

REGION OF OTTAWA-CARLETON  
RÉGION D'OTTAWA-CARLETON

REPORT  
RAPPORT

Our File/N/Réf. Your File/V/Réf.	15-98SD02
DATE	25 August 1999
TO/DEST.	Co-ordinator, Planning and Environment Committee
FROM/EXP.	Planning and Development Approvals Commissioner
SUBJECT/OBJET	<b>APPLICATION FOR PLAN OF SUBDIVISION- HISTORIC ELMWOOD COUNTRY LOT SUBDIVISION TOWNSHIP OF WEST CARLETON</b>

---

### **DEPARTMENTAL RECOMMENDATION**

**That the Planning and Environment Committee recommend that Council approve draft plan of subdivision 06T-98025 and that the Regional Clerk issue the 'Notice of Decision' attached as Annex B.**

### **INTRODUCTION**

The Regional delegation by-law requires that all disputed subdivision applications be brought before the Planning and Environment Committee for consideration. A disputed subdivision application requires 'Approval' or 'Refusal' by Regional Council. Mr. Derek Smith and Mr. Roger Harris, on behalf of some residents living adjacent to the proposed subdivision are disputing its approval. They have raised concerns with the proposed plan and have demanded that this subdivision proposal be referred to the Ontario Municipal Board (OMB). The issues/concerns raised by Mr. Smith and Harris are discussed in the report are attached as Annex A. Regional staff are recommending that the proposed subdivision receive draft plan approval, and conditions for draft approval are attached as Annex C. Mr. Smith and Mr. Harris will then be able to appeal this decision to the OMB, if they see fit.

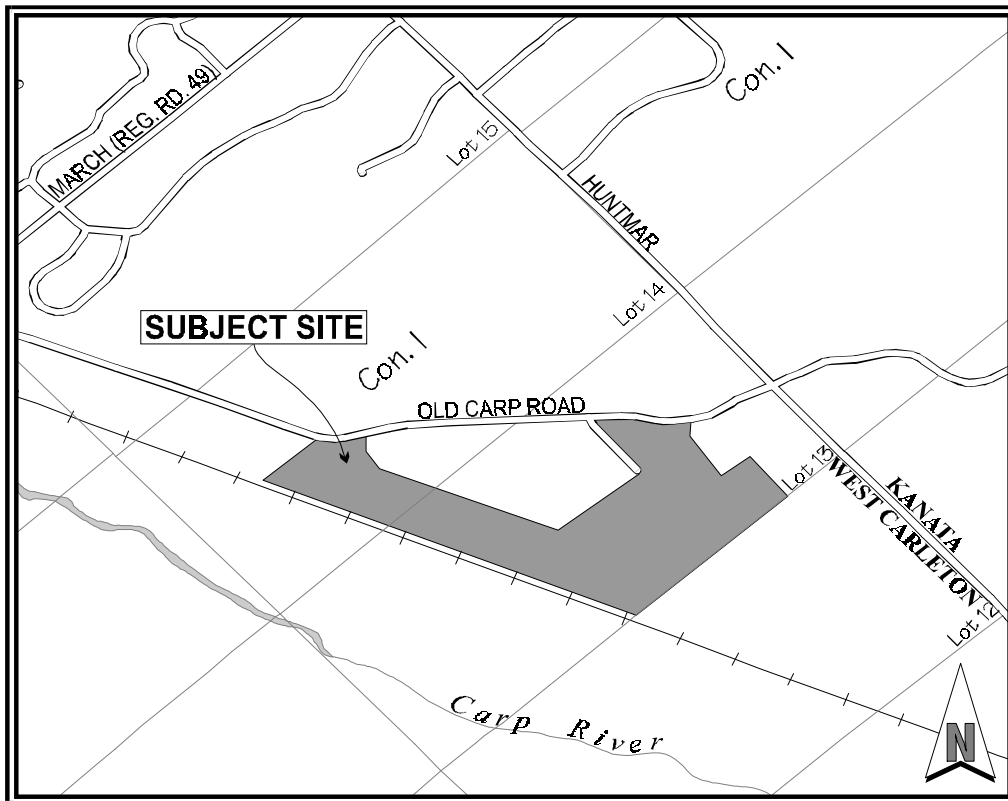
### **BACKGROUND**

Application for approval of Subdivision (Draft Plan) 06T-98025 was submitted by TAMS (Terrain Analysis and Mapping Services) on 9 February 1999. The joint public hearing for the subdivision as required by the Planning Act was held at the Township of West Carleton Municipal Hall on 2 April 1999 and the subdivision was recommended for approval by West Carleton Council on 25 May 1999.

The Planning Act requires that a decision be provided by the approval authority within 90 days of application or the applicant may appeal. More than 90 days have passed since the application was

submitted. The delay is due to the additional time required by the applicant to complete additional studies to support the application and address issues that were identified at the public meeting for the subdivision.

The subject property is 35 ha in area. It is located on Part Lots 13 and 14 Concession I West Carleton (Huntley Ward) and bordered by the Old Carp Road and the old CNR Rail Line to Arnprior that is now owned by the Region.



The property is designated “General Rural Area” in the Regional Official Plan and “Marginal” in the West Carleton Official Plan.

#### Subdivision Plan

The proposed plan of subdivision creates 25 lots in phase 1 and 8 lots in phase 2 for a total of 33 country lots. The lots range in size from 0.81 ha to 2.75 ha. Vehicular access to the subdivision is off the Old Carp Road and Gourlay Lane (which connects to the Old Carp Road).

#### ISSUES

Mr. Smith and Harris have raised a number of issues/concerns with the proposed plan of subdivision and feel that the proposed subdivision plan is seriously flawed and must be reworked before it can be approved in any form. The issues/concerns raised are as follows:

#### **1. Road Access to the Old Carp Road**

The unsafe nature of the road exit/access for the Old Carp Road into phase 2. Consideration must be given to an alternative road exit to Huntmar Road through lands actually owned and controlled by the proponent for phase 1.

#### Staff Comment

The original plan that was submitted has been revised in consultation with the West Carleton Public Works Department. The access to the Old Carp Road has been relocated to address concerns regarding safety. Draft Condition 10 requires that the safety issues be addressed prior to final registration. Draft Condition 10 states that the developer shall satisfy the Township of West Carleton with respect to the safety, design, and location of accesses and traffic patterns of the development. However, at this time staff of West Carleton are satisfied that the relocated access does provide a safe location.

### **2. Elevation and Slope of the Access Road in Phase 2**

The elevation, slope and road design required to construct a road across a sloped field in Phase 2 and the esthetics and drainage of the raised roadbed across Phase 2 lands.

#### Staff Comment

The applicant has submitted a preliminary elevation for the access road in Phase 2 which indicates that the road can be designed to conform to Transportation Association of Canada (TAC) standards. Draft Condition 10 requires that final design of the of the access roads be approved by West Carleton prior to registration. The design of the road is required to conform to TAC standards.

### **3. Natural Amenities**

The lack of a natural suitability of the Cox Field (Phase 2 lands) for country estate development as noted by the Township Planning Department and both the Regional and Township Plans, sections 6(10)(a)(viii) and section 3.7.4.5 respectively. The plan ignores the plan's requirement that "the natural amenities" (of a estate lot subdivision) must be contained on at least 75% of the lands to be subdivided.

#### Staff Comment

The West Carleton Official Plan (section 6(10)(a)(viii)) states that in order to maintain the rural character of the landscape, the development should be located in areas having natural amenities such as varied topography, mature tree cover or scenic views and should blend into the rural environment so that the rural environment is left relatively undisturbed. For subdivisions, natural amenities must be contained on at least 75% of the lands to be subdivided and for those parts of such lands which do not possess such amenities, tree planting in conjunction with increased lot sizes will be required. The Regional Official Plan requires country lots to be on attractive sites and to ensure that housing on most of the site will not be visually dominant by: a) following the

policies for of Section 5.2.1 for tree conservation and planting; b) developing a site with sufficient mature tree cover or topographic variety; or c) for other sites, developing a plan to plant trees.

More than 75% of the total land area to be subdivided (phases 1 and 2) contains tree cover. The applicant has submitted a tree preservation and planting plan prepared by a professional forester, which was reviewed and approved by Regional staff. Tree planting will be required for lots that do not contain sufficient tree cover. Draft Conditions 13 and 14 require the owner to implement the Tree Conservation and Planting Plan that was submitted in support of the application. Based on the above, the plan of subdivision meets the requirements of both the local and Regional Official Plans.

#### **4. Conformity with the West Carleton Official Plan.**

The lack of conformity with the West Carleton Official Plan.

Staff Comment

See staff comment above regarding natural amenities.

#### **5. The Joining of Two Properties**

The attempt to join two properties from unrelated landowners to form Phase 1 and 2 of a single development when it is clear that the Phase 2 is completely dependent on Phase 1 as a bootstrap development.

Staff Comment

Phase 1 of the subdivision is owned by Mr. V. Rampton and Phase 2 is owned by Mr. B. Cox. The application submitted for approval is for one subdivision to be developed in two phases on behalf of both owners. The ownership of the parcels is not a consideration in assessing the appropriateness of the plan of subdivision. As stated above the subdivision meets the requirements of the Local and Regional Official Plans.

#### **6. Poor Drainage Conditions**

Poor drainage conditions which exist on at least 6 proposed lots which are located in a groundwater discharge area on the southeastern part of the proposal and which the proponent's own consultant describes as presenting poor building conditions.

Staff Comment

The owner has submitted a study to define the limit of the poorly drained area. Draft Condition 20 requires that the septic system and building envelope be located outside of the poorly drained area as defined by Gorrel Resource Investigations. In addition, Draft Condition 22 requires that, prior to registration, the owner undertake a more detailed study of the water table for the subdivision to supplement the Hydrological and Terrain Analysis Report. The report will provide further guidance as to the location and design of sewage systems and house foundations

throughout the subdivision but specifically for lots 12-17 in Phase 1 and Lots 1-5 in Phase 2. The recommendations of the study shall be included in the subdivision agreement with West Carleton. But, the study will not result in any changes to lot sizes or the design of the subdivision.

## **7. The Groundwater Quality**

The poor natural groundwater quality.

Staff Comment

The Rideau Valley Conservation Authority, commented in their review of the hydrological analysis, that although most of the recommended limits and targets of the Ontario Drinking Water Objective (ODWO) have been met, iron, hardness and total dissolved solids have exceeded the ODWO. However these exceedances are within treatable limits. Draft condition 25 requires the owner to include statements in the subdivision agreement advising mitigation measures for sodium, fluoride, hardness and iron. This is a common condition in rural subdivisions in Ottawa-Carleton.

## **8. Plan Design**

The poor and unprofessional quality of the proposed plan, which does not adequately consider road pattern alternatives and does not plan lots with the terrain constraints present on the property.

Staff Comment

The original plan that was submitted plan has been revised to address safety issues (see points 1 & 2 above). The septic system and building envelope for all lots will be located outside of the poorly drained area (see draft condition 20).

## **9. Density**

The high overall density of the subdivision.

Staff Comment

The lot sizes exceed the minimum requirements of the Regional and local Official Plans. The minimum lot size for country lots in both the West Carleton and Regional Official Plan is 0.8 ha. The lots in the subdivision range in size from 0.81 ha to 2.75 ha. The average lot size is 0.94 ha.

## **10. Traffic Studies**

The need for traffic studies to determine the safety and potential impacts on the Old Carp Road.

Staff Comment

Draft condition 10 requires the owner, prior to registration, to conduct studies to address the safety issues and potential impacts on the Old Carp Road to the satisfaction of the Township of West Carleton. The owner has submitted preliminary work to the Township which indicates that the safety concerns can be adequately addressed.

### CONCLUSION

It is Regional staff's opinion that all of the technical matters have been adequately addressed through the plan of subdivision studies and proposed conditions and that Council should approve the subdivision.

### CONSULTATION

The Township of West Carleton held a public meeting as required under the Planning Act for this Plan of Subdivision. All those who requested to be kept informed have been notified of this meeting.

### FINANCIAL IMPLICATIONS

Staff may be required to attend an Ontario Municipal Board Hearing if the application is appealed.

*Approved by  
N. Tunnacliffe, MCIP, RPP*



# WATER AND EARTH SCIENCE ASSOCIATES LTD.

Carp (Ottawa) • Kitchener • Kingston • Gatineau • Mexico • London UK

August 19, 1999

Mr. Myles Mahon MCIP  
Regional Planner  
Development Approvals Division  
Regional Municipality of Ottawa Carleton  
111 Lisgar Street, Ottawa, Ontario  
K2P 2L7

**Re: Proposed Rampton/Cox Subdivision  
Huntley Ward, West Carleton Township**

Dear Sir:

On July 19, 1999 Mr. Roger Harris and I met with you in your office to discuss our concerns about the Country Estate lot subdivision which is being proposed by Mr. William Cox and Mr. Vernon Rampton in Lot 13, Concession 1 of Huntley Ward, West Carleton Township. As you know, Mr. Harris is a lawyer who specializes in Ontario Municipal Board work and I have 30 years experience as a professional hydrogeologist working with subdivision applications.

At our meeting we presented a series of issues for your consideration, in writing, on behalf of the citizens who live adjacent to the proposed subdivision. Some of our concerns (which were explained to you in detail in writing) included:

- The unsafe nature of the road exit/access for the Old Carp Road into the Cox Property. Consideration must be given to an alternate road exit to Huntmar Road through lands actually owned and controlled by the proponent for Phase I.
- The elevation, slope and road design required to construct a road across the sloped field owned by Mr. Cox and the esthetics and drainage of the raised roadbed across Phase 2 lands.
- The lack of natural suitability of the Cox field for country estate lot development as noted by the Township Planning Department and both the Township and Regional Official Plans, section 6(10)(a)(viii) and 3.7.4.5 respectively are not even mentioned in the Region's response. You have ignored entirely that the Township's Plan requirements that "the natural amenities (of an estate lot subdivision) **must** be contained on at least 75% of the lands to be subdivided.
- The lack of conformity of the proposal with the West Carleton official plan.
- The attempt to join two properties from unrelated landowners to form Phase 1 and 2 of a single development when it is clear that the Phase 2 is completely dependent on Phase 1 as a bootstrap development.



- Poor drainage conditions which exist on at least 6 proposed lots which are located in a groundwater discharge area on the southeastern part of the proposal and which the proponent's own consultant describes as presenting poor building conditions.
- The poor natural groundwater quality throughout the area.
- The poor and unprofessional quality of the proposed plan, which does not adequately consider road pattern alternatives and does not plan lots with the terrain constraints present on the property.
- The high overall density of the subdivision.
- The need for traffic studies to determine the safety and potential impacts along the Carp Road.

We have received your comments dated August 11, 1999. They do **not** give any serious consideration to the issues we discussed, even though our concerns are serious and factual and are based on decades of professional experience. Frankly, we are disappointed in your approach and the quality of your work.

We have a few new observations for your consideration;

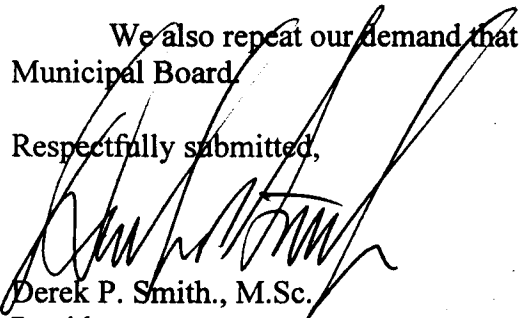
- 1) Some hydrogeological work is being conducted this summer by Gorrell Resources to determine the water table levels in the poorly drained area of the proposed subdivision. This work is ongoing at the present time and has not been completed as you mention in your letter. Please note that this is the month of August during a year of severe drought. Springs and wells have gone dry along higher elevation of the Carp Ridge during the last months. Any measurements taken at this time are meaningless from a hydrogeological standpoint. This work must be completed between March and May and September and November of a normal year before the suitability of developing these lots can be ascertained. We have advised Gorrell Resources that we are carrying out our own hydrogeological investigations as a professional courtesy.
- 2) The relocation of the access to the Cox property along the Old Carp Road does in no way alleviate the safety concerns at this intersection or the problems with the road design across the Cox field. This is not a trivial matter which will be remediated by installing several stop signs. We are in the process of engaging an expert in transportation engineering to address these concerns and will present this information to you when the work is completed.
- 3) The issue of the unrelated ownership of Phase 1 and Phase 2 of the property, the unsuitable nature of the Cox property for country estate lot development, the phasing of the proposals and the lack of conformity of this proposal with the official plan has not been addressed in your letter. These are fundamental planning issues which require answers and it is very likely that this property should not be included in the proposed subdivision.
- 4) In addition, the other issues mentioned above (road pattern and safety, water quality, subdivision density, alternate road exits, etc. etc.) are not addressed in your letter.



As we have stated many times before, we are not a NIMBY group. This subdivision plan is seriously flawed, and must be reworked before it can be approved in any form. Our concerns are real and deserve serious attention. Your letter is very incomplete and should be withdrawn, rethought and rewritten. This proposal is not ready for presentation at the August 24 and September 14 meetings.

We also repeat our demand that this subdivision proposal be referred to the Ontario Municipal Board.

Respectfully submitted,



Derek P. Smith., M.Sc.  
President

*Ref: Aug18-99Mahon.doc/ds61*

**ANNEX B**  
(to be completed after Council decision)

Applicable Planning Act: **Bill 20**

Date:  
Regional File: 15-98-SD25  
Contact: Myles Mahon

**See Distribution List**

Dear Sir/Madam

**Re: Notice Under Section 51(37) of the Planning Act  
Historic Elmwood Subdivision  
Draft Plan of Subdivision 06T-98025  
Part Lots 13 and 14 Concession I (Huntley Ward)  
Township of West Carleton**

In accordance with Section 51(37) of the Planning Act, you are hereby notified that Regional Council has decided to refuse Draft Plan of Subdivision 06T-98025.

**INFORMATION**

Information on Draft Plan of Subdivision 06T-98025 can be obtained from the Regional Planning and Development Approvals Dept. at the above-noted address (attention: Myles Mahon, 560-6058, ext.1592) or the Township of West Carleton, 5670 Carp Road, Kinburn, (attention: Timothy Chadder, 832-5644, ext. 225).

**NOTICE OF APPEAL**

Pursuant to Section 51(39) of the Planning Act, any person or public body may, not later than 4:30 p.m. on (date 20 days after the date of the giving of notice), appeal the decision by filing a notice of appeal on Draft Plan of Subdivision 06T-98025 with the Regional Planning and Development Approvals Dept. Such appeal must identify, in writing, the reasons for the appeal and be accompanied by a certified cheque in the amount of \$125.00 to cover the Ontario Municipal Board's prescribed fee. If no notice of appeal is received before or on (date 20 days after the date of the giving of notice), the decision of the Regional Council is final.

Only individuals, corporations or public bodies may appeal a decision of the Region to the Ontario Municipal Board. A notice of appeal may not be made by an unincorporated association or group. However, a notice of appeal may be made in the name of an individual who is a member of the association or group on its behalf.

Dated dd/mm/yyyy.

Sincerely

Mary Jo Woolam  
Regional Clerk

Attach.

c.c.: Timothy Chadder, Township of West Carleton  
Vern Rampton, TAMS  
Bill Cox  
Derek Smith  
Roger Harris  
Kathleen Nunn  
David Bullock  
Denton Byers  
Bill Hall  
Jennifer Gorrell  
Linda Thompson  
Lorne Montgomery  
Stewart Arnott  
Margaret Clement  
Norman Hallendy  
Marilyn Critoph  
Mark Critoph  
Bruce Sample  
Cathy Whitty  
Heather Adeney  
Gerry Augusta  
Pat & Len Moxham  
Brenda Turner  
John Caldwell  
Rolf Kluchert  
Evelyn Dore  
Shannon Rampton  
Lance Nickel  
Jordan Anka  
Roaslind Harris  
Gordon Armstrong  
Brent & Leisa Young

COND/SUB-7

ANNEX C

Regional File: 15-98-SD25

Provincial File: 06T-98025

West Carleton File: 99-11

**REGIONAL CONDITIONS FOR FINAL APPROVAL**  
**VJ LAND LTD. PHASE I AND WILLIM/WENDY COX, PHASE II**  
**HISTORIC ELMWOOD**

**DRAFT APPROVED DD/MM/YYYY**

The RMOC's conditions applying to the approval of the final plan for registration of VJ Land Ltd., Phase I and William/ Wendy Phase II Subdivision (06T-98025) are as follows:

**Agency to  
Clear**

**General**

- |    |  |  |
|----|--|--|
| 1. | This approval applies to the draft plan certified by, OLS, dated 29 January 1999, showing 25 lots in Phase I and 8 lots in Phase II for a total of 33 residential lots.  |  |
| 2. | The owner agrees, by entering into subdivision agreements, to satisfy all requirements, financial and otherwise, of the local municipality and the Region of Ottawa-Carleton, including but not limited to, the phasing of the plan for registration, the provision of roads, installation of services and utilities, and drainage.  | <b>W. Carleton<br/>RMOC<br/>(PDAD)</b> |
| 3. | The approval of the subdivision is on the basis of the approved number of lots and the creation of additional lots is not in keeping with the nature of the development. Any splitting of these lots if permitted by the zoning by-law will, among other considerations, depend on the hydrogeology study and terrain analysis and any addendums thereto, prepared for the subdivision, being reviewed by a qualified hydrogeologist to advise whether such splitting should be permitted and under what conditions. | <b>W. Carleton<br/>RMOC<br/>(PDAD)</b> |
| 4. | Prior to any further division of lots or blocks, the RMOC or the Township of West Carleton may require an additional agreement to address any new or amended conditions.   | <b>W. Carleton<br/>RMOC<br/>(PDAD)</b> |

5. The development of this subdivision shall be phased. Each phase is to contain not more than 40 lots. Prior to the registration of each phase subsequent to the first phase:
- W. Carleton  
RMOC  
(PDAD)**
- a) the owner shall demonstrate to the Township of West Carleton and the Region that the operation of wells and private sewage disposal systems in the previous phase of the development is satisfactory;
  - b) sufficient tree planting has been undertaken in Phase II to achieve conformity with Section 6(10)(a)(viii) of the West Carleton Official Plan and section 3.7.4.5 of the Regional Official Plan,
  - c) sufficient securities shall be deposited to the municipality to ensure completion of the works proposed for Phase II.

Prior to the registration of each phase, lots in that phase or any subsequent phase will not be offered for sale nor will the owner apply for building permits.

### **Zoning**

6. Prior to registration of the plan of subdivision, the Region shall be advised by the Township of West Carleton that the proposed plan of subdivision conforms with a zoning by-law approved under the requirements of the Planning Act with all possibility of appeal to the OMB exhausted.
- RMOC  
(PDAD)**

### **Roads**

7. All streets shall be named to the satisfaction of the local municipality and the Regional Planning and Development Approvals Department.
- W. Carleton  
RMOC  
(PDAD)**
8. Prior to final approval of this plan, appropriate blocks for road purposes shall be shown on the plan as well as those lands required for temporary turning circles between phases. The subdivision agreement with the Township of West Carleton shall indicate that these lands will be transferred back to the lots at such time as the road is extended to develop additional phases. This shall be to the satisfaction of the Township of West Carleton.
- W. Carleton**
9. Prior to final approval of this plan, required 0.3 m reserves and sight triangles shall be shown on the plan.
- W. Carleton**

10. The developer shall satisfy the Township of West Carleton with respect to the safety, design, and location of accesses and traffic patterns for the development. The study should address, in addition to the issues noted above the double blind curve on the Old Carp Road, the design of the subdivision road for conformity to RTAC standards and the use of traffic-calming measures such as three-ways stops at intersections in the development of the street pattern. Studies by an independent engineer may be required at the developer's cost to demonstrate that these matters are properly addressed. **W. Carleton**

**Sidewalks, Walkways, and Fencing**

11. The final plan submitted for registration shall include a block, 10 metres in width between Street Number 1 and the Region's rail line, to provide for non-motorized public access to these lands. This block shall be conveyed at no cost to the Township of West Carleton. **W. Carleton**

**Land/Streetscaping**

12. The Local Architectural Conservation Advisory Committee (LACAC) shall review the historical value of the stone walls of the Gourlay Estate to determine whether or not it feels that designation under the Heritage Act is warranted. **W. Carleton**
13. The owner agrees to implement through the subdivision agreement the recommendations of Inspection Report and Management Recommendations for Tree Conservation and Planting dated January 1999 by William W. Hall, R. P. F., Opeongo Forestry Service, Renfrew, Ontario and any amendments thereto, including implementation of an Owner Awareness Program. **W. Carleton  
RMOC  
(PDAD)**
14. The owner shall ensure that vegetation identified for retention in the Tree Conservation and Planting dated January, 1999 by William W. Hall, R. P. F., Opeongo Forestry Service, Renfrew, Ontario is protected from construction activities, including pre-servicing and road construction by: **W. Carleton  
RMOC  
(PDAD)**
- a) confining equipment to working areas so as not to disrupt any treed roots unnecessarily
  - b) preventing stockpiling and storing of equipment, excavated material, and topsoil in and around retention areas
  - c) providing for appropriate snow fencing or protective barriers as needed to protect treed areas targeted for retention that are in close proximity (driplines within 5 m) to working areas.

**Parks**

15. Cash-in-lieu of the 5% parkland conveyance shall be provided to the satisfaction of the Township of West Carleton pursuant to the provisions of The Planning Act. The amount accepted as cash-in-lieu shall be based on the market value of the land immediately prior to draft approval of the plan, pursuant to The Planning Act. **W. Carleton**

**Stormwater Management**

16. Prior to the commencement of construction of any phase of this subdivision (roads, utilities, any off site work, etc.) the owner shall: **W. Carleton  
RMOC  
PDAD)  
MVC**
- a) have an Erosion and Sediment Control Plan prepared by a professional engineer in accordance with Current Best Management Practices;
  - b) have such a plan approved by the Region; and
  - c) provide certification to the Region through a professional engineer that the plan has been implemented.
17. Prior to registration or prior to an application for a Certificate of Approval for any stormwater works (whichever comes first), the owner shall prepare a Stormwater Site Management Plan in accordance with the approved Conceptual Stormwater Management Report prepared by McIntosh Hill Engineering Services Ltd. (January 1999). The Stormwater Site Management Plan shall identify the sequence for its implementation in relation to the construction of the subdivision and shall be to the satisfaction of the Township of West Carleton, the Region and Mississippi Valley Conservation. **W. Carleton  
RMOC  
(PDAD)  
MVC**
18. On completion of all stormwater works, the owner shall provide certification to the Region through a professional engineer that all measures have been implemented in conformity with the approved Stormwater Site Management Plan. **W. Carleton  
RMOC  
(PDAD)  
MVC**

**Rural Services**

19. All well construction, including test wells, shall be in accordance with the recommendations of the approved Hydrogeological and Terrain Analysis Report prepared by Gorrel Resources Investigations (January 1999). The owner shall provide certification in this regard by a Professional Engineer prior to the issuance of a building permit. Such a requirement shall be included in all offers of purchase and sale and in the subdivision agreements. **W. Carleton  
RMOC  
(PDAD)**

20. The septic system and building envelop will be located outside of Zones 1, 2 and 3 of the Detailed Mapping of Poorly - Drained Area June 24, 1999 as per the letter by Gorrel Resources Investigations re Additional Investigation of Poorly-Drained Area Historic Elmwood Subdivision (dated July 20 1999). The lots area of each lot shall be a minimum of 0.8 ha outside of Zone 1 - Marsh. **W. Carleton RMOB (PDAD)**
21. Prior to registration the owner shall provide a study to assess the impact of the residential development on wildlife habitat and corridors and recommend mitigation measures for the area in Zones 1, 2 and 3 of the Detailed Mapping of Poorly - Drained Area June 24, 1999 as per the letter by Gorrel Resources Investigations re Additional Investigation of Poorly-Drained Area Historic Elmwood Subdivision (dated July 20 1999). The mitigation measures shall be included in the subdivision agreement with West Carleton. **W. Carleton**
22. Prior to registration, the owner shall undertake a more detailed study of the water table for the subdivision to supplement the Hydrological and Terrain Analysis Report prepared by Gorrel Resource Investigations (January 1999) and addendums. This report will provide further guidance as to lot development including the location and design of sewage systems and house foundations throughout the subdivision, but specifically for lots 12 - 17, phase I and lots 1-5 Phase II. The recommendations of this study shall be included in the subdivision agreement with West Carleton. **W. Carleton**
23. All sewage systems will be designed in accordance with Ontario Building Code and shall be in accordance with the recommendations of the Hydrological and Terrain Analysis Report prepared by Gorrel Resource Investigations (January 1999) and addendums, including recommendations regarding raised tile beds. **W. Carleton**
24. Prior to the issuance of a building permit and before installing the tile beds the owner shall provide a detailed plan and design for the septic system including any percolation tests, mounding calculations, all to the satisfaction of the Township of West Carleton. Such requirements shall be included in all offers of purchase and sale and in subdivision agreements. **W. Carleton**



25. The owner shall include statements in the subdivision agreement and in all Offer of Purchase and Sale Agreements with prospective lot purchasers in wording acceptable to the Region and the Township of West Carleton, advising:
- W. Carleton  
RMOC  
(Health)**
- a) “that the sodium levels in well water may exceed 20 mg/l. The Regional Medical Officer of Health recommends that persons with cardiac problems (hypertension, etc.) discuss this matter with their family physician”,
  - b) “that the well water should be tested for fluoride. If a concentration exceeds the Ontario Drinking Water Objective of 1.5 mg/L, users should discuss this matter with their family physician and take appropriate action. Treatment for fluoride removal include reverse osmosis and distillation. The Regional Health Department recommends that fluoride levels be reduced as much as possible to no more 0.6 mg/L (the level at which no supplementation for children of any age is recommended by the Canadian Pediatric Society)”,
  - c) “the recommended treatment for hardness and total dissolved solids is a water conditioner or softener”,
  - d) “if iron concentrations are higher than the levels that can be effectively treated with a water conditioner, the recommended treatment is a manganese greensand filter or an oxidation unit”.
26. The owner shall install a 10,000 gallon water storage tank or other approved alternative, for fire fighting purposes to the satisfaction of the Township of West Carleton.
- W. Carleton**
27. A warning clause will be inserted into the Regional and local subdivision agreements and in all offer of purchase and sale agreements, to read as follows:
- W. Carleton  
RMOC  
(Health)**
- “Neither the Region nor the Township of West Carleton guarantees the quality or quantity of the groundwater. If, at some future date, the quality or the quantity of the groundwater becomes deficient, the Region and the Township of West Carleton bear no responsibility, financial or otherwise, to provide solutions to the deficiency, such solutions being the sole responsibility of the homeowner”.

**Utilities**

28. Such easements and maintenance agreements which may be required for electrical, gas, water, sewer, telephone and cablevision facilities, shall be provided and agreed to by the owner, to the satisfaction of the appropriate authority; and that the owner shall ensure that these easement documents are registered on Title immediately following registration of the final plan; and the affected agencies are duly notified.
- Bell  
Cable  
Hydro  
Gas  
W. Carleton**
29. Where the relocation or removal of any existing on-site/adjacent utility facility, including water, sewer, electrical, gas, telephone and cablevision, is required as a direct result of the development, the owner shall pay the actual cost associated therewith to the satisfaction of the appropriate utility authority.
- Bell  
Cable  
Hydro  
Gas  
W. Carleton**
30. The owner shall coordinate the preparation of an overall utility distribution plan showing the location (shared or otherwise) and installation, timing and phasing of all required utilities (on-grade, below-grade or above-grade), including on-site drainage facilities and streetscaping)--such location plan shall be to the satisfaction of all affected authorities and shall consider their respective standards and specification manuals, where applicable.
- Bell  
Cable  
Hydro  
Gas  
W. Carleton  
RMOC  
(Legal)**

**Noise**

31. A caution shall be included in the subdivision agreement with the Township of West Carleton to inform potential landowners of the presence of the airport and advising them to expect noises associated with its use.
- W. Carleton**
32. The owner shall advise purchasers of Lots 10 to 17, Phase 1 and Lots 1 to 5, Phase 2 that noise and vibration from the railway may be of concern, occasionally interfering with some activities of the dwelling occupants as these levels exceed the Municipality and Ministry of Environments criteria and that attenuation measures are not proposed.
- RMOC  
(PDAD)**

**Schools**

33. The owner agrees to inform prospective purchasers that school accommodation problems exist in the Ottawa-Carleton District School Board (OCDSB) schools designated to serve this development and at the present time this problem is being addressed by the utilization of portable classrooms and/or by directing students to schools outside their community.
- OCDSB**

### **Financial Requirements**

34. Prior to registration of the plan of subdivision, the Region shall be satisfied that the processing fee, as prescribed in Part 6.3 of the Regional Regulatory Code, has been paid in full. **RMOC (PDAD)**

### **Survey Requirements**

35. The plan of subdivision shall be referenced, where possible, to the Horizontal Control Network, in accordance with the municipal requirements and guidelines for referencing legal surveys. **RMOC (SURV)**
36. The owner shall provide the final plan intended for registration on diskette in a digital form that is compatible with the Region computerized system. **RMOC (SURV)**

### **Closing Conditions**

37. The owner shall inform the purchaser after registration of each lot or block of the development charges that have been paid or which are still applicable to the lot or block. The applicable development charges shall be states as of the time of the conveyance of the relevant lot or block and the statement shall be provided at the time of the conveyance. The statement of the owner of the applicable development charges shall also contain the statement that the development charges are subject to changes in accordance with the *Development Charges Act, 1997* and the *Education Development Charges Act*. **RMOC (Legal)**
38. At any time prior to final approval of this plan for registration, the Region may, in accordance with Section 51 (44) of the Planning Act, R.S.O. 1990, amend, delete or add to the conditions and this may include the need for amended or new studies. **RMOC (Legal)**
39. The Regional and Local Subdivision Agreement shall state that the conditions run with the land and are binding on the owner's heirs, successors and assigns. **W. Carleton RMOC (Legal)**
40. Prior to registration of the plan of subdivision, the Region is to be satisfied that Conditions 2 to 32 have been fulfilled. **RMOC (PDAD)**
41. If the plan of subdivision has not been registered by 10 August 2002, the draft approval shall lapse pursuant to Section 51 (32) of the Planning Act, 1990. Extensions may only be granted under the provisions of Section 51 (33) of said Planning Act prior to the lapsing date. **RMOC (PDAD)**