

MINUTES

REGULAR COUNCIL MEETING

CITY OF KANATA

TUESDAY, JULY 18, 2000

7:00 p.m. Council Chambers

PRESENT

M. Nicholds	Mayor
S.E. McKee	Councillor
R. Rutkowski	Councillor
L. Mitchell	Councillor

ABSENT

P. Cripps	Councillor (On Vacation)
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STAFF

R. Ottenhof	Deputy City Manager/City Treasurer
D. Krajaefski	Director of Planning & Development
G. Kemp	Director, Protective Services/Fire Chief
B. Arthur	Director of Public Works/City Engineer
R. Baker	Director, Community & Recreation Services
K. Foulds	Manager, Planning Unit, Planning & Dev.
W. Morris	Planner, Planning & Development Services
M. Boughton	Planner, Planning & Development Services
R. Phillips	Engineering Svcs. Planning & Development
J. Miskelly	Traffic Co-ordinator, Public Works
L. Donaldson	Acting City Clerk
P. Hall	Acting Administrative Officer

The meeting was called to order at 7:00 p.m.

- PRAYER

Mayor Nicholds opened the meeting with a prayer.

ADDITIONS/DELETIONS

245. MOVED by S. McKee and SECONDED by L. Mitchell

THAT the Rules of Procedure be waived to permit the following additions/deletions to this evening's Agenda:

ADD: UNDER BY-LAWS

Q. 4 By-Law No. Being a By-law to Amend By-law No. 74-79 for the March Rural Community to Rezone the Land Being the West Half of Lot 27, Concession 4, Partly to a Rural Industrial Zone and Partly to an Estate Residential Zone (Report 121-07-00 - July 18, 2000)

CARRIED

- DECLARATIONS OF INTEREST

A. QUESTION PERIOD - 5 MINUTES

Mr. John Hallyer, Kanata resident, asked what the policy was regarding Claridge Homes building without City permission. Mayor Nicholds responded that any builder must get permission via permits from City staff and that there is a process which must be followed. Mr. Gord Kemp indicated staff would be willing to answer his questions. Another Kanata resident asked a question about the traffic in the Centrum area and what the City has done to make sure traffic flows smoothly. Mayor Nicholds stated that Council is very concerned about this area and that a lot of work has been done and a lot of monitoring is going on of this area. She added that developers in this area have certain conditions they must comply to in their agreements. She also stated that the Planning staff would be more than happy to give him more information on this issue.

B. CONFIRMATION OF MINUTES

246. MOVED by L. Mitchell and SECONDED by S. McKee

THAT the minutes of the Regular Council meeting of July 4, 2000, be adopted.

CARRIED

C. RATIFICATION OF DECISIONS

247. MOVED by L. Mitchell and SECONDED by R. Rutkowski

THAT the decisions taken in the Committee of the Whole meeting of July 4, 2000, be adopted.

CARRIED

D. PRESENTATIONS/DEPUTATIONS

E. PUBLIC MEETINGS

1. PUBLIC MEETING for a Zoning By-law Amendment to Rezone Land in Lot 27 Concession 4 from Agricultural Resource to Estate Residential and to Insert Buffering Policies for the Adjacent Wetland Areas in Conformity with Local Official Plan Amendment No. 52 as Modified by the RMOC (Report 121-07-00 - July 18, 2000)

Mr. Ken Foulds stated that if a person or public body that files an appeal to a decision of the City of Kanata in respect of the proposed amendment being heard at this meeting, does not make an oral submission at this public meeting or does not make written submissions to the City of Kanata before the proposed zoning by-law amendment is adopted, the Ontario Municipal Board may dismiss all or part of the appeal(s).

Mr. Foulds gave a presentation on this report and was available to answer questions. He stated that Mr. Finlay, the author of the report, was away. He began by saying that, as Council may recall, in December last year, the City adopted Official Plan Amendment #52 and Zoning By-law 194-99 related to lands, on the basis of an application from Manchester Developments, located in the Dunrobin Road and Thomas Dolan Parkway area, Lot 27, Concession 4. He went on to describe the main intent of the Manchester application. He added that Council adopted OPA 52 and Zoning By-law 194-99, which changed the zoning from agricultural to industrial. Mr. Foulds stated that at that time there was an introduction of a 30m "no-build" setback from the adjacent wetland to preserve development encroaching on this environmentally sensitive area. Since

that time a couple of items have come to light with relation to the by-law that are causing some difficulty in relation to the applicant. He added that there have been some regional modifications to OPA 52, which require us to make some minor modifications to the zoning by-law, however, this requires repealing the by-law currently in place and putting in its place a corrected version. Mr. Foulds stated that those corrections are outlined in the staff report.

Mr. Foulds stated that the lot area requirements under the agricultural zone provisions would not enable a proposed severance to occur. Modifications made by the Region to OPA 52 also created difficulties with the existing by-law. He added that the Region, in modifying and approving OPA 52, suggested that a 120m setback would be more appropriate and consistent with regional policy, however, it would not detract from the ability to build within that 120m, it would simply mean a wetland impact study must be done first. Mr. Foulds stated that the modified by-law before Council tonight was to re-instate the original zoning and would include zone provisions to assist in applying the 120m setback. He added that it would also rezone the land immediately to the north to estate residential, to ensure that the lot size provisions of Kanata's Official Plan would remain in force and the severance can go through. Regarding conformity, the Region is waiting to ensure that the zoning will comply with their modified Official Plan and, as such, they would be prepared to finalize approval once the zoning was in place, meaning compliance with Kanata's Official Plan would be in place once the by-law is adopted. Mr. Foulds stated that consultations for this application were carried on and notice of this public meeting was advertised in the June 23rd issue of the Kanata Courier Standard, however, no submissions have been received. He added that staff are recommending that Council enact the by-law, Attachment. 2, which would effect, correct and repeal the original by-law passed in December of last year.

Mayor Nicholds declared the Public Meeting OPEN.

There being no public comments, Mayor Nicholds declared the Public Meeting CLOSED.

2. PUBLIC MEETING for a Local Official Plan Amendment to Re-designate Land Located in the East Half of Lot 17 Concession 1, Rural March, from Agricultural Resource to General Rural (Report 122-07-00 - July 18, 2000)

Mr. Ken Foulds noted that if a person or public body that files an appeal to a decision of the City of Kanata in respect of the proposed amendment being heard at this meeting, does not make an oral submission at this public meeting or does not make written submissions to the City of Kanata before the proposed official plan amendment is adopted, the Ontario Municipal Board may dismiss all or part of the appeal(s).

Mr. Foulds gave a presentation on this report and was available to answer questions. He stated that the lands in question for the subject application are located adjacent to Marchurst Road and north of March Road. In February this year, Mr. Ron Charlebois filed an application to amend Kanata's Official Plan to designate the land to general rural and to amend those general rural policies to permit a severance for one lot. Mr. Foulds added that Mr. Charlebois does not have immediate development plans for the land, but in the future, he may attempt to subdivide the land. Mr. Foulds went on to describe the current designations on these lands. He added that in the Region's plan from the 1988 version to the 1997 version

there have been some changes in the rural area which have redesignated lands from agricultural resource to general rural in recognition of their lower soil capabilities. He stated that this amendment brings the local plan into conformity with the Regional plan. Mr. Foulds went on to give some history of a previous application by Mr. Charlebois in 1987 which, at the time, was denied. However, with the current Regional Official Plan, as amended, Mr. Charlebois would now be able to seek further development opportunities on the subject lands. Mr. Foulds stated that the applicant is now seeking relief from one of the lot provisions regarding minimum lot size in order to have one lot severed. Mr. Foulds went on to explain the conditions under which a severance would be permitted. He added that due to Mr. Charlebois providing a full engineering study and the knowledge that was obtained from a water resources study in 1994 which identified this land as having the same bedrock as other general rural areas in the City, it could be possible to have lots in the size of two acres. Mr. Foulds stated that staff are, therefore, recommending that this Official Plan Amendment be adopted. He added that consultations were done with external and internal agencies, adjacent neighbours and the March Rural Community Association and no objections were received. He also added that notice of this public meeting was provided in the June 23rd issue of the Kanata Courier Standard.

Mayor Nicholds declared the Public Meeting OPEN.

Mr. MacDonald, resident of 1705 Marchurst Road, stated that he resides adjacent to this land and when he purchased it over 13 years ago, his understanding was that it would remain agricultural resource and he would like it to stay that way, if possible. Mr. Ron Charlebois, owner of the subject property, stated that in 1987 there was an application for a subdivision on the property which he stated was approved of by the City of Kanata and the Region with certain restrictions that it go to the OMB, however, that never happened. He added that in the last plan the Region brought the designation to general rural, and he stated that Mr. MacDonald should have been aware of the subdivision plan on this property. Mr. Charlebois stated that he was prepared to answer any questions from Council.

There being no further public comments, Mayor Nicholds declared the Public Meeting CLOSED.

- **COMMITTEE OF THE WHOLE**

248. MOVED by R. Rutkowski and SECONDED by S. McKee

THAT Council move into Committee of the Whole to deal with Special Committees, Reports of Municipal Officers and Notices of Motion.

CARRIED

Committee of the Whole Chairperson - Councillor S. McKee

F. MATTERS TABLED/DEFERRED

G. SPECIAL COMMITTEES

1. Transition Board Update - John Robison, City Manager

A written report on this item was handed out to Council before the meeting.

2. Traffic Safety Committee - Adult Crossing Guard Program

Mr. James White, Vice Chairman of the Kanata Traffic Safety Committee, stated that he was representing the Committee and Graham Pettifer, the Chairman, and that he was accompanied by Neil Thompson, a Kanata resident and parent who has researched the issue of crossing guards and prepared the report, approved by the Committee, which is being presented tonight. He stated that the Kanata Traffic Safety Committee program concentrates on engineering education and enforcement solutions to our local traffic safety issues and problems in Kanata. He went on to discuss issues with respect to primary school zone safety in Kanata. He stated that past efforts include walk safeties, improved extended sidewalks and upgraded crossings. Mr. White stated that the Traffic Safety Committee met March 23rd this year with a delegation of representatives of school councils who were very concerned about the lack of progress in dealing with the issue of getting kids safely across streets near schools in Kanata. He stated that Neil Thompson and other parents worked hard to research the issue of crossing guards and determine major issues, why they were implemented in other cities across Canada and the US, but not in the Ottawa area generally, what the pros and cons are and what would be involved in bringing the crossing guard program into being in Kanata. He went on to discuss the recommended pilot program for the Fall, which is outlined in their report. Mr. White stated that Kanata Council support and authorization was being requested for the implementation of the pilot program from Sept 1 to Dec. 31, 2000. He added that Council approval of funding for the program in the amount of \$25,000.00 was required for six adult crossing guards. He also added that there are alternative ways of implementing crossing guard programs, such as senior volunteer student crossing guards, however, significant ongoing support from school boards, school councils and police forces is required for this. This approach has been considered before in the Ottawa area, and has not been successful. Mr. White went on to explain the two approaches they are recommending for this program, which would be either a contract with a security company that would look after all the details, or employment of contract crossing guards by the City and he referred to the proposal for further details. Mr. White thanked Council for their attention and welcomed questions at this time.

Several Kanata parents and school council members, Colleen Tripp who was part of the research team for the report; Ruth Winter, Cathy Corkery and Heather McClellan, Castlefrank Elementary School; Sherry Larson, Glen Cairn Public School; Scott Burry, W.O. Mitchell School, Anita Caputo, George Vanier Catholic School; John Crowpack and his daughter, W. Erskine Johnson Public School; and Mr. Peter McNichol, President of the Katimavik-Hazeldean Community Association, all spoke in support of this program and gave examples of incidents and/or conditions in various areas of Kanata to support their concern to have this program in place as recommended in the report.

MOVED by L. Mitchell

THAT Kanata City Council support, in principle, a pilot project by the Kanata Traffic Safety Committee for adult school crossing guards, and

THAT the Committee report be referred to CST for review followed by a report back to Council.

CARRIED

REPORTS OF MUNICIPAL OFFICERS

H. REGULAR REPORT AGENDA

1. 114-07-00 Old Carp Road Traffic Analysis - Loch March Golf and Country Club
-

Mr. Jim Miskelly gave a presentation, using display boards, on this report and was available to answer questions.

Mr. Brian Ward, President of March Rural Community Association stated that they had no objections to the recommendations in this report.

MOVED by L. Mitchell

THAT the Ottawa-Carleton Regional Police be requested to increase surveillance on Old Carp Road; and

THAT the options of Closing or Traffic Calming Old Carp Road not be supported; and

THAT the City of Kanata, Operations Department install Stop Ahead advisory signs for all approaches to the intersection of Old Carp Road and Second Line Road.

CARRIED

2. 117-07-00 Request by Owner of Loch March Golf and Country Club to remove a condition of Site Plan Approval and to amend Site Plan Agreement
-

Mr. Ken Foulds gave a presentation on this report and was available to answer questions.

Mr. Brian Ward, President of the March Rural Community Association stated that residents had concerns with this report and it was felt that these signs will attract additional traffic on Old Carp Road and this would not be acceptable to the community. Mr. Murray Chown, Senior Planner, Novatech Engineering, on behalf of Loch March Golf Club, stated that they were aware of residents' concerns on the traffic issue, as well as the signage issue. He stated that the amount of traffic on Old Carp Road had nothing to do with golf course. He added that the signage they are asking for is not going to affect people visiting this golf course. He also added that the purpose of the signs is not to direct traffic up the Old Carp Road, there are signs on 417 and March Road, to let travelling public know where the golf course is, therefore, this will not change traffic choices of users. He stated that they appreciate these issues, however, the previous report deals with traffic and speed and where people are coming and going, and he urged Council to support the staff's recommendation for this report.

MOVED by L. Mitchell

THAT Condition C (8) of the Site Plan Agreement Between the City of Kanata and Metcalfe Realty Company Limited, executed on the 14th Day of August 1984, be removed.

LOST

3. 121-07-00 Public Meeting for a Zoning By-law Amendment to Rezone Land in Lot 27 Concession 4 from Agricultural Resource to

Estate Residential and to Insert Buffering Policies for the Adjacent Wetland Areas in Conformity with Local Official Plan Amendment No. 52 as Modified by the RMOC

A public meeting on this report was held earlier in the meeting. Mr. Ken Foulds was available to answer questions on this report.

Councillor Mitchell asked for clarification about setbacks and allowable development within the setbacks and what the rationale behind the difference between the Region’s setbacks as compared to local setbacks was. Mr. Foulds responded that the issue of wetlands in policy has been one that has been ongoing for 15 years in this region and there has been a significant amount of onerous debate over the years. The Region has a more refined direction in policy from the 1988 plan to the 1997 plan, which is a lot more prescriptive in their approach to dealing with wetlands. He added that their policies in the 1997 plan were appealed by the Ministry of Natural Resources, and in fact, there are aspects of that policy today that are still not in force because they are part of ongoing mediation. He added that part of the problem was between the interpretation of the day related to those wetlands and the policies that we know to exist today - there has been some refinement of those policies with the Region. Mr. Foulds went on to give an explanation of the difference between the impact of a minor application as opposed to a significant application on the wetlands and how the Region’s policies interpret this. He also added that the refined policy today suggests that you may be able to do something within the 120m, but a study must be completed which defines there are no impacts on the wetlands.

Councillor Mitchell asked for clarification as to the impact of rezoning the other lands to the north of this site. Mr. Foulds responded that one of the problems that was highlighted in the staff report was the issue and the notion that by leaving the land in Agriculture Resource Zoning it would be a problem to get a severance. Therefore, by creating an estate residential zoning for the lands north, it would amend the lot area provisions so that severance could occur. He then referred to the site plan conditions in the report which affords the level of protection that was not originally there. He stated that there are some restricted uses based on the size of the parcel and based on the 120m setback. Councillor Mitchell stated that he could not support the staff’s recommendation on this report.

MOVED by Mayor Nicholds

THAT City Council pass the Zoning By-law Amendment which forms Attachment No. 2 to Report #121-07-00 to rezone the land being the west half of Lot 27 Concession 4 partly to a Rural Industrial RI(f) zone and partly to an Estate Residential ER-5 zone.

CARRIED
(On a later recorded vote)

RECORDED VOTE

<u>NAME OF MEMBER OF COUNCIL</u>	<u>YEAS</u>	<u>NAYS</u>
Councillor Rutkowski	X	
Mayor Nicholds	X	
Councillor Mitchell		X
Councillor McKee	X	

CARRIED

- 4. 122-07-00 Public Meeting for a Local Official Plan Amendment to Re-designate Land Located in the East Half of Lot 17 Concession 1, Rural March, from Agricultural Resource to General Rural

A public meeting on this report was held earlier in the meeting. Mr. Ken Foulds was available to answer questions on this report.

Councillor Mitchell asked about the statement on page 2, middle of page, and if it meant that agricultural lands in rural Kanata are being swept away and whether there are true pockets of agricultural land in Kanata. Mr. Foulds explained that yes there are pockets in Kanata which continue to be of high quality and the Region's new Official Plan continues to recognize those most important resources. He added that the Region also undertook to provide a reality check through a Lear process. He also added that on the basis of a relook at soil classifications and the Lear process, the Region came to an understanding that a good portion of lands in the rural areas of Kanata did not meet those highest tests. However, he stated that there are obviously a lot of appropriately and traditional rural areas in the City, particularly to the south and west of the urban boundary which continue to be recognized in both the Region's and Kanata's Official Plans.

Councillor Mitchell asked about the Official Plan Review and what the ETA was on this coming to Council. Mr. Foulds responded that they are struggling to address certain concerns, and they are continuing to look at options for retooling the City's Official Plan and steps are being put in place for the format of the new plan for new City and what it will look like. He added that they have concerns about investing a lot of time and effort into a process, which in the new year, may be revamped. Mr. Foulds stated that the Official Plan should be coming to Council in the Fall with technical amendments to address concerns of staff, the community and Council.

MOVED by Mayor Nicholds

THAT the By-law which forms Attachment No. 2 to Report 122-07-00, being a by-law to adopt Amendment No. 56 to the Official Plan of the City of Kanata, as it relates to Part of Lot 17 Concession 1 of the former Township of March, be adopted.

CARRIED
(On a later recorded vote)

RECORDED VOTE

<u>NAME OF MEMBER OF COUNCIL</u>	<u>YEAS</u>	<u>NAYS</u>
Councillor Rutkowski	X	
Mayor Nicholds	X	
Councillor Mitchell	X	
Councillor McKee	X	

CARRIED UNANIMOUSLY

5. 139-07-00 Hopner Facilities Inc., Site Plan Approval for a 5 Storey, 6,725 sq. metre Research and Development Facility, East Side of Silver Seven Road, North of Palladium Drive, Terry Fox Business Park
-

Using an overhead projector, Mr. Wayne Morris gave a presentation on this report and was available to answer questions.

MOVED by L. Mitchell

- A. That the complete site plan application filed by Hoppner Facilities Inc, on behalf of Silver Seven Road Inc., for the development of a 6,725 square metre, five (5) storey, office and research/development facility on a 1.1 hectare site, located on the east side of Silver Seven Road, within the Terry Fox Business Park, be approved subject to the following conditions.
1. That the owner shall enter into a site plan agreement with the City of Kanata, and that the Standard Conditions of the Site Plan Approval outlined in Parts A and C of City Manager's Report 93-05-97, dated 13 May 1997, shall apply.
 2. That the owner shall revise all required plans to the satisfaction of the Director of Planning and Development Services.
 3. That the owner shall submit all securities, fees, and certificate of insurance in accordance with the terms outlined in the site plan agreement and as determined by the Director of Planning and Development Services.
- B. That the following special conditions pertaining to the proposed development outlined in Recommendation A to City Manager's Report No. 139-07-00 be included in the site plan agreement between Silver Seven Road Inc. and the City of Kanata:
1. That the owner acknowledges the existence of a Common Elements and Maintenance Agreement, registered as Instrument No. 711839 dated February 22, 1991, and agrees to be bound by all the terms, covenants and conditions of the Agreement.
 2. That the owner acknowledges that postal service to this site shall be via a lock box assembly supplied, installed and maintained by the owner.
 3. That the owner shall be responsible for executing an Electrical Distribution Agreement with the Kanata Hydro-Electric Commission incorporating such items and conditions as the Kanata Hydro-Electric Commission deems appropriate. The owner also acknowledges the Kanata Hydro-Electric Commission will require the payment of funds to design the Electrical Distribution System and will further require the payment of funds prior to the purchase of any materials and prior to the installation of any part of the said system.
 4. That the owner acknowledges that an Electrical Facilities Distribution Charge shall be assessed by the Commission, under the Development Charges Act, in an amount to be determined at the current Kanata Hydro rate in effect at the time of actual construction. This assessment shall be dependent upon the service entrance capacity requested by the owner.

5. That the owner shall be responsible for the conveyance of easements over the lands to be occupied by the Commission's facilities which are required to supply electrical service to the proposed building.
6. That the owner shall be responsible for all costs associated with the relocation/protection of existing Kanata Hydro facilities which may be affected by this development.
7. That the owner acknowledges that any sanitary or storm drainage from the site must comply with the provisions of Section 5.2 of the Regional Regulatory Code.
8. That the owner acknowledges that, prior to discharge of sewage into the sewer system, a completed Waste Survey Report shall be submitted to the Regional Municipality of Ottawa Carleton for approval, in accordance with Section 5.2.5 of the Regional Regulatory Code.
9. That the owner acknowledges that the disposal of transported liquid material to a sewage works is prohibited, except as permitted by Section 5.2.4 of the Regional Regulatory Code.
10. That the owner acknowledges that in accordance with the regional Regulatory Code, the owner shall install and maintain in good repair in each connection a suitable manhole to allow observation and sampling of sewage and stormwater by the Region of Ottawa-Carleton. The manhole type and location shall be consistent with the requirements of the Regional Regulatory Code.
11. That a "Composite Utility Drawing" be prepared and circulated to all pertinent utility companies for confirmation of their approval prior to the approval of the drawing by the City of Kanata.
12. That the owner agrees to undertake erosion and sediment controls, appropriate to the site conditions, prior to undertaking any site alterations and during all phases of site preparation and construction in accordance with the "*Guidelines on Erosion and Sediment Control for Urban Construction Sites*" (Government of Ontario, May 1987) and to implement Stormwater Best Management Practices for the receiving storm sewer or water course during construction activities.
13. Notwithstanding Condition E6 of Section E - Engineering Requirements of the standard Site Plan Agreement, should the Owner fail to provide the necessary site inspection and written report for works carried out within the City's road allowance, the City shall retain securities to a minimum \$5,000 per road cut to be cashed at the discretion of the City Engineer for reinstatement of deficiencies occurring within a duration of 5 years from the date of the work being carried out. Securities will only be released to the Owner after the five year period when there is no evidence of deterioration in the area disturbed.
14. That the owner agrees to install a concrete sidewalk within Silver Seven Road from the northerly property line of the site to the intersection of Palladium Drive. The City agrees to contribute to an upset limit of \$3,000.00, or 30 per cent of the costs for this sidewalk, whichever is less. The sidewalk is to be installed in accordance with City specifications and to the satisfaction of the City Engineer.

15. That the owner shall be required to enter into a private joint use and maintenance agreement with the abutting landowners for those works that are to be shared. A copy of the signed maintenance agreement is to be submitted to the City for its records prior to releasing any site securities.
16. That site lighting be directed downward so as to minimise spillage onto abutting properties and into the night sky in accordance with the principles established by the Royal Astronomical Society.
17. That the Architectural Design submission and exterior materials for the proposed building be approved as Recommendation A of City Manager Report No. 139-07-00.

CARRIED

6. 136-07-00 Taggart Developments Corporation; Site Plan Approval for a 10,400 square metre (112,000 sq.ft.) Community Commercial Shopping Centre; Corner of Terry Fox Drive and Campeau Drive, Marchwood Community

Using display boards, Mr. Michael Boughton gave a presentation on this report and was available to answer questions.

New Conditions B(8) and B(9), a copy of which was given to Council before the presentation, were made to the recommendations of this report.

Mr. Taggart thanked Council and staff for their assistance and stated that he did not agree with staff on the issue of signage. There was also some discussion regarding the storage of garbage on this site. Mr. Jerry Laroque, Landscape Architect, spoke about reforestation of this site in the rear of the lot demonstrated by the use of several drawings.

MOVED by R. Rutkowski

TO EXTEND

CARRIED

MOVED by Mayor Nicholds

- A. That the site plan application filed on 12 April 2000 by Barry J. Hobin and Associates, Architects Inc. on behalf of Taggart Developments Corporation requesting the development of a 10,400 square metre (112,000 sq.ft.) community commercial shopping centre on a 4.77 hectare (11.8 ac.) site within the Marchwood Community, described as Parts 1, 3, 5, 7 and 8 on Plan 4R-13558, be approved subject to the following conditions:
 1. That the Owner shall enter into a site plan agreement with the City of Kanata, and that the Standard Conditions of Site Plan Approval outlined in Parts A and C of City Manager Report 93-05-97, dated 13 May 1997, shall apply to this approval.
 2. That the Owner shall revise all required drawings and plans to the satisfaction of the Director of Planning and Development Services.

3. That the Owner shall submit all securities, fees, and certificate of insurance in accordance with the terms outlined in the site plan agreement and as determined by the Director of Planning and Development Services.
 4. That Amendment No. 45 to the Official Plan of the City of Kanata, and By-law 151-98, being a Zoning By-law to implement the said Amendment, be approved by the Ontario Municipal Board prior to the issuance of a building permit.
 5. That the Owner shall undertake and submit to the City a Site Traffic Analysis and Report of all internal and external traffic movements and expected volumes to determine any site specific traffic control requirements within the Site and at all ingresses and egresses to and from the Site. The study shall be to the satisfaction of the Director of Planning and Development Services, and shall receive the approval of the City prior to the issuance of a building permit for the Site.
 6. That, prior to the issuance of a building permit, the Owner shall pay a development charge for the Terry Fox/Campeau Drive Storm Water Benefit Special Area at the rate of \$21,312.00 per hectare of non-residential land, in accordance with the City's Development Charges By-law.
- B. That the following special conditions pertaining to the proposed development outlined in Recommendation A to Report 136-07-00 be inserted into the site plan agreement between Taggart Developments Corporation and the City of Kanata:
1. That the City grants an easement for right-of-way purposes over Fentiman Park, described as Part of Lot 3, Concession 2 (March), and Part of Part 6, Plan 4R-9592, in favour of the Site, described as Parts 1, 3, 5, 7 and 8 on Plan 4R-13558. The said easement document shall be registered on the titles to both properties, and all costs associated with the preparation and registration of the easement shall be borne by the Owner.
 2. That the Owner shall enter into an agreement with the City for the shared use and maintenance of the private approach over City property (Fentiman Park) from Campeau Drive to the Site, as shown on the approved site plan. The terms of such agreement shall be to the satisfaction of the Director of Planning and Development Services and the City Engineer, and the agreement shall be registered on the titles to both properties. All costs associated with the preparation and registration of the agreement shall be borne by the Owner.
 3. That, prior to the occupancy of any building on the Site, the Owner shall apply for and pay all costs associated with the lifting of the one foot reserves, identified as Parts 5 and 7 on Plan 4R-13558, for the purpose of gaining access to the Site from Fentiman Park and Terry Fox Drive.
 4. That the Owner shall enter into an agreement with the City concerning the design, installation and maintenance of the permanent ground-mounted commercial site identification sign situated in Fentiman Park on the southwest corner of the intersection of Campeau Drive and the private approach to the Site through the said park. In this regard, the said sign shall be restricted to a maximum height and width of 3.0 metres and sign face area of 7.0 square metres.

5. That the Owner shall undertake to design and construct a fully-signalized, four-way traffic installation to be located at the intersection of Campeau Drive and the Kanata Centrum/Signature Centre private approaches. The design of the intersection shall be submitted to the City and Region for approval, and the installation and road works shall be completed and operational prior to the occupancy of any building on the Site. Upon acceptance of the completed required works by the City, the signals and all associated infrastructure will vest with the Regional Municipality of Ottawa-Carleton.
6. That all costs associated with the required works outlined in Condition B(5) shall be borne by the Owner.
7. That vehicle access to the Site from Campeau Drive over the abutting property owned by Devon Estates Limited (Esso Service Station) shall be prohibited.
8. That the exterior designs of the proposed main plaza, and the freestanding CRU "B" and "Taco Bell" buildings, as identified on the approved site, be approved.
9. That, prior to the issuance of a building permit for the freestanding building of three restaurants, as identified on the approved site plan, the Owner shall obtain approval from Council for the building's exterior design.
10. That all utility installations mounted to the exterior of any building, including gas lines, shall be painted to match the building exterior.
11. That, in accordance with City of Kanata Zoning By-law 167-93, the Owner agrees that all roof top mechanical equipment shall be screened from view from adjacent streets, or shall be architecturally treated so as not to detract from the exterior design of the development.
12. That the Owner acknowledges and agrees to insert a clause in all lease agreements with tenants giving notice that the storage of goods, merchandise, equipment, or garbage outside of a building or approved enclosure shall not be permitted anywhere on the site, except in accordance with Zoning By-law 176-93, as amended from time to time, and that the loading and service entrances and exterior garbage enclosures of all buildings shall be maintained in an orderly fashion and kept clean at all times in accordance with the City's Property Standards and Zoning By-laws.
13. That the Owner shall direct the general manager of the subject commercial centre and all tenants that the hours of operation for all activities within the rear service area of the main plaza, including the loading and unloading of service and delivery vehicles and garbage pick-up, shall be restricted in accordance with the City's Noise By-law.
14. That the Owner shall ensure that all building-mounted and ground-mounted lighting fixtures on the Site are installed with the light source directed downward and deflected away from adjacent residential properties and streets, to the satisfaction of the Director of Planning and Development Services.
15. That the Owner shall be required to obtain a sign permit from the City for all building-mounted and ground-mounted signage to be

installed on the site. In this regard, the Owner shall submit to the City for review and approval a site plan showing the location of all ground-mounted signs, coloured building elevations at a reasonable scale to show the location and detail of all building-mounted signs, and coloured drawings at a reasonable scale to show the material, colour, size, height, and detail of all signs.

16. That, notwithstanding the applicable provisions of the City's Sign By-law, the height of any permanent ground sign proposed on the Site adjacent to Terry Fox Drive shall be permitted to extend no higher than 6.375 metres, with a sign area of no more than 19.0 square metres.
17. That the Owner shall not install nor apply to the City to install portable signs on the Site adjacent to, or in proximity to, Campeau Drive.
18. That the Owner agrees to preserve and protect the existing specimen Ash tree adjacent to Fentiman Park to the satisfaction of the Director of Planning and Development Services, and to take any precautions as directed by the City's Landscape Architect.
19. That the Owner agrees to relocate the existing post and rail fence located on the Fentiman Park lands to the common property line separating the Site from Fentiman Park, and further, the Owner agrees that, should the quantity of existing fence not be sufficient to extend the full length of the said property line, or should portions of the existing fence be unusable, additional lengths of fence of matching materials shall be added at his expense.
20. That the Owner agrees to undertake at no cost to the City all new works in, and changes to, the Fentiman Park lands as indicated on the approved landscape plans to the satisfaction of the City Engineer.
21. That the Owner agrees to warranty the reforestation plantings along the northern property line separating the Site from the adjacent residential properties for a period of five (5) years, and further agrees to replace any material which, in the opinion of the Director of Planning and Development Services, fails within that time period, such replacement to occur within three (3) months of the failure being identified. The replacement of material shall in no way relieve the Owner of the warranty responsibility.
22. That the Owner agrees that all pedestrian crossings shall be constructed of interlock unit pavers, and that where such crossings cross major access routes, they shall be constructed as "elevated pedestrian crossings".
23. That the Owner agrees to submit to the City for approval a site furnishings scheme including, but not necessarily limited to benches, bike racks, trash receptacles, cigarette butt receptacles, light standard bases, bollards and pre-cast planters.
24. That, where required and stipulated on the approved plans, the Owner agrees to supply and install plant materials on City park land, and that such plant material shall be subject to the same warranty as the materials installed on the Site.
25. That any sanitary or stormwater drainage from the site shall comply with the provisions of Section 5.2 of the Regional Regulatory Code.

26. That the Owner acknowledges that, prior to discharge of sewage into the sewer system, a completed Waste Survey Report shall be submitted to the Regional Municipality of Ottawa-Carleton for approval, in accordance with Section 5.2.5 of the Regional Regulatory Code.
27. That the Owner acknowledges that the disposal of transported liquid material to a sewage works is prohibited except as permitted by Section 5.2.4 of the Regional Regulatory Code.
28. That the Owner shall provide at no cost to the Regional Municipality of Ottawa-Carleton a 6.0 metre wide easement at the existing 305 mm watermain within the former Goulbourn Forced Road allowance.
29. That, should the Owner fail to comply with Condition E(6) of the Site Plan Agreement, the City shall holdback securities to a minimum of \$5,000 per road cut to be used at the discretion of the City Engineer for undertaking any reinstatement of the road resulting from deficient work which occurs within a five year period from the date the work was carried out. The said securities shall only be released to the Owner after the five year period has lapsed, and where there is no evidence of deterioration in that portion of the road disturbed by the works.
30. That the Owner shall enter into a joint use and maintenance agreement with the owner of the abutting lands respecting the use and maintenance of the existing sanitary sewer on the Site. Such agreement shall be to the satisfaction of the City Engineer.
31. That the Owner acknowledges that, in accordance with the policies of Canada Post Corporation, postal service will be provided separately to each building and unit on the Site.

CARRIED

Mayor Nicholds left the Council Chambers and did not vote on any of the remaining items on the agenda.

7. 145-07-00 Kanata Research Park Corporation, Site Plan Approval for a 10 storey, 12,873 sq. metre Office Building, East Side of Legget Drive, Kanata North Business Park

Mr. Wayne Morris gave a presentation on this report and was available to answer questions.

Tracey Hagyard, President of the South March Community Association, stated that they generally approve this application, and that their original concerns have been addressed by Kanata Research Park. Mr. Murray Chown, Novatech Engineering, stated that they support staff's recommendations.

MOVED by L. Mitchell

- A. That the site plan application filed on May 29, 2000 by Novatech Engineering Consultants Ltd. on behalf of Kanata Research Park Corporation requesting approval for the development of a 12,873 square metre, ten (10) storey office building on a 3.4 hectare parcel of land on the east side of Legget Drive, legally known as Part of Part 3, Plan 4R-7809 and Part 1, Plan 4R-13132, within the Kanata North Business Park, be approved subject to the following conditions:

1. That the owner shall enter into a Site Plan Agreement with the City of Kanata and that the Standard Conditions of Site Plan Approval as outlined in Parts A and C of City Managers Report # 93-05-97, dated May 13, 1997 shall apply.
 2. That the owner shall revise all required plans to the satisfaction of the Director of Planning and Development Services.
 3. That the owner shall submit all fees, securities, and a certificate of insurance as determined by the Director of Planning and Development Services.
- B. That the following special conditions pertaining to the proposed development outlined in Recommendation A to CM Report 145-07-00 be included in the Site Plan Agreement between Kanata Research Park Corporation and the City of Kanata:
1. That a "Composite Utility Drawing" be prepared and circulated to all pertinent utility companies for confirmation of their approval prior to the approval of the drawing by the City of Kanata.
 2. That the owner agrees to install and maintain, in good repair, a manhole designed and constructed so as to allow observation, sampling and measurement of the flow of sanitary sewage therein. The structure is to be placed within the owners lands, in close proximity to the property line, adjacent to Legget Drive to the satisfaction of R.M.O.C.
 3. That the owner prepare a stormwater design and maintenance plan for the site. This report shall address the stormwater quality and quantity and shall be cognizant of the recommendations contained in the report entitled "Stormwater Management Plan, Kanata Research Park" by Novatech Engineering Consultants Ltd., dated April 2000.
 4. That the owner agrees to implement the recommendations of the storm water management report.
 5. That should the owner fail to provide full time site inspection of the works within the Legget Drive road allowance as required by standard site plan condition E6, they shall provide an extended five year fully secured warrantee.
 6. That the owner acknowledge the Subdivision Agreement for the lands on which this development is located and the site related works, restrictions and covenants contained therein.
 7. That the owner acknowledge any sanitary or storm drainage from the site must comply with the provisions of Section 5.2 of the Regional Regulatory Code.
 8. That the owner agrees to undertake erosion and sediment controls appropriate to the site conditions, prior to undertaking any site alterations and during all phases of site preparation and construction in accordance with the "Guidelines on Erosion and Sediment Control for Urban Construction Sites" and to implement Stormwater Best Management Practices for the receiving storm sewer or water course during construction activities.
 9. That the owner complete and submit a Waste Survey Report as required by Section 5.2.5 of the Regional Regulatory Code prior to discharge of sewage into the sewer system.

10. That the owner acknowledge that disposal of transported liquid material to a sewage works is prohibited, except as permitted by Section 5.2.4 of the Regional Regulatory Code.
11. That the owner shall be responsible for executing an Electrical Distribution Agreement with the Kanata Hydro-Electric Commission incorporating such items and conditions as the Kanata Hydro-Electric Commission deems appropriate. The owner acknowledges that the Kanata Hydro Electric Commission will require the payment of funds to design the Electrical Distribution System and will further require the payment of funds prior to the purchase of any materials and prior to the installation of any part of the said system.
12. That the owner shall be responsible for all costs associated with the relocation/protection of existing Kanata Hydro facilities which may be affected by the development, particularly the installation of the new driveways to be constructed on Legget Drive.
13. That the owner acknowledges that an Electrical Facilities Distribution Charge shall be assessed by the Commission, under the Development Charges Act, in an amount to be determined at the current Kanata Hydro rate in effect at the time of actual construction. The assessment shall be dependent upon the service entrance capacity requested by the applicant.
14. That the owner be responsible for the conveyance of easements over the lands to be occupied by the Commission's facilities which are required to supply electrical service to the proposed building.
15. That the owner acknowledges that an extension of underground facilities along Legget Drive from the intersection of Solandt Road must occur prior to Kanata Hydro providing services to this site.
16. That the owner will be responsible for the relocation of any of our (Rogers) plant should it be necessary with this application.
17. That the site lighting be directed downward so as to minimize spillage onto abutting properties and into the night sky in accordance with the principles of the Royal Astronomical Society.
18. That postal service to this site be by lock box assembly or mailroom, supplied, installed, and maintained by owner.
19. That the Owner agrees to file a Minor Variance Application to reduce the setback for parking along Legget Drive from 12.0 metres to 6.0 metres and failing acceptance of same agrees to revise plans to reflect a 12.0 metre setback along the complete.
20. That the Architectural Design submission and exterior materials for the proposed building be approved as outlined in the City Manager's Report No. 145-07-00.

CARRIED

I. CONSENT AGENDA ITEM

MOVED by L. Mitchell

THAT the following Consent Agenda Item(s) be adopted by a consent motion:

- I.1 138-07-00 Amendment to the Land Exchange Agreement between Minto Development Ltd., and the Corporation of the City of Kanata

THAT the Council of the City of Kanata agree to amend the Agreement of Purchase and Sale between Minto Development Corporation and the Corporation of the City of Kanata for the former Kanata Works Garage Site on Klondike Road to permit the transfer of lands to take place in two phases.

- I.2 141-07-00 Temporary Closing of Klondike Road Between Old Carp Road and Goulbourn Forced Road from July 19, 2000 to September 1, 2000

THAT Minto Developments Inc. be authorized to temporarily close Klondike Road between Second Line Road and Goulbourn Forced Road from July 19, 2000 to September 5, 2000; and

THAT the above authorization be subject to access being maintained to the existing residences on this section of Klondike Road.

- I.3 143-07-00 Declaration of Surplus Lands, Town Centre

THAT City Council undertake the following:

- A. Declare Part 2, Plan 4R-15721 in the Town Centre Community as surplus property;
- B. That Part 2, Plan 4R-15721 be added to the City's register of surplus property; and
- C. That the By-law which forms Attachment No. 3 to Report #143-07-00 be adopted.

- I.4 134-07-00 Purchase of a Dual Wheel Truck and $\frac{3}{4}$ Ton Extended Cab Truck

THAT Council approve the acquisition of the Dual Wheel Truck (K00-028) and the $\frac{3}{4}$ Ton Extended Cab (K00-035) to the lowest compliant bidder, Sterling Ford, at their tendered offer of \$41,757.65 for the Dual Wheel Truck and \$39, 984.65 for the Extended Cab Truck.

CARRIED

J. NOTICE OF MOTION

- COMMITTEE OF THE WHOLE RISES

MOVED by R. Rutkowski

THAT this Committee rise.

CARRIED

Councillor Mitchell assumed the Chair of the Council Meeting due to Mayor Nicholds' absence.

CORRESPONDENCE AND PETITIONS

K. REFERRALS

L. MOTIONS FOR DIRECTION

1. Letter and Petition from Residents of Shannondoe Crescent dated June 30, Regarding a Sidewalk To Be Constructed on Shannondoe Cres.
-

This item of correspondence was opened up to the public for comment. Several residents spoke about their support for this petition against a sidewalk.

249. MOVED by R. Rutkowski and SECONDED by S. McKee

THAT the Letter and Petition from Residents of Shannondoe Crescent dated June 30, Regarding a Sidewalk To Be Constructed on Shannondoe Cres., be referred to the August 22nd meeting of Council, and that staff bring alternatives to that meeting.

CARRIED

2. E-mail from Marjorie Edwards, 1350 Old Carp Road, dated July 4, 2000 Regarding Old Carp Road Traffic Issue/Loch March Golf Club Site Plan Approval Conditions
-

250. MOVED by S. McKee and SECONDED by R. Rutkowski

THAT the E-mail from Marjorie Edwards, 1350 Old Carp Road, dated July 4, 2000 Regarding Old Carp Road Traffic Issue/Loch March Golf Club Site Plan Approval Conditions, be received and filed.

CARRIED

3. Resolution from City of Windsor adopted June 12, 2000 and Fax from AMO, dated June 29, 2000 Regarding AMO's Municipal Action Plan for Water
-

251. MOVED by S. McKee and SECONDED by R. Rutkowski

THAT the resolution from City of Windsor adopted June 12, 2000 and Fax from AMO, dated June 29, 2000 Regarding AMO's Municipal Action Plan for Water, be received and filed.

CARRIED

4. Correspondence dated June 29, 2000 from Margaret Rywak, City of Nepean Councillor and Resolution, adopted June 15, 2000, Regarding the Expansion of the Nepean Committee Against Impaired Driving in the new City of Ottawa
-

252. MOVED by S. McKee and SECONDED by R. Rutkowski

THAT correspondence dated June 29, 2000 from Margaret Rywak, City of Nepean Councillor and resolution, adopted June 15, 2000, regarding the expansion of the Nepean Committee Against Impaired Driving in the new City of Ottawa, be received and filed.

CARRIED

5. Correspondence dated July 6, 2000 from the Township of Osgoode Containing a Resolution, adopted July 4, 2000 Regarding Application of Human Waste Biosolid Applications in the Ottawa Area
-

253. MOVED by S. McKee and SECONDED by R. Rutkowski

THAT correspondence dated July 6, 2000 from the Township of Osgoode containing a resolution, adopted July 4, 2000 regarding Application of Human Waste Biosolid Applications in the Ottawa area, be received and filed.

CARRIED

N. COUNCILLORS ENQUIRIES

Councillor Mitchell asked about construction and milestones on the new Bridlewood Community Centre. Mr. Rick Baker responded that there was nothing in writing yet. However, they did have a meeting last week with Vestar regarding the Site Plan, which will probably be ready by late August and Council should see it as a presentation by early September.

O. MOTION TO ADOPT DECISIONS/REPORTS & RELEVANT BY-LAWS

254. MOVED by S. McKee and SECONDED by R. Rutkowski

THAT the following report(s) be adopted this evening:

1. 114-07-00 Old Carp Road Traffic Analysis - Loch March Golf and Country Club
2. 117-07-00 Request by Owner of Loch March Golf and Country Club to remove a condition of Site Plan Approval and to amend Site Plan Agreement
3. 121-07-00 Public Meeting for a Zoning By-law Amendment to Rezone Land in Lot 27 Concession 4 from Agricultural Resource to Estate Residential and to Insert Buffering Policies for the Adjacent Wetland Areas in Conformity with Local Official Plan Amendment No. 52 as Modified by the RMOC
4. 122-07-00 Public Meeting for a Local Official Plan Amendment to Re-designate Land Located in the East Half of Lot 17 Concession 1, Rural March, from Agricultural Resource to General Rural
5. 139-07-00 Hopner Facilities Inc., Site Plan Approval for a 5 Storey, 6,725 sq. metre Research and Development Facility, East Side of Silver Seven Road, North of Palladium Drive, Terry Fox Business Park
6. 136-07-00 Taggart Developments Corporation; Site Plan Approval for a 10,400 sq. metre Community Commercial Shopping Centre; Corner of Terry Fox Drive and Campeau Drive, Marchwood Community
7. 145-07-00 Kanata Research Park Corporation, Site Plan Approval for a 10 storey, 12,873 sq. metre Office Building, East Side of Legget Drive, Kanata North Business Park
8. 138-07-00 Amendment to the Land Exchange Agreement between Minto Development Ltd., and the Corporation of the City of Kanata

9. 141-07-00 Temporary Closing of Klondike Road Between Old Carp Road and Goulbourn Forced Road from July 19, 2000 to September 1, 2000
10. 143-07-00 Declaration of Surplus Lands, Town Centre
11. 134-07-00 Purchase of a Dual Wheel Truck and ¾ Ton Extended Cab Truck

CARRIED

P. CONFIDENTIAL ADDENDUM AGENDA

255. MOVED by S. McKee and SECONDED by R. Rutkowski

THAT Council move In Camera to deal with a land matter (verbal).

CARRIED

Council moved in Camera at 11:40 p.m. and reconvened the Council meeting at 11:45 p.m.

Q. BY-LAWS

256. MOVED by R. Rutkowski and SECONDED by S. McKee

THAT the following by-law(s) be and they are hereby ENACTED and PASSED:

1. By-law 95-00 Being a By-law to Dedicate Part of Lots 6 and 7, Concession 3, formerly Township of March, designated as Block 189 on Plan 4M-652, Walden Drive due to construction of homes on Cecil Walden Ridge on Plan 4M-1051
2. By-law 96-00 Being a By-law to Amend a Local Official Plan Amendment to Re-designate Land Located in the East Half of Lot 17, Concession 1, Rural March, from Agricultural Resource to General Rural (Report 122-07-00 - July 18, 2000)
3. By-law 97-00 Being a By-law to Declare as Surplus Lands, Town Centre (Report 143-07-00 - July 18, 2000)
4. By-law 98-00 Being a By-law to Amend By-law No. 74-79 for the March Rural Community to Rezone the Land Being the West Half of Lot 27, Concession 4, Partly to a Rural Industrial Zone and Partly to an Estate Residential Zone (Report 121-07-00 - July 18, 2000)

CARRIED

R. CONFIRMATION

257. MOVED by S. McKee and SECONDED by R. Rutkowski

THAT By-law No. 99-00 to confirm the proceedings of the Regular Council meeting of July 18, 2000, be and it is hereby ENACTED and PASSED.

CARRIED

S. ADJOURNMENT

258. MOVED by S. McKee and SECONDED by R. Rutkowski

THAT this Regular meeting of Council does now adjourn until Tuesday, August 1, 2000 at 7:00 p.m. in the Council Chambers.

CARRIED

The meeting adjourned at 11:46 p.m.

L. Donaldson, Acting City Clerk

M. Nicholds, Mayor