Golf 3 Blk Future 3 Blks. Park	P&DA Comsr. Draft Approved 99/09/08
Jordel Acres Dev. 15-98.SD04 06T-98004	Rideau N1/2 Lot 22 Pt Lot 21 & Pt of Con 2	99/09/07 Complete as of 99/09/09 per Bill 20	9 SD 3 Blks Com 3 Blks Ind	Under Circulation
Marchvale Developments Ltd. 15-99.SD17 06T-99017	Kanata Pt. Lt. 15, Con 1 & 2	99/09/02 Complete as of 99/09/15 per Bill 20	34 SF	P&DA Comsr. Draft Approved 00/01/05

OWNER NAME RMOc FILE NO. PROV. FILE NO.	MUNICIPALITY AND SITE LOCATION	DATE RECEIVED BY RMOc	NO. AND TYPE OF UNITS	STATUS OF FILE
Foster Field 15-00.SD01 06T-00001	Rideau NE Lot 1, Con 1 (Marlborough)	00/01/07 Pre- consultation meeting	5 SF	Preliminary Discussion
Legault Builders 15-00.SD02 06T-00002	Gloucester SE Corner of Belcourt & Jean D'Arc Blvd.	00/01/04 Pre- consultation meeting	36 Single- detach 46 Semi- detach	Preliminary Discussion
1343480 Ontario Ltd. Beddoe Lane Homes 15-00.SD03 06T-00003	Gloucester 36 Beddoe Lane	00/02/11 Pre- consultation meeting	15 SF	Preliminary Discussion
Claridge Building Corp. 15-00.SD04	Ottawa Pt. Lts. 23 & 24, Con 2 (OF)	00/02/24 Complete as of 00/03/13 per Bill 20	150 Row 250 Apt	Under Circulation
Genstar Dev. Walden Village 15-00.SD05 06T-00005	Kanata Pt. Lot 6, Con 2	00/03/09 Complete as of 00/03/20 per Bill 20	143 Single- detach 46 Semi- detach 45 Row	Under Circulation
Jock River Farms Ltd. 15-98.SD08 (R1) 06T-98008	Nepean Part Lot 17, Con 2	98/03/26	86 SF 20 Blks	4M-1046 Registered 99/07/15

OWNER NAME RMOc FILE NO. PROV. FILE NO.	MUNICIPALITY AND SITE LOCATION	DATE RECEIVED BY RMOc	NO. AND TYPE OF UNITS	STATUS OF FILE
Ashcroft Developments Inc 15-92-0207 06T-92026	Ottawa Part Blk 6, Lots 20 & 21, Part Lot M & N, Con A	93/01/08	47 Lots 17 Blks	4M-1047 Registered 99/07/21
Minto Developments 15-97.SD08 06T-97008	Gloucester Upper Hunt Club - Stage 5	97/07/04	59 SF	4M-1048 Registered 99/07/30
Claridge Homes (Queens Pointe) Inc. 15-95.0015 06T-95007	Cumberland Part Lot 1, Con 9 NW corner of Innes Rd. and Trim Rd.	95/06/15	32 SF 8 Blks	4M-1049 Registered 99/08/30
Minto Developments 15-92-1801 06T-92002	Kanata Part Lot 27, Con 6 Bridlewood	92/02/06	Stage-4 Plan B 52 SF 14 Blks	4M-1050 Registered by OMB 99/09/02
Imasco Enterprises Inc. 15-93.1080 06T-93035	Kanata Part Lot 6, 7, Con 3	94/01/06	38 SF	4M-1051 Registered 99/09/03
1292025 Ontario Inc. 15-99.SD05 06T-99005	Nepean Pt Lot 20 Con 2 (RF) Longfields Barrhaven	99/03/12	3 Lots 14 Blks	4M-1052 Registered 99/09/08
Richcraft Homes Limited 15-02-381 (R2) 06T-86080	Ottawa 1900 Hunt Club Road Pt Lot 6 Con 4 (RF)	86/12/31	2 Blks for TH	4M-1053 Registered 99/09/13

OWNER NAME RMOC FILE NO. PROV. FILE NO.	MUNICIPALITY AND SITE LOCATION	DATE RECEIVED BY RMOC	NO. AND TYPE OF UNITS	STATUS OF FILE
F. Maguire- Westwind 15-92-3102 06T-92008	Goulbourn Part Lot 24, Con 9 (RP 5R-12548)	92/03/30	1 School Blk	4M-1054 Registered 99/09/23
Genstar 15-94-1806 06T-94002	Kanata Lot 6, Con 2 March	94/09/23	2 Blk TH Phase 2	4M-1055 Registered 99/09/28
Urbandale 15-93.1806(R4) 06T-93023	Kanata Pt Blks C-F, M-184 & Pt Lots 28 & 29 Con 6(RF)	93/07/27	1 School Blk 1 Park Blk Phase 5E	4M-1056 Registered 99/09/05
1048219 Ont Inc & Argue Holdings Inc 15-98.SD03(R2) 06T-98003	Goulbourn West Ridge Estates- Phase 3 Stittsville	98/07/02	117 SF 1 Park Blk Phase 3	4M-1057 Registered 99/09/06
Wainman Realty 15-30-58 06T-86039	West Carleton Part of NE ½ Lot 1 Con 3 Torbolton	86/07/04	36 SF	4M-1058 Registered 99/09/26
Urbandale 15-94.0513 06T-94046	Gloucester Pt Lot 20 Con 1(RF) South Urban Centre	95/07/06	96 Semi- detach UB1-2	4M-1059 Registered 99/11/01
Douglas Stuewe 15-12-99 06T-89015	Osgoode Part Lot 4, Con 2	89/04/19	10 SF	4M-1060 Registered 99/11/10
Minto 15-05.285 06T-87045	Gloucester Chapel Hill Pt Lot 6 & 7 Con 3(OFF) EUC	87/07/13	88 Blks for SF Stage 8	4M-1061 Registered 99/22/23

OWNER NAME RMO FILE NO. PROV. FILE NO.	MUNICIPALITY AND SITE LOCATION	DATE RECEIVED BY RMO	NO. AND TYPE OF UNITS	STATUS OF FILE
Trim Road Inc. (The Regional Group) 15-98.SD16 06T-98016	Cumberland Pt. Lot 2 Con.9 EUC Expansion Area	98/09/02	170 SF	4M-1062 Registered 99/12/08
Tartan Development Corp. 15-04.283(R4) 06T-89047	Nepean Part Lot 16, Con 2 (RF)	89/11/17	44 SF	4M-1063 Registered 99/12/08
Barry Hobin In Trust 15-98.SD19 06T-98019	Nepean Pt. Lot 16 Con 3 Acres Rd	98/10/30	2 Blks for 30 SD & TH units	4M-1064 Registered 99/12/08
SNDC Stage 2 Area A 15-95.0007 (R1) 06T-95005	Nepean Lts. 14 & 15, Con 2, RF Woodroffe & Strandherd	96/01/12	63 SF 9 Blks.	4M-1065 Registered 99/12/09
Claridge Building Corp. 15-98.SD17 06T-98017	Ottawa Pt. Lots 13 & 14 Junction Gore Station Boulevard	98/08/27	11 Blks	4M-1066 Registered 99/12/22
Imasco Enterprise (Cluster 8) 15-18-123 06T-85012	Kanata Pt Lot 5 & 6 Con 2 & 3	85/01/17	53 SD	4M-1067 Registered 99/12/24
Lindia Homes 15-97.SD04 06T-97004	Kanata Blk. B, Plan 897	97/05/12	8 Blks	4M-1068 Registered 00/01/07
Minto Developments Inc 15-18.148(R5) 06T-86050	Kanata Part Lot 10, Con 3 Morgan's Grant Phase 5A	86/08/18	74 SF	4M-1069 Registered 00/01/20

CONDOMINIUM APPLICATIONS**(including conversions, revisions, resubmissions and extensions of draft plan approval)**

Since the date of the last report, the following **condominium applications** have been submitted to the **Development Approvals Division for review and approval.**

OWNER NAME RMOF FILE NO. PROV. FILE NO.	MUNICIPALITY AND SITE LOCATION	DATE RECEIVED BY RMOF	NO. AND TYPE OF UNITS	STATUS OF FILE
Redwood Executive Townhomes 15-99.CD03 O6CDM99-503	Nepean Block F Monterey Drive	99/10/08	18 TH	Preliminary Discussion
Redwood Executive Townhomes 15-99.CD04 O6CDM99-504	Nepean Block G Monterey Drive	99/10/08	22 TH	Preliminary Discussion
Redwood Executive Townhomes 15-99.CD05 O6CDM99-505	Nepean Block K Monterey Drive & Costello Ave.	99/10/08	16 TH	Preliminary Discussion
Regional Group of Companies Inc. 15-99.CD06 O6CDM99-506	Ottawa Lot 2, Part Lot 1, South Laurier Ave. Lots 1 & 2, North Gloucester St.	99/12/17 "complete" per Bill 20 99/12/21	129 Apt	Under Circulation

OWNER NAME RMO C FILE NO. PROV. FILE NO.	MUNICIPALIT Y AND SITE LOCATION	DATE RECEIVED BY RMO C	NO. AND TYPE OF UNITS	STATUS OF FILE
Studio Argyle Inc. 15-00.CD01 06CDM-00-501	Ottawa Lot 16 & Part of Lot 15 RP 30 255 Argyle St.	00/01/04 "complete" per Bill 20 00/01/11	40 Apts	Under Circulation
Retirement Life Communities 15-00.CD02 06CDM-00-502	Ottawa 480 Metcalfe St.	00/02/08	100 Apts	Application incomplete
Redevelopment Group Ltd 15-98.CD10 06CDM98-510	Ottawa Pt Lots 15 & 16 RP 42 174 Stanley Ave	98/12/31 "complete" per Bill 20 99/01/28	11 Apt	CC-613 Registered 99/08/05
Richcraft Homes Ltd. 15-02.456 06CDM89-518	Ottawa Pt Blk 260 4M-554 Blohm Dr	89/11/22	12 Apt Phase 8	CC-615 Registered 99/09/29
The Embassy Residence 15-97-CD07 06CDM97-507	Ottawa Pt Lot 44 R.P.15558	97/06/12	10 Apts	CC-618 Registered 99/12/23

PART LOT CONTROL BY-LAWS

Since the date of the last report, the following **Part Lot Control By-laws** have been submitted to the **Development Approvals Division for review and approval.**

OWNER NAME AND RMOC FILE NO.	MUNICIPALITY AND SITE LOCATION	BY-LAW NUMBER	DATE RECEIVED AND DATE APPROVED	PURPOSE OF PART LOT CONTROL BY-LAW
Richcraft South Growth Inc. 13-99.0040	Gloucester Blks 3, 4 & 5 4M-1043 City Park Drive- Ogilvie Walk	189-99	99/07/26 99/07/29	59 TH
Manchester Development Inc. 13-99.0041	West Carleton Lots 5, 9 & 13 4M-1044	46-99	99/08/06 99/08/10	An Easement to the Lake
Ashcroft Homes 13-99.0042	Cumberland Block 52 4M-954 Crown Pointe- Phase 3	64-99	99/08/09 99/08/11	10 free hold TH
1202574 Ontario Inc. 13-99.0043	Gloucester Block 3 4M-982	212-99	99/08/10 99/08/25	Row TH
Minto Development Inc. 13-99.0044	Gloucester Blks. 1 & 2 4M-808 Belcastle Court	217-99	99/08/13 99/11/10	11 SF

OWNER NAME AND RMOC FILE NO.	MUNICIPALITY AND SITE LOCATION	BY-LAW NUMBER	DATE RECEIVED AND DATE APPROVED	PURPOSE OF PART LOT CONTROL BY-LAW
Richcraft Homes 13-99.0045	Ottawa 2 Nobleton Ave. Blks. 93 & 94 4M-842	194-99	99/08/12 99/08/18	21 SF
Marco Properties 13-99.0046	Ottawa Parts 1-84 1-40 Marco Lane	193-99	99/08/19 99/11/09	84 units
Urbandale Corp. 13-99.0047	Kanata Blks. 20-28, 30, 31, 33-35 4M-1039 Phase 2, Village Green	142-99	99/08/20 99/08/23	93 TH
DES Construction- Springfield Heights 13-99.0048	Goulbourn 2 Blocks, 30 Lots 4M-1038 Between Kyle Ave. & Carp Rd. Stittsville	24-99	99/08/03 99/08/25	30 TH
Richcraft Homes 13-99.0049	Kanata Blks. 1-4, 15, 16 4M-847 Blk. 14 4M-917 Blackdome Cres. & Kalbrook St. in Marchwood- Lakeside	150-99	99/09/17 99/09/17	Creates 38 TH
Holitzner Homes/Nova Tech 13-99.0050	Goulbourn Blks. 306 & 313 4M-285 Riverbank Court Stittsville	28-99	99/08/25 99/08/27	4 TH

OWNER NAME AND RMOC FILE NO.	MUNICIPALITY AND SITE LOCATION	BY-LAW NUMBER	DATE RECEIVED AND DATE APPROVED	PURPOSE OF PART LOT CONTROL BY-LAW
Charlesfort Development Corp. 13-99.0051	Ottawa 405-407 MacKay St. Lot 20	XX	99/09/15	8 units
Brookfield Homes Ltd. 13-99.0052	Kanata Blks. 153-159 4M-1040	141-99	99/08/25 99/09/09	28 TH
Minto Development Inc. 13-99.0053	Kanata Blks. 58-63 4M-1050 Emerald Meadows	XX	99/09/07	87 TH Lot Creation
Claridge Homes 13-99.0054	Cumberland Blks. 36, 40, 41, 42 4M-1049 Ballantyne Drive	67-99	99/09/01 99/09/17	57 Rows
South Nepean Development Corp. 13-99.0055	Nepean Blk. 83 Parts 1-10 4M-1022 Chapman Mills Area A Stage 1	078-99	99/09/09 99/09/23	6 TH
632473 Ontario Ltd. 13-99.0056	Osgoode Lots 16-20, 30 4M-830	75-99	99/09/14 99/09/28	5 SF Res. Lots
Richcraft Homes 13-99.0057	Gloucester Blks. 2, 6, 8, 9 4M-1043 Ogilvie Walk Crescent	210-99	99/09/10 99/09/29	31 TH

OWNER NAME AND RMOC FILE NO.	MUNICIPALITY AND SITE LOCATION	BY-LAW NUMBER	DATE RECEIVED AND DATE APPROVED	PURPOSE OF PART LOT CONTROL BY-LAW
Minto Development Inc. 13-99.0058	Kanata Blk. 60 4M-1050 Stonehaven Drive, Emerald Meadows	XX	99/09/23	Addition to lots created by part lot ref. 13-99.0053
South Nepean Development Corp. 13-99.0059	Nepean Lots 97-103 4M-1041 Blks. 158, 159 4M-1023 Chapman Mills Area A Stage 1	086-99	99/10/04 99/10/06	9 Res. Lots
South Nepean Development Corp. 13-99.0060	Nepean Part Blk. 83 4M-1022 Chapman Mills Area A Stage 1	087-99	99/10/05 99/10/06	6 Multiple Attached units
Conroy Road Developments Inc. 13-99.0061	Ottawa Lots 1-3, 11, 13, 14 4M-996 303 Lorry Greenberg Drive	249-99	99/10/12 99/10/15	112 Semi-detached & TH units
Ashcroft Homes 13-99.0062	Ottawa Blks. 54, 57, 58 & 61 4M-1047	247-99	99/10/12 99/11/10	3 detached, 6 Semi-detached, 10 TH
Ashcroft Homes 13-99.0063	Ottawa Blks. 62-68 4M-1047	248-99	99/10/12 99/11/12	22 TH

OWNER NAME AND RMOC FILE NO.	MUNICIPALITY AND SITE LOCATION	BY-LAW NUMBER	DATE RECEIVED AND DATE APPROVED	PURPOSE OF PART LOT CONTROL BY-LAW
Minto Development Inc. 13-99.0064	Kanata Part Lot 27, Con.6 4M-1050	XX	99/11/03	Draft for 46 units
Claridge Homes Corp. 13-99.0065	Ottawa Part Blks. 83, 86, 87 & 115 4M-997	195-99	99/08/99 99/11/12	4 SF
Claridge Homes (Clarion Hills) Inc. 13-99.0066	Kanata Part Blks. 2, 3 4M-790	173-99	99/11/09	8 Single-detached
Centerpointe Life Lease, Non-Profit Residence Inc., Marty Owens, Bell Barker 13-99.0067	Nepean Lot 1 4M-721 Meridian Place and Tallwood Drive	103-99	99/11/12	66 unit life lease Development
Tartan Land Corp. 13-99.0068	Nepean Blk. 56 Pt. Blk. 57 4M-979	100-99	99/11/17 99/11/23	6 Units - 2 Singles, 2 Doubles
1202574 Ontario Inc. 13-99.0069	Gloucester Blk. 2 4M-982	289-99	99/11/16	Row TH
Claridge Homes (Somerset) Inc. 13-99.0070	Ottawa Lots 25, 26, 26A S-15061 471 Cooper Street	270-99	99/11/24 99/12/09	17 TH
Claridge Homes (Hunt Club) Inc. 13-99.0071	Ottawa 340 Industrial Ave.	XX	Draft Comments	Draft Comments

OWNER NAME AND RMOC FILE NO.	MUNICIPALITY AND SITE LOCATION	BY-LAW NUMBER	DATE RECEIVED AND DATE APPROVED	PURPOSE OF PART LOT CONTROL BY-LAW
1292025 Ontario Inc. 13-99.0072	Nepean Lots 1-3 Blks. 4-7 4M-1052	107-99	99/11/30 99/12/01	5 Semi-detached units
Monarch Construction Ltd. 13-99.0073	Kanata Blks. 127, 128 4M-651	158-99	99/12/02 99/12/07	94 TH
South Nepean Development Corp. 13-99.0074	Nepean Part Lots 1-12 4M-1023 4M-1041	108-99	99/12/09 99/12/09	9 TH
Urbandale Corp. 13-99.0075	Cumberland Lots 29-46 & 48-58 4M-992 Lichen Ave.	97-99	99/12/13 00/01/05	22 Single-detached lots
Richcraft Homes 13-99.0076	Gloucester Blks. 103, 104, 116, 117 4M-1013 Marble Canyon & Otter Trail Cres.	290-99	99/12/16 00/01/12	50 SF
Valecraft Homes 13-00.0001	Kanata Lts. 67 to 78 4M-803	179-99	00/01/10 00/01/18	8 SF
Minto 13-00.0002	Kanata Blks. 53 to 57 4M-1050 Scissons Rd. & Sawyer Way	199-99	00/02/15 00/02/15	

OWNER NAME AND RMOC FILE NO.	MUNICIPALITY AND SITE LOCATION	BY-LAW NUMBER	DATE RECEIVED AND DATE APPROVED	PURPOSE OF PART LOT CONTROL BY-LAW
DCR/Phoenix 13-00.0003	Kanata Blks. 25, 26 & 27 4M-1015 Hemlo Cres. & Marchwood- Lakeside	200-99	00/01/18 00/01/28	8 SF
Kilian Corp. 13-00.0004	Kanata Blk. 1 4M-1000	3-00	00/01/20 00/01/21	6 Bungalows (attached)
Clyne Construction 13-00.0005	Nepean Blk. 1,2,3,4 & 5 M-195	5-00	00/01/24 00/01/25	2 Semi-detached
Claridge 13-00.0006	Cumberland Blks. 86 & 87 4M-1049	7-00	00/01/26 00/01/26	27 TH
Coscan Brookfield 13-00.0007	Cumberland Blk. 79 & Blks. 78,80,82,83,84 & 85 Trenholm Lane	6-00	00/01/25 00/01/26	62TH
Urbandale Corp. 13-00.0008	Cumberland Pt. Blks. 68 & 71 4M-992	11-00	00/02/10	Draft 19 TH
Castle Glen Dev. 13-00-0009	Kanata Blks. 1,2 & 11 4M-1068	6-00	00/02/03	48 Semi-detached
Castle Glen Dev. 13-00-0010	Kanata Blks. 3,6,7,8,9 & 10 4M-1068	6-00	00/02/03	86 Semi-detached
Minto 13-00.0011	Nepean Blk. 84 4M-1022	16-00	00/02/25 00/03/06	7 Multi-attached
Claridge Homes 13-00.0012	Ottawa Blks. 1 to 10,15 & 16 4M-1066	31-00	00/02/25 00/03/03	90 TH

ONTARIO MUNICIPAL BOARD
APPEAL SUMMARY REPORT

RE: Comprehensive Zoning By-law 333 of 99
City of Gloucester

Summary of the Appeal

On 14 December, 1999 the City of Gloucester passed a new comprehensive zoning by-law for the whole of the City of Gloucester under Section 34 of the Planning Act. The Notice of Passing of By-law 333 of 1999 was signed on 23 December, 1999 indicating an appeal period until 12 January 2000.

Specific parts of the zoning by-law do not conform to the ROP and should be appealed.

1. Ig (Institutional Government) zone for lands designated Waterfront Open Space in the ROP.

Delete the Ig zones where they correspond to lands designated Waterfront Open Space in the Regional Official Plan (ROP).

Grounds for Appeal

The ROP designates certain lands along the Ottawa and Rideau Rivers as “Waterfront Open Space”.

“Waterfront Open Space” development is restricted to open air recreation which does not affect the natural environment and small scale recreational, commercial or institutional ancillary uses which do not detract from the natural environment.

The range of uses permitted in the Ig zone (agriculture; horticulture; silviculture; a use that is owned and operated by the Federal, Provincial or Municipal Government or agency thereof, including the Airport Authority; passive recreation uses; and equestrian facilities) is too broad and goes beyond what the ROP permits and clearly does not conform to the Plan.

A more suitable zoning in the Gloucester by-law for the lands designated “Waterfront Open Space” would be OS (Open Space). The uses permitted in this zone would conform to the ROP.

Potential for Resolution

Regional staff have met with Gloucester staff to discuss the issue. The issue has not yet been resolved but further discussions between the Legal staff of Gloucester and the Region are planned to try to reach a solution to this issue.

2. Ig (Institutional Government) zone for lands within the greenbelt designated Agricultural Resource Area, Natural Environment A, Natural Environment B, and Greenbelt Rural.

Delete the Ig zones for lands within the greenbelt and designated Agricultural Resource Area, Natural Environment Area A, Natural Environment Area B, and Greenbelt Rural in the Regional Official Plan and replace them with the zones identified in the table below.

Grounds for Appeal

The ROP designates the lands within the Greenbelt as Agricultural Resource Area, Natural Environment A, Natural Environment B, and Greenbelt Rural.

The range of uses permitted in the Ig zone (agriculture; horticulture; silviculture; a use that is owned and operated by the Federal, Provincial or Municipal Government or agency thereof, including the Airport Authority; passive recreation uses; and equestrian facilities) is too broad and goes beyond what the ROP permits and clearly does not conform to the Plan.

A more suitable zoning in the Gloucester by-law for the lands within the greenbelt are proposed in the table below. The uses permitted in these zones conform with the designations in the ROP.

Regional Official Plan Designation	Proposed Zoning
Agricultural Resource	Ar2 (Agricultural Restricted 2)
Natural Environment A & B	OS (Open Space)
Greenbelt Rural	Ag (Agricultural General)

Potential for Resolution

Regional staff have met with Gloucester staff to discuss the issue. The issue has not yet been resolved but further discussions between the Legal staff of Gloucester and the Region are planned to try to reach a solution to this issue.

3. Ig (Institutional Government) zone for lands designated Sand and Gravel Resource Area Pt. Lot 21 Con III (RF) & Pt. Lots 23 & 24 Con. III (RF)

Delete the Ig zones for lands described as part Lots 21, 23, and 24 , Concession III (R.F.) and designated Sand and Gravel Resource Area in the ROP and replace them with the Me zone.

Grounds for Appeal

The ROP designates the area as Sand and Gravel Resource Area. The uses permitted in the Sand and Gravel Resource Area are limited to pits, wayside pits and portable asphalt plants, farming, forestry, conservation and natural resource management uses and single detached dwelling and accessory building on an existing lot.

The range of uses permitted in the Ig zone (agriculture; horticulture; silviculture; a use that is owned and operated by the Federal, Provincial or Municipal Government or agency thereof, including the Airport Authority; passive recreation uses; and equestrian facilities) is too broad and goes beyond what the ROP permits and clearly does not conform to the Plan.

The uses permitted in the Me (Industrial Extraction) zone conform to the ROP and are supported for lands designated “Sand and Gravel Resource Area” in the ROP.

A more suitable zoning in the Gloucester by-law for the lands designated “Sand and Gravel Resource Area” would be Me (Industrial Extraction). The uses permitted in this zone would conform to the ROP.

Potential for Resolution

Regional staff have met with Gloucester staff to discuss the issue. The resolution of the zoning of these properties depends on the outcome of discussions to resolve the Ig zoning appeal raised in points 1 and 2 described above.

4. Maximum Parking Provisions in the Vicinity of Rapid Transit Stations

Insert a maximum parking provision in the zoning by-law for lands in the vicinity of Rapid Transit Stations.

Grounds for Appeal

Section 9.4, policy 15 of the Regional Official Plan requires zoning by-laws to impose maximum parking space provisions for developments in the vicinity of rapid transit stations. Regional comments to municipalities doing comprehensive zoning by-law reviews have requested maximums for only three uses: offices, post secondary educational institutions and apartments. Of these uses only offices and apartments are relevant to the Gloucester by-law. The comprehensive by-law does not contain any maximum parking provisions for development in the vicinity of rapid transit stations and is therefore not in conformity with the ROP.

Potential for Resolution

Regional staff have met with Gloucester staff to discuss the issue. One solution Gloucester is considering is for Gloucester Council to approve an interim maximum parking provision in the by-law.

The interim provision would be in place until the Region in conjunction with affected local municipalities completes a study to address this issue.

5. Ag (Agriculture General) zone for E ½ Lot 27 Con. I (RF); S ½ Lot 29 Con. II (R.F.); N Pt. Lot 16 Con. IX (O.F.); S PT. Lots 18 & 19 Con. IX & X (O.F.).

Delete the Ag zones for lands described as E ½ Lot 27 Con. I (RF); S ½ Lot 29 Con. II (R.F.); N Pt. Lot 16 Con. IX (O.F.); S PT. Lots 18 & 19 Con. IX & X (O.F.) and replace them with the AR1 zone.

Grounds for Appeal

The ROP designation for these properties is “Agricultural Resource Area”. Permitted uses are limited to agriculture or uses related to agriculture. Severances are permitted only for farm related uses.

The Ag zone permits agricultural uses and a single dwelling. The minimum lot size is 0.8 ha. This does not conform to the ROP. A more appropriate zoning would be Ar1 which is similar to the zoning used for adjacent lands that are also designated “Agricultural Resource Area” in the ROP.

A more suitable zoning in the Gloucester by-law for the lands designated “Agricultural Resource Area” would be Ar1 (Agriculture Restricted 1). The uses permitted in this zone would conform to the ROP.

Potential for Resolution

Regional staff have met with Gloucester staff to discuss the issue. Gloucester staff have agreed to ask Gloucester Council to approve a zoning change for the lands in question to Ar1 (Agriculture Restricted) which would conform to the Regional Official Plan.

6. MA zone in the vicinity of the Macdonald Cartier International Airport

Delete the MA zone where it does not coincide with the Macdonald Cartier Airport designation on Schedule B to the ROP and replace it with OS and Ag for lands designated Natural Environment Area B and Greenbelt Rural respectively in the ROP.

Grounds for Appeal

The MA (Industrial Airport) zone for the airport does not match the Airport designation in the ROP. The lands in question are designated Natural Environment Area B and Greenbelt Rural in the ROP. Industrial uses are not permitted in these designations, therefore the zoning does not conform to the ROP.

A more suitable zoning in the Gloucester by-law for the lands designated Natural Environment Area B and Greenbelt Rural would be OS (Open Space) and Ag (Agriculture General) respectively. The uses permitted in this zone would conform to the ROP.

Potential for Resolution

Regional staff have met with Gloucester staff to discuss the issue. Gloucester staff have agreed to change the MA (Industrial Airport) zoning to reflect the fact that the lands are part of the Greenbelt. The proposed zoning for these lands will be determined by the resolution of the Ig (Institutional Government) appeal discussed in point 2 above.

7. Bearbrook Flood Plain

Show correct mapping of Bearbrook Flood Plain on the zoning schedules.

Grounds for Appeal

The flood plain is not shown accurately as a Constraint Area 1 on the zoning schedules for the Bearbrook. The latest version of the flood plain mapping for the Bearbrook should be shown on Schedule A of the by-law.

Potential for Resolution

Regional staff have met with Gloucester staff to discuss the issue. Gloucester staff have received the current flood plain mapping from the South Nation Conservation Authority and have agreed to ask Gloucester Council to approve the new flood plain mapping for the Bearbrook on Schedule A of the by-law.

8. Constraint Area 1 - Flood Plain

Distinguish flood plain mapping from other constraints on the zoning schedules.

Grounds for Appeal

Constraint Area 1 lands that are flood plain on Schedule A of the by-law should be shown as distinct from other other Constraint 1 areas in that requirements for flood plain are different from areas where structural and soils stability constraints apply. The zoning should indicate exactly which lands are affected by the flood plain. A separate overlay showing where the flood plain requirements apply would be more appropriate. Perhaps the flood plain could be identified as Constraint Area 3.

Potential for Resolution

Regional staff have met with Gloucester staff to discuss the issue. Gloucester staff have agreed to ask Gloucester Council to revise the text for Constraint Area 1 to indicate that development is not permitted in the flood plain.

RECOMMENDATION

That the Planning and Environment Committee recommend that Council confirm Regional staff's Ontario Municipal Board appeal of the City of Gloucester's Comprehensive Zoning By-law 333 of 1999 in the eight situations listed above , where the proposed zoning does not conform to the Regional Official Plan.

IN THE MATTER OF an application DP151/9954 b,
the National Capital Commission and Canril Corporation
to the Committee of Adjustment for the City of
Gloucester for a consent to sever respecting properties
legally described as Lots 20 and 21, Concession 3,
Ottawa Front, being Parts 1, 2, 3 and 4 on Reference
Plan 4R-12756

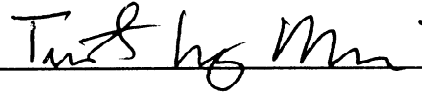
NOTICE OF APPEAL

The Regional Municipality of Ottawa-Carleton hereby appeals the decision of the Committee of Adjustment of the City of Gloucester to grant to the National Capital Commission and Canril Corporation a consent to sever a parcel having frontage on Innes Road of 101.25 m, a depth of 312.89 and an area of 4.51 ha, being part of Lots 20 and 21, Concession 3, Ottawa Front. The appeal is due to the failure of the Committee of Adjustment to impose a condition requested by the Region that the Owner convey to the Region an additional widening of 5 metres along the severed and retained parcels. The appeal is based upon the following grounds:

1. The additional road widening is required to permit the necessary acceleration and deceleration lanes for traffic entering the severed and retained parcels;
2. The additional road widening is required to permit the proper future widening of the through lanes on Innes Road;

3. Such further and other grounds as Counsel may advise and the Ontario Municipal Board may permit.

Date: January 6, 2000



Timothy C. Marc, Solicitor
Regional Municipality of Ottawa-Carleton
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TO: Cathlyn Kaufman, Secretary Treasurer
Committee of Adjustment
Corporation of the City of Gloucester
Box 8333, 1595 Telesat Court
Gloucester, ON K1G 3V5

Ontario Municipal Board
1500 - 655 Bay Street
Toronto, ON M5G 1E5

ONTARIO MUNICIPAL BOARD
APPEAL SUMMARY REPORT

Re: Comprehensive Zoning By-law 40-99
Township of Goulbourn

Summary of Appeal

By-law 40-99 is a new Comprehensive Zoning By-law for the Township of Goulbourn which received final reading on January 18, 2000. The Zoning By-law is required to implement the official plan policies of the Township of Goulbourn and the Region of Ottawa-Carleton. The following summarizes the specific issues of the OMB appeal, the reasons why Regional staff are appealing it and the progress to date on resolving the issues of appeal.

1. Jock River Flood Plain - Richmond

The flood plain shown on Schedule A, Map 3 should be amended to correspond to the Regional Official Plan, Schedule G.

Grounds for Appeal

The extent of the flood plain is not shown accurately on Schedule A, Map 3 of the Zoning By-law. This affects existing residential development within the flood plain in the village of Richmond. The zoning does not conform to the Regional Official Plan, section 11.2 and Schedule G nor to the Goulbourn Official Plan, section 10.5.2.

Potential for Resolution

There appears to be limited potential for resolution of this issue as Goulbourn staff acknowledge the residential zoning does not conform the Regional or Goulbourn Official Plan(s). It should be noted that the Rideau Valley Conservation Authority attempted to provide a reasonable solution to this issue whereby the existing residential or commercial zoning would remain in place but with a “flood plain overlay” which would require new construction to be approved by the conservation authority. The final by-law did not provide for any changes to the existing zoning which would have recognized the full extent of the floodplain. The Rideau Valley Conservation Authority is supporting the Region’s appeal and would provide expert witness testimony at a future hearing.

2. Organic Soils

A constraint area should be established in the Zoning By-law reflecting the Organic Soils shown in the Regional Official Plan, Schedule G. In addition, a provision should be inserted in the text of the Zoning

By-law identifying under which circumstances buildings can be erected on lands within the Organic Soils areas.

Grounds for Appeal

In order to conform to the Regional and Goulbourn Official Plan, the Goulbourn Zoning By-law should identify those lands identified as having organic soils. For such areas, the Zoning By-law should identify the studies/information required in respect of such soils before a building permit will be issued.

Potential for Resolution

Goulbourn staff acknowledge that By-law 40-99 does not reflect the Organic Soils shown in the Regional and Goulbourn Official Plans. Goulbourn staff did not deem it necessary to reflect organic soils in the zoning by-law as it is not explicitly stated as a requirement in the Regional Official Plan. Goulbourn staff consider that the main issue with adding it to the by-law now is the cost of mapping. Regional staff have confirmed that the mapping can be undertaken by the Region at no cost to Goulbourn.

3. Commercial Zones

Insert limits on Gross Leasable Area consistent with the Regional and Goulbourn Official Plan retail hierarchies into section 13 of the Zoning By-law. Also insert a definition of Gross Leasable Area into the Zoning By-law.

Grounds for Appeal

Section 13, Commercial Zones (CH, CC and CMU zones) of the Zoning By-law do not contain limits on gross leasable area. Such limits are required by the Regional Official Plan, section 4.7. In addition, the Goulbourn Official Plan also establishes a retail hierarchy that is not reflected in the Zoning By-law. A definition of gross leasable area that conforms to the Regional Official Plan is also required to provide such meaning to such limits.

Potential for Resolution

In meeting with Goulbourn Planning staff it was acknowledged that the retail hierarchies reflected in the respective official plans were not reflected in the comprehensive zoning by-law. Goulbourn did not feel there was a need to incorporate these provisions into the zoning by-law on the basis that there were no sites large enough in Richmond or Stittsville where the maximum retail levels would be compromised. Goulbourn also indicated that the necessary land assemblies to reach the retail caps were also unlikely to occur. The Region has consistently incorporated the retail caps in the Regional Official Plan in other municipal zoning by-laws and believes an exception is not warranted here. A simple amendment to the general commercial zone provisions or shopping centre/plaza definitions would suffice.

The addition of these retail limits (maximums of 35,000m² in Stittsville and 10,000m² in Richmond) would not constrain development of existing sites based on information provided by Goulbourn Planning staff. It would make conformity the Regional Official Plan explicit and ensure that any party contemplating a land assembly is aware of these upper limits.

4. Wetlands - Adjacent Lands

Insert a prohibition on development, as defined in the Provincial Policy Statement, in lands within 30 metres of the wetlands shown on Schedule A to the Zoning By-law. Also insert a definition of development consistent with the Provincial Policy Statement.

Grounds for Appeal

In the absence of studies indicating where development is possible on lands adjacent to a wetland, the Zoning By-law, to have regard to the Provincial Policy Statement and to conform to the Regional Official Plan, section 5.5.2, should prohibit such development.

Potential for Resolution

Given that the Ontario Municipal Board order re adjacent lands has not yet been issued, Regional Staff recommend that this specific appeal be withdrawn.

5. Wetlands

The Zoning By-law should zone all Significant Wetlands South and East of the Canadian Shield designated in Schedules "A" and "B" of the Regional Official Plan as Wetland.

Grounds for Appeal

In order to conform to the Regional Official Plan, the Zoning By-law must zone as Wetland all Significant Wetlands South and East of the Canadian Shield. With the fact that the Association of Rural Property Owners are no longer pursuing their appeal in respect of Significant Wetlands South and East of the Canadian Shield within Goulbourn, all such lands should be zoned as Wetland in the Schedules to the Zoning By-law.

Potential for Resolution

Goulbourn properly included all significant wetlands which were not under appeal in the zoning by-law. In the week preceding the final adoption of By-law 40-99 the appeal affecting other significant wetlands in the Township of Goulbourn was withdrawn. The Region acknowledges that the timing of events were such that Goulbourn did not know of the appeal status and could not have made the necessary changes in advance of the scheduled meeting where final reading of the by-law occurred. Notwithstanding the above, the Region believes that the simplest way of appropriately zoning the outstanding provincially

significant wetlands would be by order of the Board. As in the case of organic soils, the Region is prepared to assist with the necessary mapping

6. Lot 15, Concession 10 - Specific Open Space Zone

This parcel should be zoned to permit only existing uses.

Grounds for Appeal

These lands are designated as “Limestone Resource Area” in the Regional Official Plan. The permitted uses should be restricted to reflect the existing uses only as was done in the abutting OS-1 zoned property.

Potential for Resolution

The above issue reflects the presence on an existing use on the property. Notwithstanding the recognition of an existing use and that no uses should be rendered non-conforming, there are other permitted uses in the proposed zone which could in fact sterilize the limestone resource. The By-law should be restricted to permit only existing uses or other uses which do not compromise the eventual extraction of the limestone resource. Regional staff have contacted the affected landowner who indicated that his plans for the property involved mineral extraction and that he did not anticipate any problems with what the Region is proposing.

Recommendation

That Planning and Environment Committee recommend that Council sustain Regional staff's appeals 1, 2, 3, 5 and 6 of ZBL 40-99 to the Ontario Municipal Board and withdraw appeal 4.

ONTARIO MUNICIPAL BOARD
APPEAL SUMMARY REPORT

Re: City of Ottawa
Central Area Zoning By-laws 5-2000 and 6-2000

Summary of Appeal

The City of Ottawa adopted new zoning for the Central Area as a subsequent, separate exercise from the adoption of their new comprehensive zoning by-law, By-law 93-98. City Council on January 19, 2000 enacted several by-laws (4-2000, 5-2000, 6-2000, 7-2000) which amend the Zoning By-law 93-98 specifically for the Central Area.. The deadline to file an appeal with the City Clerk was Friday, February 10. Staff have filed appeals against specific provisions in two of the four by-laws as explained below.

1. By-law number 5-2000, EW6 Subzone

Delete Section 604d and replace with regulations such as building height to limit uses to the existing building.

Grounds for appeal

The Waterfront Open Space designation of the Regional Official Plan permits only small-scale recreational facilities or commercial activities which do not detract from the open-air recreation, environmental conservation and educational/interpretation uses of the designation. In order to conform to the policies of the ROP, the scale of the uses must be limited. There is an existing historic mill on the site and it would be appropriate to limit the permitted uses to a building which corresponds to the dimensions of the existing building.

Section 604d excludes the uses in the EW6 zones from the lot area, lot width, lot coverage, yard setbacks and building height regulations, meaning that if the existing buildings were destroyed there would be no restrictions whatsoever that would apply to the new use.

Potential for Resolution

Regional staff are initiating further discussions with staff at the NCC and City in order to seek a solution without a hearing.

2. By-law number 5-2000, Attachments 2, 3, 4 - Caps on parking requirements

Amend column III of Tables 51, 52, 53 to indicate not only the minimum requirements but also maximum parking requirements.

Grounds for appeal

In order to conform to the Regional Official Plan Section 9.4, Policy 15 a) and b), the RMOC requests the inclusion of provisions for maximum parking limits for offices, post-secondary educational institutions, and apartment uses in the Central Area, all of which is considered to be located within the vicinity of a rapid transit station. This will ensure that the supply of parking and the quality of the pedestrian environment in new developments in the Central Area support the Regional Official Plan objective to increase the region-wide transit modal share.

Potential for Resolution

Staff at the City and the Region agree that further study is required to determine appropriate parking maximums and have begun work on terms of reference for such a study, which will include consultation with stakeholders. The OMB has adjourned any hearing of the corresponding appeal to By-law 93-98 until the study has been completed.

3. By-law number 6 -2000, Item 13, Item 14 - Attendant parking

Delete Item 13 permitting attendant parking in the Central Area.

Grounds for appeal

Both the City and the Region's OPs support the provision of short-term parking in the Central Area to serve retail and commercial sectors. Both OPs also limit the provision of long term parking to discourage the use of the automobile for work trips. The overall strategy is to reduce the reliance on the car and increase the transit modal share. By-law 6-2000 permits attendant parking in any parking lot or structure in the Central Area, except for any which abut a residential zone. This has the potential to greatly increase the parking available in the Central Area. It is inconsistent with the Regional Official Plan policy on imposing parking maximums referred to above and with limiting the provision of long term parking. Attendant and tandem parking primarily caters to long term parking and increases the parking supply. This has a direct negative effect on transit use in the Central Area, making it difficult to meet transit modal share objectives and meet the commitments of our respective municipalities to reduce greenhouse gas emissions.

Potential for Resolution

The by-law adopted by City Council does not reflect the advice of their consultant or staff, consequently there is little likelihood of a mediated settlement. The City has commissioned a study of Central Area parking which will present data on both supply and demand. The study is expected to be completed soon and will provide information on whether there is a shortage of parking.



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VIA TELECOPY # (613) 560-6006 AND COURIER

March 16, 2000

Mr. R.B. Edgington, MCIP, RPP
Director, Development Approvals Division
Regional Municipality of Ottawa-Carleton
Ottawa-Carleton Centre, Cartier Square
111 Lisgar Street
Ottawa, Ontario
K2P 2L7

Our File #60943

Dear Mr. Edgington:

Rc: City of Nepean Local Official Plan Amendment No. 16
Merivale Road Secondary Plan Review

We act on behalf of Loblaw Properties Limited with respect to the above-noted matter. Our client owns and operates two supermarkets within the amendment area. Because of our client's interest in the area, we have been involved in the Merivale Road Secondary Plan Review and have provided extensive written and verbal submissions to the consultants retained on behalf of the City of Nepean, as well as to Council and staff of the City of Nepean.

On October 6, 1998 we provided detailed comments with respect to the Merivale Road Secondary Plan Review and on the interim results of the Secondary Plan Study. These comments are attached and form part of this appeal letter.

Over the past 20 years, the planning context for the Merivale Road area has evolved from a predominantly retail focus to a focus on mixed use in the Merivale Road area. We believe this objective continues to be appropriate for a mature retail strip which can now begin to evolve to provide opportunities for employment and higher density residential uses.

March 16, 2000

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Official Plan Amendment No. 16 represents a substantial and unwarranted departure from this historic approach at the very time it has become achievable.


Our extensive comments have essentially been largely ignored and, for that reason, we have no choice but to appeal OPA 16 in its entirety for the above-mentioned reasons and the reasons set out in the attached letter of October 6, 1998.

Our firm's cheque in the amount of \$125.00 made payable to the Minister of Finance is enclosed to cover the Ontario Municipal Board's prescribed fee.

Would you kindly confirm receipt of this appeal and provide us with any additional appeals filed against LOPA 16.

Yours very truly,

AIRD & BERLIS


Steven A. Zakem

SAZ/mn

cc: Mario Fatica
Peter Hanna

encl.

..ODMA\PCDOCS\DOCS\82828511





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VIA FACSIMILE #(613) 727-6694 AND REGULAR MAIL

October 6, 1998

Mr. Dennis Jacobs, R.P.P.
Director of Policy
Planning and Development Department
Corporation of the City of Nepean
Ben Franklin Place, 3rd Floor
101 Centrepoint Drive
Nepean Ontario
K2G 5K7

Our File #60943

COPY

Dear Mr. Jacobs:

Re: Merivale Road Secondary Plan Review

We represent Loblaw Properties Limited which owns a Loblaws supermarket and supplies an Independent Grocer supermarket located in the area encompassed by the Merivale Road Secondary Plan Review.

This letter follows up on our commitment to provide additional comments to you, as stated in my letter of September 23, 1998.

I have reviewed the historical context of the Regional and City of Nepean planning approaches to Merivale Road over the past 20 years in order to fully appreciate the context within which this current planning study is occurring. The following summaries of the 1976, 1988 and 1997 Regional Official Plans, the 1981 and 1995 Nepean Official Plans and the 1982 Secondary Plan provide background to the consideration of new directions for Merivale Road.

1976 RMOC Official Plan

- Schedule 'B' designated a District Centre at the triangle formed by Merivale/Baseline/Clyde.
- Section 2.5.4.4.5 stated the intention to include major office uses, retail commercial uses, high density residential uses and business, personal and community services.
- The balance of Merivale Road was covered by a Major Commercial designation.
- Section 2.5.4.4.4 specifically precluded any substantial quantity of new office construction and was silent on the subject of residential uses in the Major Commercial designation.

Outside of the District Centre node, Merivale Road's future was clearly intended as retail. At that time, no significant development node was designated for Baseline/Woodroffe.

1981 Nepean Official Plan

- A District Centre designation applied to the Merivale/Clyde/Baseline triangle.
- Section 4.3.6(a) proposed major office, retail, commercial, institutional and high density residential uses with business, personal and community services.
- Section 4.3.6(d) required a Secondary Plan prior to development of a District Centre.
- The balance of both sides of Merivale Road was designated Merivale Road Commercial Sector.
- Section 4.3.7(a) described the background and the need for a comprehensive study and Secondary Plan for the Commercial Sector.

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• Section 4.3.7(b) stated that the predominant use was intended for retail and service establishments. It further stated that a cluster of office buildings was permitted at Viewmount Drive in order to act as a counter balance to the District Centre, subject to study in the Secondary Plan.

- A District Centre was also designated for the Woodroffe/Baseline area.

1982 Merivale Secondary Plan

- Section 5.2 examined three factors which impacted on the Official Plan strategy:
 - elimination of the major transportation corridor east of Merivale Road;
 - reduced demand for office development; and
 - reduced rate of employment and population growth.
- Section 5.3 acknowledged the increasing importance of the Baseline/Woodroffe District Centre and, therefore, a reduced expectation for the Merivale Road nodes.
- Section 7 indicated that, in spite of these changed factors, it was concluded that two mixed use activity centres at either end of the Merivale Road strip were appropriate in order to inject more vitality and life into the area.
- Section 7.1.3 encouraged a mix of employment uses for the Northern Activity Centre.
- Section 7.2 established policies for the Southern Activity Centre (Viewmount/Merivale) and also encouraged medium and high density residential.
- Section 7.2.1(ii) emphasized the importance of visually defining the southern limit of the Merivale Commercial Sector by establishing a mixed use cluster.



1988 RMOC Official Plan

- Schedule 'B' designated all of the Merivale corridor north of the Colonnade Industrial Park as General Urban Area.
- A Primary Employment Area was designated for Woodroffe/Baseline.
- Section 3.1.3.3 established criteria for Secondary Employment Areas and permitted them to be designated as such in local Official Plans. (They were not identified on the Regional Official Plan Schedules.)

1995 Nepean Official Plan

- Schedule 1 designated both ends of the Merivale Road corridor as Secondary Employment Centres.
- Both sides of Merivale Road between these two centres was designated Commercial Sector, except for a small area south of the Loblaws Super Store, which was designated Residential.
- Section 3.1.3 describes the two Secondary Employment Centres and encourages a diversification of uses and employment (office, retail, recreation, cultural, entertainment and institutional).
- Section 3.1.3(ii) addresses the Viewmount Drive Secondary Employment Centre and includes hotels and medium and high density housing along with office, entertainment and other employment generating uses. Commercial retail uses are to be ancillary to other permitted uses.
- Section 4.5(b) indicates Council's intention to limit the expansion of commercial uses to those areas already designated.
- Section 4.5.1 recognizes the problems associated with Merivale Road and confirmed a strong intent to implement the Secondary Plan.

Nepean Zoning By-law

- To ensure that the policies of the Official Plan and Secondary Plan are met, the CMU Zone is applied to significant portions of the Secondary Employment Centres.

The method for ensuring implementation is the traditional tool of limiting some uses, such as retail, in order to strongly encourage the desired mix of land uses.

1997 RMOC Official Plan

- The study area continues to be designated General Urban Area.
- The Woodroffe/Baseline Primary Employment Centre is now defined more precisely in contrast to the former conceptual circle.
- Section 2.3 lists the objectives of the Regional Development Strategy, including a denser, more compact and balanced development pattern, increased proportion of dwelling units inside the Greenbelt and supporting a long term balance of 1.1 jobs per household in each urban area outside of the central area.
- Section 2.5 contains policies for development inside the Greenbelt and requires an appropriate mix of residential and non-residential uses on main streets and on regional roads with transit routes.
- Section 3.1 contains objectives for healthy communities and subsection 4 encourages a mix of land uses in redeveloping areas which facilitate walking, cycling and transit use.
- Section 3.2 states Council's intent to require local municipalities to allow a mix of uses in urban communities.
- Section 4.5 encourages employment in the General Urban Area and includes mixed use areas employing between 2000 and 5000 persons.



Discussion of Trends

The summary of Regional and City policies with respect to Merivale Road illustrates the gradual change over the past 20 years from a predominantly retail focus to an increasing intention to achieve mixed usage. We believe this is an appropriate objective for a mature retail strip which should now begin to evolve into a more versatile and comprehensive provider of opportunities for employment and higher density residential uses. Many of the reasons for the directions taken by the 1982 Secondary Plan are still present and valid. A premature and unjustified change in direction is not warranted.

The short term wishes of current owners to develop larger format retail to the detriment of the long range, planned function of Merivale Road is a policy shift which works to the detriment of Nepean's and RMOC's planning goals. It is still important to define an end to the Merivale Road commercial corridor. Simply extending it until it blurs into the Hunt Club Power Centre serves to undermine the corridor's context in the surrounding residential area, not improve it.

Merivale Road Secondary Plan Review Study Outline

Some key issues intended to be addressed in the current study include the following:

- Assessment of the existing Secondary Plan and preparation of a work program to address those deficiencies. This has not yet been presented. We are not sure whether it has been done or not.
- Assessment of market conditions and the role of this area in the local and regional trade area. While the work to date has examined some of the preferences of current Merivale Road shoppers, it has not addressed the regional and local potential for employment, entertainment or higher density residential uses.
- Regional interests, such as provision of opportunities for mixed use, including residential and employment, as a means to encourage intensification have not been addressed.
- Recommendations on land use and land use designations.



We feel that a comprehensive and objective analysis of these elements is essential to the development of a long term policy, especially one which deviates from the established direction developed over the past 20 years.

Interim Results of this Study

Reports on transportation and urban design provide useful insights into the transportation problems and urban design opportunities to assist in improving Merivale Road.

While the market analysis provides some useful information with respect to current usage of the commercial elements on Merivale road, it does not provide a broad Regional perspective of the future potential role of Merivale Road. It also does not comprehensively assess the office and medium/high density residential opportunities, a factor which is disturbing if the City's intention is to change its policy with respect to these two elements. Other shortcomings of the market work are set out in Schedule "A" attached.

Similarly, the draft paper entitled "Planning and Urban Design", June 1998, does not address the land use issues in a comprehensive way. It is noted, on page 8, that Principle 2 states:

"It will be particularly important to encourage high density residential development to ensure activity in the Merivale Corridor both night and day."

We are concerned that, if planning policies and zoning regulations are changed in a manner which no longer encourages high density residential development to occur, its potential would be displaced by other inappropriate uses.

The following example will serve to illustrate the nature of our concern:

- The September 9, 1998 presentations indicated that further interviews were held in the vicinity of Robinson's, Your Independent Grocer. Page 18 of the August 1998 report indicated that, although the vast majority of shoppers arrive by car, a significant number of shoppers arrived on foot. During the verbal presentation, Mr. Nixey indicated that the portion arriving on foot at Robinson's was somewhat higher. This result occurred in spite of the fact that the site was used in one of the slides as an example of a poor pedestrian environment.



- - . Page 12 of the draft report indicated that about 63% of respondents shopped Merivale Road most frequently for their groceries. The next most frequent location was Barrhaven at 5%. Compared with the other charts representing clothes, restaurants, furniture and computers/business supplies, the survey results reveal an overwhelming satisfaction with the current grocery store service.
- The August 1997 Market Feasibility and Impact Study, prepared for Vernicle Developments Ltd. by John Winter Associates Limited, assessed the impact of a proposed 50,000 sq. ft. food store at Viewmount Drive. Exhibit 8 on page 15 projects that Robinson's YIG would have its market share reduced from 17.5% to 12%, a significant decline, second only to that projected for the Meadowlands Loch Club Plus store.

The Robinson's YIG is already achieving some of the pedestrian attraction being encouraged for the study area. Since the applicant's own market analysis acknowledges the significant impact that would result if the Viewmount mixed use policy requirements were to be deleted from the Official Plan, it appears that the results of the current study may have the opposite effect to that which was intended.

This points out the need to carefully review impacts and incorporate objective analysis into the future land use decisions which will be promoted by the resultant Official Plan amendment. A 'laissez faire' attitude toward land use and focussing the planning requirements only on urban design elements is abrogating the municipality's planning responsibilities and leading to significant detrimental impacts.

- -
Another example is the potential attraction of a theatre or other entertainment type of use. The existing Official Plan policies give encouragement to theatres or other forms of entertainment. The August, 1998 Market Study suggests that the single most often suggested additional use for the corridor was a movie theatre. This would seem to suggest that the current policy is an appropriate one which should continue to be supported.

Hunt Club/Merivale Power Centre

Significant recent development has occurred at the intersection of Hunt Club and Merivale Roads, a location which is extremely accessible due to its location on both east/west and north/south major arterial roads. This node is continuing to evolve and, with the closure of the large Beaver Lumber store, redevelopment will now begin as well.

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The study consultants acknowledged that this Power Centre is too new to have had its impacts fully evaluated and it would, therefore, appear to be premature to introduce policy changes which encourage similar "medium box" stores at the south end of the Merivale Road strip.

Conclusions

Our clients are very interested in continuing to consolidate and improve business opportunities for Merivale Road. Our client has a direct interest in this success and continued encouragement of mixed use complementary activities can only be an enhancement to the entire corridor. Additional employment and residential activity will help encourage customers to come to and stay in the area for longer periods of time and will help to round out a maturing community.

We continue to be concerned that hasty decisions to deviate from a well thought out, long term plan which has evolved over two decades in order to attract quick development is not in the best interests of the long term planned function for the area.

We look forward to reviewing the comprehensive analysis which is required before deviating from the current approaches to mixed use development for these important ends of the commercial corridor.

Yours very truly,

AIRD & BERLIS

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Steven A. Zakari

SAZ/af

attach.

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SCHEDULE "A"
TO LETTER DATED OCTOBER 6, 1998
RE: MERIVALE ROAD SECONDARY PLAN REVIEW:
COMMERCIAL MARKET COMPONENT

The Corporate Research Report consists of a licence plate survey, a customer interview survey, inventory of retail facilities and the listing of selected demographic factors.

Licence Plate Survey

900 automobile licence plate numbers were collected in 7 parking lots. There is no indication in which parking lots the plates were collected, how many were collected per lot, and over which time period they were collected. There is also no indication of how many of these licence plates represented shoppers. Licence plate surveys cannot specify what actual retail expenditures are made by car owners. No data on the actual findings of the licence plate surveys are provided and therefore cannot be reviewed. In any case, licence plate surveys are of limited value in establishing reliable retail trade areas.

Customer Interview Survey

These interviews were heavily biased towards weekend shopping and may not fully represent normal shopping patterns throughout the week. No information is provided on the actual timing of the surveys (i.e. do they cover full days or only certain time periods?)

No questions were asked with respect to actual expenditures made. The survey content is very superficial and of little direct value for analytical purposes.

The two surveys were combined to determine the trade area. Since the interview survey included non-car traffic such as bike, bus, or walk comprising some 20.2% of shoppers, whereas the licence plate surveys only covered cars, the combination of these two surveys, to determine the trade area, is seriously flawed.

Inventory

The inventory presented is in its "raw" format. There are no summaries presented pertaining to the stores in different retail categories which are typically used to evaluate the competitive structure. There is no discussion of vacancy ratios or any analysis whatsoever of the appropriate bounds of retail space, or lack thereof, in the study area. There is no inventory of competing retail facilities or any evaluation of the changes in the existing trade area inventory which have strengthened its overall customer appeal.

Demographic Data

Standard historic demographic data is provided but there are no forecasts for any future periods.

Missing Components

Considerable comment is provided about the satisfaction of existing shoppers interviewed in the study area. This is not surprising. If the shoppers did not like this area, they would not be shopping there! The real question is the degree of patrons from the trade area which can only be established on the basis of an in-home survey. This component is lacking from the current market report. As such, no information with respect to the relative success of existing study area retailers is available, nor is there any information about improving the tenant mix or service level, particularly for trade area residents not presently using the Merivale facilities.

There is no market analysis which quantifies the future volume available in the Merivale Study Area or any indication if the market would be better served by a stronger but selective retail mix rather than a broader but shallower mix.

Conclusion

The existing market report is superficial and incomplete. It only deals with the past. Decisions about future retail market changes in the Merivale Study Area cannot be based on this report.

- -

SCHEDULE "B"
TO LETTER DATED OCTOBER 6, 1998
RE: MERIVALE ROAD SECONDARY PLAN REVIEW:
TRANSPORTATION RELATED COMMENTS

The only discussion of traffic volume changes presented to date are those contained in the June, 1998 transportation analysis prepared by Delcan. Section 3.4.3 in Table 4 identifies some recent average annual changes but do not relate them to roadway capacity.

No analysis has been presented to date comparing the transportation impacts of alternative land use scenarios. It is well known that mixed use developments result in potentially fewer impacts. Encouraging exclusively retail development or allowing an expansion of retail development is likely to increase peak directional traffic flows.

We believe that there continues to be merit to the Grant Carmen Drive extension (or part of the extension) in order to alleviate traffic on Merivale Road and to provide an alternate route for traffic through the area. Even if this extension is not constructed, it should continue to be protected in order to assess any land use changes approved as part of the Secondary Plan review process. Once it is no longer protected, it is lost.