

Report to/Rapport au :

**Finance and Economic Development Committee
Comité des finances et du développement économique**

and Council / et au Conseil

**September 25, 2012
le 25 septembre 2012**

Submitted by/Soumis par: Nancy Schepers, Deputy City Manager / Directrice municipale adjointe, Planning and Infrastructure / Urbanisme et Infrastructure

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**GLOUCESTER-SOUTH NEPEAN (22) / Ref N°: ACS2012-PAI-REP-0035
GLOUCESTER-NEPEAN SUD (22)**

SUBJECT: PROPERTY ACQUISITION - URBAN NATURAL FEATURES: UNA #98 - RIVERSIDE SOUTH FOREST AND UNA #100 - ARMSTRONG ROAD SOUTH WOODS - URBANDALE CORPORATION AND RIVERSIDE SOUTH DEVELOPMENT CORPORATION

OBJET : ACQUISITION DE TERRAINS - CARACTÉRISTIQUES NATURELLES URBAINES (CNU) N^o 98, FORÊT DE RIVERSIDE-SUD, ET No^o 100, BOIS DU SUD DU CHEMIN ASMSTRONG - URBANDALE CORPORATION ET RIVERSIDE SOUTH DEVELOPMENT CORPORATION

REPORT RECOMMENDATIONS

That the Finance and Economic Development Committee recommend Council approve:

- 1. The Urban Natural Features acquisitions described in this report in accordance with the terms and conditions contained in a Memorandum of Understanding between City of Ottawa and Urbandale Corporation and Riverside South Development Corporation attached as Document 1; and**
- 2. Subject to approval of Recommendations 1 and to the City satisfying all requirements of the Disposal of Real Property Policy, the delegation of authority to the Deputy City Manager, Planning and Infrastructure to declare surplus the City lands described as Parcel 5 on Document 2, and to finalize and execute the required agreements with Urbandale Corporation and**

Riverside South Development Corporation.

RECOMMANDATIONS DU RAPPORT

Que le Comité des finances et du développement économique recommande au Conseil :

- 1. L'acquisition des caractéristiques naturelles urbaines (CNU) décrites dans le présent rapport conformément aux modalités du protocole d'entente conclu entre la Ville d'Ottawa et la Riverside South Development Corporation ci-joint en tant que document 1; et**
- 2. Sous réserve de l'approbation de la recommandation 1 et pourvu que la Ville satisfasse à toutes les exigences de la Politique sur l'aliénation des biens immobiliers, la délégation des pouvoirs à la directrice municipale adjointe, Urbanisme et Infrastructure, lui permettant de déclarer comme excédentaires les terres municipales connues sous le nom de parcelle 5 dans le document 2 et de finaliser et de mettre en œuvre les ententes nécessaires avec la Urbandale Corporation et la Riverside South Development Corporation.**

EXECUTIVE SUMMARY

The City of Ottawa has a policy of acquiring urban natural features, and this report puts forward the details of acquisitions for two natural feature areas in Riverside South for Committee and Council consideration.

In accordance with the Urban Natural Features Policy, it is recommended that Committee and Council approve the purchase of Urban Natural Feature UNA #98 shown as Parcel 1 on Document 2 for the consideration of \$5,088,000 plus HST and all applicable taxes subject to final adjustment on closing. This parcel consists of approximately 31.90 acres (12.87ha). It is owned by Urbandale Corporation and legally referred to as part of PIN 04331-2973 described as being Block 159, Plan 4M-1243, Geographic Township of Gloucester, now City of Ottawa.

It is also recommended that Committee and Council approve the Option to Purchase in fee simple part of Urban Natural Feature UNA #100, which is shown as Parcels 2 and 4 on Document 2, at a unit price of \$160,000 per acre for a total consideration of \$3,216,000 plus HST and all applicable taxes subject to final adjustments on closing. This parcel consists of approximately 20.1 acres (8.15 a). It is owned by Riverside South Development Corporation and is legally referred to as part of PIN 04330-0048 described as being Part of Lots 21 and 22, Concession 1 (Rideau Front), Geographic Township of Gloucester, now City of Ottawa. As detailed in the MOU attached as Document 1, this option is to be in effect for a period of three (3) years from Council approval of the current report and would be concluded by one of the following methods:

1. By way of a Property Acquisition Agreement with Riverside South Development Corporation for the consideration of \$3,216,000; or

2. By way of a Land Exchange Agreement whereby Riverside South Development Corporation will convey UNA #100 to the City in exchange for a City-owned parcel of land described as Parcel 5 on Document 2, or a part thereof, and the purchase price of \$3,216,000 be reduced on an acre for acre basis, or part thereof, at the unit price of \$160,000 per acre.

The balance of this report provides further details on the Urban Natural Features Acquisition Policy and the recommendations contained in this report.

SOMMAIRE

La Ville d'Ottawa a comme politique d'acquérir les caractéristiques naturelles urbaines. Le présent rapport présente les détails de l'acquisition de deux caractéristiques naturelles urbaines dans Riverside Sud et sera présenté au Comité et au Conseil pour examen.

Conformément à la politique sur les caractéristiques naturelles urbaines, il est recommandé que le Comité et le Conseil approuvent l'achat de la caractéristique naturelle urbaine (CNU) no 98 indiquée sous le nom de parcelle 1 dans le document 2, en contrepartie d'un paiement de 5 088 000 \$ plus la TVH (sous réserve d'éventuels ajustements à la signature). Cette parcelle comporte environ 31,90 acres (12,87 hectares). Elle est la propriété de la Urbandale Corporation et connue sous le nom de partie du PIN 04331-2973, c'est-à-dire le bloc 159, plan 4M-1243, canton géographique de Gloucester (maintenant appelé Ville d'Ottawa).

Il est également recommandé que le Comité et le Conseil approuvent l'option d'achat en fief simple la caractéristique naturelle urbaine (CNU) no 100, indiquée sous le nom de parcelles 2 et 4 dans le document 2, au prix unitaire de 160 000 \$ l'acre, soit 3 216 000 \$ au total plus la TVH (sous réserve d'éventuels ajustements à la signature). Cette parcelle comporte environ 20.1 acres (8,15 hectares) de terrain. Elle appartient à Riverside South Development Corporation et est connue comme partie du PIN 04330-0048, soit une partie des lots 21 et 22, Concession 1 (façade rivière Rideau), canton géographique de Gloucester (maintenant appelé Ville d'Ottawa). Comme il est expliqué dans le protocole d'entente joint en tant que document 1, cette option sera en vigueur pour une période de trois ans à compter de la date d'approbation du présent rapport par le Conseil et peut prendre l'une des formes suivantes :

1. un accord d'acquisition de propriété conclu avec la Riverside South Development Corporation pour le prix de 3 216 000 \$;
2. un accord d'échange de propriété selon lequel la Riverside South Development Corporation cède la CNU n° 100 à la Ville en échange de la parcelle municipale connue sous le nom de parcelle 5 dans le document 2, ou une partie de cette parcelle; le prix de 3 216 000 \$ sera réduit, en fonction du nombre d'acres total ou partiel, au prix unitaire de 160 000 \$ par acre.

Le reste du présent rapport fournit des détails sur la politique d'acquisition des caractéristiques naturelles urbaines et les recommandations contenues dans le rapport.

BACKGROUND

The Urban Natural Features Strategy, adopted by Council in May 2007 (ACS2007-PTE-POL-002), entailed acquisition of fifteen (15) privately owned woodlots over a ten (10) year period. The woodlots were selected for acquisition on the basis of a citywide evaluation of the environmental value of all remaining woodlots over 0.8 hectares in the urban area. All privately owned woodlots that were assessed as having high or moderate environmental values, and that were not already committed to other uses, were recommended for acquisition. The Urban Natural Feature Strategy was also the subject of a report ACS2008-ICS-ECO-0031 to Planning and Environment Committee and Council in November 2008 to address acquisition priorities and funding. A status report on the Urban Natural Features Strategy will be presented to the Planning Committee in the near future.

The City has already acquired all or part of five (5) areas, totaling 96.5 acres (39.0 ha):

- UNA 22 – Bridlewood Core Park;
- UNA 57 – Cambrian Road Woods;
- UNA 87 – Innes Park Woods;
- UNA 97 – Navan Road at Pagé Road; and
- UNA 94 – Cardinal Creek.

Through approval of the Fernbank Community Design Plan in 2009, Council has also identified an additional privately owned Urban Natural Area, UNA 193 – Shea Woods, which was subsequently designated as an Urban Natural Feature in the Official Plan. Therefore, twelve (12) urban natural areas remain identified for acquisition under the Urban Natural Features Strategy.

The City has received formal requests from Urbandale Corporation and its affiliate company Riverside South Development Corporation (RSDC) for the acquisition of three (3) Urban Natural Areas within the Riverside South Community – UNAs 98, 99, and 100 shown as Parcels 1, 2 and 4, respectively, on Document 2. All are currently designated as Urban Natural Features on Schedule “A” of the Official Plan. UNA 98 (Riverside South Forest) received a “high” environmental rating in the Urban Natural Areas Environmental Evaluation Study (UNAEES). It is entirely surrounded by residential development. UNA 99 (Spratt Road Woods) and UNA 100 (Armstrong Road South Woods) received “moderate” ratings in the UNAEES. They lie within the Riverside South Community Design Plan area, and are currently surrounded by undeveloped land.

Under Policy 5.2.1(5) of the Official Plan, the City has three (3) options for responding to the request for acquisition of UNAs 98, 99 and 100:

- (1) The City and the landowner can negotiate a purchase price for all or part of

the urban natural areas;

- (2) The City will acquire all or part of the property through the expropriation process either upon the landowners acceptance of an offer made by the City to acquire the lands under Section 30 of the *Expropriations Act*, or at the request of the landowner for the City to acquire the lands under Section 30 of the *Expropriations Act*; or
- (3) The City can choose not to acquire all or portions of the properties, in which case it must be prepared upon request by the landowner to remove the UNF designation from the un-acquired lands.

Affordability has become an issue in the implementation of the Urban Natural Features Strategy. Council originally proposed the allocation of \$38 million over ten (10) years to the Strategy. To date, the City has expended \$10.58 million, plus land exchanges valued at \$4.23 million, bringing total expenditures for the five (5) completed acquisitions to approximately \$14.8 million. Acquisition costs have averaged \$153,435/acre, as opposed to an original projection of \$101,250/acre. Increasing costs for land have proved prohibitive, limiting the City to acquisition of only the most significant portions of the desired Urban Natural Areas. The policy implications of these issues will be discussed in the forthcoming status report to be presented in the near future.

In light of the affordability issues, staff from the Land Use and Natural Systems unit conducted a site visit in the autumn of 2011 to identify the most environmentally significant portions of UNAs 98, 99 and 100. Staff considered the existing conditions in the woodlots, the likely impacts of adjacent urban development on their ecological values, and the social and economic benefits of the woodlots to the developing community. Based on this site visit and evaluation, the following recommendations are made.

- **UNA 98 (Riverside South Forest)**

The acquisition of all of UNA 98 is recommended because of its “high” environmental rating, the uniform high quality of the forest, interior forest habitat, and its socio-economic value to the existing residential community.

- **UNA 100 (Armstrong Road South Woods)**

The protection of a 22.6 acre core area of UNA 100 is recommended because of the exceptional maturity and diversity of the trees in the central portion of the woodlot, as well as the high native biodiversity of its herbaceous vegetation. Staff noted that the diversity and maturity of the trees in the woodlot decline significantly along the “arms” and base of this T-shaped woodlot, with noticeable edge effects on the herbaceous vegetation. Approximately 2.7 acres of this core area is already protected from development within a 15 m setback from Tributary 10 (as identified in the Riverside South Environmental Management Plan), under

the regulatory authority of the Rideau Valley Conservation Authority. Therefore, the acquisition cost would be based upon the unconstrained portion of the core area, totaling approximately 20.1 acres;

- **UNA 99 (Spratt Road Woods)**

The acquisition of UNA 99 is not recommended. Staff noted that this woodlot consists mostly of young second-growth, low wet forest or swamp, and is dominated by common tree species. The herbaceous layer has a high diversity of native species, but is heavily dominated by scouring rush, making walking very difficult. Two regionally uncommon plant species and several locally uncommon plant species occur in the woodlot. With the exception of the northeast corner of the woodlot, where higher ground supports a more upland forest community, the woodlot appears unsuitable for normal, passive, community uses. Staff noted that the northeast corner of the woodlot should be considered for tree retention if feasible, during the normal development review process.

The land areas associated with UNAs 98 and 100 that are recommended for acquisition are identified as Parcels 1, 2 and 4 on Document 2.

In order to comply with Policy 5.2.1(5) of the Official Plan, an Official Plan Amendment and Zoning By-law Amendment would be needed to remove the Urban Natural Feature land use designation and Environmental Protection zoning from UNA 99 and the un-acquired portions of UNA 100.

DISCUSSION

In accordance with the recommendations resulting from the evaluation of UNAs 98, 99 and 100, negotiations with Urbandale Corporation and RSDC have resulted in a Memorandum of Understanding (MOU) that establishes business terms under which the proposed acquisition of UNA 98 and a reduced area of approximately 20 acres of UNA 100 would occur. Accordingly, UNA 99 would not be included for acquisition. Following is a summary of the terms and conditions applicable to each of the UNA Parcels that are subject of the agreement.

UNA 98

The intent is for the parties to proceed with entering into an agreement of purchase and sale for the entire 31.8 acres which comprises the primary woodlot. The woodlot boundaries will remain as they exist in the Official Plan and registered Plan 4M-1243, and shown as Parcel 1 in Document 2. The purchase price is to be based on the rate of \$160,000 per acre resulting in a total consideration of \$5,088,000 plus HST and all applicable taxes subject to final adjustment at closing. There are presently sufficient funds within the Environmental Resource Area Acquisition Reserve Fund to proceed with this transaction immediately.

UNA 99

The UNA 99 woodlot shown as Parcels 6 and 7 on Document 2 will not be acquired by the City. Accordingly, RSDC will apply for appropriate Official Plan Amendment (OPA) designations and Rezoning to provide for the development of the lands within the boundaries of the UNA 99 woodlot. Subject to Council approval of the recommendations in this report, City staff undertake to recommend to Committee and Council official plan designations and zoning provisions that will permit the development of the lands as these lands will no longer be designated under the Urban Natural Feature Program.

UNA 100

Provisions in the MOU allow for parties to enter into an agreement giving the City the Option to Purchase the redefined 20.1 acres land area applied to UNA 100, to be in effect for a period of three years from Council approval of this report, at a unit price of \$160,000 per acre resulting in a purchase price of \$3,216,000. The proposal also sets aside the possibility of completing the transaction as a land exchange, whereby RSDC will convey UNA 100 to the City in exchange for a City owned parcel of land shown as Parcel 5 on Document 2, or part thereof, and the purchase price of \$3,216,000 will be reduced accordingly on an acre-for-acre basis. The City owned land referred to comprises an approximate 12.9 acre parcel in which a portion of the land will be retained for the future BRT corridor, to be confirmed upon completion of the Environmental Assessment for the Barrhaven Riverside South Rapid Transit Corridor that is currently underway. The timing of exercising this option will be subject to receiving the budget approval for the acquisition and the City satisfying all requirements of the Disposal of Real Property Policy.

With regard to the portions of UNA 100 that will not to be acquired (based on original boundaries) will be subject to the following provisions:

- The T Shape woodlot boundaries will be re-drawn to reflect the agreed upon boundaries as established by the City's environmental review (new woodlot size anticipated to be 18-20 acres);
- RSDC will apply for appropriate OPA designations and Rezoning to provide for the development of the lands outside of the new boundaries for the woodlot. City staff undertake to recommend to Committee and Council official plan designations and zoning provisions that will permit the development of the lands as these lands will no longer be designated under the Urban Natural Feature Program;
- Any future application for development or site alteration, as defined in City of Ottawa O.P.A. 76, Policy 4.7.8., within 30 m of the new boundary of the T-Shaped woodlot will require preparation of EIS, in accordance with the requirements of Policy 4.7.8 and any City of Ottawa EIS Guidelines in place at the time of the application;
- Any Environmental Impact Statement (EIS) prepared in support of an application for development or site alteration, as defined in City of Ottawa O.P.A. 76; Policy 4.7.8, within 30 m of the new boundaries of the T-Shaped woodlot must explicitly consider the impacts of the development or site alteration on the UNF in order for the

development application to be considered complete;

- Any mitigation measures, buffer requirements, etc. identified in an EIS for protection of the T-Shaped woodlot from the effects of a development or site alteration within 30 m of the new boundaries of the T-shaped woodlot will occur outside of those boundaries; and
- Lands outside of the new woodlot boundaries will be appropriately designated for urban development and the City will consent to their preparation for urban development.

General provisions that will apply to all lands that are subject of the MOU will be subject to the following:

- Where this Memorandum permits lands to be developed, RSDC/Urbandale shall initiate the process for required amendments to the Community Design Plan. Such process shall be at the cost of RSDC/Urbandale. The City and Urbandale/RSDC shall share in the costs required for any necessary changes to the Master Servicing Strategy;
- Where additional development is required as a result of this Memorandum of Understanding, additional parkland or cash-in-lieu thereof will be required; and
- In accordance with the Urban Tree Conservation By-law, the preservation of some trees within the Spratt Road Woodlot and the T-shaped woodlot outside the area conveyed to the City may be required.

Negotiations with Urbandale Corporation and RSDC were supported by an independent appraisal completed on behalf of the City for each of the subject properties, as well as a second appraisal completed by the Realty Services Branch - Valuation Unit, in order to provide an estimate of market value attributable to the subject lands in its respective highest and best use. The appraisers relied on the Direct Comparison Approach wherein the subject properties were compared with similar type properties that have recently been sold, or had been offered for sale at the valuation date. The financial considerations associated with the transactions identified in the agreement are deemed to be fair and reasonable and fall within the range of expected market value.

Recommendation 2, delegation of authority to the Deputy City Manager, Planning and Infrastructure, is proposed for Committee and Council consideration in order to streamline the legislative and technical processes needed to execute the MOU. Normally, Council approval is needed to declare lands surplus to City needs. With delegation of authority as recommended in this report, staff will be able to execute the acquisitions in accordance with the terms and conditions of the MOU without having to return to Committee and Council for approval again.

RURAL IMPLICATIONS

The subject property is located within the urban boundary of the City of Ottawa. Entering into this agreement will not generate any rural implications.

CONSULTATION

Public consultation on the Urban Natural Features Strategy included public information meetings held in June 2005 at six (6) locations across the City, as well as City Hall on 2 May 2006. In addition meetings were held throughout 2005-2006 with stakeholders and landowners detailed in report ACS2007-PTE-POL-002.

COMMENTS BY THE WARD COUNCILLOR(S)

The subject property is located in Ward 22. The Ward Councillor, Steve Desroches, has reviewed this report and is in support of the staff recommendations therein.

LEGAL IMPLICATIONS

Legal Services has reviewed the policies in the Official Plan and the approvals history of Urbandale Corporation and Riverside South Development Corporation in order to determine if there would be a basis for obtaining the lands referenced in this report at no cost to the City. Ontario Municipal Board case law does not support a municipality acquiring land categorized as a Significant Woodlot at no cost. There has been an intention to provide Urban Natural Feature UNA #98 to the City through the Ecogift program. However, despite efforts by Urbandale Corporation and Riverside South Development Corporation and the City, it was not in the end possible to obtain a tax ruling that would make this feasible. It is therefore the opinion of Legal Services that the City does not have the means to acquire these parcels at no cost. There are no legal impediments to implementing the recommendations in this report.

RISK MANAGEMENT IMPLICATIONS

The retention of mature trees in Ottawa's developing, suburban communities has proved very challenging, due to a number of factors, including the prevalence of clay soils, site preparation requirements, and infrastructure and engineering requirements. UNF 98 and the core area of UNF 100 constitute the only significant areas of mature forest canopy in the Riverside South Community. If that mature forest canopy is lost, there is little or no prospect for its replacement in the future.

FINANCIAL IMPLICATIONS

The property acquisition of Urban Natural Features: UNA #98 – Riverside South Forest will be funded from the Environmental Resource Areas Acquisition Reserve Fund. Funding for future acquisitions of urban natural features would be considered as part of the upcoming report on the Urban Natural Feature Strategy.

ACCESSIBILITY IMPACTS

The feasibility of creating pathways through or adjacent to the retained urban natural features will be examined through the subdivision approval process or through the development of woodlot management plans. Any pathways will be designed according to City standards for accessibility.

ENVIRONMENTAL IMPLICATIONS

In accordance with the Real Property Acquisition Policy the appropriate level of Environmental Site Assessment (ESA) will be completed on behalf of the City as part of the due diligence prior to completion of the property transactions.

TECHNOLOGY IMPLICATIONS

There are no technology implications associated with this report.

TERM OF COUNCIL PRIORITIES

The recommendations in this report will contribute to the following Term of Council Priorities: Environmental Stewardship; Health and Caring Community.

Objective ES2: Enhance and Protect Natural Systems

Objective ES3: Reduce Environmental Impact

Objective HC2 : Improve Parks, Recreation, Arts and Heritage

SUPPORTING DOCUMENTATION

Document 1 – Memorandum of Understanding (MOU)

Document 2 – Sketch of lands to be acquired

DISPOSITION

Following approval, Realty Services and Legal Services to finalize acquisition.

MEMORANDUM OF UNDERSTANDING

BETWEEN

CITY OF OTTAWA
(the "City")

-AND-

URBAN DALE CORPORATION and RIVERSIDE SOUTH DEVELOPMENT
CORPORATION
(collectively "RSDC")**General Provisions**

The City and RSDC will refine and come to a consensus agreement on the final woodlot boundaries for the T shape woodlot owned by RSDC and the Primary Woodlot owned by RSDC. Upon execution of the agreement, staff of the City will submit a report to Committee and Council for approval such that Committee and Council can consider the subject report within 21 days of the date of execution.

Where this Memorandum permits lands to be developed, RSDC shall initiate the process for required amendments to the Community Design Plan. Such process shall be at the cost of RSDC. The City and RSDC shall share in the costs required for any necessary changes to the Master Servicing Strategy.

Where additional development is required as a result of this Memorandum of Understanding, additional parkland or cash-in-lieu thereof will be required.

In accordance with the Urban Tree Conservation By-law, the preservation of some trees within the Spratt Road Woodlot and the T-shaped woodlot outside the area conveyed to the City may be required.

Spratt Road Woodlot (Spratt Road south of Earl Armstrong Road)

- The Spratt woodlot will not be acquired by the City.
- RSDC to apply for appropriate OPA designations and Rezoning to provide for the development of the lands within the Spratt Woodlot. City staff undertake to recommend to Committee and Council official plan designations and zoning provisions that will permit the development of the lands.

T Shaped woodlot (East of Spratt Road, south of Earl Armstrong Road)

- The T shape woodlot boundaries will be re-drawn to reflect the agreed upon boundaries as established by the City's environmental review (new woodlot size anticipated to be 18-20 acres) .
- RSDC to apply for appropriate OPA designations and Rezoning to provide for the development of the lands outside of the new boundaries for the woodlot. City staff undertake to recommend to Committee and Council official plan designations and zoning provisions that will permit the development of the lands
- Any future application for development or site alteration, as defined in City of Ottawa O.P.A. 76, Policy 4.7.8., within 30 m of the new boundary of the T-Shaped woodlot will require preparation of EIS, in accordance with the requirements of Policy 4.7.8 and any City of Ottawa EIS Guidelines in place at the time of the application.
- Any EIS prepared in support of an application for development or site alteration, as defined in City of Ottawa O.P.A. 76, Policy 4.7.8, within 30 m of the new boundaries of the T-Shaped woodlot must explicitly consider the impacts of the development or site alteration on the UNF in order for the development application to be considered complete.
- Any mitigation measures, buffer requirements, *etc.* identified in an EIS for protection of the T-Shaped woodlot from the effects of a development or site alteration within 30 m of the new boundaries of the T-shaped woodlot will occur outside of those boundaries.
- The newly defined 18-20 acre woodlot will remain in RSDC ownership pending acquisition by the City pursuant to an option agreement to be executed.
- RSDC agrees to hold the new woodlot land while the City confirms how these lands will be 'acquired' – as an example – acquired by way of cash purchase or land exchange.
- The newly defined 18-20 acre woodlot will be reserved for acquisition by the City for a period of three years from Council approval of this agreement at a price of \$160,000 per acre.
- Subject to procedural requirements of the *Disposal of Real Property Corporate Policy*, the purchase price will be reduced on an acre for acre basis (or part acre thereof) to the extent that the City and RSDC agree, during the three year reservation period, to a conveyance from the City to RSDC of any portion of the lands commonly known as the Carson lands, which area shall be forthwith established by the City following completion of the Barrhaven Riverside South Rapid Transit Corridor Environmental Assessment.
- Lands outside of the new woodlot boundaries will be appropriately designated for urban development and the City will consent to their preparation for urban development

Primary Woodlot north of Earl Armstrong (Canyon Walk – Block 159 4M 1243)

- RSDC agrees to enter into an agreement of purchase and sale with the City of Ottawa for the entire 31 acres which comprises the primary woodlot.
- The Primary woodlot boundaries will remain as they exist in the City of Ottawa's

Official Plan and registered plan 4M 1243. This woodlot does not include Tributary 10 – Thomas Gamble Drain – Block 71 4M 1019 or any constraint lands associated with this tributary.

- A purchase of price of \$160,000 per acre will be due upon closing. Subject to satisfaction of the usual real estate searches, closing will be within 91 days of Council approval.

Concluding Provisions

- The parties agree that this MOU will be subject to minor adjustments to be mutually agreed upon after consultation with the Mayor and appropriate City staff.
- The parties further agree that this MOU will only be final and binding agreement after ratification by Ottawa City Council

Revised September 21, 2012-09-21

Dated at Ottawa this 24th day of September, 2012

City of Ottawa
Per:

John L. Moser, Planning and Growth Management Department

Urbandale Corporation
Per:

Name
Title

Property Sketch

