

Planning and Economic Development Committee
Comité de l'urbanisme et de l'expansion économique

Agenda 6
Ordre du jour 6

Tuesday, March 28, 2000 - 9:15 a.m.
Le mardi 28 mars 2000 - 9 h 15

Victoria Hall, First Level
Bytown Pavilion, City Hall

Salle Victoria, niveau 1
Pavillon Bytown, hôtel de ville



City of
Ville d' **Ottawa**

Confirmation of Minutes
Ratification des procès-verbaux

Minutes 5 (February 22, 2000)
 In-Camera Minutes 2 (February 22, 2000)

Procès-verbal 5 (Le 22 février 2000)
 Procès-verbal 2 huis clos (Le 22 février 2000)

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Members' Reports - Enquiries

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Councillor/Conseillère Elisabeth Arnold, Chairperson/Présidente

Councillor/Conseiller Shawn Little, Vice-Chairperson/Vice-président

Councillor/Conseiller Stéphane Émard-Chabot

Councillor/Conseiller Allan Higdon

Councillor/Conseiller Ron Kolbus

AML

September 27, 1999

ACS1999-PW-PLN-0113
(File: OCM3100/1999-001)

Department of Urban Planning and Public
Works

Ward/Quartier
OT8 - Mooney's Bay

- Planning and Economic Development
Committee / Comité de l'urbanisme et de
l'expansion économique
- City Council / Conseil municipal

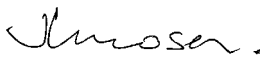
Action/Exécution

1. Official Plan Amendment - Ottawa Macdonald-Cartier International Airport: Noise Policies

Modification du Plan directeur - Aéroport International Macdonald- Cartier d'Ottawa: politiques sur le bruit

Recommendation

That an Amendment to the City of Ottawa Official Plan to add policy direction with respect to airport noise protection and noise sensitive development, and to add revised noise contours and protection zones on Schedule F - Environmental Constraint Areas / Sites, be APPROVED, as detailed in Document 1.



September 28, 1999 (9:04a)

Edward Robinson
Commissioner of Urban Planning and Public
Works



September 28, 1999 (2:02p)

Approved by
John S. Burke
Chief Administrative Officer

PPL:ppl

Contact: Pierre Lacroix - 244-5300 ext. 1-3877

Planning and Economic Development Committee Action - October 26, 1999

- ▶ *The Committee **deferred** Submission dated September 27, 1999 for two months, on the following motion:*

That the item be deferred for a period of two (2) months, to the Planning and Economic Development Committee meeting of January 11, 2000, so that the property owners in question have an opportunity to engage in discussions with the Region of Ottawa-Carleton and the Airport Authority; and,

That the report be referred back to staff to work with the Region to attempt to resolve the outstanding issues prior to the Planning and Economic Development Committee January 11, 2000 meeting.

Record of Proceedings is attached.


Planning and Economic Development Committee Action - January 11, 2000

- ▶ *The Committee **deferred** Submission dated September 27, 1999 for 60 days - to its meeting of **March 28, 2000**.*

Record of Proceedings is attached.

Financial Comment

N/A.


September 27, 1999 (3:42p)

for Mona Monkman
City Treasurer

BH:cds

Executive Report

Reasons Behind Recommendation

The purpose of the amendment is twofold:

- a) to have regard to the Provincial Policy Statement on Airport noise , as it applies to the Ottawa Macdonald-Cartier International Airport; and,
- b) to bring the City of Ottawa Official Plan into conformity with the new Regional Official Plan policies on Airport Noise.

The amendment recognizes the economic importance of the Ottawa Macdonald-Cartier International Airport, and protects it by limiting or restricting the development of noise sensitive land uses which could impact on its operations.

The amendment also recognizes existing development rights by allowing limited development of noise sensitive land uses within the Airport Operating Influence Zone (AOIZ) where the development meets the requirements of the Regional Official Plan , the City's Official Plan, and the Zoning By-law, and does not require approval by way of a plan of subdivision.

Additionally, an Airport Vicinity Development Zone (AVDZ) has been established. The AVDZ is a way of identifying the areas around the airport where aircraft noise, in addition to other protection requirements for the safe operation of aircraft, are factors that must be considered when developing near the airport.

In accordance with upper tier policy direction, this amendment to the City of Ottawa Official Plan proposes the following:

- a) to add to Chapter 6.0 - Environmental Management, policy direction with respect to Airport Noise;
- b) to identify the various zones related to airport noise on Schedule "F" - Environmental Constraint Areas / Sites; and,
- c) to add to the Definitions section and to make minor modifications relating to the name of the airport in Chapter 4.0 - Economic Development and Employment Areas.

On May 1, 1996, Transport Canada issued its revised noise guidelines on development near airports where new residential development should not be approved above 30 Noise Exposure Forecasts. Transport Canada has carried out assessments which establish a relationship between land use sensitivity to noise and the noise contours.

In February 1997, the Province of Ontario issued an amendment to its Provincial Policy Statement of May 1996 to protect airports from incompatible development and ensure their long term prosperity, following revised federal guidelines related to land use planning near airports. The Provincial Policy Statement provides policy direction on matters of provincial interest related to land use planning. The new Provincial Policy prohibits residential and other noise-sensitive development above the 30 Noise Exposure Forecasts (NEF) and the 30 Noise Exposure Projections (NEP), except in limited circumstances. Specifically, the policy is as follows:

To protect airports from incompatible development:

1. *New residential development and other sensitive land uses will not be permitted in areas near airports above 30 NEF/NEP, as set on maps (as revised from time to time) approved by Transport Canada; but*
2. *Redevelopment of existing residential uses and other sensitive land uses or infilling of residential and other sensitive land uses may be considered above 30 NEF/NEP if it has been demonstrated that there will be no negative impacts on the long-term function of the airport.*

The new Regional Official Plan, approved by the Ontario Municipal Board in April 1999, also contains policies on Airport Noise and implementation of land use near airports. The Plan includes an Airport Vicinity Development Zone (AVDZ). This zone identifies a constraint area around the airport based on aircraft noise contours and various height limitations and other airport operating requirements described in the Airport Protection Plan. This zone is a constraint zone rather than a no-development zone.

The Plan also includes an Airport Operating Influence Zone (AOIZ). The Airport Operating Influence Zone development policies were formulated to implement the new Provincial Policy Statement relating to development near airports and requirements to address aircraft noise issues.

The City of Ottawa Official Plan contains policies in Chapter 6.0 of Volume I regarding airport noise based on the 1978 provincial reference document *Land Use Planning Near Airports, 1978*. Chapter 6.0 does not contain any of the updated provincial or regional government policies on airport noise and any reference to the 1996 Transport Canada publication. Schedule “F”- Environmental Constraint Areas/Sites, presently shows the NEF (1994) and NEP (2000) contour lines. It has not been updated to show the revised year 2014 NEP contour lines. The Official Plan contains policy for development above 35NEF/NEP only, and does not reflect the new policy of prohibiting residential and other noise sensitive development above the 30 NEF/NEP. The Official Plan also does not contain policy for either the OAOIZ or the AVDZ. This amendment proposes to correct the above-noted deficiencies to the Official Plan and to reflect the Regional Official Plan policies and the Provincial Policy Statement on Airport Noise. The impact of the new policies is on new development and does not affect existing uses.

Based on the above, the amendment proposes to modify Schedule F - Environmental Constraint Areas/Sites of the City of Ottawa Official Plan to show the revised Noise Exposure Forecasts (NEP) contour lines based on the year 2014 forecasts, the composite 25 NEF/NEP, the AOIZ and the AVDZ. The terms “Airport Operating Influence Zone” and “Airport Vicinity Development Zone” will be defined and added to Section 1.7 of the Official Plan. Furthermore, the Provincial Policy Statement and the Regional Official Plan do not permit any development of new residential and other noise-sensitive land uses above the 30 NEF/NEP, and contains policies for both the AOIZ and the AVDZ. These policies will be added to Chapter 6.0 - Environmental Management of the City’s Official Plan.

Consultation

Notification of a proposed Official Plan amendment and a copy of the draft amendment were circulated to the Ward Councillor, area community associations, the Federation of Community Associations, public bodies, technical agencies, and City Hall Media.

Disposition

Department of Corporate Services, Statutory Services Branch, to notify Clerk of the Regional Municipality of Ottawa-Carleton of City Council’s decision set out in Recommendation 1.

Office of the City Solicitor to forward required OPA by-law to City Council.

Department of Urban Planning and Public Works, Planning Branch, to:

1. prepare and circulate notice of the Official Plan adoption to those persons and public bodies who requested notification; and
2. submit the Official Plan amendment and the required documentation to the Regional Municipality of Ottawa-Carleton for approval.

List of Supporting Documentation

Document 1 Official Plan Amendment
Document 2 Consultation Details

Official Plan Amendment ■ Modification du Plan directeur

Land use Utilisation du sol



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THE STATEMENT OF COMPONENTS

Part A - THE PREAMBLE, introduces the actual Amendment but does not constitute part of Amendment No. _____ to the City of Ottawa Official Plan.

Part B - THE AMENDMENT, consisting of the following text and maps constitute Amendment No. _____ to the City of Ottawa Official Plan.

PART A - THE PREAMBLE

1.0 Purpose

The purpose of the amendment is twofold: (1) to have regard to the Provincial Policy Statement on Airport noise , as it applies to the Ottawa Macdonald-Cartier International Airport; and (2) to bring the City of Ottawa Official Plan into conformity with the new Regional Official Plan policies on Airport Noise.

The amendment recognizes the economic importance of the Ottawa Macdonald-Cartier International Airport, and protects it by limiting or restricting the development of noise sensitive land uses which could impact on its operations.

The amendment also recognizes existing development rights by allowing limited development of noise sensitive land uses within the Airport Operating Influence Zone (AOIZ) where the development meets the requirements of the Regional Official Plan , the City's Official Plan, and the Zoning By-law, and does not require approval by way of a plan of subdivision.

Additionally, an Airport Vicinity Development Zone (AVDZ) has been established. The AVDZ is a way of identifying the areas around the airport where aircraft noise, in addition to other protection requirements for the safe operation of aircraft, are factors that must be considered when developing near the airport.

In accordance with upper tier policy direction, this amendment to the City of Ottawa Official Plan proposes to: (1) add to Chapter 6.0 - Environmental Management, policy direction with respect to Airport Noise; and (2) to identify the various zones related to airport noise on Schedule "F" - Environmental Constraint Areas / Sites. Additions to the Definitions section and minor modifications relating to the name of the airport in Chapter 4.0 are also contained in this amendment.

2.0 Location

The lands affected by this amendment are those which contain the Ottawa Macdonald-Cartier International Airport, located south of Hunt Club Road and east of the Rideau River, and those lands which contain the various noise contour lines, the AOIZ and the AVDZ.

3.0 Basis

3.1 Background and Context

Provincial Policy Statement

Transport Canada establishes noise contours around airports to control incompatible development that may adversely affect airport operations and to minimize the amount of aircraft noise experienced by residents of Ottawa-Carleton. These contours consist of short-term Noise Exposure Forecasts (NEF) and longer-term Noise Exposure Projections (NEP). The NEP lines, currently shown on Schedule "F" of the Official Plan were based on projections to the year 2000. Transport Canada has now revised the NEP to reflect projections to the year 2014.

On May 1, 1996, Transport Canada issued its revised noise guideline on development near airports where new residential development should not be approved above 30 NEF. Transport Canada has carried out assessments which establish a relationship between land use sensitivity to noise and the noise contours. The conclusion drawn from the assessment is described in the federal reference document *Land Use in the Vicinity of Airports, 1996, TP-1247*.

In February 1997, the Province of Ontario issued an amendment to its Provincial Policy Statement of May 1996 to protect airports from incompatible development and ensure their long term prosperity, following revised federal guidelines related to land use planning near airports. The Provincial Policy Statement provides policy direction on matters of provincial interest related to land use planning. The new Provincial Policy prohibits residential and other noise-sensitive development above the 30 Noise Exposure Forecasts (NEF) and the 30 Noise Exposure Projections (NEP), except in limited circumstances. Specifically, the policy is as follows:

To protect airports from incompatible development:

1. *New residential development and other sensitive land uses will not be permitted in areas near airports above 30 NEF/NEP, as set on maps (as revised from time to time) approved by Transport Canada; but*
2. *Redevelopment of existing residential uses and other sensitive land uses or infilling of residential and other sensitive land uses may be considered above 30 NEF/NEP if it has been demonstrated that there will be no negative impacts on the long-term function of the airport.*

Regional Official Plan

The new Regional Official Plan, approved by the Ontario Municipal Board in April 1999, contains policies on Airport Noise and implementation of land use near airports. The Plan includes an Airport Vicinity Development Zone (AVDZ). This zone identifies a constraint area around the airport based on aircraft noise contours and various height limitations and other airport operating requirements described in the Airport Protection Plan. This zone is a constraint zone rather than a no-development zone.

The Plan also includes an Airport Operating Influence Zone (AOIZ). The Airport Operating Influence Zone development policies were formulated to implement the new Provincial Policy Statement relating to development near airports and requirements to address aircraft noise issues.

The AOIZ is a zone around the Ottawa Macdonald-Cartier International Airport which encompasses a composite of the 30 NEF/NEP airport noise contours, established as the criteria above which no noise-sensitive development should occur. The AOIZ is generally based on a fixed line following physical features, such as roads, creeks, rail lines, or lot lines, where possible, and provides a greater level of detail on noise policies than the AVDZ.

The principle of the AOIZ is that no noise-sensitive development, including residential development will be permitted within the zone. However, in some cases, such as redevelopment of existing residential and other noise-sensitive land uses and infilling of new residential uses, requirements for noise mitigation will apply. Outside the AOIZ, noise-sensitive development would be permitted between the 25 NEF/NEP and the AOIZ, provided that buildings are designed to meet the indoor aircraft noise criteria outlined in the Ontario Ministry of the Environment document LU131, October 1997, and notification is provided to future occupants of the lands affected by aircraft noise. A noise study could also be required for developments between the 25 NEF/NEP and the AOIZ.

City Official Plan

The City of Ottawa Official Plan contains policies in Chapter 6.0 of Volume I regarding airport noise based on the 1978 provincial reference document *Land Use Planning Near Airports, 1978*. Chapter 6.0 does not contain any of the updated provincial or regional government policies on airport noise. Schedule "F"- Environmental Constraint Areas/Sites, presently shows the NEF (1994) and NEP (2000) contour lines. It has not been updated to show the revised year 2014 NEP contour lines, nor the composite 25 NEF/NEP and 30 NEF/NEP. The Official Plan contains policy for development above 35NEF/NEP only, and does not reflect the new policy of prohibiting residential and other noise sensitive development above the 30 NEF/NEP. The Official Plan also does not contain policy for either the OAOIZ or the AVDZ. This Amendment proposes to correct the above-noted deficiencies to the Official Plan and to reflect the Regional Official Plan policies and the Provincial Policy Statement on Airport Noise. The impact of the new policies is on new development and does not affect existing uses.

3.2 Contents of the Amendment

The amendment proposes to modify Schedule F - Environmental Constraint Areas/Sites of the City of Ottawa Official Plan to show the new Noise Exposure Forecasts (NEP) contour lines based on the year 2014 forecasts, the AOIZ and the AVDZ. The terms “Airport Operating Influence Zone” and “Airport Vicinity Development Zone” will be defined and added to Section 1.7 of the Official Plan. Furthermore, the Provincial Policy Statement/Regional Official Plan does not permit any development of new residential and other noise-sensitive land uses above the 30 NEF/NEP, and contains policies for both the AOIZ and the AVDZ. These policies will be added to Chapter 6.0 - Environmental Management of the City’s Official Plan.

The Amendment also makes some minor changes of a technical administrative nature to specific portions of the Official Plan. For example, it is necessary to recognize the new name of the airport which is the Ottawa Macdonald-Cartier International Airport. Reference to the Ministry of the Environment in Policy 6.15.2d) must be removed since this Ministry is no longer directly involved with the review of individual noise studies. The responsibility now lies solely with the Ministry of Municipal Affairs. However, Transport Canada and/or the Airport Authority may still be involved in the review of individual noise studies.

While the intent of the Official Plan policies in Section 6.15 of Volume I is still to protect the citizens of Ottawa from airport noise, a new objective is required to reflect the intent of the revised Provincial Policy Statement to protect the Airport and its future operations from incompatible development. The new objective recognizes the economic importance that the Airport represents to the Region. New policies reflected in this Official Plan Amendment aim to protect the Airport by limiting noise sensitive land uses which could impact on its operations by recognizing the Ottawa Airport Operating Influence Zone.

The highlights of the proposed amendment regarding airport noise and airport protection policies consist of the following:

- to establish the AOIZ and the AVDZ;
- to require a noise study or the use of the “Prescribed Measures to Address Airport Noise” document for all development at or above 25 NEF/NEP;
- to allow for residential and other noise sensitive land uses between the OAOIZ and NEF/NEP 35 only in the case of redevelopment of existing residential and other noise-sensitive land uses and infilling of new residential uses, with conditions;
- to not permit residential and other noise-sensitive uses such as hospitals, schools, day care facilities, nursing care facilities and other similar uses above 35 NEF/NEP.

The Official Plan is currently silent on development above 25 NEF/NEP and 30 NEF/NEP. The amendment sets out clear policies for development above the 25 NEF/NEP. In summary, residential development is permitted between the 25 NEF/NEP and the OAOIZ, subject to a noise study being done, or, in lieu of it, the “Prescribed Measures to Address Airport Noise” being met. The prescribed measures include the components of building design necessary to meet the Ministry’s indoor noise criteria for aircraft noise, such as the types of wall and window materials that can be used, and the requirement for a forced air heating system sized to accommodate the installation of a central air conditioning system.

Development of noise sensitive land uses such as homes, schools, and day cares is prohibited between the OAOIZ and the 35 NEF/NEP, except in the case of redevelopment, or residential infilling where the proposal would meet the policies of the Official Plan and Zoning By-law and would not require subdivision approval. A noise study to address noise mitigation measures and airport noise warning clauses registered on title would be required in these situations. The policy recognizes the existing rights of property owners while protecting future inhabitants.

No noise sensitive land uses are permitted above the 35 NEF/NEP except where lots of record exist and no further planning approvals (with the exception of the infill site plan process) are necessary to obtain a building permit. Other forms of development may be considered subject to aircraft noise assessment and the use of acoustical mitigation in building design. At present, the Official Plan noise policies state that only residential uses are not allowed over 35 NEF/NEP.

A reference to the Macdonald-Cartier International Airport Zoning Regulations has also been introduced to the City’s Official Plan through this amendment. The Airport Zoning Regulations are prepared by Transport Canada and limit such things as the heights of buildings which are in line with the approach surfaces of the airport. The reference serves to alert developers to the existence of these additional regulations, which would apply in the Airport Vicinity Development Zone. The regulations are described in the “Airport Protection Plan” document.

PART B - THE AMENDMENT

1.0 The Introductory Statement

All of this part of the document entitled "Part B - The Amendment", consisting of the following text and the attached Schedules "B", "B-1", and "B-2" constitute the Amendment to the City of Ottawa Official Plan.

2.0 Details of the Amendment

The City of Ottawa Official Plan is hereby amended as follows:

2.1 Schedule "F" - Environmental Constraint Areas/Sites is revised to delete the NEP (2000) contours and to show the new NEP (2014) contour lines, the composite 25 NEF/NEP, the Airport Operating Influence Zone (AOIZ), and the Airport Vicinity Development Zone (AVDZ) as shown more specifically on Schedule "B2" attached hereto.

2.2 Chapter 1.0 - Introduction - of Volume I is amended as follows:

2.2.1 Volume 1, Section 1.7 - Definitions, new definitions entitled "Airport Operating Influence Zone" and "Airport Vicinity Development Zone" are added after "Affordable Housing" as follows:

"The 'Airport Operating Influence Zone' (AOIZ) is an area around the Ottawa Macdonald-Cartier International Airport which was determined by using a composite of the 30 NEF/NEP aircraft noise contours as a basic criteria; but then uses a fixed line which follows physical features such as roads, creeks, rail or lot lines where possible, and whose principle is that noise-sensitive development, including residential, is not permitted within the AOIZ, except under limited circumstances."

"The 'Airport Vicinity Development Zone' (AVDZ) is an area around the Ottawa Macdonald-Cartier International Airport where aircraft noise, in addition to other protection requirements for the safe operation of aircraft, such as airport zoning regulations, are factors that must be considered when developing near the Airport."

2.3 Chapter 4.0 - Economic Development and Employment Areas - of Volume I is amended as follows:

Policy 4.5.2b)ii) is amended by striking out the phrase “Ottawa International Airport” and replacing it with the phrase “Ottawa Macdonald-Cartier International Airport”. It is further amended by striking out the phrase “provincial government policy document entitled *Land Use Planning Near Airports, 1978*, as amended from time to time, published by the Ministry of Municipal Affairs” and replacing it with the phrase “Transport Canada policy document entitled *Land Use in the Vicinity of Airports, 1996, TP1247*”.

2.4 Chapter 6.0 - Environmental Management - of Volume I is amended as follows:

2.4.1 Section 6.15.1 Objectives is amended by adding a new Objective “a)”, entitled “Protect Airport Incompatible Development”, to read as follows:

“a) To recognize the economic importance of the Ottawa Macdonald-Cartier International Airport and to provide a degree of protection to the airport from incompatible development.”,

and, that Objectives 6.15.1a) and 6.15.1b) be re-lettered 6.15.1b) and 6.15.1c) respectively.

2.4.2 Policy 6.15.2 a) Airport Noise is amended by deleting the entire second sentence of the paragraph and replacing it with the following text: “The Airport Operating Influence Zone (AOIZ), the Airport Vicinity Development Zone (AVDZ) and the NEF/NEP contours are shown on Schedule F - Environmental Constraint Areas/Sites and this information will be used in conjunction with the policies of this section and other relevant parts of the Official Plan, as the means to ensure land use compatibility with airport operations.”

2.4.3 Policy 6.15.2 b) Provincial Policy is amended by striking out the phrase “Provincial Government, as set out in the publication *Land Use Policy Near Airports, 1978*, as amended from time to time, published by the Ministry of Municipal Affairs” and replacing it with the phrase “Transport Canada publication *Land Use in the Vicinity of Airports, 1996, TP1247*.”

2.4.4 Policy 6.15.2 c) Residential Development Near Airports is deleted in its entirety and replaced with the following new Policy 6.15.2 c) Residential and Noise-Sensitive Development Near Airports:

“City Council, in deciding whether or not a proposed development is permitted:

- i) shall implement the NEF and NEP contour maps approved by Transport Canada or its delegate, in the context of *Land Use in the Vicinity of Airports, 1996*, published by Transport Canada, and *Noise Assessment Criteria in Land Use Planning, October 1997, LU131*, published by the Ministry of the Environment. The applicable NEF/NEP values determined from the NEF/NEP contour maps and the more restrictive of NEF/NEP will apply;
- ii) may require that a noise control feasibility study be prepared for all land use development proposals at or above 25 NEF/NEP. The study will determine whether the proposed location and preliminary design of the development will be compatible with aircraft noise. The study will also include consideration of other sources of noise not contained within the NEF/NEP calculation from aircraft operating on the ground and helicopter noise;
- iii) may require that a detailed noise control study be prepared for all land use development proposals at or above 25 NEF/NEP as a condition of approval of a site plan control application. The purpose of the study is to assess all noise sources affecting the proposed lands and include details of assessment methods, results and recommendations for noise control measures which shall be secured by way of agreement with City Council approval. In lieu of a detailed noise control study an alternative approach to secure indoor aircraft noise attenuation for residential developments between the 25 NEF/NEP and the Airport Operating Influence Zone on Schedule F, is where a list of prescribed measures are included in the components of residential building design and in any ventilation requirements necessary to meet Ministry of the Environment indoor noise criteria for aircraft noise, in the context of *Noise Assessment Criteria in Land Use Planning, 1997*. These noise control measures and the appropriate notice to prospective purchasers and tenants of a possible noise problem, would be secured by way of agreement with City Council approval; and,
- iv) shall require that the development applications comply with the provisions of the *Ottawa International Airport Zoning Regulations* under the *Aeronautics Act*, regarding location and height limits to which objects project into the airspace in the Airport Vicinity Development Zone, and the protection requirements of electronic and telecommunications facilities associated with aircraft operations;

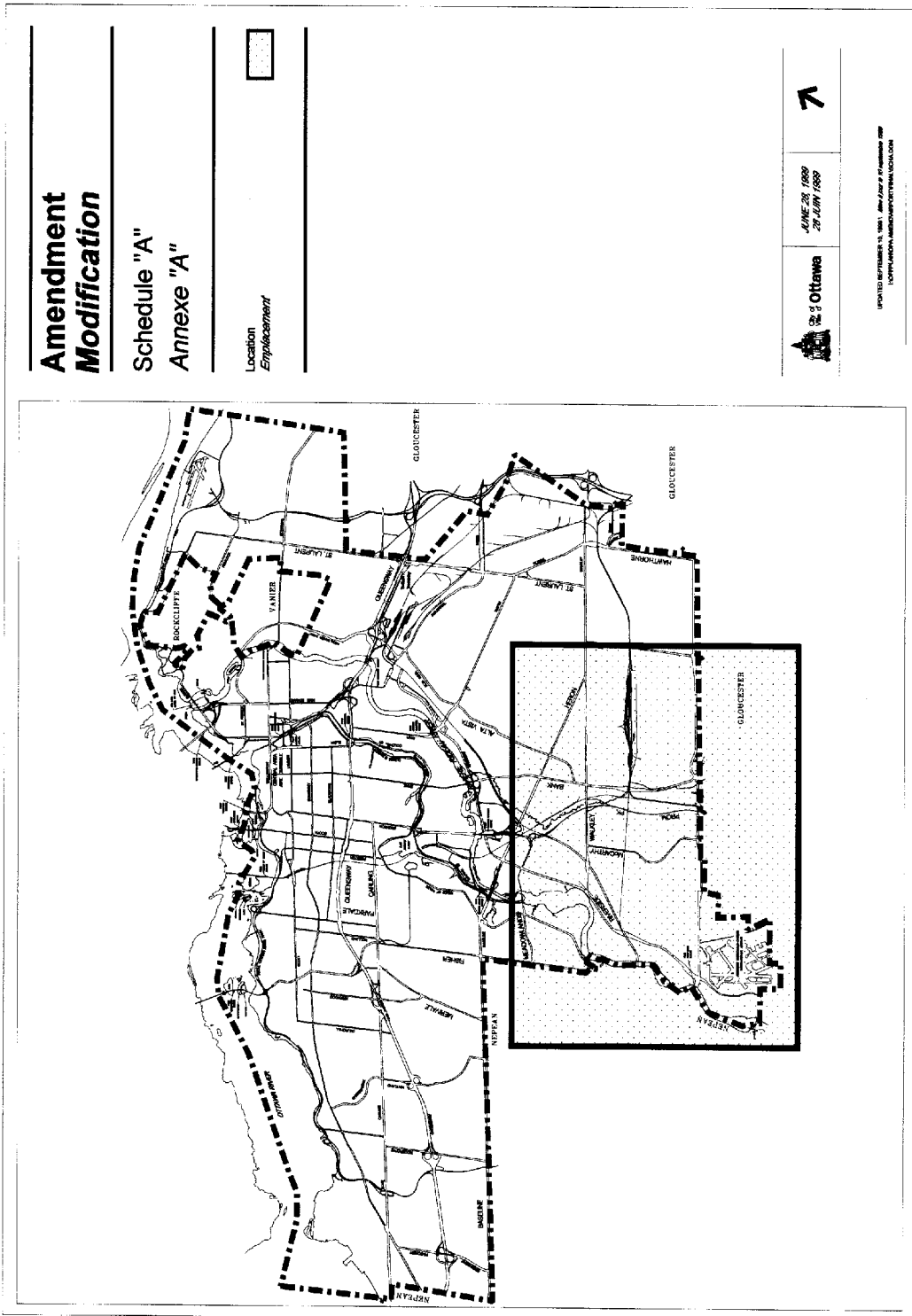
- v) notwithstanding the above, shall not permit any development of residential and other noise-sensitive land uses such as hospitals, schools, day care facilities, nursing care facilities and other similar uses in the Airport Operating Influence Zone shown on Schedule F - Environmental Constraint Areas / Sites above the 35 NEF/NEP; and, shall not permit any development of residential and other noise-sensitive land uses, between the boundaries of the Airport Operating Influence Zone shown on Schedule F - Environmental Constraint Areas / Sites and the 35 NEF/NEP, except in the case of redevelopment of existing residential and other noise-sensitive land uses and infilling of new residential uses, provided that the development proposal:
- a) does not require the approval of a plan of subdivision, or amendment to the zoning by-law or amendment to the Regional or this Official Plan;
 - b) is on a new lot created by severance that is permitted in the zoning by-law existing on 9 July 1997 and is in accordance with all the provisions of this Plan and the Regional Official Plan;
 - c) is on a lot existing and fronting on a public road that is maintained year-round, provided that the lot was created under the Planning Act prior to July 9, 1997, and the use is permitted in the zoning by-law existing on July 9, 1997, and is in accordance with all the provisions of this Plan;
 - d) development meets all noise attenuation requirements, the provisions of the Ottawa International Airport Zoning Regulations and be in accordance with policies of this Plan and the Regional Official Plan.”

2.4.5 Policy 6.15.2d)ii) - Consultation is amended by striking out “and Ministries of Municipal Affairs and the Environment” and replacing it with the phrase “, Ministry of Municipal Affairs and Housing and the Airport Authority or its delegate.”.

2.4.6 Policy 6.15.2e) - Acoustic Design Criteria is amended by adding the phrase “site plan agreements” after the word “condominium” and is further amended by striking out the phrase “the Provincial government as set out in the publication *Land Use Policy Near Airports, 1978*” and by replacing it with the phrase “*Land Use in the Vicinity of Airports, 1996*, as amended from time to time, published by Transport Canada”. The policy is further amended by adding the following phrase at the end of the paragraph: “Appropriate notice to prospective purchasers and tenants of a possible noise problem will be secured by making such notice a requirement through a development agreement.”

3.0 Implementation and Interpretation

Implementation and interpretation of this Amendment shall be made having regard to information contained in all chapters of the City of Ottawa Official Plan.



City of Ottawa
Ville d'Ottawa

OFFICIAL PLAN
PLAN DIRECTEUR

Schedule F - Plan F

Environmental Constraint Areas / Sites
Secteurs et amplacements touchés par des contraintes environnementales

Amendment Modification

Schedule "B"
Annexe "B"

Schedule F - Environmental Constraint Areas / Sites
Plan F - Secteurs et amplacements touchés par des contraintes environnementales

An identification of the symbols and/or designations shown on this schedule can be found by consulting the City of Ottawa Official Plan.
Consulter le Plan officiel de la Ville d'Ottawa pour se renseigner sur les symboles et les désignations qui figurent sur ce présent plan.

APRIL 13, 1984
15 AVRIL 1984

Scale / Echelle
0 500 1000 2000 3000

City of Ottawa
Ville d'Ottawa

APRIL 28, 1989
28 JUIN 1989

UNDATED SUPPLEMENT 13, 1987 / MISE À JOUR 13, 1987
SUPPLEMENT 13, 1987 / MISE À JOUR 13, 1987

ADD

REVISE NOTE

ADD


ADD

Amendment Modification

Schedule "B-1" Annexe "B-1"

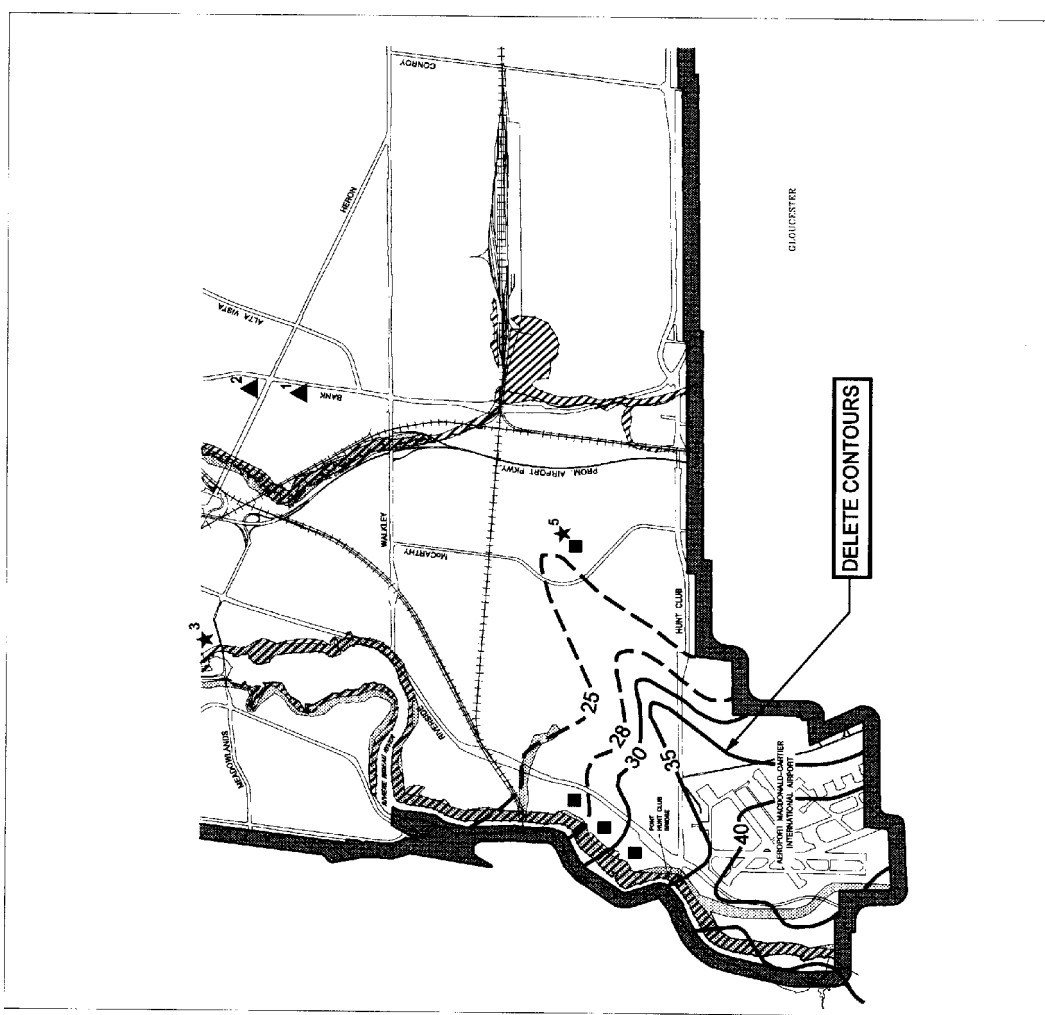
Schedule F - Environmental Constraint Areas / Sites
Plan F - Secteurs et emplacements touchés par des contraintes environnementales

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Consultez le Plan officiel de la Ville d'Ottawa pour se renseigner sur les symboles et les désignations qui figurent sur le présent plan.



June 28, 1999
28 juin 1999

OFFICIAL PLAN NUMBER 92, 1997 / *Plan officiel n° 92, 1997*
SUPPLEMENTARY AMENDMENT/ANNEXE B-1, 2000



The President of the *Uplands on the Rideau Association* submitted written comments on behalf of twelve property owners along the Rideau River. It is stated that the proposed Official Plan Amendment could impact the properties in question as some properties are not yet developed while others may be redeveloped. As well, the Association did not want the amendment to affect the legal non-conforming uses the residential properties enjoy.

In response to the Association's concerns, the proposed Official Plan Amendment does not change the existing legal non-conforming uses of the properties. However, all of the properties are directly affected by the proposed airport noise policies as they are located within the Ottawa Airport Influence Zone above the 30 NEF/NEP noise contours. This City of Ottawa Official Plan Amendment will implement the airport noise policies already in place in the Regional Official Plan which prohibit infilling of new residential and other noise-sensitive land uses in this zone where an amendment to the local Official Plan or Zoning By-law, approval of a plan of subdivision, or an amendment to the Regional Official Plan would be required.

After consultation with the Region, who is the approval authority for Official Plan Amendments, it has been determined that this proposed amendment to the City's Official Plan would not impact negatively on the 10 properties which are already developed as residential uses. The two vacant properties at 4120D Riverside Drive would however be prevented from any form of development and would require a rezoning and a Regional Official Plan amendment in order for development to proceed.

Although the Regional Official Plan designates the properties "Business Park", Policy 1.6.8 of the Plan states that the Region cannot force uses of land which legally existed on July 9, 1997 into situations of non-conformity by requiring an amendment to the zoning by-law to make it conform with the Plan. Therefore, the recognition of the existing single family dwellings on developed lots would allow all properties at 4120 Riverside Drive, except for the two vacant lots, to redevelop or to infill new residential use.

In all cases, a noise study or the use of the "Prescribed Measures to Address Airport Noise" would be required for any development. These measures include components of residential building design requirements.

Record of Proceedings

Planning and Economic Development Committee - October 26, 1999

Ref #: ACS1999-PW-PLN-0113

Official Plan Amendment - Ottawa Macdonald-Cartier International Airport: Noise Policies

Parties Who Appeared

Marc Labrosse

Vice & Hunter

344 Frank Street, Ottawa, Ontario. K2P 0Y1

Mr. Labrosse was present on behalf of Mr. Tom Win, also present. Mr. Win is the owner of two vacant lots on 4120 Riverside Drive, a small strip of properties located below the Hunt Club/Riverside bridge at the end of the airport. In 1993, Mr. Win obtained severance for his properties for a lot that had some buildings, went through a demolition control and obtained a building permit for a lot in the area. The lot was subsequently severed and unfortunately all the residents are in same position, whereby notice of the Regional Official Plan and zoning by-law, did not make it to them. The affects of the zoning resulted in the properties zoned ES, (environmentally sensitive), now proposed to be changed to Water Corridor. This has not changed the fact that although they have a building permit they obviously have large obstacles facing development of the vacant lots. The Committee is asked to defer the matter, or the plan, but if not defer it with respect to his client's properties to allow them to approach the Region and the Airport Authority to try to reach some kind of compromise for the properties who were in a position to be developed two years ago and now must overcome some serious obstacles to obtain this goal, and to have the City Official Plan as a further obstacle only increases the costs for his client to continue with his development plans. In that respect, he asked the matter be granted a delay of approximately two months to allow them to approach the Airport Authority and the Region (he noted the Regional Councillor and Planner were present today). His firm has been retained to deal with the matter and asked that a little time be given to these properties, euchred out of continuing with their plans based on what has been transpiring over the last two years.

Ladas Giriunas

413-35 Murray, Ottawa, Ontario. K1N 9M5

Mr. Giriunas is one of the 12 property owners located at 4120 Riverside Drive. He bought the property at 4120L in September, 1997, with the intention of building a retirement home for he and his wife in 2-3 years time. At the time, he verified with the city's zoning department that there were no restrictions to development, and he could obtain a building permit under Zoning By-law Z2-K. There was an existing structure demolished by the

previous owner in June, 1997. Since purchasing, they began preparing the property, clearing brush, planting 50 trees and commissioning 2 surveys to prepare for the building permit application. This July the community became aware of the new ES zoning (By-law 93-98) applicable to the area enacted in May, 1998. Upon enquiring, he was informed by the City's Planning Branch that he would have to apply to the Committee of Adjustment for a minor variance or an amendment to the Zoning By-law in order to obtain a building permit. Subsequently, another restriction was imposed - the Official Plan Amendment with regard to noise, which states that any new development in the area was not permitted, but does permit buildings legally in existence at the time of the adoption of the Plan, July 9, 1997. In conclusion, he was seeking a solution to this dilemma. He purchased the property at considerable expense and, in good faith, with plans to build a retirement home next year within Ottawa city limits. He sought the Committee's support for either an exemption or some other solution for property owners such as himself who have not yet begun development, but who have the intention to do so in the very near future.

Nicholas Patterson

Mr. Patterson stated that everyone agrees that it is generally a good idea, no one wants new houses built under the nose of the airport. But, how is this achieved without screwing a number of people by depriving them of their rights or the expectation of their rights. In this case, the city has failed in protecting these people. It would be a travesty to allow this to go forward. Anyone with any sense of decency or justice will know which way to proceed on this one. As Mr. Giriunas stated, he bought a small property. He took every reasonable precaution, made every reasonable enquiry, anyone of a prudent character would make before buying this kind of property. He found his rights were chipped away and lost more rights. Finally, he found that yesterday (also true of Mr. Labrosse) he could have built a couple of houses on the two little lots. Today he no longer can. This was all without any notice of the hearing of May, 1998. He was financially destroyed overnight without his knowledge.

Wendy Stewart, Regional Councillor

Ms. Stewart commenced by stating she strongly support the policy in the Regional Official Plan. However, she found herself in the awkward position of agreeing with many of the sentiments of the previous speaker. Both levels of government work very hard to do the right thing for the right reasons and could probably prevent the two property owners from building where they have very fairly planned to build. She was not convinced this would solve any problems. But, should they be stopped? She did not believe there would be any long term risks to the 24-hour operations of the airport with 2 more homes in the area where there is currently a community of 12, who for some reason are living with a tremendous amount of airport noise. They knew about this before going in. There are no complaints to her office. Unquestionably they can meet any of the environmental constraints required to build in the area so there would no impact on the Rideau or the flood plain because there is the technology to build. In fact, this building, part of which is actually built in the Rideau River is an excellent example of how we can mitigate the impacts of development. She spoke to Paul Benoit at the airport last week on the issue. It is reasonable to recommend a delay until the City can investigate with the Region and Airport Authority a way to exempt these properties

to give them a little bit of consideration to follow their dreams and build their homes, provided we can ensure the airport's noise policies are protected.

She was prepared to bring the item to Regional Committee and Council to change the Regional Official Plan to permit these properties to be developed, which she considered reasonable.

Written Submissions by Parties

The following written submissions were received:

- Letter to John L. Moser, Director of Planning, dated October 21, 1999, from Ladas Giriunas, 413-35 Murray Street, Ottawa K1N 9M5
- Letter to Donna Allen (also a distribution list), President, Uplands on the Rideau Association, dated October 15, 1999, from John L. Moser, Director of Planning
- Letter to Ladas Giriunas dated July 16, 1999, from Eric Knight, Development Information Officer, Planning Branch
- Letter to Development Information Section, Department of Urban Planning and Public Works dated July 8, 1999, from Ladas Giriunas

Finding of Fact and Recommendation by Committee

The Committee considered the oral submissions presented and, on the basis of the report by the Department of Urban Planning and Public Works, the Committee **deferred** the Submission dated September 27, 1999 for two months, on the following motion:

That the item be deferred for a period of two (2) months, to the Planning and Economic Development Committee meeting of January 11, 2000, so that the property owners in question have an opportunity to engage in discussions with the Region of Ottawa-Carleton and the Airport Authority; and,

That the report be referred back to staff to work with the Region to attempt to resolve the outstanding issues prior to the Planning and Economic Development Committee January 11, 2000 meeting.



Executive Assistant
Planning and Economic Development Committee

413-35 Murray
Ottawa, ON K1N 9M5

October 21, 1999

John L. Moser
Director of Planning
Department of Urban Planning and Public Works
City of Ottawa
111 Sussex Drive
Ottawa, ON K1N 5A1

RE: 4120L Riverside Drive

Dear Mr. Moser:

I am writing with reference to your letter of October 15, 1999 to Ms. Donna Allen regarding the Bylaws Nos. 293-93 and 93-98 - Zoning Status of 4120 Riverside Drive.

I am the current owner of the property at 4120L Riverside Drive. I purchased this vacant lot in September 1997 with the intention of building a private home in a few years. Existing structure(s) on this property were demolished by the previous owner during the summer of that year.

Because of the enactment of the new ES zoning by-law in May 1998, I wrote to the City seeking advice on how to proceed with obtaining permission to build a private home. In his reply (see attached), Eric Knight of the City Planning Branch, indicated that in order to proceed, I must make an application to the Committee of Adjustment for a minor variance or apply for an amendment to the zoning by-law to permit the use of the single family dwelling in this zone designation. Since my intention is to begin construction in the spring of 2000, I began the process this fall with the commissioning of two engineering surveys in preparation for submission of the septic system design and of the application for the Conservation Authorities Act to the Rideau Valley Authority. This is the recommended first step prior to seeking the minor variance adjustment.

However, in the recent notice regarding the new Official Plan Amendment regarding Airport Noise, it states that any new development in the AOIZ area is not permitted but does permit buildings that legally existed on the date of the adoption of the Plan (July 9, 1997). Since this does not apply in my case (nor as well in the case of 4120D), the effect of these amendments is to render the property essentially worthless.

This is, of course, of great concern to me. I purchased the property at considerable expense and in good faith with plans to build a retirement home within the Ottawa City limits. At the time of purchase, I verified with the City Zoning department that there were

no restrictions on obtaining a building permit. Therefore, I am seeking your support, and the support from all of the relevant authorities, to add an exemption to these amendments for existing property owners such as myself who have not yet begun development but who have the intention to do so in the very near future.

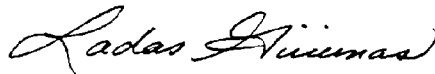
Currently 10 of the 12 properties at 4120 Riverside Drive have single family dwellings and are not affected by these amendments. Up to 14 structures are permitted in the Zoning By-Law Z-2K. It would seem logical that the same legitimate rights and privileges apply in my case as they do to the other property owners regardless of the recent amendments. Development of this vacant property would not be of any practical consequence to the overall objectives of the Regional Plan or Airport Authority.

In the last Section, under Proposed Action, you have stated that the Planning Branch will propose a zoning amendment to restore existing houses as a permitted use. Could this proposal include a clause to allow an existing owner to develop a currently vacant property? I assume this would require the consent of the Regional and Airport authorities.

I will be attending the hearing scheduled on October 26 to have my case presented and to obtain a solution to this problem. I have the full support of the President of our Association and of all the property owners at 4120 Riverside Drive.

I would be very grateful for any assistance and advice that you could provide.

Sincerely,



Ladas Giriunas

Tel: 241-4227 (home)
734-6293 (office)

- c.c. Jim Bickford, Councillor, Mooney's Bay Ward
- c.c. Donna Allen, President, Uplands on the Rideau Association.
- c.c. Nigel Brereton, Planning and Development Approvals Department, Regional Municipality of Ottawa-Carleton
- c.c. Wendy Stewart, Regional Councillor, River - R16
- c.c. Anne-Marie Leung, A.M.C.T., Executive Assistant, Planning and Economic Development Committee
- c.c. Bob Spicer, Project Manager, Hunt Club Neighbourhood Plan



October 15, 1999

99-0441
OSP1100/0100
LBI1993/293

Ms. Donna Allen
President
Uplands on the Rideau Association
4120C Riverside Drive
Ottawa, Ontario
K1V 1C4

Dear Ms. Allen:

Subject: Bylaw Nos. 293-93 and 93-98 - Zoning Status of 4120 Riverside Drive

Thank you for your two letters in which you raise concerns over the zoning status on the residential properties along the Rideau River, known municipally as 4120A-L Riverside Drive, as well as the impact of the proposed Official Plan Amendment regarding airport noise.

Notification

- As By-law 93-98 was a zoning amendment which potentially affected all lands in the city, it was determined that notice to each and every individual land owner would be cumbersome and costly, and that a city-wide newspaper notice would be acceptable.
- The City followed the provisions of the Planning Act, specifically Section 34(20), which allows notice by newspaper advertisement.
- For the properties in question, the zoning was changed to remove the exception permitting detached houses by means of a Councillor's motion, which was made at Planning and Economic Development Committee (PEDC) during the deliberation process on the new Zoning By-law.
- This specific motion was incorporated into the overall approval of Zoning By-law.

Department of Urban Planning and Public Works
111 Sussex Drive, Ottawa, Ontario K1N 5A1
Tel.: (813) 244-5300, ext. 1-3880
Fax: (813) 244-5474
<http://www.city.ottawa.on.ca>
E-mail: up&pw@city.ottawa.on.ca

Service de l'urbanisme et des travaux publics
111, promenade Sussex, Ottawa (Ontario) K1N 5A1
Tél. : (813) 244-5300, poste 1-3880
Télééc. : (813) 244-5474
<http://www.ville.ottawa.on.ca>
C. élec. : lup&pw@city.ottawa.on.ca

Zoning Status

- All of the properties are currently zoned ES- Environmentally Sensitive Area in the new Zoning By-law, 1998 (By-law 93-98).
- Detached houses are not a permitted use in this zone. However, the uses (i.e., the existing houses) may enjoy non-conforming rights to remain. Under the Planning Act, the ES zoning would not apply to prevent any uses lawfully in existence on the date of the passage of the ES zoning.
- Another issue raised in your letters was that the affected properties were in a sub-area 3 zone, but there is no explanation of an ES3 zone in the Zoning By-law. "Sub-area 3" is simply a geographic sub-area of one of the Neighbourhood Monitoring Area zoning maps in which the various zones in the sub-area are illustrated. These sub-areas are not zoning categories in themselves.

Official Plan Amendment on Airport Noise

- The proposed Official Plan Amendment (OPA) concerning airport noise previously circulated to you will not change the existing non-conforming status of the properties.
- All of the properties are directly affected by the proposed airport noise policies as they are located within the Ottawa Airport Influence Zone (OAIZ) above the 30 NEF/NEP noise contours.
- The OPA will implement the airport noise policies already in place in the Regional Official Plan, which prohibit infilling or redevelopment of new residential and other noise-sensitive land uses in the OAIZ where an amendment to the local Official Plan or Zoning By-law or approval of a plan of subdivision would be required.
- Notwithstanding this policy, the Regional Municipality of Ottawa-Carleton advised that the Regional Official Plan *does permit buildings that legally existed on the date of the adoption of the Plan (July 9, 1997).*

Proposed Action

- The Planning Branch will propose a zoning amendment to restore the existing houses as a permitted use on the basis that:
 - It will conform to the Regional Official Plan Airport noise policies outlined above.
 - The properties are no longer considered to be an Environmentally Sensitive Area.
- The proposed zoning amendment will be included as part of the Hunt Club Neighbourhood Plan study, targeted for approval by City Council in January 2000
- This study has determined that the City of Ottawa Official Plan designation of the properties should be changed from the existing Environmentally Sensitive Area (ESA) to Waterway Corridor because the manicured landscaped yards do not meet the criteria established for ESAs by the Natural and Open Spaces Study (NOSS).
- The zoning is proposed to be changed from ES-Environmentally Sensitive Area to EW-Waterway Corridor. An exception, will recognize the existing houses as permitted uses. Additions to or replacement of the existing houses will be permitted

by the exception up to the maximum gross floor area previously established in Zoning By-law Z-2K.

- All development would be subject to a noise study or the use of the “Prescribed Measures to Address Airport Noise”. These measures include components of residential building design requirements.
- Your community association and the property owners receiving a copy of this letter will be added to the mailing list for the Hunt Club Neighbourhood Plan study and will receive a copy of the staff report, including the proposed Official Plan Amendment and zoning recommendations, as well as the date on which the report will be dealt with by PEDC.

If you have further questions on this matter, please contact Mr. Bob Spicer, project manager for the Hunt Club Neighbourhood Plan study, at 244-5300, x3858.

Yours truly,



John L. Moser
Director of Planning

RS:rs

Distribution List

Councillor Jim Bickford
Mooney's Bay Ward

John Logan/Adelle Forth
4120A Riverside Drive
Ottawa, Ontario
K1V 1C4

Tom Wynn
894 Boyd Avenue
Ottawa, Ontario
K2A 2E3

Vali Ashoori
644 O'Connor Street
Ottawa, Ontario
K1S 3R8

Nixon William Scharfe
1534 Botsford Street
Ottawa, Ontario
K1G 0P9

Ross Robert Fumerton
4120J Riverside Drive
Ottawa, Ontario
K1V 1C4

Orville Greg Carter
4201I Riverside Drive
Ottawa, Ontario
K1V 1C4

Nigel Brereton
Planning and Development Approvals Department
Regional Municipality of Ottawa-Carleton

Patrick McKay
4201B Riverside Drive
Ottawa, Ontario
K1V 1C4

Hanes D. Lyall (1983) Ltd.
c/o 894 Boyd Avenue
Ottawa, Ontario
K2A 2E3

Lloyd Cecil Connelly
c/o Connelly Properties
205-2487 Kaladar Avenue
Ottawa, Ontario
K1V 8B9

Marius Ladas Girunas
413-35 Murray Street
Ottawa, Ontario
K1N 9M5

Louise and Steve Kuchta
4120K Riverside Drive
Ottawa, Ontario
K1V 1C4



July 16, 1999

OZI4860/Rivi 4120L
TD99-0359

Ladas Giriunas
413 - 35 Murray Street
Ottawa, Ontario
K1N 9M5

Dear Mr. Giriunas:

**Subject: 4120L Riverside Drive, Ottawa
Receipt Number 1055750**

This will acknowledge receipt of your letter dated July 8, 1999, with attached cheque, requesting confirmation with respect to the construction of a detached house at the above-mentioned location.

We wish to advise that this property is presently subject to the provisions of Zoning By-law 1998, in a zone designated as ES. Zoning By-law 1998 was approved by City Council on May 20, 1998 and is presently awaiting disposition of the Ontario Municipal Board. The last zone designation to have received approval is P-x[86] under the provisions of Zoning By-law Z-2K, as amended. In a case where there is a pending zone and an approved zone applicable to a property, the use must be permitted in both zones and the most restrictive performance standards of these zones shall apply.

In accordance with the provisions of Zoning By-law 1998, Sections 589 and 590 states that no uses and no buildings are permitted in the ES zone. In accordance with the provisions of Section 5 of this by-law, if a building housing a non-conforming use is damaged or demolished, the non-conforming right is not extinguished if, (a) the damage or demolition was accidental; (b) the building is repaired and re-occupied before the expiry of one year; and (c) the building continues to be used for the same purpose after it is repaired as it was used before it was damaged or demolished. A search of department records revealed that a demolition permit was issued for this property on February 11, 1997. As such, the one year expiry date has been exceeded and the non-conforming right has been extinguished.

Department of Urban Planning and Public Works
111 Sussex Drive, Ottawa, Ontario K1N 5A1
Tel.: (613) 244-5300, ext. 1-3900
Fax: (613) 244-5620
Web Site: <http://city.ottawa.on.ca>
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Service de l'urbanisme et des travaux publics
111, promenade Sussex Ottawa (Ontario) K1N 5A1
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Téloc. : (613) 244-5620
Site Web : <http://ville.ottawa.on.ca>
C. élec. : info@city.ottawa.on.ca

However, you may make an application to the Committee of Adjustment for a minor variance to seek relief from this provision in order to reconstruct a single family dwelling at this location. You may also apply for an amendment to the zoning by-law to permit the use of the single family dwelling in this zone designation.

Under the provisions of Zoning By-law Z-2K, as amended, a single family dwelling is permitted provided that the dwelling unit located on the lot known municipally as 4120-L Riverside Drive may be built to a gross floor area of not more than 372 square metres, and that there are not more than 14 dwelling units in the P-x[86] zone.

We trust this information is of assistance to you and wish to emphasize that our response was formulated based on the information you provided to us. Should circumstances change, or you require further information, please contact the undersigned at 244-5300, ext. 1-3900.

Yours truly,



Eric Knight
Development Information Officer
Planning Branch

EK

413-35 Murray St.
Ottawa, ON K1N 9M5

July 8, 1999

Development Information Section
Urban Planning & Public Works
City of Ottawa
First Level, Rideau Pavilion
111 Sussex Drive
Ottawa, ON K1N 5A1

RE: 4120L Riverside Drive

Dear Sir:

I am writing with reference to the lot located at 4120L Riverside Drive. I purchased this vacant lot in September, 1997 with the intention of building a private home in a future year.

During my visit to Planning Department at City Hall today I was informed that a new ES zoning by-law has been in force in this area since May 1998. An older by-law, P-X86, also applicable to this area, states that up to 14 residential units are permissible in the community (Lot 6, Concession 1). This latter restriction is not of concern at this time. However, the new by-law apparently restricts any new development.

My intention is to begin construction of a private home in the summer of 2000 on this lot. Please advise how I should proceed to obtain a waiver to the ES by-law for this purpose.

Thank-you for your consideration of this matter.

Sincerely,



Ladas Giriunas

Tel: 241-4227 (home)
734-6293 (office)

Record of Proceedings

Planning and Economic Development Committee - January 11, 2000

Ref #: ACS1999-PW-PLN-0113

Official Plan Amendment - Ottawa Macdonald-Cartier International Airport: Noise Policies

Parties Who Appeared

No one appeared. However, the following delegation was present and agreed with the deferral:

Marc R. Labrosse

Vice & Hunter

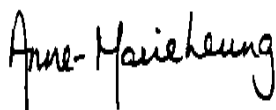
344 Frank Street, Ottawa. K2P 0Y1, Tel.: 232-5773.

Written Submissions by Parties

No written submissions were presented.

Finding of Fact and Recommendation by Committee

The Committee noted that no one appeared with respect to this item. The Committee **deferred** Submission dated September 27, 1999 for 60 days.



January 20, 2000 (2:53p)

Executive Assistant
Planning and Economic Development Committee
AML:aml

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January 31, 2000

ACS1999-PW-PLN-0040
(File: OZSS1997/002)

Department of Urban Planning and Public
Works

Ward/Quartier
OT10 - Alta Vista-Canterbury

- Planning and Economic Development
Committee / Comité de l'urbanisme et de
l'expansion économique
- City Council / Conseil municipal

Action/Exécution

2. Zoning - Commercial Properties on Kilborn Avenue **Zonage - Propriétés commerciales sur l'avenue Kilborn**

Recommendation

That an amendment to the *Zoning By-law, 1998*, as it applies to 1655 Kilborn Avenue, from CG[450] F(1.0)) to a CL F(1.0) exception zone, be APPROVED, as detailed in Document 2 and shown on Document 4.



February 1, 2000 (11:05a)

Edward Robinson
Commissioner of Urban Planning and Public
Works

DJ:dj

Contact: Douglas James - 244-5300 ext. 1-3856



February 2, 2000 (9:48a)

Approved by
John S. Burke
Chief Administrative Officer


Planning and Economic Development Committee Action - February 22, 2000

- ▶ *The Committee deferred this item to its meeting of March 28, 2000.*

Record of Proceedings is attached.

Financial Comment

N/A.


February 1, 2000 (8:33a)

for Mona Monkman
City Treasurer

BH:cds

Executive Report

Reasons Behind Recommendation

Context

Prior to the recent construction of a commercial plaza at 1655 Kilborn Avenue, a meeting was held in the community to discuss the associated Site Plan proposal. Although this meeting was held to talk about issues such as parking and vegetative planting, concerns over the types of uses that would be permitted in the proposed plaza, such as restaurants, were voiced. In view of these concerns, the Ward Councillor asked the Department to consider undertaking a study of not only the site at 1655 Kilborn Avenue, but also the four other commercial shopping plazas located along Kilborn Avenue. These four plazas were seen as having similar characteristics. The four commercial properties along Kilborn Avenue are 1783-1801 Kilborn Avenue, 1655 Kilborn Avenue, 1221-1227 Kilborn Avenue and 1220 Rooney's Lane (at the corner of Rooney's Lane and Kilborn Avenue) (see Document 3). This study was included on the Departmental 1999 work program and has been undertaken to determine if the uses allowed by the current zoning for these sites is appropriate.

This submission investigated the four affected properties along Kilborn Avenue with respect to the current zoning, the locational characteristics and history of each site and makes recommendations as to the zoning of these properties.

Rationale

1221-1227 Kilborn Avenue and 1220 Rooney's Lane

These two commercial plazas are located opposite each other at the corner of Kilborn Avenue and Rooney's Lane, which is located at the western end of Kilborn Avenue by Bank Street. Adjacent to the property at 1221-1227 Kilborn Avenue is a medical lab and a place of worship. Adjacent to the plaza at 1220 Rooney's Lane is an animal hospital and an office building with a parking structure. On the opposite side of Kilborn Avenue are the rear yards of homes, which are oriented to Utah Street to the east. These two plazas are along the

extreme western boundary of the Alta Vista residential community adjacent to the commercial uses found on Bank Street and are zoned CDF(2.0). This zoning allows a wide range of commercial uses, including offices, retail, a personal service business and all types of restaurants.

The proximity of these commercial properties to Bank Street, an arterial roadway, and their separation from the residential community to the east, help substantiate their current commercial zoning. Consequently, given the above-noted characteristics, the Department is recommending that the zoning of these properties be maintained.

1783-1801 Kilborn Avenue

This site is presently zoned CG[392] SCH 131, 132 and 133. This is a restrictive site-specific zoning that allows a limited number of commercial uses. Uses permitted are a bank, convenience store, medical facility, office, personal service business, post office, retail food store or retail store. The size of these commercial establishments are all restricted to maximum sizes. More specifically, Schedules 131, 132 and 133 all pertain to the size of one of the bays located in the plaza, presently occupied by a trust company.

This property is surrounded on four sides by low-density residential dwellings. The site specific zoning of this property was imposed and modified over time, as a result of negotiations between the City and the owner, compliance with policies in the City's Official Plan, neighbourhood compatibility, applications to the Committee of Adjustment and through orders by the Ontario Municipal Board (OMB). All of the zoning changes to the site resulted from concerns raised by the community and the property owner.

Given the extensive consideration that already has taken place on this property to ensure the ability of the plaza to fit within the community, the Department is not making any recommendations on changing the present zoning.

1655 Kilborn Avenue

This property is occupied by a relatively new development and is zoned CG[450]F(1.0), which is a general commercial zone allowing a wide range of commercial uses. Like the plaza at 1783-1801 Kilborn Avenue, it is located in the heart of the Alta Vista residential community. To the north, east and south of the property are low density residential dwellings, while to the west is Kilborn Park.

In 1996, the Department completed a rezoning of this property and the property immediately to the east. At that time, the subject property was occupied by a gasoline service station and a rezoning of this site was undertaken with a view to encouraging residential development on the property. The amendments to Zoning By-law Number Z-2K, approved by City Council, allowed single detached, duplex, semi-detached and row dwellings. In fact, should this property be occupied by any of the residential uses mentioned above, commercial uses were

not permitted. This previous zoning, however, did not examine restricting commercial uses should that be the only type of development on the property, but focussed solely on encouraging residential development of the property. This study expands on the previous rezoning and addresses the concerns of commercial uses on the property.

When determining the appropriate zoning for the site, one has to consider the present Official Plan designation and the relevant policies. Consequently, the appropriate zoning for this property has to comply with the intent of Sections 3.6.2.d) and e) relating to neighbourhood-serving uses in residential areas and non-residential uses in residential areas: the uses permitted on the site must be compatible with the surrounding residential neighbourhood. These policies in the Official Plan contain criteria by which to evaluate an appropriate zoning for this site. These include:

- Prohibiting uses with the potential to generate significant amounts of traffic and parking. These should be oriented towards major collector or arterial roadways.
- Permitted uses must complement adjacent residential uses, provide a needed service and are better located on lands designated Residential Area than in other areas as designated in the Official Plan.
- Such commercial locations must be isolated from or at the periphery of existing concentrations of residential development.
- Uses allowed by the zoning are compatible with existing residential uses.
- The uses allowed by the zoning, in proximity to other like uses, do not in the City's opinion represent a concentration which should more appropriately be developed under a designation other than Residential Area.

Consideration must also be given to the fact that there are other commercial plazas along Kilborn Avenue and that to the west is the Bank Street commercial district. These are all within easy driving or walking distance of the surrounding community and offer a range of commercial services to satisfy the needs of the community. Consequently, the Department believes it appropriate to limit the commercial uses allowed on this site.

Given the foregoing, a more restrictive commercial zone, with uses that are intended to serve the local community and reduce the amount of non-local traffic, is appropriate and desirable for this property.

The City's new Zoning By-law contains zoning categories that reflect the locational characteristics of the residential area. Therefore, it is the Department's position that a Local Commercial (CL) exception zoning is appropriate for the property. The CL zone is a local commercial zone that permits a limited number of commercial uses, however, those permitted

are all directed towards serving the local community. The exception proposed would allow an instructional facility, as this is the category of use of the Tae kwon do studio presently on site. The City is removing service station as a permitted use as this use is more appropriately located along a major collector or arterial roadway.

The Department is also recommending limiting the size of the commercial uses on site. This recommendation will help ensure that a permitted use does not grow to a size that would have a tendency to draw many customers from elsewhere in the city or region; thus increasing the amount of traffic into the area, to the detriment of the surrounding community. This approach has been utilized at the plaza located at 1783-1801 Kilborn Avenue. In that instance, the maximum size of the bays in that plaza have been limited to their existing size. It is the Department's intention to take a similar approach for this property.

The Department notes that the gross floor area of the largest bay on the property is approximately 277 square metres and that the remaining bays in the building are nearly the same size. In determining the appropriate size of commercial uses on the property, consideration must be given to certain factors. While there is the possibility of expansion of the commercial plaza on the site, unlike 1783-1801 Kilborn Avenue, this property is not surrounded on four sides by single detached dwellings: to the west is Kilborn Park. Furthermore, the largest existing bay is 277 square metres, which is typically the size of a small store. Considering the development potential of the site, the location of the property within the surrounding neighbourhood, the implications on the surrounding neighbourhood and the desire to create a commercial development that serves only the local population, the Department is recommending a maximum gross leasable area of 280 square metres for each commercial use.

Economic Impact Statement

There is no anticipated Economic Impact with this rezoning study.

Environmental Impact

As the site is already developed, there is no anticipated Environmental Impact.

Consultation

A meeting in the area was held by the Ward Councillor. Approximately 150 people attended. A copy of the staff report was circulated to the owners of the properties included in the study, as well as to the local Community Associations and interested parties.

Disposition

Department of Corporate Services, Statutory Services Branch to notify property owner (Jasaab Holdings Limited, 1655 Kilborn Avenue, Ottawa, K1H 6M7, Attention: Joe Saab), the Corporate Finance Branch, Revenue Section, Assessment Control Supervisor and the Regional Municipality of Ottawa-Carleton, Plans Administration Division of City Council's decision.

Office of the City Solicitor to forward the implementing by-law to City Council.

Department of Urban Planning and Public Work to prepare and circulate the implementing by-laws.

List of Supporting Documentation

- | | |
|------------|-------------------------------------------------------|
| Document 1 | Explanatory Note |
| Document 2 | Details of Recommended Zoning |
| Document 3 | Location Map of Commercial Sites along Kilborn Avenue |
| Document 4 | Location Map of Site Proposed to be Rezoned |
| Document 5 | Compatibility With Public Participation |

Part II - Supporting Documentation

Document 1

THE FOLLOWING IS AN EXPLANATORY NOTE TO BY-LAW NUMBER -99

By-law Number -99 amends the *Zoning By-law, 1998*, the City's Comprehensive Zoning By-law.

The Planning Branch has undertaken a minor zoning study of commercial properties along Kilborn Avenue. As a result of this study, the City is proposing changes to the zoning of the property located at 1655 Kilborn Avenue. The subject property is presently occupied by a commercial plaza.

Current Zoning Designation

Zoning By-law, 1998

The subject property is currently zoned CG[450]F(1.0). This is a general commercial zone that allows a wide range of residential and commercial uses. Some of these uses include apartment buildings, high-rise apartment buildings, townhouses, retail store, all types of restaurants, repair shop and public hall. The [450] represents an exception in the zoning by-law, which in this instance also allows an automobile service station on the property. The F(1.0) relates to the maximum allowable gross floor area of the buildings on the property. In this instance, the area of the building(s) on the property may equal one times the area of the lot.

Proposed Zoning Designation

Zoning By-law, 1998

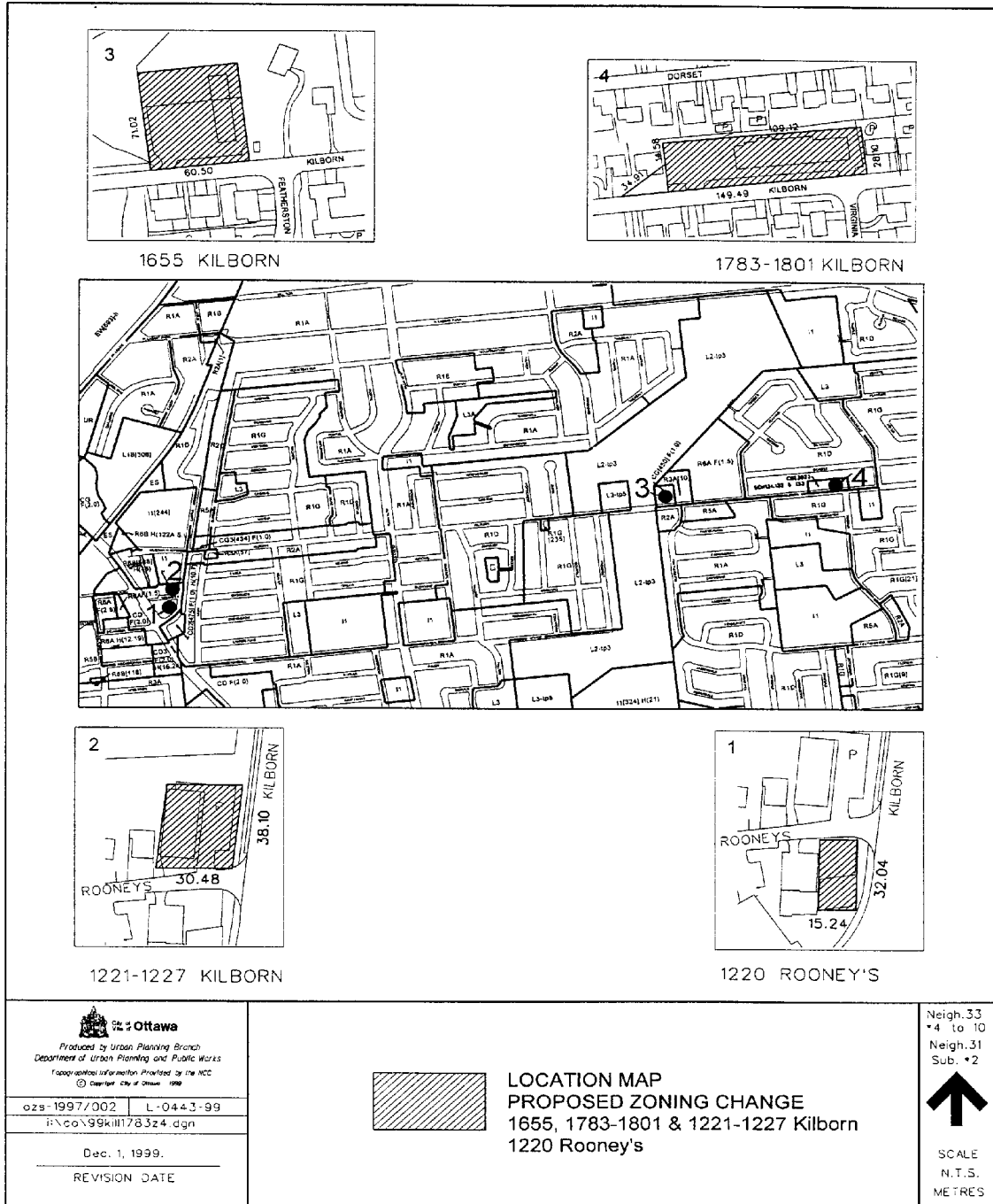
The subject property is proposed to be zoned as a CLF(1.0) exception zone. This is a local commercial zone that allows a large number of residential uses as well as a limited number of commercial uses. Uses permitted under the CL zone include apartment buildings, townhouses, detached houses, a convenience store, a personal service business, a retail food store and a retail store. The proposed exception on the subject property will allow an instructional facility, and a maximum gross leasable area for a commercial use on the property would be 280 square metres. The service station use that is currently permitted would no longer be a permitted use. The F(1.0) relates to the maximum allowable gross floor area of the buildings on the property. In this instance, the area of the building(s) on the property may equal one times the area of the lot.

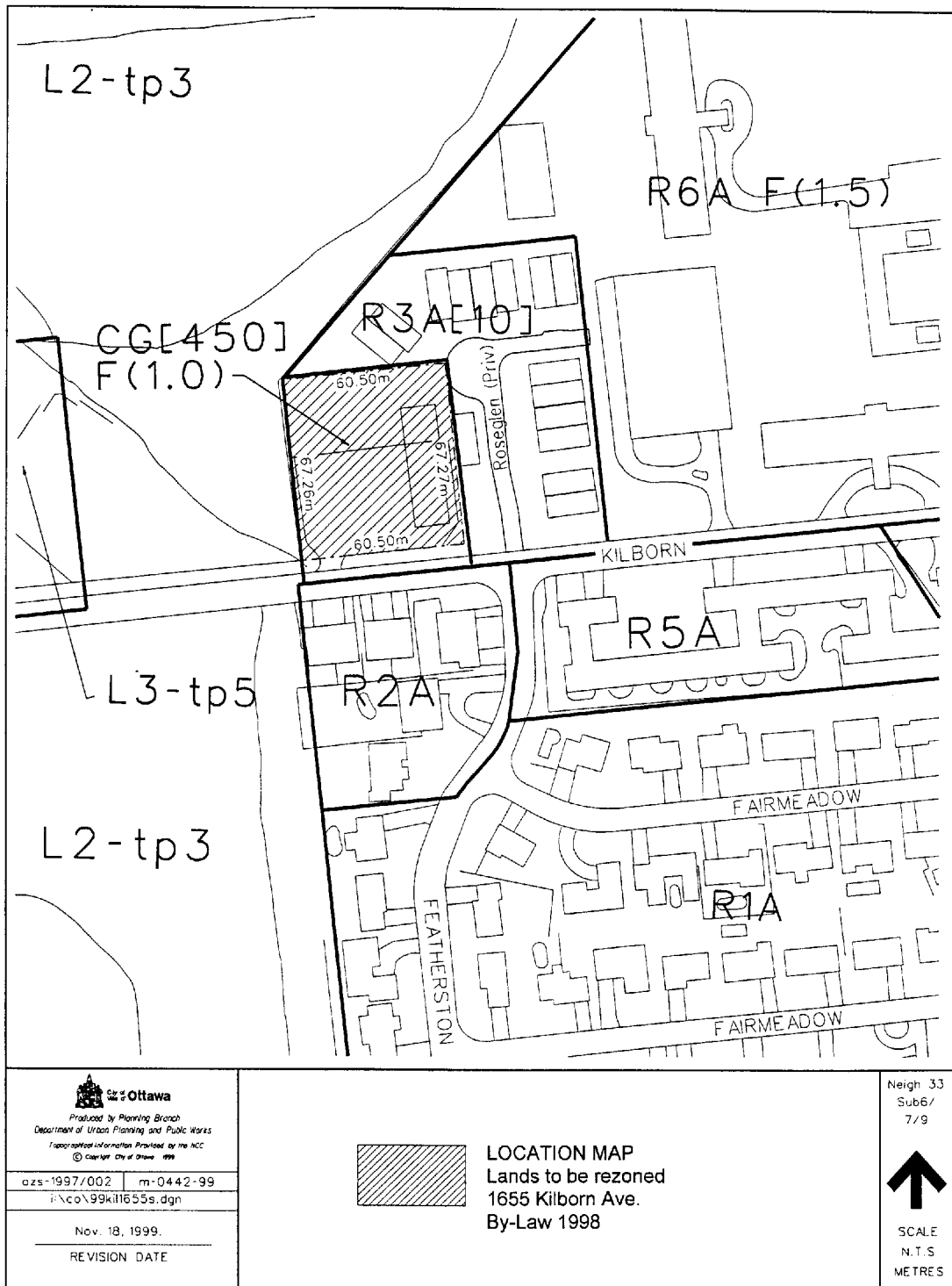
DETAILS OF RECOMMENDED ZONING, THE ZONING BY-LAW, 1998

- Allow an Instructional Facility as an additional permitted use.
- Prohibit an automobile service station.
- For uses permitted in section 284, each separate occupancy must not exceed 280 square metres in gross leasable area.

Location Map of Commercial sites along Kilborn Avenue

Document 3





COMPATIBILITY WITH PUBLIC PARTICIPATION

Document 5

NOTIFICATION AND CONSULTATION PROCESS

A public meeting to discuss the proposed development of the property at 1655 Kilborn Avenue was held on September 19, 1996. This meeting was attended by over 150 people. This study resulted from the concerns expressed at that meeting. As the meeting took place in 1996, consultations between the Ward Councillor and concerned members of the public have indicated that this remains an important issue.

A copy of the staff report was circulated to the owners of the properties in the study, as well as to the local community groups and interested citizens.

APPLICATION PROCESS TIMELINE STATUS

This application, which was initiated at the request of the Ward Councillor, was not subject to a project management timeline or mandatory information exchange.

Councillor's Comments

Councillor Higdon is aware of this application.

Record of Proceedings

Planning and Economic Development Committee - February 22, 2000

Ref #: ACS1999-PW-PLN-0040

Zoning - Commercial Properties on Kilborn Avenue

Parties Who Appeared

Peter Vice

Vice & Hunter

344 Frank Street, Tel.: 232-5773.

Mr. Vice advised that he is representing the owner of the lands at 1655 Kilborn Avenue. As stated by Mr. James, this study arose out of a 1996 public meeting on a site plan approval. Some three and a half years later, his client received in the mail last week a report from the City advising him that his property is going to be down-zoned. His client told him, contrary to what Mr. James had said earlier, he was not part of this process at all. The first he got was this report. The report he received was not even the full report, which is in front of the Committee today. The Councillor's office was good enough to provide his client with the full report. His client had this full report with him when he came to see him on Friday afternoon. There has been no discussion with him. The report was circulated and they have taken away approximately twenty of his commercial uses. There is a very heavy onus on the municipality when down-zoning properties. His client and himself are prepared to speak to the community about this, but if it is the will of the community and the Committee that indeed they are going to end up with twenty less commercial uses that they have now, the Committee might as well pass this zoning amendment now, and he will proceed right away to the Ontario Municipal Board. If he hears from the community that there is a will to negotiate some of the uses, then he is prepared to do so. But if they want twenty less of the commercial uses than what his client has right now, then this is not acceptable and it does not make sense.

Written Submissions by Parties

No written submissions were presented.

Finding of Fact and Recommendation by Committee

The Committee considered the oral submission presented and, on the basis of the report by the Department of Urban Planning and Public Works, the Committee **deferred** Submission dated January 31, 2000 to its meeting of March 28, 2000.



February 29, 2000 (4:05p)

Executive Assistant
Planning and Economic Development Committee
AML:aml

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February 23, 2000

ACS1999-PW-PLN-0183
(File: OZP1999/024)

Department of Urban Planning and Public
Works

Ward/Quartier
OT9 - Capital

- Planning and Economic Development
Committee / Comité de l'urbanisme et de
l'expansion économique
 - City Council / Conseil municipal
- Action/Exécution

3. Zoning - 1500 Bank Street

Zonage - 1500, rue Bank

Recommendation

That an amendment to *Zoning By-law, 1998*, as it applies to the lands shown shaded on Document 2, be **APPROVED**, as detailed in Document 3.



March 6, 2000 (11:01a)

Edward Robinson
Commissioner of Urban Planning and Public
Works



March 7, 2000 (8:10a)


Approved by
John S. Burke
Chief Administrative Officer

DC:dc

Contact: Denis Charron - 244-5300 ext. 1-3422

Financial Comment

N/A.



March 2, 2000 (9:56a)

for Mona Monkman
City Treasurer

BH:cds

Executive Report

Reasons Behind Recommendation

Background

The subject lands are situated at the rear of the existing building located at 1500 Bank Street (Blue Heron Mall). The former Canadian Pacific Railway lands, totalling 3,418.6 square metres in area, have recently been purchased and assembled with the Blue Heron Mall lands.

The applicant is requesting that the lands currently zoned R3A, and a small portion of the lands zoned CD F(2.0) and CD4 F(1.0), be rezoned to match the commercial zone designation of the existing shopping centre lands. A Site Plan Control application is also being reviewed by staff for the expansion of the parking area which is proposed to be asphalted and screened with a three-metre wide landscaped buffer along the existing residential lands located immediately to the west. It is important to note that specific conditions will be included in the Site Plan report which will require that the developer enter into a Site Plan Control Agreement to address site grading and drainage issues and dedicate lands at the western end of Evans Avenue for the construction of a future cul-de-sac. Final consideration of this Site Plan Control application is pending the approval of the proposed zoning amendment.

Official Plan

The Regional Official Plan designates the subject lands as "General Urban Area". The Region has confirmed that the policies associated with the General Urban Area designation permit the proposed use.

The City of Ottawa Official Plan designates the subject lands as "District Linear Commercial Area" which permits the proposed expansion of the commercial zone boundary. The proposal is in keeping with the applicable Official Plan policies with the possible exception of certain sections of Policy 4.7.2e) pertaining to factors used to determine the acceptability of development proposals in Linear Commercial Areas. Those factors such as impact on adjacent residential areas and location of loading facilities/service areas can be mitigated through both the Zoning Amendment and Site Plan Control processes.

Mitigation Measures (Zoning Amendment Process)

The expansion of the parking area at the rear of the existing shopping centre will have some impact on the abutting residential lands if mitigation measures are not taken. When establishing a parking lot, the requirements of *Zoning By-law, 1998* is such that a minimum separation distance of 3.0 metres of landscaped area must be provided between a parking lot and a residential zone boundary. Despite this requirement, the property owner does have the option of reducing the width of the landscaped area to 0.6 metres if an opaque screen (ie. wood fence, cedar hedge) 1.4 metres high runs parallel to or is concentric to the lot line.

In order to minimize the existing impact already created by the parking and loading areas, the developer has agreed to provide a minimum landscaped buffer area of 3.0 metres for the lands abutting the residential zone. The proposed Site Plan already shows the provision of a 3.0 metre landscaped buffer area with a 1.8 metre high wood fence. Since the grading of the site is higher towards the northwest portion of the subject property, the Site Plan indicates a wider (more than 3.0 metres) landscaped area to accommodate a gentler slope. The wording in exception [532] is to ensure that a 3.0 metre wide landscaped area is provided as a minimum (see Document 3).

Consultation

Two responses were received as a result of the posting of an on-site information sign and notification sent to the concerned community groups and area residents. Although there do not seem to be objections with respect to the proposed change of zoning, both respondents made reference to concerns with the existing visual intrusion of garbage, snow storage and potential drainage problems associated with the premature establishment of the gravelled parking area.

Disposition

Department of Urban Planning and Public Works to write and circulate the implementing by-law.

Department of Corporate Services

1. Statutory Services Branch to notify the Region of Ottawa-Carleton, Development Approvals Division, Department of Planning and Development Approvals, the applicant [Taggart Construction Corporation, 225 Metcalfe Street, Suite 708, K2P 1P9, Attention: Christine Wilson] and the agent [OMM / TROW, 154 Colonnade Road South, Nepean, K2E 7J5] of City Council's decision.
2. Office of the City Solicitor to forward the implementing by-law to City Council.

List of Supporting Documentation

- Document 1 Explanatory Note
- Document 2 Location Map
- Document 3 Details of Recommendations
- Document 4 Municipal Environmental Evaluation Process (MEEP) Checklist - (on file with City Clerk)
- Document 5 Consultation Details

Part II - Supporting Documentation

Document 1

EXPLANATORY NOTE TO BY-LAW NUMBER ____-2000

By-law Number _____ amends *Zoning By-law, 1998*, the City's Comprehensive Zoning By-law. The amendment affects the zoning of the land identified as 1500 Bank Street, as shown shaded on the attached Location Map. This amendment is intended to permit additional parking associated with the existing Blue Heron Shopping Centre.

Current Zoning

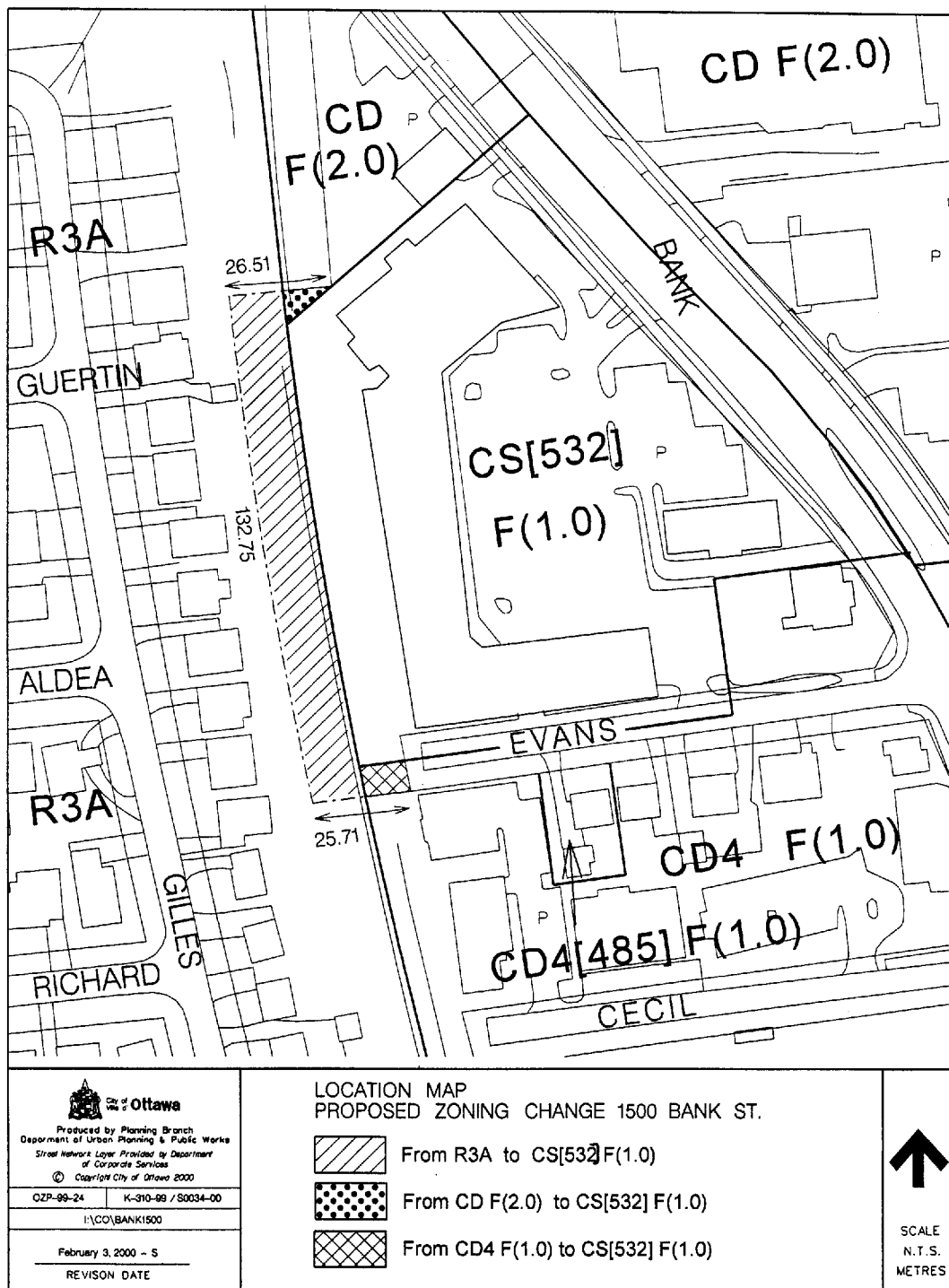
The current zoning of the largest portion of land shown shaded on the attached Location Map, is R3A. The R3A zone is a *Converted House/Townhouse Zone* which permits a wide range of low density residential uses, such as a converted house, detached house, duplex house, linked-townhouse, semi-detached house and a townhouse. The latter uses are also subject to minimum lot area and lot width requirements, as well as, building height, floor space index, landscaped area and yard provisions.

The attached Location Map also shows two smaller portions of adjacent land zoned CD F(2.0) and CD4 F(1.0). The CD zone is a *District Linear Commercial Zone* which permits a wide variety of commercial uses which are also subject to regulations and provisions.

Proposed Zoning

The proposed zoning amends *Zoning By-law, 1998*, by replacing the R3A, CD F(2.0) and CD4 F(1.0) zone designations with a CS[532] F(1.0) zone. A CS zone is a *Shopping Centre Zone* which permits a wide range of commercial uses, such as an amusement centre, bank, catering establishment, instructional facility, personal service business, post office, printing shop, retail and a restaurant. Exception [532] requires that the developer provide, as a minimum, a 3.0 metre wide landscaped area along the full length (132.75 metres) of the west property line.

For further information, please contact Mr. Denis Charron at 244-5300 extension 1-3422.



DETAILS OF RECOMMENDATION

Document 3

1. That the text in exception [532] read as follows:
 - ii Despite any other provision in the by-law which allows the width of a landscaped area to be reduced, a minimum 3.0 metre wide landscaped area must be provided abutting a residential zone.
2. That the property be rezoned as shown on Document 2.

CONSULTATION DETAILS

Document 5

NOTIFICATION AND CONSULTATION PROCESS

Notification and consultation procedures were carried out in accordance with the Early Notification Procedure P&D\PPP\N&C #1 approved by City Council for Zoning Amendments.

APPLICATION PROCESS TIMELINE STATUS

This application was received on August 11, 1999, and was subject to a project management timeline, as recommended by the "A Better Way Task Force Report". A process chart establishing critical milestones was prepared. A Mandatory Information Exchange was undertaken by staff with interested community associations since the proponent did not undertake Pre-consultation with those community associations requesting Pre-consultation. This application was not processed within the maximum 165 calendar day timeframe. More time was required to collect public comments.

INPUT FROM OTHER DEPARTMENTS OR GOVERNMENT AGENCIESCOUNCILLOR'S COMMENTS

Councillor Inez Berg originally provided the following comment:

"I cannot support this application at this time. The development of this property has taken place without benefit of rezoning or site plan application. Neighbours have complained to no avail that a parking lot (importing of materials, levelling, grading and full use) has been created without any approved zoning or site plan. Despite repeated requests from neighbours and my office, enforcement has been minimal or non-existent. It is hoped that a site plan, acceptable to the neighbourhood, can be worked out before this rezoning application is on a Planning Committee agenda."

Response to comment:

To address the concerns raised by the neighbours and Councillor Berg, a public meeting was held on February 7, 2000. The proposed zoning and site plan were presented by the assigned planner. Engineers were also present to answer questions with respect to site grading and drainage.

The concerns brought forward at the meeting were related to Site Plan Control issues. A lot grading and drainage plan was never submitted for review by the City prior to the start and completion of work. The main concern was the overflow of storm water on some of the adjacent properties due to premature levelling and grading of the parking area. The storage of snow was also a concern since the snow melts more quickly in the spring and could add to the existing overflow problem.

To ensure that the above-noted concerns are addressed properly, several conditions will be required to be satisfied by the owner(s) of the subject property prior to consideration of the Site Plan Control application.

Councillor Berg's revised comment:

“At the Heron Park North Community Association's meeting of February 7, 2000, City staff Denis Charron, and David Ayles agreed to address the resident's concerns from the City's perspective. Dennis Gratton (of OMM Trow), and Charles Warnock, who attended on behalf of the developer, Taggart, also concurred with the measures recommended by staff. The residents' concerns regarding drainage, now seem to be well addressed in the site plan conditions. Taggart's representatives concurred as well with the provision for a minimum 3.0 metre wide landscaped area abutting the residential property and a fence of at least 1.8 metres high.

Given the above, and provided all concerns are addressed by the site plan conditions, I withdraw my opposition.

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February 23, 2000

ACS2000-PW-PLN-0008
(File: OZP99-35)

Department of Urban Planning and Public
Works

Ward/Quartier
OT4 - Rideau

- Planning and Economic Development
Committee / Comité de l'urbanisme et de
l'expansion économique
- City Council / Conseil municipal

Action/Exécution

4. Zoning - 1126 Lola Street

Modification de Zonage - 1126, rue Lola

Recommendations

1. That the application to amend the *Zoning By-law, 1998* from L3 [623] and I1 to R5A with an exception to permit residential uses along with a place of worship, community centre, day care and parking lot at 1126 Lola Street be **REFUSED**.
2. That an amendment to the *Zoning By-law, 1998* from L3 [623] to an R5A exception zone and from I1 to R5A at 1126 Lola Street be **APPROVED**, as described in Document 3.



February 25, 2000 (12:03p)

Edward Robinson
Commissioner of Urban Planning and Public
Works



February 25, 2000 (1:59p)


Approved by
John S. Burke
Chief Administrative Officer

CL:cl

Contact: Charles Lanktree - 244-5300 ext. 1-3859

Financial Comment

N/A.



February 25, 2000 (10:25a)

for Mona Monkman
City Treasurer

BH:cds

Executive Report

Reasons Behind Recommendations

The subject property is located generally on the southwest corner of Lola Street and Presland Street and extends to the southwest including the abandoned Ontario Hydro right-of-way which has frontage on Coventry Road. This land is presently vacant with the old right-of-way well vegetated. The City owns a small triangular parcel which abuts this land at the corner of Presland and Lola which is also zoned L3 [623] and was previously zoned P for parkland and institutional purposes. A City Fire Station also abuts the Hydro right-of-way along Coventry Road.

This site was considered as part of the Special Study Area along Coventry Road which resulted in a Plan of Development being undertaken for the area extending between the St. Laurent Shopping Centre and the Vanier Parkway and from Presland Street and the Queensway. While the subject lands were identified as a significant urban woodlot and an effective buffer to the residential neighbourhood of Overbrook to the north, they were not included in the Secondary Employment Area or the Major Leisure Area (Jetform Stadium) to the south which were designated in 1996. The subsequent Natural Open Space Study further determined that the woodlot did not have environmental values worthy of protection but that a Tree Retention Plan would be required as a condition of Site Plan Approval.

As a result of extensive study of the subject lands in conjunction with the Coventry Road area it remains as part of the Residential designation on Schedule A of the Official Plan and not part of a Greenway Linkage as are the lands along the Ontario Hydro corridor to the east. Therefore, it is most appropriate that these lands be utilized for residential purposes to the extent that they can be suitably developed. The parcel has frontage on Lola Street and Coventry Road with the potential for a private road connection between the two and maintaining the pedestrian linkage now provided by the abandoned right-of-way. The proposed R5A exception zone would accommodate ground-oriented housing with a height limit of 10.7 metres which would be compatible with the multiple unit residential buildings to the north along Presland Street. It should be noted that the Facility and Land Planning Division, Business Strategy Branch of the Department of Community Services has indicated that a land dedication will be required as a condition of Site Plan Control for this property in order to facilitate the consolidation of the existing corner parcel to create a suitable land area for a park facility at this location.

Institutional uses including a place of worship, community centre, and day care are proposed to be included in the list of permitted uses on the corner parcel. In accordance with exception 623 to the zoning for this property, a place of worship is presently permitted. A community centre and day care are considered to be similar minor institutional uses which serve and are compatible with the adjacent residential neighbourhood. Therefore, it is considered appropriate that these institutional uses can be included as an exception to this residential zone.

The proposed parking lot use, however, is not considered to be compatible within or immediately adjacent to a residential district. This is ostensibly a commercial use which would be suitable within the secondary employment centre to the south but not the residential area proposed along the remnant Hydro corridor. A parking lot would create a commercial intrusion within the residential district with the negative impacts of light, noise and traffic which are cause for its exclusion from the list of permitted uses recommended for the proposed residential zone.

Economic Impact Statement

The zoning of this property for residential and institutional uses will have no appreciable economic impact on the City.

Consultation

One written response was received to the public notification of this application from a resident of the adjacent neighbourhood. No response was received from the Environmental Advisory Committee to the technical circulation of this application. Comments from technical agencies and concerned City Departments have been incorporated into this submission.

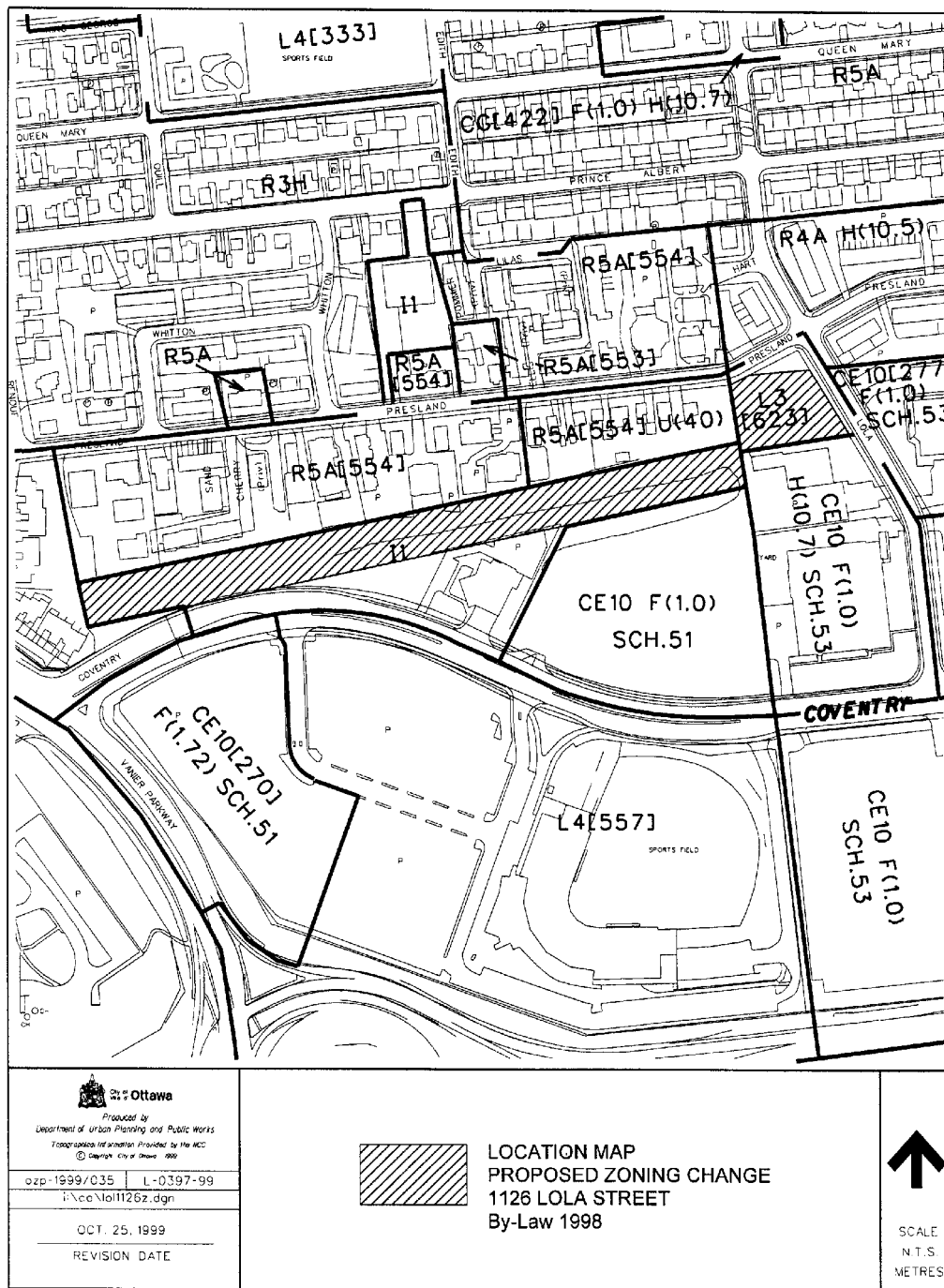
Disposition

1. Department of Corporate Services , Statutory Services Branch to notify the owner, Ontario Hydro Services Company, Attn. Arthur Fischer, 7676 Woodbine Avenue, Suite 300, Markham, Ontario L3R 2N2, and the agent, Fotenn Consultants Inc., Attn. Leann McGovern, 297 Sunnyside Avenue, Ottawa, Ontario K1S 0R9.
2. City Solicitor's Office to forward implementing by-law to City Council.
3. Department of Urban Planning and Public Works to write and circulate the implementing by-law.

List of Supporting Documentation

- | | |
|------------|-------------------------------------------------------------------------------------------|
| Document 1 | Location Map |
| Document 2 | Explanatory Note |
| Document 3 | Zoning Details |
| Document 4 | Municipal Environmental Evaluation Process (MEEP) Checklist (on file with the City Clerk) |
| Document 5 | Consultation Details |

Part II - Supporting Documentation



Location Map

Document 1

THE FOLLOWING IS AN EXPLANATORY NOTE TO BY-LAW NUMBER ____

By-law Number ____ amends *Zoning By-law, 1998*, the City's Comprehensive Zoning By-law. This amendment affects the zoning of the property located on the west side of Lola Street, between Coventry Road and Presland Road, and known municipally as 1126 Lola Street. The site is presently vacant of buildings. The attached map shows the location of the subject property.

Current Zoning

The subject property is currently zoned L3 [623] for the corner parcel which permits a range of recreational uses that serve and are compatible with the surrounding residential neighbourhood, and includes a number of institutional uses as per the exception to this zone. The abandoned hydro corridor is zoned I1 which permits a range of neighbourhood serving, emergency and institutional uses.

Proposed Zoning

The proposed zoning is an R5A exception zone on the corner parcel to permit a range of residential uses from detached houses to low-rise apartments as well as a place of worship, community centre and day care; and an R5A zone on the hydro right-of-way lands to permit the same residential uses with all of the standard regulations of the principal R5A zone maintained.

Further information on the proposed amendment, please contact Charles Lanktree at 244-5300 ext. 3859.

Zoning Details

Document 3

1. The area shaded as L3[623] in Document 1 to be rezoned to a new R5A exception zone to allow a place of worship, community centre and day care in addition to the residential uses permitted in an R5 zone.
2. The area shaded as I1 in Document 1, being the abandoned Ontario Hydro right-of-way, to be rezoned to R5A to allow the residential uses permitted in a R5 zone.

Notification and consultation procedures carries out in accordance with the early notification procedure P&DPPP/N&C#1 approved by City Council for Zoning Amendments.

Supplemental Notification and Consultation

This application was circulated to the Environmental Advisory Committee, however, no comments were received in response.

Public Comments

One response was received to the public notification from a resident of Presland Street who was opposed to the introduction of a commercial parking lot to the area due to the potential for conflict with the adjacent residential neighbourhood. Secondly, this resident was opposed to a place of worship because of the increase in traffic that would accompany such a use. Lastly, this resident was supportive of residential uses although there is concern with the density and form of housing. The preference is for townhouses and not apartments as this type of unit would limit density and most likely be owner-occupied.

Response to Comments

Staff is in agreement that a parking lot would create conflicts with the adjacent residential neighbourhood and have recommended refusal of this particular use. The place of worship use is now permitted in the existing L3 [623] and I1 zones so this is not a formal change to the use but the retention of a permitted use. However, given the size and configuration of the property, the level of activity generated would not unduly impact on the residential neighbourhood. With respect to the proposed residential uses, these would be the same as permitted in the R5A zone abutting this property to the north and are, therefore, considered to be compatible with this adjacent neighbourhood. Also, as the height limit is 10.7 metres for all of the uses permitted in the proposed R5A zone, any new buildings would not impose on the Overbrook area to the north.

Application Process Timeline Status

This application, which was submitted on October 18, 1999, was subject to a project management timeline as recommended by the "A Better Way Task Force and a process chart which established critical milestones was prepared. A Mandatory Information Exchange was not required since no community associations were identified for Mandatory Information Exchange.

This application was processed within the fourteen to twenty week timeframe established for the processing of Zoning Amendment applications.

Councillor's Comments

Councillor Richard Cannings is aware of this application.

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March 6, 2000

ACS2000-PW-PLN-0014

(File: OZP1999/039

OZP1999/040)

Department of Urban Planning and Public
Works

Ward/Quartier

OT4 - Rideau

- Planning and Economic Development
Committee / Comité de l'urbanisme et de
l'expansion économique
 - City Council / Conseil municipal
- Action/Exécution

5. Zoning - 710 Montreal Road
Zonage - 710, chemin Montréal

Recommendations

1. That an amendment to *Zoning By-law*, 1998, from CE5[158] F(0.25) to R3K, for those lands shown in Document 2, be **APPROVED**.
2. That an amendment to *Zoning By-law*, 1998, for those lands shown in Document 2, from R1J to a new R1L exception zone, be **APPROVED**, as detailed in Document 3.
3. That an amendment to *Zoning By-law*, 1998, for those lands shown in Document 2, from CE[158] F(0.25) to L2, be **APPROVED**.



March 8, 2000 (8:29a)

Edward Robinson
Commissioner of Urban Planning and Public
Works



March 8, 2000 (11:25a)


Approved by
John S. Burke
Chief Administrative Officer

PMcD:pmcd

Contact: Prescott McDonald - 244-5300 ext. 1-3854

Financial Comment

N/A.


March 7, 2000 (11:41a)

for Mona Monkman
City Treasurer

BH:cds

Executive Report

Reasons Behind Recommendations

Site Context and History

The property under consideration is vacant and forms part of Phases 2 and 3 of the Rockcliffe Mews subdivision which was formerly known as Carson's Grove. This subdivision is bounded by Montreal Road to the north, Carson's Road to the east, the municipal boundary between the cities of Ottawa and Gloucester to the south and the Aviation Parkway to the west. This subdivision approval had been the subject of an Ontario Municipal Board appeal which was dealt with in a decision dated October 27, 1995.

Zoning Application - Recommendations 1 and 2

An application has been received to amend commercial and residential zonings at 710 Montreal Road. The applicant requested that the commercial zone be amended to residential to accommodate the development of townhouses having municipal street frontage and to amend the existing residential zone to accommodate reduced lot widths and front yard setbacks for detached dwellings.

Official Plan Designations

The Regional Official Plan designation for the subject lands is "General Urban Area" which is intended to provide for a range of urban uses including residential development. The plan supports residential intensification which would include intensification through reductions in minimum lot widths and areas.

The applicable City of Ottawa Official Plan designation is "Residential Area" where the predominant land use is intended to be residential. The guiding principle contained within the "Strategic Approach" of the Official Plan's Chapter 3.0, Housing Development and Residential Areas, directs developments to accommodate both present and future housing demands, to facilitate housing choice, to provide compatible development, and to redevelop

underutilized and surplus lands. The rezonings will conform to these statements in allowing development of housing on commercially-zoned lands originally intended for a possible diplomatic mission - official or other residence, and allow the construction of low-density detached housing on reduced lot widths which will implement what is considered to be an “Alternative Development Standard” for residential development.

Conformity with the City Official Plan Policies

R3K - Converted House/Townhouse Zone

Applicable Official Plan Policy 3.6.2 k) directs that minor residential development occur along local and collector roadways, and on underutilised sites adjacent to developments which have been built at low or moderate intensities. The rezoning will conform with this policy statement, as it will facilitate the construction of local and collector streets within Phase 2 of the Rockcliffe Mews subdivision (formerly known as Carson’s Grove). This zoning approval will also facilitate the construction of park facilities, which forms part of a Phase 2 subdivision obligation.

Additionally, applicable Official Plan Policy 3.6.2 l) provides factors to assess minor residential development proposals. Factors for consideration include lot size, building height, mass and setback, and a consistent building orientation similar to that of adjacent development. This zoning amendment will introduce a housing form similar to what has been approved in Phase 1 of the Rockcliffe Mews subdivision. This new residential development will occur in a manner consistent with the building orientation and setbacks in the Phase 1 development.

R1L - Detached House Zone

Similarly to the R3L zoning recommendation, Official Plan Policy 3.6.2 k) applies to the R1L proposed zoning amendment in that it will provide opportunities for residential development and facilitate the construction of infrastructure for further residential development.

The recommendation also satisfies applicable Official Plan Policy 3.6.2 l) which provides factors to assess minor residential development proposals. The proposed exception introduces a reduced front yard setback similar to the Phase 1 subdivision development which had been varied through the Committee of Adjustment. This exception is necessary in order to accommodate an environmental report’s subdivision requirement for identified tree preservation within the subdivision. The exception will also limit the cumulative side yard requirement of 20% of the lot width to a minimum of 2.4 metres. This has been recommended to accommodate wider lots within the subdivision where the cumulative total would become a hindrance. A further exception had been requested to permit the garage portion of the detached dwelling unit to have a minimum sideyard setback of 0.9 metres versus a potential 1.2 metre requirement. This is felt to be an appropriate performance standard given that the garage wall will be windowless, and as such will not result in intrusive

views between the facing walls of two dwelling units.

Recommendation 3.

This recommendation to create a Leisure Zone fulfills the original subdivision directive to create pedestrian linkages between residential areas within the plan of subdivision.

Environmental Impact

The Municipal Environmental Evaluation Process (MEEP) checklist indicated no adverse environmental impact.

Consultation

Departments Consulted

All appropriate Department have been consulted and their comments have been considered in the preparation of this submission.

Public Input

One written comment from the general public was received objecting to the rezoning of the CE5 zoned lands. These comments have been summarized and responded to in Document 5 of this report.

Disposition

1. Statutory Services Branch to notify the agent (Claridge Homes (Carson) Inc, 210 Gladstone Avenue, Suite 2001, Ottawa, Ontario, K2P 0Y6), the Corporate Finance Branch, Revenue Section, Assessment Control Supervisor and the Region of Ottawa-Carleton, Plans Administration Division, of City Council's decision.
2. Office of the City Solicitor to forward the implementing by-law to City Council.
3. Department of Urban Planning and Public Works to prepare and circulate the implementing by-law.

List of Supporting Documentation

- Document 1 Explanatory Note
- Document 2 Location Plan
- Document 3 Zoning Details
- Document 4 Municipal Environmental Evaluation Process Checklist (on file with the City Clerk)
- Document 5 Compatibility with Public Participation Policy/Input from Other Departments or Other Government Agencies

Part II - Supporting Documentation

EXPLANATORY NOTE

Document 1

THE FOLLOWING IS AN EXPLANATORY NOTE TO BY-LAW NUMBER -2000

An application has been received for residential zoning changes for 710 Montreal Road. The purpose of the amendments is to allow development configurations similar to those within Phase 1 of the Rockcliffe Mews subdivision (formerly known as Carson's Grove). The lands affected by this application are shown on Document 2.

CURRENT ZONINGS

CE5[158] F(0.25)

This is an *Employment Centre Zone* which allows for a wide range of commercial uses provided they are associated within buildings having office, medical, laboratory, hotel or computer/data centre uses. The exception [158] of this zone allows diplomatic mission residential uses.

R1J

This is a *Detached House Zone* which allows low density dwellings restricted to detached dwelling units. The designation requires a lot to have a minimum width of 12 metres and a lot area of 360 square metres.

PROPOSED ZONINGS

R3K

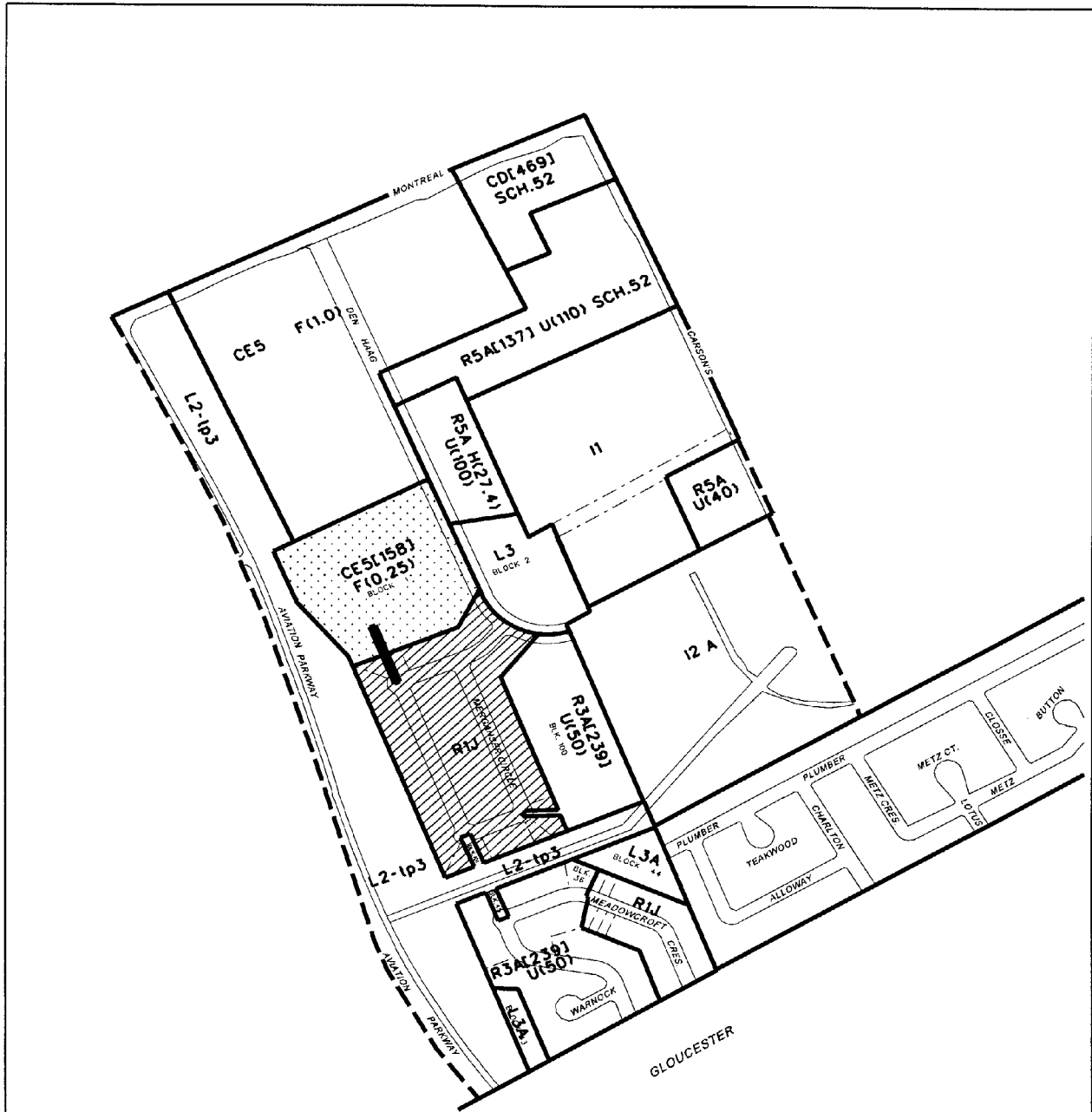
The applicant is requesting the lands be rezoned from CE5[158] F(0.25) to R3K. This is a *Converted House/Townhouse Zone* which allows for a range of low-density dwelling types ranging from detached dwelling units to a triplex or converted house limited to three dwelling units.


R1L

The applicant is requesting the lands be rezoned from R1J to R1L with an exception. This is a similar low-density zone designation permitting a reduced minimum lot width of 9 metres and a lot area of 270 square metres. The exception to the zone will permit a reduced minimum front yard setback from 6 metres to 4.5 metres. Additionally, the exception will introduce a new performance standard which will allow a minimum side yard setback of 0.9 metres to a garage wall instead of 1.2 metres.

L2




This is a staff-recommended rezoning from CE5[158] F(0.25) to L2 to accommodate a proposed pedestrian linkage between residential blocks on a plan of subdivision.




City of Ottawa
 Produced by Planning Branch
 Department of Urban Planning & Public Works
 Street Network Layer Provided by Department
 of Corporate Services

OZP-99-040	-0432-99
I:\CO\m\71026.dgn	
February 18, 2000-5	
REVISION DATE	

LOCATION MAP
 Proposed Zoning Change
 710 Montreal Rdoad & Den Haag
 (BYLAW 1998)

	From CE5[158] F(0.25)	To R3K
	From R1J	To R1L
	From CE5[158] F(0.25)	To L2

MAP 20
 25-2

 SCALE
 N.T.S.
 METRES

Zoning Details

Proposed Amendment - Zoning By-law, 1998

That there be the following exception applicable to the R1L zone:

- i) to require a minimum front yard setback of 4.5 metres;
- ii) to limit the combined minimum side yard total setback for both sides to 2.4 metres; and
- iii) in the case of a detached house, the garage portion of an attached garage may have a minimum side yard setback of 0.9 metres.

NOTIFICATION AND CONSULTATION PROCESS

Notification and consultation procedures were carried out in accordance with the Early Notification Procedure P&D\PPP\P&C #1 approved by City Council for Zoning Amendments.

SUMMARY OF PUBLIC INPUT

One response was received in opposition of this rezoning based on the following summarized points:

1. The need for an Official Plan amendment for the reclassification of current and future road networks.
2. Access to the CE5 zoned lands had been originally intended to be from the Aviation Parkway as indicated in the development plan presented to the Ontario Municipal Board (OMB), which should be followed.
3. The increase in density resulting from this residential rezoning of these lands will generate unforeseen traffic onto neighbouring streets.
4. A companion subdivision application did not notify the local residents. At the very least a public meeting is in order for this application.

Response

1. Currently there is a resubdivision application being processed. One of the major components for consideration of this application will be the requirement for updating of previous traffic studies conducted for the Carson's Grove and Assaly plans of development. The findings from the updated studies will determine the outcome of a road network reclassification.
2. The National Capital Commission (NCC) has advised that it was only agreeable to an Airport Parkway access for prestigious land uses such as an embassy or government-related use. The NCC confirmed that it would not consider providing parkway access for a residential development. With respect to the OMB's decision and order regarding the CE5 parkway access, the Board did not limit vehicular access to a parkway access only, and as such, alternative vehicular accesses may be considered where deemed appropriate.
3. As indicated in response 1.), a follow-up traffic study will be required to address both the Assaly and Carson's Grove developments. It should also be noted that the City is

currently processing residential development applications for the Assaly and Carson's Grove lands where the density proposed is now significantly less than what had been proposed by the original plan of development. In light of a much reduced residential build-out of these neighbouring residential lands, the recommendation to rezone the CE5 lands is felt to be appropriate.

4. The application to subdivide development blocks within the Carson's Grove subdivision followed City Council-approved guidelines for public notification including circulation to local concerned community associations and the posting of on-site information signs. To date, no other comment has been received regarding the resubdivision or rezoning applications. There will be a public meeting scheduled regarding the resubdivision application. A notice of the meeting will be mailed out to those residents within 120 metres of the lands to be subdivided.

APPLICATION PROCESS TIMELINE STATUS

This application was received on November 5, 1999, and was subject to a project management timeline, as recommended by the "A Better Way Task Force Report". A process chart establishing critical milestones was prepared and circulated as part of the technical and early notification process. This application is being processed within the recommended 100 to 135 day timeframe for this type of application.

INPUT FROM OTHER DEPARTMENTS OR GOVERNMENT AGENCIES

COUNCILLOR'S COMMENTS

Councillor Richard Cannings is aware of this application.

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March 10, 2000

ACS1999-PW-PLN-0181
(File: OZP1999/029)

Department of Urban Planning and Public
Works

Ward/Quartier
OT7 - Kitchissippi

- Planning and Economic Development
Committee / Comité de l'urbanisme et de
l'expansion économique
- City Council / Conseil municipal

Action/Exécution

6. Zoning - 190 Richmond Road
Zonage - 190, chemin Richmond

Recommendation

That the application to amend the *Zoning By-law, 1998*, as it applies to 190 Richmond Road, as shown on Document 4 from IS F(1.0), IS F(1.0) H(10.7), R3I and L2B[757] to CN2 H(14.0) exception zone, R2E exception zone and L2B exception zone, be APPROVED as detailed in Document 2.



March 13, 2000 (2:34p)

Edward Robinson
Commissioner of Urban Planning and Public
Works



March 13, 2000 (4:43p)


Approved by
John S. Burke
Chief Administrative Officer

DJ:dj

Contact: Douglas James - 244-5300 (ext. 3856)

Financial Comment

N/A.


March 13, 2000 (9:13a)

for Mona Monkman
City Treasurer

BH:cds

Executive Report

Reasons Behind Recommendation

Context

The subject property is approximately 4.3 hectares in size and is located on the southwest corner of Richmond Road and Kirkwood Avenue. To the west of the subject property, along Richmond Road, is the Westboro Business Improvement Area, which consists of commercial uses. To the west, south and east of the property is the Westboro residential community while to the north are generally commercial/industrial lands, as well as some residential properties.

Until recently, the property was occupied by Crain Drummond, a paper products manufacturer. It has since been sold to the applicant, Loblaws Properties Limited. The new owner wishes to construct a retail food store as well as separate commercial uses on the majority of the property, approximately 3.35 hectares. The southerly portion of the property, approximately 0.93 hectares, is proposed to be severed, sold and developed for residential purposes.

Traversing the western portion of the lands owned by the applicant, is a strip of land owned by Ontario Hydro. This strip of land is approximately 21 metres in width and runs north/south between Richmond Road and a City of Ottawa recreational pathway (parallel to Byron Street).

Previous Study of Industrial Lands in the Westboro Area

In 1993, the Department undertook a study of industrial lands in the Westboro Area, which included the subject property. In 1996, recommendations on the proposed zoning of many of these lands were brought forward to Planning and Economic Development Committee (PEDC) and City Council for consideration. At that time however, there were no recommendations brought forward for consideration of the subject land.

The previous owner at that time requested that the entire site be rezoned for commercial purposes. It was the Department's contention that for such a commercial development, the need to address issues relating to traffic impact, the impact on the Westboro Business

Improvement Area, the impact on the surrounding residential community, the requirement for other applications and the need for public input, necessitated that the site be considered separately and not as part of the study. The Department believed that all the issues mentioned above should be dealt with at a future date when the appropriate applications for a specific development had been submitted. This is indeed what is now before the community, Planning and Economic Development Committee and City Council for consideration.

Planning Issues

The Department has investigated the proposed development from a planning perspective and has identified a number of issues that must be addressed. These issues are Official Plan conformity, the size of the development, the traffic generated by the development, and the market area of the proposed development. These four issues are addressed below.

Issue 1: Conformity With the City's and Regional Official Plans

Regional Official Plan

The Regional Official Plan designates the subject property as General Urban Area. Policies related to this designation indicate that when accessing development applications for stores which have a gross leasable area greater than 10 000 square metres, that development must be located on a Regional Road or a Provincial Highway with access to public transit. The gross leasable area of the proposed development is considerably smaller, approximately 7 000 square metres, than that stated in the Regional Official Plan. As well, the proposed development is located on two Regional Roads and there are two bus routes which stop opposite the site and therefore the development does conform to this Regional Official Plan Policy.

The Regional Official Plan also states that there must be adequate services for the site, meaning transportation, sewer and water supply. In this instance, there is adequate road and sewer capacity, storm water runoff will be controlled through the site plan control process, and there is a good water supply /distribution system available to service the proposed development.

City Official Plan

The subject property contains three Official Plan designations. These are Neighbourhood Linear Commercial Area, Residential Area and Greenway Linkage. As indicated in the City's Official Plan, these designations are conceptual in nature and the exact boundaries are flexible and subject to minor variation without an amendment to the Official Plan. The exact boundaries of these designations is determined by secondary planning study, except where established by a fixed boundary or a specific policy. The boundaries on the site have not been fixed. This zoning proposal represents the secondary planning study and will determine

the boundary of these designations for zoning purposes.

Neighbourhood Linear Commercial Area

As part of the strategic approach for development within Neighbourhood Linear Commercial Areas, the Official Plan states that such areas should be consolidated and revitalized as shopping areas to provide a choice of goods and services in a pedestrian-friendly manner. This will, in turn, facilitate community interest and interaction and provide a setting which is well integrated with adjacent residential areas. From its Strategic Approach for Neighbourhood Linear Commercial Areas, the Official Plan establishes policies to guide development on lands having this designation. These are contained in section 4.7.2. of the Plan and are summarized as follows:

Neighbourhood Linear Commercial Areas provide a main street and store-front-type of commercial development found in older areas of the city, such as Westboro, the Glebe, Centretown, Ottawa South and Ottawa West. This designation recognizes and provides for enhancement of a unique mixed use and pedestrian-oriented character of the commercial areas and serves both the local residents, as well as residents who are attracted to specialized areas or uses from beyond the neighbourhood and in certain cases accommodating a potential for employment which exceeds the local area context as part of, for example, a development strategy aimed at supporting the economic viability of the commercial area.

These policies acknowledge that a Neighbourhood Linear Commercial Area can have its own character and may vary to some degree in the function they perform depending upon factors such as location, age and market conditions. It also recognizes that a varied range of activities, densities and profiles of development should be permitted in Neighbourhood Linear Commercial Areas.

The Official Plan permits a wide variety of retail stores, service establishments, offices and community facilities in Neighbourhood Linear Commercial Areas. However, to satisfy the intent of these policies in the Official Plan, the proposed zoning interprets these policies so as to eliminate uses that are not appropriate for lands typically found in Neighbourhood Linear Commercial Areas. Uses which are particularly automobile oriented, (e.g. car wash, automobile dealership) or uses which are not pedestrian oriented, (e.g. computer data centre and laboratory) and uses that have large outdoor storage requirements for goods or vehicles (e.g. building materials yards) are not allowed by the proposed rezoning or in any zoning within such a Neighbourhood Linear Commercial Area. These types of uses are typically found in areas designated as District Linear Commercial Area. The mix of uses proposed, however, will allow the opportunity for the site to become commercially vibrant and integrated with the Westboro area.

Another facet of the proposed zoning that is typically associated with Neighbourhood Linear Commercial Areas is that buildings should be located along the street frontage. For the subject lands, this will be achieved by requiring a large setback from adjacent residential

zones. This setback will provide for a building that is located along and oriented toward Richmond Road, and thus promotes buildings which offer a main street and storefront type of development with a pedestrian-oriented character.

The proposed zoning will contain uses which will allow for a development that serves both the local population as well as people from beyond the local area, which is intended by the Neighbourhood Linear Commercial Designation. It is not the intent of the Official Plan to limit the types of uses associated with a Neighbourhood Linear Commercial Area by limiting the size of their trade area. The Department cannot control the popularity of a good or service as well as the distance people will travel to obtain a good or service. The character of Neighbourhood Linear Commercial Areas are established, in part, by prohibiting uses which do not meet the intent of the policies, such as mentioned above in the comparison with District Linear Commercial Areas.

In addition to the foregoing, the proposed development will meet the factors established in the Official Plan to guide development proposals in Neighbourhood Linear Commercial Areas 4.7.2.e). These conditions are related to the sensitive and compatible design of the subject site and shall be addressed through the site plan process.

Finally, the proposed zoning will allow for the efficient use of lands presently designated Neighbourhood Linear Commercial Area. It is the intent of the Official Plan to consolidate existing lands designated Neighbourhood Linear Commercial Area, before creating new Neighbourhood Linear Commercial Areas. This prohibits the expanse of commercial properties at the expense of residential properties.

Consequently, it is the Department's position that the proposed rezoning is appropriate for this property as it will satisfy both the Strategic Approach and the policies related to developments in Neighbourhood Linear Commercial Areas.

Residential Area

As part of the strategic approach for lands designated Residential Area, it is the intent of the City's Official Plan to encourage residential infill on vacant tracts of land at a scale that is sensitive to and improves the existing neighbourhood character and that provides for a choice of housing type, tenure and cost.

In order to achieve this intent, the Official Plan contains policies by which to evaluate residential intensification. These policies relate to ensuring that residential development occurs in a manner which is sensitive and consistent with the surrounding community. In this instance, the proposed residential zoning will allow minor residential intensification.

The surrounding residential lands are occupied mainly by single detached, semi-detached and duplex dwellings. The surrounding residential zoning is a mix of R2 and R3 subzones, allowing residential uses on different-sized lots. For single detached dwellings, these are

typically lots requiring a width of 15 metres and an area of 464 square metres to lots requiring a width of nine metres and an area of 270 square metres. The proposed zoning will allow single detached and semi-detached dwellings on lots which are comparable with those in the community. For single detached dwellings, the width will be nine metres and the area will be 270 square metres.

Greenway Linkage

It is the intent of the Official Plan to provide a continuous network of lands to connect all parts of the city for pedestrian and recreational purposes (e.g. cycling). Extending from the south, across the subject property, to the north, is an existing hydro corridor. These lands are designated Greenway Linkage. While this north-south linkage along the hydro corridor has yet to be used for such purposes, as part of the Site Plan, the applicant will be providing a public pedestrian pathway along the area of the site with this designation. The proposed pedestrian walkway will provide a link between the existing east-west pathway along Byron Avenue, across the site to the north, as well as a means of pedestrian access to the site. Consequently, it is the Department's position that the proposed pedestrian link through the subject property will become an important component of the Greenway Linkage system.

Westboro Key Principles

The Westboro Key Principles in the Official Plan contain policies to guide commercial and residential development within the community. These are intended to improve the "village" shopping area along Richmond Road, provide housing that is compatible with the community and ensure that the local road network can accommodate development.

As stated above, this proposal is appropriate for neighbourhood linear commercial areas, and the residential zoning proposed will allow for housing that is appropriate for the community. Furthermore, the consultant's report prepared in support of the rezoning indicated the surrounding transportation network can accommodate the proposed development. Consequently, the proposed zoning will improve the "village" character and therefore satisfies the intent of the Westboro Key Principles.

Issue 2: The Size of the Development

When considering the size of the proposed development, one must consider the zoning of other lands within the Neighbourhood Linear Commercial Area.

Westboro BIA Development Potential

The Westboro Business Improvement Area is predominantly zoned CN2(F2.0) H24. The CN2 subzone allows the full extent of the allowable floor space index of a property to be used for commercial purposes. In these instances the properties have a floor space index of (2.0), which means that the gross floor area of buildings can be twice the area of the lots they

are located on. These properties also have an allowable height limit of 24 metres. Consequently, the present zoning allows a considerable amount of development potential.

If even only the most northerly third of the site was zoned commercial, this would represent a land area of approximately 14 341 square metres. A Floor Space Index of (2.0) would thus represent a developable gross floor area of approximately 28 683 square metres. The applicant's proposal is for one building having a gross floor area of approximately 9 025 square metres and another of approximately 735 square metres, for a total of 9 760 square metres. Over the whole portion of the site proposed to be zoned commercial, this represents a requested floor space index of approximately (0.3). This is a significantly reduced development when considering what could be built with the zoning that is found in the Westboro BIA area. As well, it should be noted that the present floor space index of the property is (1.0), which could permit an industrial building having a gross floor area of approximately 43 000 square metres.

A consideration of the size of the proposed development is the depth of the commercial zoning from Richmond Road. Along the Westboro Business Area the depth of the commercial zoning varies. In some instances it is approximately 40 metres in depth while in others it is much more. For example, the commercial zoning along the north side of Richmond Road at McRae Avenue extends to a depth of approximately 150 metres. At the west side of Churchill Avenue, south of Richmond Road the depth is approximately 100 metres while here on the north side of Richmond Road the depth is approximately 75 metres.

The depth of the proposed commercial zoning for this property is 140 metres. It is the Department's position that this depth is appropriate for this property. There is a range of commercial zoning depth along the street and the Official Plan does not state a zoning maximum depth requirement for lands with this designation. Furthermore, as the subject site is located at the corner of two arterial roads, it represents an anchor to the Westboro Shopping Area. Consequently, a larger commercial zoning should be anticipated.

Size of Store Components

Also, when considering the size of the proposed development, it is important to look at the gross floor areas of the various components of the store. It should be mentioned that the actual size proposed size of the retail grocery component is 5 088 square metres. The separate retail uses will be occupying approximately 950 square metres. The remainder of the building (2 989 square metres) is used for accessory purposes such as storage, corridors, and a mezzanine which is proposed to contain staff offices, a seating area and a salon for such things as a cooking classes. Consequently, when one considers the size of the proposed retail food store, it is important to consider the actual retail area.

It is also the Department's position that there is no planing rationale for eliminating 10,000 to 20,000 square feet from the development. A smaller store does not necessarily result in less vehicles or truck traffic. People make more trips during the week to smaller stores and

trucks must return more frequently as the storage capacity for these stores is diminished. As well, a larger store means wider aisles for people and carts, not necessarily more merchandise.

Continuous Built Form

One of the predominant features of the Westboro BIA area is the fact that it has a continuous built form. Consequently, the proposed development having two buildings totalling approximately 182 metres in length, across a lot that is 230 metres long, is not an issue and in fact, should be expected. Ensuring that the buildings are compatible with the existing character of the neighbourhood is what is important. While the proposed zoning will ensure the location of the building on the northern boundary of the site, the complementary Site Plan will indicate an articulation to the building that will help ensure that the mass of this building is separated.

Site Parking

It has been said that the size of the development necessitates a substantial portion of the site be used for parking. It must be understood that many commercial developments in Westboro do not provide all the parking that is necessitated by the Zoning By-law. This does not mean they are in violation, merely that they have parking credits to not provide this parking because the site was used commercially before it was zoned. If any of these commercial properties were to be redeveloped today, they would have to provide all the parking required. As the applicant is proposing to construct a new building on the property, all parking required by the Zoning By-law must be provided. The applicant is proposing to provide 425 parking spaces to satisfy the requirements of the total development.

While the parking being provided is in excess of the Zoning By-law requirement by approximately 90 spaces, during the peak time for the subject use, as well as other commercial uses in the Westboro Area, there is a high demand for on-street parking. As the applicant is proposing to provide more parking than is required by the Zoning By-law, it is expected that this parking will help alleviate some of the pressure on the on-street parking. It is anticipated that people who will park on site to shop, will also walk to other shops close by, as opposed to leaving and trying to find another parking spot on the street.

Issue 3: Traffic Impact

As part of their submission, the applicant had a Traffic Impact Analysis completed for the proposed development. This study looked not only at the impact of the proposed development, but also at existing traffic, expected traffic growth and the potential development of other major sites in the surrounding area (i.e. the Canada Bank Note Site). This study determined that, even given these additional development considerations, the major roads will be able to accommodate the projected traffic generated by the proposed development and that the area intersections will continue to operate at acceptable levels of

service.

In addition to analysing the physical ability of the surrounding road network to accommodate the traffic from the proposed development, the Department has also considered the social impact on the surrounding community. The traffic study concluded based on access to the proposed development being provided directly from Regional Roads, the proposed installation of signal lights to control the flow of traffic and the construction of proposed turn lanes, that the amount of new traffic using local roads is expected to be minimal. The study did however acknowledge that some local roads in the immediate vicinity will experience traffic increases but concluded that these increases, for the most, would be within acceptable volumes, as identified in the Official Plan. Consequently, the social impact on the community is expected to be minimal.

Staff have reviewed the Traffic Impact Study and concur with the study's principle conclusions related to the major roads and area intersections. Staff did, however, request additional information/clarification on some elements of the study to enable staff to have a clearer understanding on some of the study's assumptions and the analysis undertaken. In response, the consultant prepared an addendum to the traffic study. Staff have reviewed the addendum and are satisfied with the additional information/clarification that has been provided. Staff therefore accept the traffic study with its addendum.

Given the site is a development site, staff believe it is important when considering the traffic generated for this proposal and its impact, that this impact be looked at in the context of impacts that could be expected if this property were to develop differently. For example, assuming approximately 50% of the lot is developed commercially at a floor space index of 0.5 and the remaining 50% is developed residentially with approximately 90 residential units, this would result in a greater amount of traffic at the weekday PM peak and the Saturday peak as well as a greater 24 hour total.

	Proposal	½ commercial and ½ residential
Weekday Peak	985 vehicles	1016 vehicles
Saturday Peak	1170 vehicles	1194 vehicles
24 hour total	8540 vehicles	8887 vehicles

These traffic numbers help to refute the argument that zoning less of the land commercial will decrease the traffic to and from the site.

In conclusion, the traffic from the proposed development at the peak times can be managed by the existing roadway network and will not result in an unacceptable level of service for any of the intersections examined. Furthermore, other likely development scenarios on this property could result in a greater amount of peak time traffic being generated.

Issue 4: Market Area For the Proposed Development/Effect on Existing Businesses

While the viability of commercial enterprises is primarily a concern of the free market and not that of planning, the Department wishes to raise the issue. The market study prepared for the proposed development has indicated that none of the existing retail food stores presently located within Ottawa, or surrounding municipalities, are expected to close as a result of the proposed development. An independent review of the market impact study prepared for the Department has also concluded that while the proposed Loblaws will result in sales losses for the other supermarkets in the study area, this does not threaten the survival of any individual store. This independent review also concludes that the negative impact on the other stores will decrease slightly over time and that there is no market rationale that the proposed size of the store should be reduced.

Despite the foregoing, it is the Department's position that should a commercial business close as a result of the proposed development, this will not be detrimental to the commercial viability of Westboro, or any part of the city. The occupancy of commercial properties changes all the time. The Department expects these sites will be redeveloped with other commercial uses to meet the needs of residents.

With respect to the market area for the proposed development, the Department cannot restrict where people will come from to shop at the site. Shoppers have a right to come from anywhere, and to prohibit the development or limit its size for this reason would be discriminatory.

Exceptions to the Proposed Zoning

The zones proposed for the subject property each contain exceptions. The reasons for these exceptions are varied. Many are of a technical nature. For example, making all the lands one lot for by-law purposes simplifies the yard requirements and the number of separate zones required.

Other exceptions have specific purposes. Stating a maximum square footage of site development will limit the proposal on the site to what has been proposed and put forth to the public.

The recommended height limit of 14 metres is typical of the height of development found along this portion of Richmond Road. To ensure that the proposed development is located close to Richmond Road, the Department is recommending that from the Kirkwood Avenue side of the property for a distance of 160 metres, there be a minimum side yard setback of 70 metres from a residential zone. After 160 metres, across to the Tweedsmuir Avenue side of the property, this will decrease to 60 metres.

The Department is recommending prohibiting restaurants from the commercial building proposed from the north west corner of the property. These uses are large traffic generators and the Department believes that a restaurant occupying a separate building would have a great potential to generate a significant number of purpose trips to the site. The traffic study

undertaken for the site did not take into consideration the large traffic volumes that would be generated if a restaurant were to occupy this location. The Department is recommending that restaurants be allowed on the property in the building that is proposed to contain the retail food store. A restaurant at this location would be secondary to the main use of the building, and the Department believes it would be less likely to generate purpose trips to the subject property.

The Department is recommending that a maximum of two loading spaces be required for a retail food store. The applicant has indicated that this is the maximum number of loading spaces which are required for their purposes at other stores constructed to a similar size. Delivery times are staggered throughout the day so as to not require any additional loading.

With respect to the residentially-zoned lands, their odd shape, with respect to the portion next to Tweedsmuir Avenue, necessitates the use of a schedule to determine yards. The proposed residential zoning will ensure that accessory buildings on the property and parking do not occur along Byron Avenue, which could detract from the existing neighbourhood character. Accessory buildings are restricted to the northerly half of the property. As well, the proposed schedule will provide for adequate setback of principal use buildings from the northerly and southerly property line, which will allow for adequate amenity area. Finally, the minimum separation distance between buildings will provide for a separation that is characteristic of the zoning of other residential lands in this portion of Westboro.

Similar Development Experience

In addition to the foregoing, to help determine the Department's recommendation on the proposed rezoning and site plan, the development of comparable stores at similar locations in Toronto was investigated. Indeed, the concerns expressed over this development were similar to those expressed in Toronto (i.e. traffic impact on the surrounding area, the size of the development and how the proposal would function as part of the commercial area and the surrounding community).

The Department determined that the expected results associated with these concerns did not materialize. For example, the traffic monitoring studies completed for the Loblaws store at the corner of Christie and Dupont Streets did not indicate the need for any street improvements, other than those originally put in place, to accommodate the actual traffic to the site. Today, that Loblaws is an important component of that shopping area providing a valuable service to the community. The Department has included a condition in the Site Plan Control approval submission for this property to require monitoring of the traffic impact and remediation by the owner of any problems that may occur.

What is important for a development as proposed, is making sure that it is addressed through the site plan control process to ensure it is integrated effectively with the street and the community.

Economic Impact Statement

The development of the proposed commercial buildings is expected to attract an estimated \$5,400,000 of new investment. Building permit fees are estimated to be a total of \$53,700. Furthermore, between the years 2001 and 2009, this proposal is expected to provide to the City \$139, 792 in tax revenues and is estimated to generate 174 jobs.

Environmental Impact

The applicant has undertaken a Municipal Environmental Evaluation for the proposed development as well as a number of Environmental Assessment Reports and remedial activities reports. These reports have confirmed that all PCB contaminated soils have been removed and that PCB containers, ballasts and capacitors have been disposed of appropriately. However, there are other factors which are outstanding. These include the existence of petroleum hydrocarbons, which are at levels unacceptable for the land uses proposed. The existence of these contaminants and the remediation measures required to address the associated environmental concerns will be dealt with by specific conditions of approval in the Site Plan Control approval process.

Consultation

One hundred and fifteen responses were received as a result of the posting of the on-site sign. ninety-five of the respondents had concerns related to the proposed development. Eighteen respondents were in favour of the proposal while two respondents did not offer an opinion. Seven responses were received from the circulation to Concerned Community Groups. Each of the community groups had concerns regarding the proposal. Eleven responses were received as a result of the public meeting. Seven of these people had concerns while four of these people were in favour. A petition containing 940 signatures in opposition was also received.

Disposition

Department of Corporate Services, Statutory Services Branch to notify the agent (FoTenn Consultants Inc., 297 Sunnyside Avenue, K1S 0R9), Brisbin, Brook, Beynon Architects (400-47 Clarence Street, K1N 9K1); the Corporate Finance Branch, Revenue Section, Assessment Control Supervisor; and the Region of Ottawa-Carleton, Plans Administration Division of Council's Decision.

List of Supporting Documentation

Document 1	Explanatory Note
Document 2	Details of Proposed Zoning

- Document 3 Schedule for Proposed Residential Zoning
- Document 4 Location Map of Proposed Zoning
- Document 5 Municipal Environmental Evaluation Report (MEER) (on file with City Clerk)
- Document 6 Community Petition (on file with City Clerk)
- Document 7 Comments From Concerned Community Groups (on file with City Clerk)
- Document 8 Compatibility With Public Participation

Part II - Supporting Documentation

Explanatory Note - Amendment to the Zoning By-law, 1998

Document 1

THE FOLLOWING IS AN EXPLANATORY NOTE TO BY-LAW NUMBER -00

By-law Number -00 amends the *Zoning by-law, 1998*, the City's Comprehensive Zoning By-law.

The subject property is currently zoned IS F(1.0), IS F(1.0) H(10.7), R3I and L2B-tp11.

The IS zones are small-scale industrial zones permitting light industrial uses, as well a limited number of other industrial uses, such as a truck transport terminal, a storage yard, a warehouse or a heavy equipment and vehicles dealership. A limited number of commercial uses, such as all types of restaurants, are permitted on the property, however, each of these may be a total of 280 square metres and the total square footage of all commercial uses cannot exceed 20 percent of the floor space index. The F(1.0) relates to the floor space index, which in this instance indicates that the gross floor area of buildings on the property could be equal to the area of the lot. The H(10.7) applying to the lands west of the hydro corridor, indicates that the maximum height limit allowed is 10.7 metres.

The R3I zone is a low density residential zone that allows a limited number of residential uses. The I subzone indicates that a townhouse, linked townhouse and a planned unit development are prohibited.

The L2B[757] is a Leisure Linkage subzone. The purpose of this zone is to allow leisure uses, recreational uses and certain municipal infrastructure. This zone allows a limited number of uses: a botanical garden, a park, a utility installation and a recreational facility.

Proposed Zoning Designation

The proposed Zoning of the subject site is a CN2 H(14.0) exception zone, L2B exception zone and R2E exception zone.

The CN2 H(14.0) exception zone is a neighbourhood linear commercial zone that permits a wide range of commercial uses. The H(14.0) indicates that the maximum height limit of buildings on the property is 14.0 metres. The exceptions to this zone relate to the following:

- establishing the lands to be zoned commercial as one lot for by-law purposes;
- establishing various yard requirements, including minimum setbacks to ensure that development occurs along the Richmond Road frontage; and;

- establishing that the maximum permitted gross floor area for commercial uses shall be 9,800 square metres.
- A maximum of two loading spaces shall be required
- restaurants must be located within 180 metres of the front lot line.

The R2E exception zone is a low density residential zone permitting primarily residential uses, such as single detached, semi-detached and duplex dwellings. The “E” relates to the minimum lot width and area requirements. For example, single detached dwellings must be built on lots having a minimum width of nine metres and a minimum area of 270 square metres. The exception to this zone relates to such issues as the location of accessory buildings and parking, as well as the areas where homes can be built and the separation distance between these homes.

The L2B exception zone will be identical to the present zoning except that a driveway shall be a permitted use.

1. CN2 H(14.0) EXCEPTION ZONE:**1. PROVISIONS:**

1. All lands in zone deemed to be one lot
2. Minimum yard requirements:
 - (a) front: 7.5 metres.
 - (b) side yard abutting street: 1.7 metres.
 - (c) side yard abutting residential zone: 70 metres for first 160 metres from front lot line and 60 metres for remainder of property
3. Section 75.(6) does not apply.
4. Despite Table 105. maximum two loading spaces required for retail food store.
5. Despite Table 298 viii, where minimum yard setback required for yard abutting street, minimum landscaped area of three metres must be provided in that required yard.
6. Maximum permitted cumulative total gross floor area for commercial uses: 9 800 square metres.
7. Restaurant uses may only be located within 180 metres of Kirkwood Avenue.

2. R2E EXCEPTION ZONE:**1. ADDITIONAL USES PERMITTED:**

1. Driveway.
2. Planned Unit Development of uses permitted in R2 zone.

2. PROVISIONS:

1. Despite Table 6,
 - (a) accessory buildings may only be located in hatched area shown on Document 3 (location of accessory buildings)
 - (b) accessory buildings may not be closer than 1.2 metres from another building
 - (c) aggregate area of accessory buildings not exceed 50% of area of yard

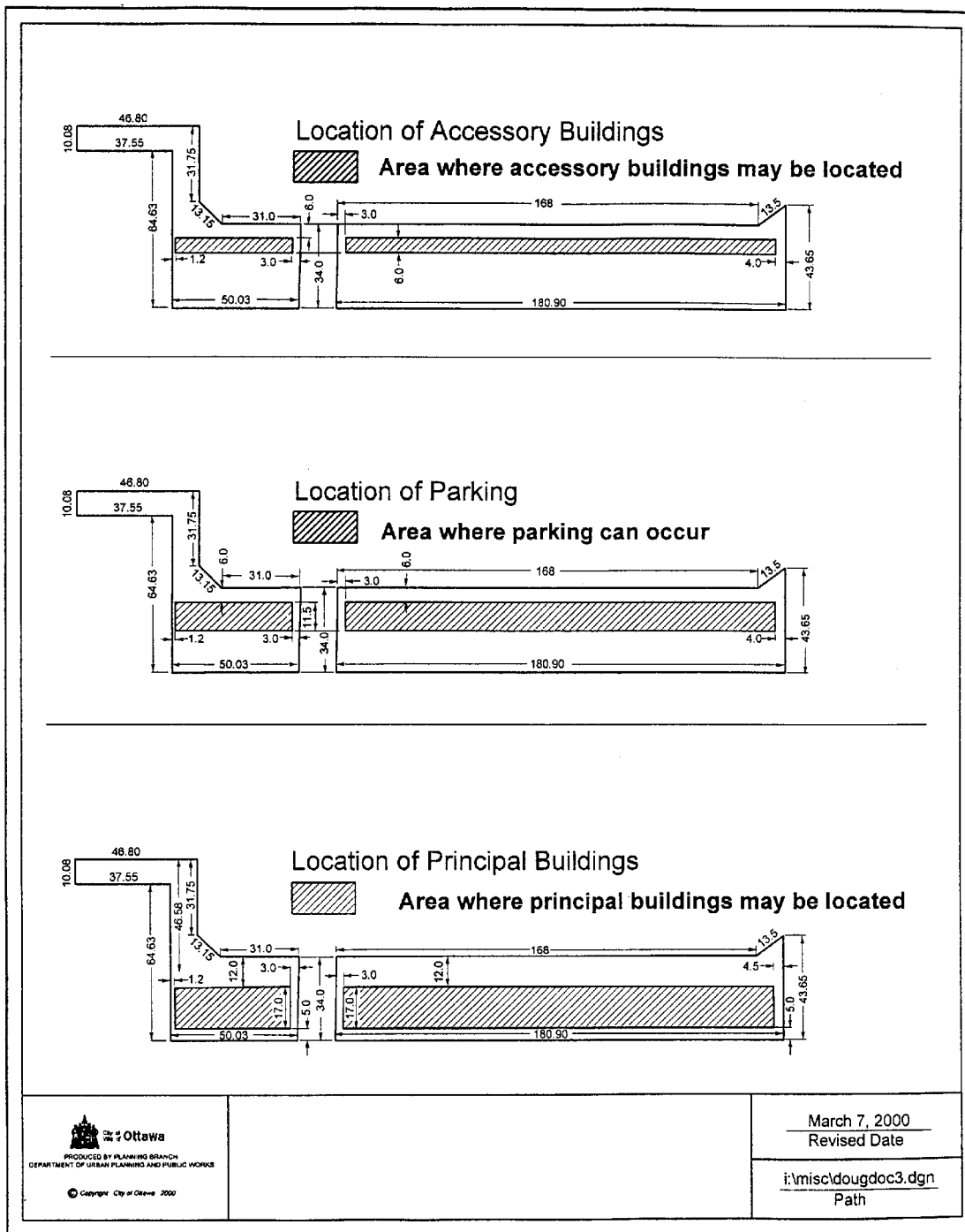
in which they are located.

2. Despite Section 13, land may be developed, severed or used where that land abuts driveway that serves as private way.
3. Despite Section 46, parking may only be located in area shown hatched on Document 3 (location of parking).
4. Section 47. does not apply
5. Despite section 62, aisle leading to driveway not required.
6. Despite Table 64, where number of parking spaces is from 20 to 50, minimum required driveway width is 6.0 metres and driveway limited to private way.
7. Despite any other provision of by-law principal use buildings may only be located within area shown hatched on Document 3 (location of principal buildings) and a minimum separation distance of 2.4 metres must be provided between principal use buildings.
8. Sections 183 to 185 do not apply.

3. L2B[757] EXCEPTION ZONE:

1. ADDITIONAL USES PERMITTED:

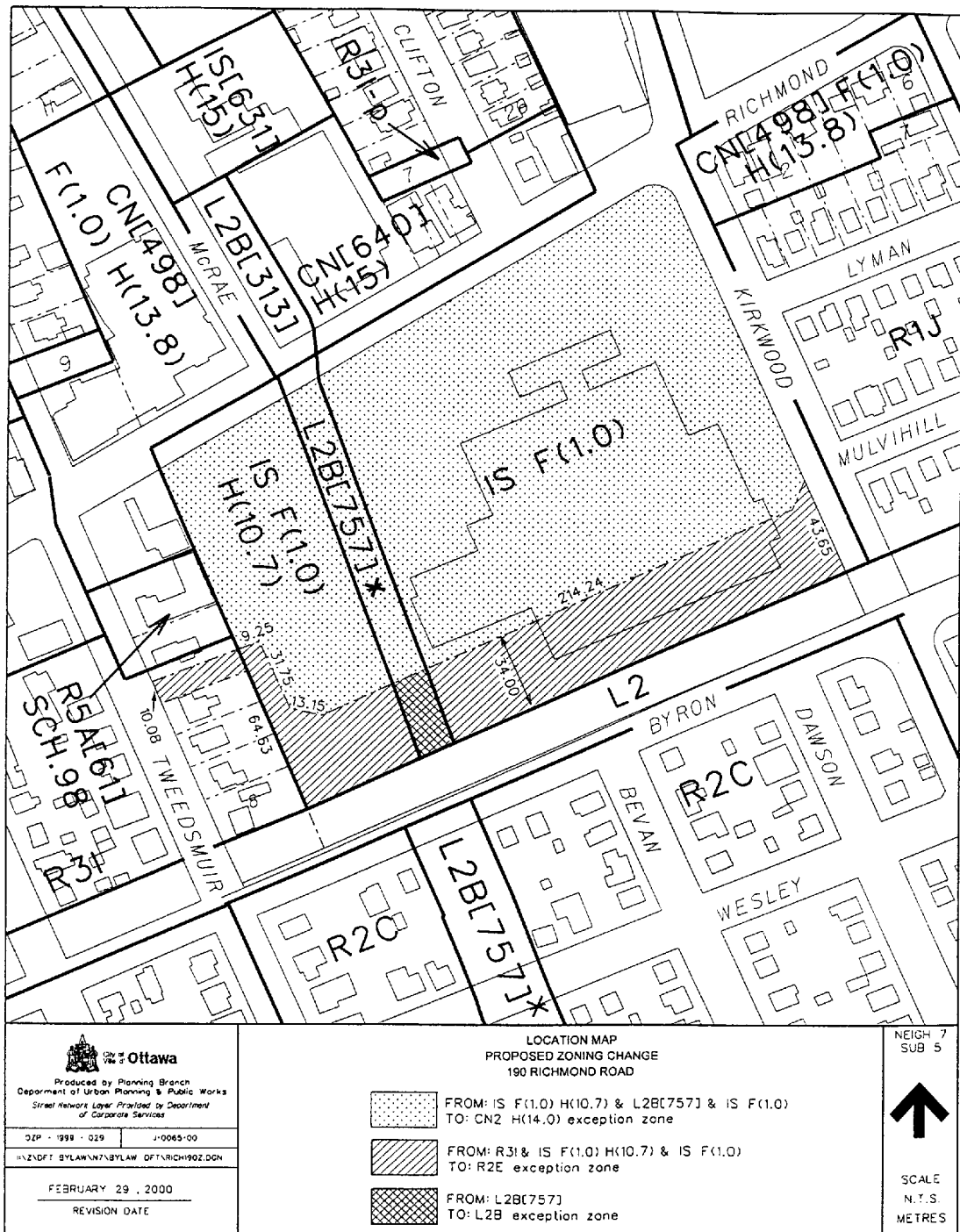
1. Driveway.





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 DEPARTMENT OF URBAN PLANNING AND PUBLIC WORKS
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March 7, 2000
 Revised Date
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NOTIFICATION AND CONSULTATION PROCESS

Notification and consultation were carried out in accordance with the Early Notification Procedure P&D\PPP\N&C#1 approved by City Council for rezoning applications.

SUPPLEMENTAL NOTIFICATION

The Environmental Advisory Committee was sent a copy of the technical notification. A public meeting to discuss the proposed development was held on December 15, 1999, in the surrounding community. One hundred and fourteen people signed the attendance sheets provided.

SUMMARY OF PUBLIC INPUT

One hundred and fifteen responses were received as a result of the posting of the on-site sign. 95 of the respondents had concerns related to the proposed development. Eighteen of the respondents were in favour of the proposal while two respondents did not offer an opinion. Seven responses were received as a result of the circulation to Concerned Community Groups. Each of the community groups that responded had concerns related to the proposed development. Eleven responses were received as a result of the public meeting. Seven of these people had concerns while four of these people were in favour. A summary of the comments from respondents to the on-site sign, from each community group and from those who attended the public meeting are presented in this document. A copy of the complete submission from each community group has been placed on file with the City Clerk for viewing.

In addition to the foregoing, a petition containing 940 signatures was received. The petition contained the following preamble:

“We the undersigned, oppose any development at 190 Richmond Road that is not in the spirit of the City of Ottawa’s Neighbourhood Linear Commercial zoning and that is not consistent both with the existing business and residential character of Westboro Village”.

Concerns Raised to the Proposed Rezoning from the Posting of the On-Site Sign

1. The development will result in a “big box” retail development that will erode the character of the neighbourhood. Westboro consists of well defined open spaces, local residential streets and a commitment to public transit.
2. The types of shops that exist in Westboro are oriented towards small town services and local retail competition.

3. I am opposed to the size of the proposed development on the subject property. This would be the largest grocery store in the Ottawa Region.
4. I am opposed to the impact that such a large development will have through increased pollution, on the surrounding community.
5. As a result of the environmental impacts I fear, a full environmental assessment should be undertaken before this matter proceeds to City Council for decision.
6. I am opposed to the impact this proposed development will have on the amount of traffic in the surrounding community. It will greatly add to the traffic pressures in Westboro.
7. The traffic impact report for the proposed development fails to take into consideration such things as the completion of the Champlain Bridge and the redevelopment of Lebreton Flats.
8. The proposed development fails to consider the amount of traffic that will actually come from Quebec.
9. Big shops such as proposed are designed to crush all existing competition, which does not fit into our community.
10. The proposed development seems to be designed to draw customers from way outside the surrounding community.
11. I have chosen to live in this neighbourhood because it is pedestrian friendly.
12. I am concerned about the increase in truck traffic in the neighbourhood.
13. I have a vehicular and pedestrian safety problem associated with the proposed development.
14. The recent traffic calming measures on Kirkwood Avenue will only serve to promote the congestion which Loblaws will bring.
15. Suburban roads that service developments of a similar size are surrounded by sound barriers, which shield the properties that back onto these roads.
16. Schools in Westboro are on or near roads that will service the bulk of the clients of the proposed development.
17. I thought the City's Official plan was working towards a pedestrian oriented society that relied on greater use of public transportation. The service area

planned by this development would not allow people to walk to the development.

18. There should be more residential.
19. I am concerned about cut-through traffic on the surrounding streets, as a result of this proposal.
20. The thought of having 450 parking spaces so close to my home will distress me. There should be less parking.
21. This development will result in decreased greenspace.
22. I would prefer to see the present industrial zoning remain.
23. This development belongs in an area that is Designated District Linear Shopping Area.
24. I'm afraid that development of this property will create a chain reaction whereby other large properties will be developed.
25. The proposed undersized lots along Byron will be too close to the trees.
26. Byron Avenue will have to be widened.
27. Do not allow one corporation to influence the process and detrimentally effect the Westboro Neighbourhood.
28. I have a concern about the rezoning and the site plan application being considered at the same time, or even at the same meeting. The consideration of two separate approvals could lead one to believe that the matter has been prejudged.
29. Zoning should not be imposed to reflect the financial aspirations of the applicant.
30. If a road, for example, is a collector road today, it should not be upgraded to major collector for this proposal.
31. The applicant has not shown a demand for the size of facility proposed.
32. The Environmental Study does not indicate the amount of contaminants in the soil.
33. Loblaw's proposal of only 5.5 cars per 100 square metres is not enough, cars will be parked in front of neighbours homes.
34. The traffic study covers too small of an area and does not take into consideration

pilot traffic calming measures.

35. The proposed development will not improve the cycling facilities in the area as indicated in the traffic study.
36. There is no massive parking lot behind any of the existing commercial developments along Richmond Road.
37. Westboro does not need an anchor store at this location. We need a continuous stretch of viable stores.
38. A peer review of the marketing study should be made.
39. The size of the separate retail buildings are too small to be independent and are merely protrusions of the Loblaws store.

Response to Concerns From Posting of the On-site Sign

1. It is the Department's contention that the proposed development and the associated zoning will enhance the character of the Westboro Commercial District. The recommended zoning will allow for a development that creates a friendly pedestrian environment at a height compatible with that which exists in the Westboro Area. With respect to the size of the proposed development, it must be remembered that the typical allowable floor space index of commercial properties in Westboro is (2.0). On this property, which is over 10 acres, that would equate to an allowable commercial development of approximately 28,563 square metres. This development is only 9,760 square metres.
2. The proposal and supporting reports/studies demonstrate to the satisfaction of the Department, that the proposed development is compatible with the Westboro Business Area and that the traffic generated can be accommodated by the existing road network. The Department is satisfied that the proposed development will be compatible with the existing character of Westboro.
3. As mentioned in this submission, one has to remember that the subject site is large and that a commercial zoning over just the most northerly one-third of the site could provide for a commercial development approximately 5000 square metres larger than that which is being requested today. What the proposed zoning does, is allow for a development that is consistent with the pedestrian-oriented and human scale policies that are associated with lands designated Neighbourhood Linear Commercial Area, thus creating a development that complements Westboro.
4. The proposed development is not expected to result in an increase in pollution for

the surrounding area. It should be remembered that the present zoning is industrial and allows for uses which have a greater potential to create pollution.

5. The Applicant has undertaken a Municipal Environmental Evaluation to the satisfaction of the Department of Urban Planning and Public Works and has also undertaken a provincial environmental assessment. Contaminants on the property will be addressed through the complementary Site Plan Control application.
6. A traffic assessment and addendum conducted by the applicant indicates that the traffic resulting from the proposed development can be accommodated within the surrounding road network. This study and addendum has been reviewed by staff, who in general, concur with those findings.
7. The traffic impact study does consider that a percentage of the people coming to the site will come from Quebec, across the Champlain Bridge. The lands at Lebreton Flats are not expected to be developed in the near future and when developed and when proposed for development, would be subject to its own traffic study. It is not necessary for this traffic study to account for all possible future developments outside the area of immediate impact.
8. The traffic impact study does consider that approximately three percent of the traffic travelling to the site will come from Quebec.
9. A marketing report prepared for the proposed development has indicated that while the market share of competitors is expected to decrease in the short term, none are expected to be forced from business.
10. The Department cannot regulate where people travel from to shop in Westboro, including the proposed development. The Official Plan policies relating to Neighbourhood Linear Commercial Area indicate that lands with such a designation are expected to draw people from outside the local area.
11. This portion of Richmond Road is presently not pedestrian friendly. The proposed development will introduce a commercial frontage with several commercial uses directly accessible from a new sidewalk, which will include landscaping and pedestrian amenities. The development will also provide an identifiable internal pedestrian system that connects with existing systems (i.e. sidewalks and the pathway along Byron Avenue) and internal vehicular circulation that minimizes pedestrian and vehicular conflicts.
12. There will be truck traffic associated with the development. Trucks will be required to use designated truck routes.
13. This portion of Richmond Road is presently not pedestrian friendly. The proposed

development will introduce a commercial frontage with several commercial uses directly accessible from a new sidewalk, which will include landscaping and pedestrian amenities. The development will also provide an identifiable internal pedestrian system that connects with existing systems (i.e. sidewalks and the pathway along Byron Avenue) and internal vehicular circulation that minimizes pedestrian and vehicular conflicts.

14. Although traffic calming measures may in certain cases result in a reduction of traffic (or diversion), the measures on Kirkwood are not intended to reduce the volume of traffic that uses or is intended to use Kirkwood Avenue.
15. This development does not require the construction of any sound attenuation barriers as there will be no high-speed traffic along Richmond Road or Kirkwood Avenue.
16. The proposed development is not expected to have a negative effect on the safety of schools in the Westboro Area.
17. This portion of Richmond Road is presently not pedestrian friendly. The proposed development will introduce a commercial frontage with several commercial uses directly accessible from a new sidewalk, which will include landscaping and pedestrian amenities. The development will also provide an identifiable internal pedestrian system that connects with existing systems (i.e. sidewalks and the pathway along Byron Avenue) and internal vehicular circulation that minimizes pedestrian and vehicular conflicts.
18. It is the Department's position that the amount of residential development being provided conforms to the policies of the Official Plan.
19. The Delcan study has concluded that the amount of site generated traffic on local streets in the area is not expected to be significant.
20. The parking being provided satisfies the requirements of the Zoning By-law. These requirements are minimums and do not preclude the provision of additional parking to satisfy anticipated demand. The Department is satisfied that the greenspace being retained will effectively screen the parking from the adjacent residential community.
21. Through the Site Plan Control process, the applicant is providing a significant amount of vegetation on the property and will be providing land in accordance with the City's requirement for greenspace.
22. It is the Department's position that the proposed zoning better satisfies the policies of the Official Plan and will better serve the Westboro Community than the

previous industrial zoning.

23. It is the Department's position that the proposed development satisfies the policies of the Official Plan relating to Neighbourhood Linear Commercial Areas.
24. The timing of when lands are to be developed is determined by market demand. What the zoning does is determine what uses are appropriate for the development of such lands.
25. The homes along Byron Avenue will be constructed entirely on private property and they will be required to be set back from the property line, away from City lands and trees.
26. The traffic study did not identify any widening requirement for Byron Avenue. Further, staff would not support any widening of this street.
27. It is the Department's position that the proposed rezoning will allow a development compatible with the surrounding neighbourhood and will not have a detrimental effect.
28. It is appropriate to discuss both the rezoning and site plan applications at the same meeting. This will allow all the issues to be addressed in a comprehensive manner. Technically, the rezoning application will be dealt with first. Recommendations dealing with the site plan will result from the outcome of the debate on the rezoning application.
29. It is the Department's position that zoning proposed reflects the policies of the Official Plan and is compatible with the surrounding neighbourhood.
30. Staff concur.
31. The applicant has prepared a marketing study indicating that there is a demand for the proposed development. Nevertheless, this is not a planning consideration.
32. The existence of contaminants in the soil will be dealt with as part of the Site Plan Control Application. As part of that process, the applicant will be required to prepare a remedial work program which will confirm the means by which they will be removed from the site.
33. The parking being provided satisfies the requirements of the Zoning By-law. These requirements are minimums and do not preclude the provision of additional parking to satisfy anticipated demand. The Department is satisfied that there will be adequate parking for the proposed uses.

34. While the area defined for the traffic study is consistent with the extent of area that would typically be examined for such a study, staff requested clarification on how the traffic study area for the proposed development relates to the identified market area. The pilot traffic calming measures implemented in the area are not focussed on reducing road capacities.
35. As part of the proposed development, the applicant will be required to construct a greenway linkage, which is intended to provide a cycling route for the surrounding community. This is in compliance with the policies of the Official Plan. Furthermore, as part of the Site Plan, the applicant will be required to provide ample bicycle parking, which will give people the opportunity to take their bikes to the shop at the subject site. This has proven to be successful in similar stores in Toronto.
36. Many of the stores in the Westboro area do not provide the parking required by the By-law. However, if these properties were to redevelop, they would be required to provide that parking. Consequently, there would be more land used for that purpose.
37. It is the Department's position that this corner of Richmond Road and Kirkwood Avenue is a prominent corner and is appropriate for an anchor store. The zoning proposed is to ensure that the development form replicates the street-oriented pedestrian-friendly environment found in Westboro.
38. The Department of Urban Planning and Public Works commissioned a "peer review" of the marketing study completed for this property. The peer review concluded that the study completed for this proposal was sound. It also determined that there is no market rationale for suggesting that the supermarket component of the proposed store be reduced.
39. The separate retail buildings will have independent accesses from Richmond Road as well as function independently. It is the Department's position that they will contribute to the streetscape character of the Westboro area.

Reasons in Favour of the Proposed Development Raised from the Posting of the On-Site Sign

1. Since the negative viewpoints seem to be well organized and vocal, we wish to express our support for the proposed Loblaws development.
2. The Loblaws proposal comes at an opportune time for Westboro, where a commercial revival is taking place.
3. The proposed development will contribute to the commercial renaissance

occurring in Westboro.

4. The Loblaws revised plan is neighbourhood-friendly.
5. A small store would only be doomed to a slow decline and decay due to the less choice and higher costs in this marketing.
6. I support the Loblaws and so does everyone of my neighbours.
7. The proposed store is good for the community.
8. The abandoned Crain-Drummond building is an eyesore.
9. The residential component of the proposal will help fill Hilson School.
10. The area is in desperate need of a first class grocery store.
11. I don't want to see a very vocal minority ruin this development and Westboro.
12. People opposed to this development have no vision and want to consign our area of the City to the backwater with limited insignificant development.
13. It will be great for the community to have one stop shopping.
14. This proposal will help employ local people.
15. People opposed are acting out of emotion and not out of logic.
16. People who are quite content with the development are also content to stay quiet and let the development take its course.

Concerns Over the Proposed Development Raised at the Public Meeting

1. Kirkwood Avenue might be a Regional Road, but it is not a four-lane road.
2. Since Kirkwood Avenue is built on clay, the vibrations from trucks will cause damage to houses.
3. The area looked at in the traffic study is too small.
4. Traffic in the area is already bad and this proposal will only make it worse.
5. Why not make this store similar in size to the one on Rideau Street.

6. The City has just incorporated traffic calming measures along Kirkwood Avenue, will it now do a complete turn-around and design the street for more traffic.
7. This proposal will destroy the quality of the neighbourhood.
8. I have a concern with the Ward Councillor already stating he is in favour of this application.
9. This proposal is not in keeping with the 1996 Light Industrial Zoning Study.
10. An Environmental Impact Analysis should be undertaken for this property.
11. The proposed store will first dwarf then obliterate many legitimate and useful businesses.

Response to Concerns Raised at the Public Meeting

1. Kirkwood Avenue is a Regional Arterial. The traffic study indicates that it can accommodate the traffic associated with the proposal. The study has been reviewed by the Regional Municipality.
2. Kirkwood Avenue is a designated truck route with a spring load restriction (half load).
3. While the area defined for the traffic study is consistent with the extent of area that would typically be examined for such a study, staff requested clarification on how the traffic study area for the proposed development relates to the identified market area. The pilot traffic calming measures implemented in the area are not focussed on reducing road capacities.
4. The traffic study and addendum to that study, undertaken for the proposed development, indicates that there is sufficient capacity in the road network to accommodate the proposed development. The City concurs with this finding.
5. It is the Department's position that the size of the development proposed is appropriate for the site.
6. As mentioned in this submission, the traffic calming measures implemented by the Region along Kirkwood Avenue were designed to slow the speed of traffic, not to reduce the road's ability to carry its expected volumes of traffic.
7. It is the Department's position that the proposed development will not be detrimental to the quality of the surrounding neighbourhood. Through the rezoning and Site Plan Control processes, the proposal is anticipated to enhance

the Westboro area.

8. It is not uncommon for a Ward Councillor to present his or her views on proposed developments prior to its consideration at Committee and Council.
9. The Minor Rezoning Study of Industrial Lands in the Westboro Area, completed in 1996, did not have a recommendation for the subject lands. No recommendation for rezoning was presented at that time as it was felt that any potential zoning of this site be dealt with on an individual site basis.
10. The applicant has undertaken a Municipal Environmental Evaluation to the satisfaction of the City. The Site Plan Control application contains conditions by which to address any environmental concerns associated with the previous operation of the site, as well as with the proposed use.
11. While a marketing study completed for the proposed retail food store indicates that over the short term it will decrease the market share of similar stores, none of these is expected to close. This has been confirmed by a “peer review” of that study.

Reasons in Favour Raised at the Public Meeting

1. The commercial zone of Richmond Road is undergoing a positive change. This proposal will enhance this change.
2. This proposal will help recapture the spirit of activity, social and commercial, which has been lost in this particular part of the City.
3. This proposal will make shopping easier in the community.
4. I like the store and the size proposed.
5. The traffic volumes are quite reasonable.
6. This proposal will draw future desired development to the area.
7. We feel this development is best for the community as a whole.
8. If this property remains zoned industrial, who knows what we will get.
9. This proposal should not be stopped by a vocal minority of less than one percent of the population.

The Steering Committee of the Island Park-Kirkwood -Churchill Area Traffic Calming Study

1. We recommend that Loblaws submit for public review an enhanced traffic plan consistent with the area and computer modeling in the Traffic Calming Study (Braaksma report). In addition, the implementation and tools for assessment of the existing Traffic Calming Pilot Projects in the area will have to be re-examined to account for the disruption caused by the Loblaws development.
2. The construction and operation of the Loblaws development on the Crain-Drummond site will change the traffic patterns and volumes. It will now be necessary to discriminate the changes caused by the traffic calming measures from the changes caused by the Loblaws development. The criteria, tools and methods for analyzing the traffic changes will have to be modified. If they cannot, the results of the Traffic Calming Pilot Project will be ambiguous and the entire initiative will be invalid.
3. The traffic calming measures that were to be installed at the north end of Kirkwood will not be now, because of the Loblaws development. This creates a gap in the traffic calming measures and will necessitate a reevaluation of the completeness, effectiveness and efficiency of the project.
4. The area in the Loblaws traffic study is not representative of either the traffic calming study or the catchment area for Loblaws.
5. The Loblaws Study was performed without the benefit of computer modeling and it paid scant attention to community fears of increased cut-through traffic or other quality of life issues.
6. The Loblaws traffic study should be expanded to include the same area as the traffic calming study and include such things as computer modeling, particular attention to the intersections where traffic calming has taken place and the safety needs of pedestrians.
7. The Loblaws traffic study should outline the changes in traffic calming measures required as a result of the proposed development

Champlain Park Community Association

1. We have a concern with traffic impact on the surrounding communities.
2. As a result of other new developments and the potential for new developments (Canada Bank Note) we believe it would be advisable to study longer potential traffic impacts and not just to the year 2006, as is the case in the Loblaws traffic study.

3. Please look carefully at the results of the City audit for the Delcan traffic study and take appropriate action.
4. Place any zoning restrictions necessary on the site to help ensure compatibility.
5. Please look at the implications of this development on traffic calming plans.

Hampton-Iona Community Group (Inc.)

1. The majority of people in this community feel that their quality of life will suffer from the size of the proposed development.
2. The amount of traffic associated with the Crain-Drummond is insignificant compared to the amount of traffic associated with the proposal.
3. We recommend that the M1 Study of 1996 with the front 1/3 commercial and the back 2/3 of the property residential. The community is not against change, it is in favour of the right change to enhance the community.
4. This proposed grocery store will be served only by two-lane roads where others, such as South Keys, are served by four-lane roads.
5. Loblaws has totally ignored traffic coming from Quebec. With the store adjacent to the Champlain Bridge (which is currently being widened) it is logical to conclude that significant traffic could also be coming from Quebec.
6. Fifty-five to sixty-five percent of the traffic is new to the immediate impact area.
7. With increased traffic on the surrounding streets such as Byron, Island Park and Kirkwood the store will clearly have significant impact on the immediate area. Byron is classified as a collector road but will function as a major collector. This road goes through a residential community.
8. The City's Official Plan states that changes to road designation and character should improve the quality of life for residents. Clearly the increase in traffic does not meet this intent.
9. There has not been an environmental assessment of the increased traffic, including the effects on property values. The City should require a full environmental impact assessment.
10. All the roads in the area are essentially two lane roads, not four-lane roads, which are typically associated with serving this type of development.

11. It is interesting that the draft plan read “the large size of the proposed Loblaws will allow it to generate substantial draw from beyond the local area. In the final version, “large” was omitted and “substantial” changed to “some”. Also, all reference to Island Park Drive as an access point was removed. Why?
12. This proposal will draw people from across the City, more that would normally come to Westboro. The Westboro BIA marketing study describes the local trade area as much smaller. It also states that the need for a large food store is not such as to support one of 80,000 square feet, but rather one of 45, 000 to 55,000 square feet.
13. The proposed development will provide services already offered in Westboro (e.g. drugstores and florists). It is likely that these businesses will suffer greatly from this proposed development.
14. The proposed development is of a size, scale and expected catchment area not acceptable in a Neighbourhood Linear Commercial Area.
15. There is no attempt to integrate the proposed residential development with the proposed commercial component.
16. It is recommended that the environmental assessment be revised to address the issues of: local demand preferences for development of the site, compatibility of the proposed development with neighbourhood linear commercial land use and, previous land use and traffic management studies relevant to the site.
17. Possible contaminants in the soil must be identified.
18. The studies are too subjective and do not address the impacts on the surrounding communities.

The Westboro Community Association

1. The proposed size and scale of the development is inconsistent with the character of the area. A development of this scale is typically found in District Linear Commercial Zones. This proposal is contrary to the Westboro Key Principles as it does not enhance and contribute to the community.
2. The draw for the proposal is far beyond the Westboro neighbourhood. This is a district draw, not a neighbourhood draw. Furthermore, it is expected that about 17.5 percent of the customers will come from beyond the trade area. The Westboro BIA’s report states that the need for a large food store is not strong enough to support up to 80,000 square feet. A store which is 45,00 to 55,000 square feet seems to be supportable by the trade area.

3. The findings from the traffic study, with respect to the impact on infrastructure, level of service and the effects on the environmental and socioeconomic factors, are underestimated. It does not include Sunday traffic.
4. The traffic study needs to be amended as follows: inclusion of traffic impacts from proposed and potential developments, include a before-and-after impact of similar developments in other cities, increase the study radius from 0.5 km to 1.0 km, complete an Urban Impact Assessment of the development on the community, include ways to eliminate cut-through traffic and develop a Transportation Master Plan for roads within 1.0 km of the site.
5. This proposal will have a negative impact on the health and safety of the surrounding schools.
6. The MEER does not adequately evaluate the environmental impacts, such as the assessment of any contaminated soils.
7. There has been a lack of community consultation in the development of this proposal.
8. The trip generation rates used to estimate the traffic are not indicative of this proposed development. They are supplied by the proponent and are too small to accurately predict the level of impact.
9. The amount of traffic anticipated from Quebec is too low and other proposed developments need to be taken into consideration. As a result of this proposal, roads will reach their expected lower service rate much earlier than originally anticipated.
10. The amount of cut-through traffic will be unbearable and the impact on Tweedsmuir Avenue and other surrounding streets will be more than expected than that which can be tolerated by the community.
11. We recommend: a cumulative traffic study for the Westboro Area, to include present and future anticipated developments; a before-and-after assessment of similar developments on other cities; an increased traffic impact study area; a complete Urban Impact Assessment of this proposed development on the community; the implementation of traffic diversion measures; a transportation master plan for roads within 1 km of the site and the MEER needs to be revised to evaluate the compatibility of proposed development on existing commercial businesses and the residential community.

Kitchissippi Futures Group

- The size of the proposed store is considerably larger (98,000 square feet) than that which was done for Loblaws in their “Supermarket Demand and Impact Analysis”(80,000 square feet).
- The Neighbourhood Linear Commercial designation has been selected as a means to ensure that redevelopment of the site provides typical main street and store front operations and allows for the existing neighbourhood shopping area to be consolidated.
- This proposal does not fit easily into any of the commercial categories found in the Official Plan, but more closely resembles a District Linear Commercial Area designation. This is so because it is expected to attract a significant percentage of its trade from beyond the local area, requires a relatively large site, and requires a large area for parking.
- This proposal is not suitable in a Neighbourhood Linear Commercial Area. Developments in these areas provide main street and store-front-type operations found in older neighbourhoods and are often characterized by low-scale mixed-use development, with retail and personal service businesses at grade and residential above. The only neighbourhood linear characteristic is the siting of the building at the street frontage
- A better balance of retail and residential would better achieve the Provincial Policy Statement on housing, the Regional Official Plan and the City’s Official Plan than the subject proposal.
- The accommodation of a pedestrian pathway in the Greenway system is consistent with the policies of the Official Plan.
- The Key Principles of the Westboro Plan call for the village atmosphere of the neighbourhood commercial area be maintained.
- It is my opinion that the Neighbourhood Linear Commercial designation in the Official Plan is intended to stimulate the redevelopment of the area in a pedestrian-oriented manner and to encourage consolidation of the Westboro Area. The automobile oriented nature of the proposed development is detrimental to this pedestrian-oriented nature. The shopping will be out of scale with the other retail commercial developments in the area. Neighbourhood Linear Commercial Areas are typically 30 to 40 metres in depth.
- The depth of the Neighbourhood Linear Commercial Area must be determined. It could be the average depth of the surrounding commercial lands with this designation.

- The Neighbourhood Linear Commercial designation allows for “specialized” uses that attract customers from beyond the local trade area. However, “specialized” refers to one-of-a-kind or unique stores or grouping of stores. A grocery store offering everyday products is not a “speciality” store.
- The subject proposal does not comply with the “Residential Designation” found in the Official Plan, which pertains to the majority of this site. Particularly two criteria: the site is not located at the periphery or isolated from surrounding residential development. It is in the heart of the surrounding residential community. Secondly, the scale of the development creates a concentration which would be more appropriately developed under another Official Plan designation.
- The proposed development must not harm the viability of other commercial operations.
- The proposed development is likely to result in significant impact on the surrounding residential streets with respect to traffic.
- There is no justification for the amount of retail and residential uses proposed.

Westboro Beach Community Association

Simply put, the proposal is for a Regional-Scale Shopping Centre to be built in a residential neighbourhood.

In all this time, not one resident has expressed support for the proposal to any member of the WBCA Executive. Indeed, every comment received has been opposed to the project as proposed. The basic position of most residents is “We’d like a grocery store, but not something that big.

It is the position of the WBCA that the impacts of the proposal have not been adequately considered to date and certainly not to the degree required for a project of this magnitude. The only study to date has been by the applicant and the scope of the study has been far too narrow, in time and space.

The WBCA opposes the two applications for the following specific reasons.

Re-Zoning Application

The City Planning Department is breaking promises to the Community made during the M-1 Light Industrial Zoning Study of 1995-1996

- The study is still recent and its raison d’être still valid - the appropriate zoning for the last remaining village heading west on Richmond Road - and the participants are still

present in the community.

- This study was the last and only time neighbourhood representatives were consulted on their vision for their community and they unanimously recommended that the property at 190 Richmond Road be rezoned 1/3 commercial and 2/3 residential.
- However, the Planning Department unilaterally, without notice to the community representatives who had participated in the study in good faith, removed this community recommendation from its final report at the last-minute request of the owner Crain-Drummond, completely violating the public trust placed in these municipal public servants. This was their first promise broken.
- The second promise broken is that none of the issues raised in the M1 Zoning Study, (i.e. need for a traffic study, the impact on the Westboro BIA, the need for other applications, including an Official Plan Amendment, the impact on the surrounding community and the need for extensive public input, has been studied sufficiently by the Department to date, given the huge size of the project.
- Most particularly, the issue of “the need for public input” has not been addressed by the Planning Department. This is the third broken promise. Meetings hosted by the applicant or by politicians do not count.
- Simply put, the Planning Department is treating the Loblaws application in isolation, not in relation to other current and proposed development in the immediate vicinity. Simply put, this approach runs contrary to good planning. The Department does not wish to consider the development of the Frieman Woodlot across the road. I suggest that a secondary plan be undertaken immediately to see how all the major developments in the area may be managed.
- The City Planning Department is abdicating its professional and civic responsibilities by failing to make a comprehensive approach to the application.

Site Plan Application

These comments may be found in the submission dealing with that application.

Island Park Community Association

The size of the grocery store has increased from 80,000 square feet to 103,000 square feet. The association accepts that a grocery store will be constructed on site, however, the size of the store from the beginning has been contentious.

The store at South Keys could perhaps be viewed as the model for a “big box” store as it

draws customers from a large area, is served by multi-lane Regional Roads and the Transitway. A more desirable model would be that located on Rideau Street. A size that appears to be more geared to a neighbourhood use than a district draw. This would equate to a store that is more like 40,000 to 45,000 square feet. This would also allow for a smaller catchment area of customers . Please keep in mind that if the commercial uses are scaled back, this will increase the amount of residential. As well, Councillors should be well aware of the precedent that this would create for the City of Ottawa and other established neighbourhoods if it is allowed to proceed.

Current Zoning, Planning Studies and Community Input

The proposed development could fundamentally change the character of the community. It should be remembered that there have been recent studies (M1 Zoning Study, Island Park, Kirkwood and Churchill traffic study).

The recent M1 Zoning Study, which had considerable public input, proposed a linear strip of commercial development along Richmond Road to enhance the existing village atmosphere and support the scale of development in Westboro.

The recent traffic calming study had at its heart, the protection of the residential fabric of this community and the taming of increasingly erratic and speeding drivers. Roads such as Island Park Drive are operating beyond capacity. What is the impact of increased volumes of traffic on the study area as well as the safety and speed concerns of the residents.

The changes proposed by the developer are not in keeping with the Official Plan and could be overturned by the Regional Government or the Ontario Municipal Board. The development should strengthen Westboro not decimate it.

Traffic Volumes and Patterns

This is not a neighbourhood store, it is a store that is intended to draw from a large catchment area. There are a number of impacts Councillors should be thinking about.

Can the surrounding streets accommodate the increase in traffic? What about the increased cut- through traffic? Is the City ready to see Byron become a Regional Road?

Can the roads that are being traffic-calmed handle this proposed development?

The parking being proposed seems to be insufficient for the proposed development and consequently parking will take place on adjacent residential streets.

Where will the trucks go? What will happen when load restrictions are imposed in the spring?

Vision

What about the Bank Note company? They will probably want the same type of zoning that Loblaws gets. Is this a Glebe or a Sandy Hill which encourages diversity or a big box site in the middle of an established neighbourhood?

The redevelopment of 190 Richmond Road offers an opportunity for positive change, that is in conformity with the planning and zoning and existing road infrastructure that is already in place.

Response to Concerned Community Groups

While seven separate responses were received from various community groups, they all echoed similar concerns about the proposal. The Departmental response to these similar concerns, as well as responses which are unique to individual comments are presented below.

Traffic and the Supporting Traffic Study

There is a concern within community groups that the traffic resulting from the proposed development will be detrimental to the existing roads in the area as well as to the surrounding residential neighbourhood. While it is a fact that the traffic in the area will increase, the traffic study completed by Delcan for the proposed development, and an addendum to that study, indicates that the roads in the surrounding area, as well as their intersections, will not be adversely affected. This result has been determined by looking at not only the effect of the proposed development, but also the potential development of other sites in the neighbourhood (i.e. Canada Bank Note). City staff have reviewed the study and its addendum completed for this proposal on a professional basis and agree with the methodology and concur with the principle conclusions of the study.

Related to the concern of the impacts on the community from site-generated traffic is the effect the proposed development may have on the traffic calming measures along Kirkwood Avenue recently implemented by the Region, and the monitoring of these measures.

While it is recognised that volumes of traffic in the area are of concern, it is important to note that the Island Park / Kirkwood / Churchill Area Traffic Calming Study focussed on recommendations which are not tied directly to volumes on any particular street, but rather focussed on recommendations to address existing volumes (at the time the report was prepared), and proposed measures primarily intended to address the speed and the manner in which people drive. The report does not deal with development related growth, as it was not undertaken to respond to development in the surrounding community. Rather, the traffic calming measures which have been implemented, as well as the ones intended for the northern portion of Kirkwood Avenue, will be completed, with the intent of slowing the speed of vehicles. Although traffic calming measures may in certain cases result in a

reduction of traffic (or diversion of traffic), the measures on Kirkwood are not intended to reduce the volume of traffic that uses or is intended to use Kirkwood Avenue.

Quality of Life in the Community

There is a concern among the community associations that the size of the proposed development, along with the expected traffic, will cause the quality of life in the surrounding residential neighbourhoods to suffer. It is the Department's position that the proposed development will be a benefit to the surrounding community. As mentioned, the traffic study has indicated that the surrounding streets can handle the anticipated traffic from the proposed development. Furthermore, the design of the building, with the small commercial units along Richmond Road and the building's location adjacent to the street will help create the character of development that is typical for blocks in the Westboro commercial area.

In addition, the proposed development will provide a much needed service to the local community, and will aid in the revitalization of the Westboro commercial area, by attracting customers to the area. Also related to the revitalization of Westboro is the opportunity for local people to seek employment for the proposal. Consequently, it is the Department's position that the proposed development will serve to increase the quality of life in the community.

Inconsistency With the Scale of Development in Westboro

Much has been said about the size of the proposed development, both on the subject lands, and how it relates to other commercial development in Westboro. However, this submission has attempted to present the facts regarding the size of development which could take place on the property and the parking which would be required. Consequently, the development proposed is considered representative of a proposal which is significantly less than that which could be constructed, given the zoning typically found in Westboro. What the applicant has asked for is a downzoning from a floor space index of 2.0 to 0.3. The Department believes the proposal will not only reflect the policies of the Official Plan but is also designed to complement the character of the Westboro Neighbourhood Linear commercial Area.

Development as Envisioned by the M1 Zoning Study

As mentioned in this submission, the Department never made a recommendation to Planning and Economic Development Committee, or City Council, to rezone the subject property one-third commercial and two-thirds residential. In fact, the Department made no recommendations on rezoning the subject lands for the reasons presented in this submission.

Again, it was the Department's contention that issues such as the size of the subject property, traffic impact, the impact on the Westboro Business Improvement Area as well as on the surrounding residential community, the requirement for other applications and the need for

extensive public input, necessitated that a proposal for an entirely commercial zoning for the subject site be considered separately and not as part of the study. As the Department was prepared to proceed to Committee and Council with recommendations on rezoning other properties in the study area at the time when the previous owner of the subject property made their formal request, the need to investigate the issues mentioned above would have seriously delayed the study. All the issues mentioned above would have been dealt with at a future date when the appropriate applications for a specific development had been submitted for consideration.

Environmental Assessment

The applicant has undertaken a Municipal Environmental Evaluation for the proposed development and has prepared a number of Environmental Assessment Reports and remedial activity reports. Through these reports, the Department is aware of a number of contaminants on the property (i.e., petroleum hydrocarbons). The existence of these contaminants and the need to remove them from the site will be addressed through special conditions contained in the Site Plan Control approval.

Better Suitability For A District Commercial Area

As presented in this submission, the Department believes that the proposed development satisfies the policies in the Official Plan relating to a Neighbourhood Linear Commercial Area and the Westboro Key Principles, and is an appropriate use for the land.

There is also an expressed concern that people who travel to the site, will do so from outside what many people call the local community. Nevertheless, it is important to state that the policies of the Official Plan do not intend that uses in Linear Commercial Areas be quantified on the basis of draw or market area served. The Official Plan and the Zoning By-law cannot restrict where people must live in order to be allowed to shop at a particular location. To do so would be discriminatory. In fact it should be noted that the Official Plan recognizes this and states that Neighbourhood Linear Commercial Areas are anticipated to attract customers from beyond the local area.

Effect on Existing Businesses

The marketing study prepared for the proposed development has indicated that over the short term, to 2006, the proposed Loblaws will have a sales impact on existing trade area supermarkets, however, the sales declines should not threaten the viability of any trade area supermarkets.

In addition to the foregoing, it should be remembered that the zoning allows uses which are considered appropriate for the property. It is market demand that decides whether one particular use will survive while another does not. In other words, it is not appropriate for

the zoning to determine the which businesses should flourish financially.

Lack of Community Involvement

Public consultation has occurred in accordance with the City's notification policies. In addition, a documentation of the public consultation process provided by the applicant has indicated meetings with every community association in the surrounding area. Information on the proposed development has been provided in the local community newspapers on many occasions. As well, staff have been requested to attend two public meetings hosted by local community associations and a meeting was held by the Ward Councillor. Seven responses from community associations, and 115 responses from individual citizens have been received. As well, members of the community prepared and submitted a petition containing 940 signatures. It is the Department's position that there has been considerable community involvement in the proposed development.

Increased Housing

It is the Department's position that the lands proposed to be zoned residential will satisfy the policies of the City's Official Plan relating to residential intensification, as presented in this submission.

APPLICATION PROCESS TIMELINE

This application, which was submitted on September 14, 1999, was subject to a project management timeline, as recommended by the "A Better Way Task Force", and a process chart which established critical milestones was prepared. A mandatory Information Exchange was not undertaken by staff as the only community association indicating they required early notification was aware the application had been submitted. This application was originally to proceed to Planning and Economic Development Committee, however, this item was delayed as the complementary Site Plan Control Application was not submitted until November 22, 2000. As well, the need to research and address the concerns raised by the public also necessitated that this application be delayed. As these issues have been addressed by the Department, this submission and the complementary Site Plan Control application are proceeding to the earliest possible Planning and Economic Development Committee meeting.

Environmental Advisory Committee

The Environmental Advisory Committee provided the following comments:

1. The MEER report is well written and accurately presents environmental information about the site including the biological, human and physical environments.

2. The Public Consultation Process has been thorough and complete.
3. The vast majority of environmental impacts will not be significant after construction is completed.
4. The Environmental Advisory Committee supports the applicant provided the following recommendations are incorporated.

Recommendation 1: Coordinated Groundwater Pumping

The groundwater from this site has been proven to carry pollutants (i.e. petroleum hydrocarbons) in levels that exceed MOE potable water limits, (*MEER Report-190 Richmond Road, Delcan, fall 1999*). We recommend that pumping this ground water into the Regional water system should not occur when the Region's water treatment system is in an "overflow state". As you are likely aware, on those occasions where a great amount of rainwater/sewer water arrives at the water treatment plant, all overflows are directed to enter the Ottawa River untreated. We would like to request that in those periods of extreme rainfall, the pumping of groundwater from this construction site into the Regional water system be temporarily halted. Otherwise we knowingly will be introducing that contaminated groundwater directly into the Ottawa River.

Recommendation 2: Council Direction to Staff re: Future Condition of the Site Plan

I understand from our phone conversation, that it is your initial assessment that such a condition would be more appropriately added as a condition of the site plan agreement. Yet, we feel the applicant and Region should be given early notice of the City's intention to support such a condition in order to coordinate its implementation. Therefore, we recommend that at the time of passing of this amendment (if that is the wish of Council) that it be recognized as a possible future condition of the site plan.

Response to Concerns From Environmental Advisory Committee

The removal of contaminants from the site and ensuring that they do not cause harm to the environment, including the Ottawa River, will be addressed through the Site Plan Control submission.

Councillor's Comments

Councillor Little has indicated that he is in support of this proposal.



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City of
Ville d' **Ottawa**

March 10, 2000

ACS2000-PW-PLN-0004
(File: OSP1999/057)

Department of Urban Planning and Public
Works

Ward/Quartier
OT7 - Kitchissippi

- Planning and Economic Development Committee / Comité de l'urbanisme et de l'expansion économique
 - City Council / Conseil municipal
- Action/Exécution

7. Site Plan Control Application - 190 Richmond Road Plan d'emplacement - 190 chemin Richmond

Recommendation

That the Site Plan Control Application be APPROVED as shown on the following plans:

1. "Proposed Site Plan, Retail Commercial Development 190 Richmond Road at Kirkwood Ottawa, Ontario, prepared by Brisbin, Brook, Beynon Architects, Drawing Number SK.03, dated February 19, 1999, revised to March 13, 2000 and dated as received by the City of Ottawa on March 10, 2000."
2. "Landscape Plan, Retail Commercial Development 190 Richmond Road at Kirkwood Ottawa, Ontario, prepared by Corush, Sunderland, Wright, Drawing Number SK.06, revised to March 13, 2000 and dated as received by the City of Ottawa on March 10, 2000."

March 13, 2000 (11:49a)

Edward Robinson
Commissioner of Urban Planning and Public
Works

DJ:dj


Contact: Douglas James 244-5300 (ext. 3856)

March 13, 2000 (4:46p)

Approved by
John S. Burke
Chief Administrative Officer

Financial Comment

Subject to City Council approval, the required security will be retained by the City Treasurer until advised that all conditions have been met and the security is to be released.


March 13, 2000 (9:30a)

for Mona Monkman
City Treasurer

BH:cds

Executive Report

Reasons Behind Recommendation

Context

The subject property is approximately 4.3 hectares in size and is located on the southwest corner of Richmond Road and Kirkwood Avenue. Generally to the west of the subject property, along Richmond Road, is the Westboro Business Improvement Area, consisting of commercial uses. Immediately to the west, south and east of the property is the Westboro residential community consisting of low density residential dwellings. To the north are generally commercial/industrial lands, as well as some residential properties.

Until recently, the property was occupied by Crain Drummond, a paper products manufacturer. It has since been sold to the applicant, Loblaws Properties Limited. On the northerly 3.35 hectares, the new owner wishes to construct two commercial buildings along the Richmond Road frontage of the property. The smaller building (735 square metres) is to be located in proximity to the northwest corner of the subject lands, with the larger building (9 025 square metres) to be located across the majority of the remainder of the site's Richmond Road frontage. The smaller building will contain commercial uses such as retail stores. The larger building is proposed to be a retail food store with smaller separate commercial uses. The southerly portion of the property, approximately 0.93 hectares, is proposed to be severed, sold and developed for residential purposes. This Site Plan Control application does not include the proposal for the portion intended to be developed for residential purposes. A separate Site Plan Control Application will be required for that portion of the subject lands.

Cutting through the western portion of the site, is a strip of land owned by Ontario Hydro. This strip of land is approximately 15 metres in width with a three metre easement on each side. The hydro lands and accompanying easement run north/south between Richmond Road and a City of Ottawa recreational pathway (parallel to Byron Street).

Proposed Development

The development proposed for the property is as follows:

- A Commercial Building of approximately 9 025 square metres consisting of the following areas:
 - ii Grocery Retail Area 5 088 square metres
 - ii Hot Food Retail (restaurant) 353 square metres
 - ii Public Corridor Area 870 square metres
 - ii Service Space and Coolers Area 994 square metres
 - ii Mezzanine Floor Level 1 125 square metres
 - ii Separate Retail Commercial Units totalling 595 square metres
- A separate one storey commercial building of 735 square metres.
- 425 parking spaces.
- Two-way entrances to the site from both Richmond Road and Kirkwood Avenue.
- New planting throughout the site.
- Controlled signalized access from Richmond Road.
- Public Pedestrian Pathway to form part of the City's Greenway system.

The subject property is designated “Neighbourhood Linear Commercial”, “Residential Area” and “Greenway Linkage” by the City’s Official Plan. The proposed commercial development is occurring on lands designated Neighbourhood Linear Commercial and Greenway Linkage. The Neighbourhood Linear Commercial Designation anticipates buildings which provide for a main street and store-front-type of commercial development found in older areas of the city. This designation recognizes and provides for enhancement of the unique, mixed-use and pedestrian-oriented character of these commercial areas, serving both residents in the vicinity, with some specialized areas attracting customers from beyond the neighbourhood. The location of the proposed development along Richmond Road and the amenities proposed through this application fulfill the intent of these Official Plan policies.

The Greenway Linkage designation contains policies intended to enhance and maintain the

City's Greenway System(6.6.2.). This includes ensuring the uninterrupted linear pattern of that system. The path through the subject lands, as proposed, will allow the continuation of the Greenway system which travels along the Hydro Corridor from the south, across the subject property, to the north along McRae Street.

The area of the lands proposed to be residential are designated Residential Area in the City's Official Plan. The Residential Area designation contains policies by which to evaluate the appropriateness of residential intensification. In this instance, the policies relating to Minor Residential Intensification (3.6.2.k and l) are appropriate. While the development of these lands are not part of this particular application, the intent of the Official Plan to encourage appropriate residential intensification can be met by their future development. The appropriate types of applications to facilitate development of the residential lands will come at a future date, when a proposal is brought forth to the City.

Compatibility of Development

In order to help integrate the commercial development into the existing community, the applicant is proposing to construct two buildings along the Richmond Road frontage of the property. From the west, the first building is proposed to be approximately 46 metres in length and have a uniform facade along Richmond Road. The main accesses to this building will be provided along its Richmond Road frontage. The second building, which is the main building, is proposed to be approximately 137 metres in length. It will be articulated, with individual commercial stores having independent accesses. There will be two pedestrian entrances to the proposed retail food store from Richmond Road, one at the western end and the other at the eastern end of the building. The independent accesses to the separate commercial uses are also to be accessible directly from the street. Given the length of the building, the articulation of the facade is of particular importance as it will serve to provide visual relief to the massing of the building.

Section 4.7.2.e) of the City's Official Plan contains policies to guide development proposals in Neighbourhood Linear Commercial Areas. These relate to the sensitive integration of the development on site, both to its relationship with the surrounding community and on the subject lands themselves. The intent of these policies is satisfied as follows.

To help enhance the pedestrian-friendly atmosphere along Richmond Road and to accentuate the character of the area, the applicant will provide a sidewalk along the entire block frontage, between Tweedsmuir and Kirkwood Avenues. These lands are presently not serviced by a sidewalk. Construction of this sidewalk will allow for pedestrian circulation from other commercial properties along Richmond Road, which are serviced by sidewalks, as well as from the surrounding residential communities, to the site.

Also to be provided along the Richmond Road frontage are street trees, benches, decorative lighting and bicycle racks. These amenities are intended to soften the streetscape character of the property, enhance its aesthetics and further foster the pedestrian-friendly environment, to create a built form resembling a continuation of the Westboro BIA.

The corner of the property next to the intersection of Richmond Road and Kirkwood Avenue represents a gateway to the Westboro Commercial Strip. As a focal point, the applicant is proposing to provide a pedestrian plaza consisting of a sitting area and extensive planting. The building is also proposed to be constructed to provide a visual orientation to the intersection, with direct pedestrian access to the building.

Around the western, eastern and southern periphery of the property, the applicant will be providing substantial vegetative planting. Making use of both coniferous and deciduous materials, as well as existing vegetative cover. This planting will provide a buffer to surrounding residential uses as well as be aesthetically appealing. The vegetated area along the portion of the property fronting Kirkwood Avenue will be bermed, enhancing the screening and providing a positive relief to the property.

Along the Richmond Road and Kirkwood Avenue frontages of the property are 18 street trees. As part of the development, these trees will have to be removed. Their removal is necessitated by the construction of the proposed sidewalks and the construction of the proposed buildings. To compensate for the removal of the 18 street trees, the Developer has agreed to provide a minimum of 37 replacement trees along these street frontages. These trees shall have a calliper of 100 millimetres.

The Greenway Linkage pathway to be provided will be done so in a safe and functional manner, minimizing its conflicts with the proposed parking lot. It will also be significantly landscaped, in accordance with the intent of the Official Plan.

Access to the parking area will be via one access point on Kirkwood Avenue and by a signalized access point along Richmond Road. The on-site vehicular circulation system will consist of two main access roads which are defined by landscaping consisting of trees and shrubs. The pedestrian circulation system consisting of a walkway along the western edge of the main road, will provide for a safe pedestrian movement from Richmond Road to the southern part of the property. In addition, a second internal walkway will provide for a pedestrian connection from the proposed Kirkwood Avenue sidewalk to the main pedestrian entrance along the southern edge of the proposed building. The new landscaping and on-site lighting, in addition to the screening of the loading and garbage storage area will ensure a safe internal pedestrian system.

As part of the conditions of approval, the applicant will be required to ensure that all concerns relating to contaminants associated with the previous use of the land have been

addressed satisfactorily. As well, the Department has incorporated within this submission, a condition requiring the developer to prepare and submit a traffic monitoring report evaluating the proposal's actual effect on the surrounding roads.

Economic Impact Statement

The development of the proposed commercial buildings is expected to attract an estimated \$5,400,000 of new investment. Building permit fees are estimated to be a total of \$53,700. Furthermore, between the years 2001 and 2009, this proposal is expected to provide to the City \$139,792 in tax revenues and is estimated to generate 174 jobs.

Environmental Impact

The applicant has undertaken a Municipal Environmental Evaluation for the proposed development as well as a number of Environmental Assessment Reports and remedial activities reports. These reports have confirmed that all PCB contaminated soils have been removed and that PCB containers, ballasts and capacitors have been disposed of appropriately. However, there are other factors which are outstanding. These include the existence of petroleum hydrocarbons, which are at levels unacceptable for the land uses proposed.

The existence of these contaminants and the remediation measures required to address the associated environmental concerns will be dealt with by specific conditions of approval in the Site Plan Control Approval process.

Consultation

Fifty responses were received as a result of the posting of the on-site sign for the Site Plan Control Application. Seventeen of these respondents had concerns related to the proposed development. Thirty-three respondents were in favour while one person did not offer an opinion. Two responses indicating concerns for the proposal were received as a result of the circulation to Community Groups. Eleven responses were received as a result of the public meeting. Seven of these people had concerns while four of these people were in favour. A petition containing 940 signatures in opposition was received.

Disposition

Department of Corporate Services, Statutory Services Branch to notify the Owner and Agent and all interested parties of the Planning and Economic Development Committee's Decision.

Department of Urban Planning and Public Works, Planning Branch to prepare the Site Plan Control Agreement.

List of Supporting Documentation

Document 1	Conditions of Site Plan Control Approval
Document 2	Location Plan
Document 3	Proposed Full Site Plan
Document 4	Proposed Landscape Plan
Document 5	Municipal Environmental Evaluation Report (on file with City Clerk)
Document 6	Comments From Concerned Community Groups (on file with City Clerk)
Document 7	Consultation Details

Part II - Supporting Documentation

Document 1

PART I - CONDITIONS TO BE SATISFIED PRIOR TO THE EXECUTION OF THE REQUIRED SITE PLAN CONTROL AGREEMENT

SPECIFIC CONDITIONS

1. That the Municipal Environmental Evaluation Report (MEER) submitted in support of this application be finalized to the satisfaction of the Commissioner of Urban Planning and Public Works.

CONTACT: Deborah Irwin, 244-5300 ext. 3000, Environmental Management Branch

2. That prior to the demolition of the existing buildings on site, the Registered Owner submit a Waste Audit and Waste Reduction Work Plan in accordance with Ontario Regulation Work Plan to the satisfaction of the Commissioner of Urban Planning and Public Works to ensure that best management practices are followed regarding the disposal of the debris.

CONTACT: Deborah Irwin, 244-5300, ext. 3000, Environmental Management Branch.

3. That a Dewatering Plan be submitted and prepared to the satisfaction of the Commissioner of Urban Planning and Public Works to manage any excess groundwater discharge during construction.

CONTACT: Deborah Irwin, 244-5300, ext.3000, Environmental Management Br.

4. That prior to demolition of the existing buildings on site, all friable asbestos be removed in accordance with *Asbestos on Construction Projects (O.Reg 838/90)*.

CONTACT: Deborah Irwin, 244-5300, ext.3000, Environmental Management Br.

5. That prior to the demolition of the existing buildings on site, the paint be tested for lead substances, and if encountered, be managed in accordance with the *Proposed Regulation Respecting Lead on Construction Projects Made Under the Occupational Health and Safety Act, 1996*.

CONTACT: Deborah Irwin, 244-5300, ext.3000, Environmental Management Br.

6. That prior to demolition of the existing buildings on site, an inspection of fluorescent light ballasts be undertaken to determine the presence of PCB's, and that if PCB's are encountered, that they are disposed of in accordance with *Regulation 362, Waste Management - PCBs*.

CONTACT: Deborah Irwin, 244-5300, ext.3000, Environmental Management Br.

7. The existing storm sewer system servicing this site is inadequate to accommodate the increased flow expected from the proposed redevelopment of a site of this magnitude. As a requirement, the following conditions must be satisfied.
 - i) The storm sewer which outlets this site must be upgraded to City Design Criteria to accept the post- development run-off from the 100 per cent build-out of the site.
 - ii) The City would be in agreement to participate financially, subject to City Council approval, in the upgrade of the storm sewer.
 - iii) The Owner's engineering consultant is requested to consult with Engineering Branch staff regarding the scope of the storm outlet improvement.
 - iv) Resolution of on-site servicing will be dependent upon the overall resolution of external storm sewer servicing constraints for this site.

CONTACT: David Wright, 244-5300, ext. 3829, Engineering Branch

8. The Owner(s) shall submit a revised Site Plan and Landscape Plan to include the following:
 - i) Revise the layout of the westerly parking lot to incorporate a 1.5 metre wide walkway at the rear of building No. 2 and dimension of driveway aisles to meet zoning by-law requirements.
 - ii) Revise the corner building detail for building No. 1 at Richmond Road and Kirkwood Avenue to provide for an architecturally prominent entrance addressing this major intersection.

All to the satisfaction of the Commissioner of Urban Planning and Public Works.

CONTACT: Doug James, 244-5300, ext. 3856, Planning Branch

STANDARD CONDITIONS

STC 1.1 - Evaluation of Specific Existing Private Trees to be Retained

The Owner(s) must submit a statement specifying the species, size, health and structural stability for all the existing tree(s) which are to be retained, to the satisfaction of the Commissioner of Urban Planning and Public Works. The inspection of this existing tree(s) and statement must be prepared by a person having qualifications acceptable to the Commissioner of Urban Planning and Public Works and may include, but need not be limited to a qualified Arboriculturalist, Forester, Silviculturalist, Landscape Architect, Horticulturalist, Botanist, or Landscape Technologist:

(Contact Douglas James, 244-5300, ext. 1-3856, Planning Branch)

STC 1.2.1 - Landscape Elements Estimate by Landscape Architect

The Owner(s) must provide a detailed itemized estimate prepared by a Landscape Architect, of the value of all required landscaping, including the value of all or any specific existing tree(s) to be retained in accordance with the Canadian Nurseries Association and the International Society of Arboriculture (ISA) Standard, to the satisfaction of the Commissioner of Urban Planning and Public Works. (Contact Douglas James, 244-5300, ext. 1-3856, Planning Branch)

STC 1.3 - Posting of Financial Securities for Landscape Elements

The Owner(s) must post Security in the amount of 100% of the value of the landscape elements as identified in the detailed itemized estimate, including estimates for new landscape elements on private and municipal and/or regional property, and a Tree Compensation Deposit for all or any specific existing tree(s) to be retained on private property, which shall be retained in the custody of the City Treasurer, (no security will be taken for existing municipal and regional road allowance trees because they are already protected by the Trees By-law (By-law Number 55-93, as amended) and the Road Cut By-law (By-law Number 31-91 as amended). For the purposes of this condition, Security means cash, certified cheque, or subject to the approval of the City Treasurer, bearer bonds of the Government of Canada (except Savings Bonds), Provincial bonds or provincial guaranteed bonds, or other municipal bonds provided that the interest coupons are attached to all bonds, or letters of credit, with an automatic renewal clause, issued by a chartered bank, credit unions and caisse populaires, trust companies or some other form of financial security (including Performance Bonds from institutions acceptable to the City Treasurer). (Contact Debbie Van Waard, 244-5300, ext. 1-3570, Office of the City Solicitor if STC 3.1.1 applies.

STC 1.4 - Compensation for Removal of Municipal Tree(s)

The Owner(s) must provide compensation to the Department of Urban Planning and Public Works, in accordance with Section 13 of the Trees By-law (By-law Number 55-93, as amended), and the Road Cut By-law (By-law Number 31-91, as amended) before approval is given for the removal of the "municipal" or "regional" tree(s). (Contact John Honshorst, 244-5300, ext. 1-3763, Operations Branch)

STC 1.5 - Submission of Financial Securities for Future Sidewalk Construction

The Owner(s) must submit cash, certified cheque, or letter of credit (in the amount of \$30,500) with an automatic renewal clause to compensate for the future sidewalk construction along the Richmond Road and Kirkwood Avenue frontage in accordance with City policy. For the information of the Owner(s), if more favourable bids are received from the contractor to build the sidewalk, the Owner may do so upon approval by the Commissioner of Urban Planning and Public Works. A City Inspector must be present during the construction of the sidewalk and the Owner must submit financial securities to cover the cost of this inspection. (Contact Richard Villeneuve, 244-5300, ext.1-3832, Engineering Branch)

PART 2 - CONDITIONS TO BE INCLUDED IN THE REQUIRED SITE PLAN CONTROL AGREEMENT**SPECIFIC CONDITIONS**

1. That the Owners covenant and agree to remediate the subject site for commercial/residential/parkland use, as appropriate, as directed in the Ministry of Environmental and Energy's Guideline for the Use at Contaminated Sites in Ontario (Revised, February, 1997).
2. The Owner(s) acknowledges and agrees that the City shall hold in its possession landscaping security until completion of the works in accordance with the approved plan(s) to the satisfaction of the City. The Owner(s) hereby covenants and agrees:
 - (i) that it shall be responsible to arrange for the transfer or replacement of landscaping security provided to the City prior to the sale or transfer of the Owner's lands, and
 - (ii) that if the landscaping security has not been replaced prior to the sale or transfer of the Owner's lands, the new registered owner(s) may utilize the security for any works as approved by the City which have not been completed pursuant to the Plan(s), and for this purpose, the City Treasurer is hereby authorized to call in Letters of Credit or other security provided. The balance of security held, if any, will be refunded to the Owner(s) who provided the security, upon completion of the works to the satisfaction of the City.
3. That the Owner(s) shall bear full responsibility for the cost, design, construction and maintenance of a continuous landscaped pedestrian and bicycle pathway system within the Greenway System Linkage, which will fulfill the following guidelines, to the satisfaction of the Commissioner of Urban Planning and Public Works.
 - Provision of an asphalt pathway of a minimum width of 3 metres having a yellow centreline strip, with sufficient bearing strength to support maintenance vehicles;

- Where pathway meets sidewalk, that sidewalk should be in interlock pavers to distinguish from the purely pedestrian area;
- Provision of adjacent plantings of trees to include a minimum total number to the satisfaction of the Commissioner of Urban Planning and Public Works;
- Provision of ornamental trees to supplement and complement the required trees;
- Provision of appropriate seeding and sodding; and
- Provision of access to the pedestrian pathway system from the adjacent residential and commercial portion of the subject property.

CONTACT: Deborah Irwin, 244-5300, ext.3000, Environmental Management Br.

4. The Owner(s) shall grant a 3-metre wide sewer easement along Richmond Road to the City, at no cost to the City, to the satisfaction of both the Office of the City Solicitor and the City's Chief Surveyor, reflecting the existing City sewer system on this site within six months of the signing of this agreement. The Owner(s) shall pay for all costs associated with the registration of the sewer easement. The Owner(s) shall provide at no cost to the City a Legal Survey (Reference Plan) acceptable to the City's Chief Surveyor, setting out the above sewer easement as Part(s) on said plan. Further, whether the sewer easement exists or is to be established;
 - i) the sewer easement is to be kept free of obstructions to permit City staff and equipment or vehicles to inspect and maintain the sewer easement;
 - ii) obstructions may have to be removed on short notice and the removal and replacement of the structure will be at the owners cost; and
 - iii) the City will assume no liability for any damage to encroachments on this easement.
 - iv) in cases where a building foundation is proposed to abut the easement, the following will be required:
 - a. An engineering report outlining the effect the proposed buildings and its footings will have on the existing City sewer system. Conversely, this same report should also address the effect of the existing City sewer system on the proposed building and its footings.
 - b. Prior to the start of construction, the Registered Owner agrees to contact the Ottawa's Operations Branch at the City of Ottawa (Luc Dugal at 798-8899) to ensure City staff are present during the excavation of the building foundations adjacent the sewer easement.
 - c. The Registered Owner will be liable for any damages to the City sewer during the construction of the building foundation and will be responsible

for undertaking the necessary repairs at its expense.

CONTACT: Kirk Stewart, 244-5300, ext. 3834, Engineering Branch

5. The Owner(s) acknowledges and agrees that the entrances directly from the street to the separate commercial units shall not be blocked off and shall remain unlocked during regular business hours.
6. One year after occupancy, the Owner(s) shall undertake monitoring, in accordance with a monitoring plan that is satisfactory to the Commissioner of Urban Planning and Public Works, to identify the actual traffic increases attributable to the development on all the surrounding roads that were included in the Loblaws - 190 Richmond Road Traffic Impact Study prepared by Delcan, the adequacy of parking provided on-site, and any other matters related to traffic/parking impacts that may be identified by the Commissioner of Urban Planning and Public Works. Following the monitoring, the Owner(s) shall submit a report, prepared by a professional Transportation Planning/Engineer, that documents and evaluates the results of the monitoring, including recommendations to mitigate any adverse impacts that may be identified. This report shall be to the satisfaction of the Commissioner of Urban Planning and Public Works. The Owner(s) further agrees to implement any recommendations related on-site and access modifications detailed in the monitoring report.
(Contact John Smit, 244-5300, ext, 1- 3866, Licensing, Transportation and Buildings Branch)

STANDARD CONDITIONS

STC 2.1 - Installation and Planting of Landscape Elements

The Owner(s) shall install and plant all landscape elements in accordance with the Site Plan Control Approval, within one year from the date of occupancy, to the satisfaction of the Commissioner of Urban Planning and Public Works. The landscape elements shall include but not be limited to, all vegetation and topographic treatment, walls, fences, hard and soft surface materials, lighting, site furniture, free-standing ground-supported signs, steps, lamps, and play equipment, information kiosks and bulletin boards and other ground cover and new tree(s) and shrubs located on the road allowance.

STC 2.2 - Reinstatement of Damaged City Property, Including Sidewalks and Curbs

The Owner(s) shall reinstate to the satisfaction of the Commissioner of Urban Planning and Public Works, any property of the City or Regional Municipality of Ottawa-Carleton, including sidewalks and curbs, that is damaged as a result of the subject development. This reinstatement shall be at the expense of the Owner(s). (Contact Bruce Coombe, 244-5300, ext. 1-3461, Engineering Branch)

STC 2.9 - Release of Financial Securities for Landscape Elements

When requested by the Owner(s), the Security shall be released by the City Treasurer when

authorized by the Commissioner of Urban Planning and Public Works according to City Council policy, provided that the landscape elements have been installed and planted in accordance with the Site Plan Control Approval, and that all plant materials are in good and healthy condition. (Contact Douglas James, 244-5300, ext. 1-3856, Planning Branch, and/or where there are landscape elements on the road allowance, John Honshorst, 244-5300, ext. 1-3763, Operations Branch.)

STC 2.10 - Retention and Release of Financial Securities for Specific Existing Private Trees Which Were to be Retained and Protected

- i) The Tree Compensation Deposit shall be retained for a period of three (3) years during which time the deposit is non-retrievable, unless otherwise determined by the Commissioner of Urban Planning and Public Works. The period of time during which the money is non-retrievable shall only commence upon occupancy of the development, or as otherwise determined by the Commissioner of Urban Planning and Public Works.
- ii) To request a release of the Tree Compensation Deposit, the Owner(s) shall provide the Commissioner of Urban Planning and Public Works with a certified inspection and statement indicating:
 - a) whether the specific tree(s) remains structurally stable and healthy;
 - b) to what extent a tree(s) is damaged during construction;
 - c) whether the tree(s) will die primarily as a result of development;
 - d) whether or not an existing tree(s) will require replacement, primarily as a result of the effects of development.
- iii) That the required inspection and statement shall be conducted by a person(s) having qualifications acceptable to the Commissioner of Urban Planning and Public Works and may include, but need not be limited to a qualified Arboriculturalist, Forester, Silviculturalist, Landscape Architect, Horticulturalist, Botanist, or Landscape Technologist.
- iv) The terms of the release of the Tree Compensation Deposit shall be determined by the Commissioner of Urban Planning and Public Works upon review of the certified inspection and statement.
- v) When determined by the Commissioner of Urban Planning and Public Works, based on the acceptance of the certified, inspection and statement addressing the need for possible tree removal; the Owner(s) shall replace the tree(s), by either:
 - a) one or more new deciduous tree(s) with a combined caliper size equal to those removed, but in no case shall each replacement deciduous tree be less than seventy-five (75) millimetres caliper,
 - b) one or more new coniferous tree(s) with a combined height of not less than that of the height of the tree to be removed, with each specimen not less than one point

five (1.5) metres, except when prescribing species, varieties or cultivars which are normally less than ten (10) metres high at maturity, or

- c) a combination of the above. (Contact Douglas James, 244-5300, ext 1-3856, Planning Branch)

STC 2.11 - Task Oriented Lighting for Areas Other Than Those Used For Vehicular Traffic or Parking

The Owner(s) agree that on site lighting, in addition to lights used to illuminate any area used for vehicular traffic or parking, shall be task oriented and shall be installed in such a manner that there will not be any spillover or glare of lights onto abutting properties.

STC 2.16.1 - Release of Site Plan Control Agreement for Residential Developments

The City may release the Owner(s) from any agreement required as a condition of this Site Plan Control Approval once all terms of the agreement have been completed but not earlier than the date of release of all financial securities required as a condition of this Approval. The Owner(s) shall pay all costs associated with the application for and registration of release from this agreement. (Contact Compliance Reports Section, 244-5300, ext. 1-3907, Planning Branch)

STC 2.16.2 - Release of Site Plan Control Agreement for Non-residential or Mixed Use Developments

The City may release the Owner(s) from any agreement required as a condition of this Site Plan Control Approval once all terms of the agreement have been completed but not earlier than five years after the date of release of all financial securities required as a condition of this Approval. The Owner(s) shall pay all costs associated with the application for and registration of release from this agreement. (Contact Compliance Reports Section, 244-5300, ext. 1-3907, Planning Branch)

PART 3 - CONDITIONS TO BE SATISFIED PRIOR TO THE ISSUANCE OF A BUILDING PERMIT

SPECIFIC CONDITIONS

1. The Owner(s) agree to prepare an erosion and sediment control plan to the satisfaction of the Commissioner of Urban Planning and Public Works, appropriate to site conditions, prior to undertaking any site alterations (filling, grading, removal of vegetation, etc.) and during all phases of site preparation and construction in accordance with the current Best Management Practices for Erosion and Sediment Control.

CONTACT: Deborah Irwin, 244-5300, ext.3000, Environmental Management Br.

2. Prior to the issuance of the building permit, the Owner(s) agrees to submit a Remedial Work Plan to the Manager of the Environmental Management Branch prepared by a

qualified engineering consultant which documents the methodology to remove, treat or otherwise manage the contamination found on the site. The Remedial Work Plan may include, but is not necessarily limited to:

- confirmation of contaminated areas based on the current Ministry of Environment and Energy's Guidelines for Use at Contaminated Sites in Ontario (Revised February, 1997);
- a decision on the site restoration approach to be used;
- goals of the restoration program;
- methodology to determine extent of contamination;
- assessment of options for removal, storage, and/or treatment of contaminated material;
- monitoring and verification sampling;
- a decision on completion of Record of Site Condition;
- methodology for removing the 2 273 litre gasoline underground storage tank identified through Fire Insurance Plans as located east of the existing building, but not found.

CONTACT: Deborah Irwin, 244-5300, ext.3000, Environmental Management Br.

STANDARD CONDITIONS

STC 3.1.1 - Signing of Site Plan Control Agreement

The Owner(s) must sign a Site Plan Control Agreement including the conditions to be included in the agreement. When the Owner(s) fails to sign the required agreement and complete the conditions to be satisfied prior to the signing of the agreement within six (6) months of Site Plan Control Approval, the approval shall lapse. (Contact Debbie Van Waard, 244-5300, ext. 1-3570, Office of the City Solicitor).

STC 3.2 - Approval of Private Sewer Systems, Lot Grading and Drainage Plan(s)

The Owner(s) must submit a plan(s) showing the private sewer systems and lot grading and drainage which indicates:

- i) the methods that surface water will be self-contained and directed to catch basins, storm sewers, swales and or ditches, and then conveyed to the public storm, combined sewer system or City ditches unless otherwise directed by the Commissioner of Urban Planning and Public Works;
- ii) by calculation, that the stormwater runoff from this site will not exceed the design capacity of the City sewer system. The allowable runoff coefficient is 0.2. For further information contact Kamal Toeg at 244-5300, ext. 3833;
- iii) that all sanitary wastes shall be collected and conveyed to a public sanitary or combined sewer; and
- iv) that all private storm and sanitary sewers required to service the subject site are completely separated from each other and conveyed to the public storm, sanitary or combined sewer, except in the designated Combined Sewer Area;

to the satisfaction of the Commissioner of Urban Planning and Public Works. (Contact Bruce Coombe, 244-5300, ext. 1-3461, Engineering Branch)

PART 4 - CONDITIONS TO BE SATISFIED PRIOR TO COMMENCEMENT OF AND DURING CONSTRUCTION/DEVELOPMENT

STC 4.1 - Protection of Existing Regional Trees and Shrubs Prior to and During Construction

The Owner(s), in accordance with the Trees By-law (By-law Number 55-93, as amended), and the Road Cut By-law (By-law Number 31-91, as amended), must undertake protective measures to the satisfaction of the Commissioner of Urban Planning and Public Works prior to commencement of and during construction, to ensure against damage to any roots, trunks or branches of all existing Regional trees and shrubs located on Richmond Road and Kirkwood Avenue, as shown on the Site Plan Control Approval, which are to be retained and protected. These measures shall consist of the following:

The protective fencing for the trees noted below is to be located at the Drip Line as defined in the Trees By-law. As a guide, we wish to suggest that the fences be installed the noted distances from the trees.

A 6 cm tree would have the fence installed at least .6 meters away from the trunk

8 cm	.9
20 cm	2.0
45 cm	4.5
60 cm	6.0
66 cm	6.6
100 cm	10.0

As these measurements are to be considered a guide, you are to speak to the Tree Inspector by calling 798-8932 for on-site advice.

CONTACT: John Honshorst, 244-5300, ext. 3763, Operations Branch

STANDARD CONDITIONS

STC 4.3 - Approval of Work on Municipal Property or Easements

The Owner(s) must receive written approval from the Director of Engineering prior to any work commencing on City or Regional property or easements. A description of the proposed work along with twenty-four (24) copies of the plan illustrating the work must be submitted and will be circulated to all underground utilities for their comments, prior to any approval. (Contact Larry Lalonde, 244-5300, ext. 1-3820, Engineering Branch)

STC 4.4 - Approval for Construction Related to Private Approaches

The Owner(s) must receive written approval from the Commissioner of Urban Planning and Public Works for any construction related to a private approach within the road allowance. (Contact Ray Fournier, 244-5300, ext. 1-3811, Engineering Branch)

STC 4.5 - Notification of Construction or Alteration of Private Approach

The Owner(s) must notify the Commissioner of Urban Planning and Public Works in writing when the construction or alteration of any private approach servicing this development will commence. Lack of notification may result in the City requiring changes to the private approach at the expense of the Owner. (Contact Ray Fournier, 244-5300, ext. 1-3811, Engineering Branch)

STC 4.6 - Construction Materials on Public Road Allowances

The Owner(s) must ensure that:

- i) construction vehicles are to be loaded and driven in such a manner so that the contents will not fall, spill or be deposited on any road that has been given preliminary or final acceptance for use during construction;
- ii) all spills, dirt, mud, stone or other transported material from the road must be removed at the end of each day;
- iii) the road is cleaned immediately should this material pose a hazard to vehicles or pedestrians, and in the event of a dispute, the Commissioner of Urban Planning and Public Works will be the judge of what constitutes a hazard. In the event the material is not removed as required, it may be removed by the City at the expense of the Owner(s). (Contact John Honshorst, 244-5300, ext. 1-3763, Operations Branch and Neil Dillon, 244-5300, ext 1-3507, Building Code Services Division)

STC 4.8 - Pumping of Liquids Into Sewers During Construction

The Owner(s) in accordance with the Sewer By-law (By-law Number 163-73, as amended), must obtain authorization from the Commissioner of Urban Planning and Public Works prior to the pumping of any liquid or liquid with sediment into sanitary, storm or combined sewers during construction. Failure to obtain authorization may result in the owner(s) having to bear the full cost of removing all sediment and debris downstream from the construction site. (Contact Sewer Inspector, 798-8892, Operations Branch)

STC 4.9 - Inspection of Service Connections

The Owner(s) in accordance with the Sewer By-law (By-law Number 163-73, as amended), must contact the Department of Urban Planning and Public Works, Sewer Operations Inspections staff, to view the connection of deep services to municipal sewer lines. Compliance regarding service connections can only be determined if this inspection has been carried out. (Contact Sewer Inspector, 798-8892, Operations Branch)

STC 4.11 - Requirement for Grease Trap

The Owner(s), in accordance with the Sewer By-law (By-law Number 163-73, as amended), must install a grease trap on the internal sanitary plumbing system when a restaurant is established. (Contact Neil Dillon, 244-5300, ext. 1-3507, Licensing, Transportation and

Buildings Branch)

STC 4.15 - Reinstatement of Redundant Accesses

The Owner(s) must reinstate the sidewalk and curb at the redundant access and maintain a curb face equal to or better than the existing adjacent curbs with all costs borne by the Owner(s). (Contact Ray Fournier, 244-5300, ext. 1-3811, Engineering Branch)

STC 4.17 - Planting of Trees in Hard Surfaced Areas

The Owner(s) must ensure that any tree to be located in a hard surfaced area must be planted in accordance with the "Guidelines for Hard Surface Planting" in accordance with the Trees By-law (By-law Number 55-93, as amended). (Contact John Honshorst, 244-5300, ext. 1-3763, Operations Branch)

STC 4.18 - Planting of Trees in Road Allowance

The Owner(s) must ensure that any new road allowance tree(s) be planted as follows:

- i) 0.6 metres from the property line, pursuant to the Standard Locations for Utility Plant (referred to as the CR-90), as approved by the City;
- ii) utility clearances are required prior to planting and/or staking;
- iii) wire baskets and burlap used to hold the root ball and rope that is tied around the root collar are to be removed at the time of the planting of the tree(s);
- iv) guying of the tree(s) is not acceptable;
- v) the tree(s) must meet the requirements set out by the Canadian Nursery Standards; and
- vi) tree stakes are to be removed prior to the release of the financial securities for the landscape elements. (Contact John Honshorst, 244-5300, ext. 1-3763, Operations Branch)

STC 4.19 - Requirement for "As Built" Drawings of Private Sewer Systems, Lot Grading and Drainage

The Owner(s) must provide the Department of Urban Planning and Public Works with "As Built" drawings of all private sewer systems, lot grading and drainage, prior to the issuance of a final occupancy permit. (Contact Bruce Coombe, 244-5300, ext. 1-3461, Engineering Branch)

PART 5 - FOR THE INFORMATION OF THE REGISTERED OWNER(S)

1. The proposed servicing drawing included with the circulation package indicates that a sanitary sewer is proposed to be located on the west side of the City right-of-way on Kirkwood Avenue.

The Owner(s) should note that if the sanitary sewer is to be located in the Kirkwood Avenue right-of-way it shall be located in the centre of the street designed in accordance with City Standards and constructed under a "Do-It-Yourself" agreement with the City. Otherwise, the Owner(s) has the option of constructing the proposed

sanitary sewer entirely within the limits of their property.

CONTACT: Kirk Stewart, 244-5300, ext. 3834, Engineering Branch

STI 1 - Additional Requirements

This approval only relates to Site Plan Control matters and the Owners must still abide by all other municipal by-laws, statutes and regulations.

STI 5 - Permit Required for Signs

This Site Plan Control Approval does not constitute approval of any sign. The Owner(s) must procure separate sign permits for all signs in accordance with the Signs By-law (By-law Number 311-90, as amended). Further, according to the Site Plan Control By-law, where proposed ground signs are not indicated on an approved plan(s), the Owner must seek Site Plan Control Approval to reflect the intended sign(s) prior to the issuance of the required sign permits. (Contact Jim Denyer, 244-5300, ext. 1-3499, Planning Branch)

STI 6 - Compensation for Damaged or Lost Municipal Trees

In accordance with the provisions set out in The Trees and Road Cut By-laws, (By-law Number 165-73, as amended) compensation will be required if any municipal/regional tree is damaged or lost. (Contact John Honshorst, 244-5300, ext. 1-3763, Operations Branch)

STI 7 - Maintenance of Municipal Boulevard

In accordance with the Use and Care of Streets By-law (By-law Number 165-73, as amended) the Owner(s) and or prospective owner(s) will be responsible for the maintenance of the municipal boulevard. (Contact John Honshorst, 244-5300, ext. 1-3763, Operations Branch)

STI 8 - Prohibition of Storage of Snow on Road Allowance

No snow is to be deposited on the road allowance as per the By-law Regulating the Use and Care of Streets (By-law Number 165-73, as amended). (Contact John Honshorst, 244-5300, ext. 1-3763, Operations Branch)

STI 11 - ROC Jurisdiction

Richmond Road and Kirkwood Avenue are under the jurisdiction of the Region of Ottawa-Carleton.

Please note that the foregoing comments are based upon the data and plans supplied for our review. Should more detailed information become available, then the Engineering Branch, Operations Branch, Environmental Management Branch and Licensing, Transportation and Buildings Branch reserve the right to modify our comments accordingly. Any changes and/or deletions to the expressed conditions noted above must be coordinated with Chuck Afelskie or Bruce Coombe of the Engineering Branch at 244-5300 x 3812 and 244-5300 x3461 respectively.

REGION OF OTTAWA-CARLETON

ROC Registered Agreement Required

The Owner(s) is advised that an agreement must be entered into with the Region of Ottawa-Carleton and the Owner(s) (Contact Millie, Mason, Legal Department, 560-6025, ext. 1224) which will include the following conditions:

ROC -Other Conditions and Information

TRANSPORTATION

Road Widenings

T1a) In accordance with the Regional Official Plan, the Region has a widening requirement across the complete Richmond Road frontage measuring 10 metres from the existing centreline of pavement to bring the existing Richmond Road right-of-way to 20 metres.

T1a) i) That in addition to the Region of Ottawa Carleton's requirement for a road widening across the complete Richmond Road frontage of the property, the owner shall dedicate to the Region a further 1.15 metres, along the entire Richmond Road frontage. In conjunction with the condition above, this shall create an area of two metres for landscaping and two metres for a concrete sidewalk.

T1b) In accordance with the Regional Official Plan, the Region has a widening requirement across the complete Kirkwood Avenue frontage measuring 13 metres from the existing centreline of pavement to bring the existing Kirkwood Avenue right-of-way to 26 metres.

T1c) In accordance with the Regional Official Plan, where site plan approval is requested for Regional-Scale Retail facilities, an additional amount of land with a maximum width of 4.0 metres along Richmond Road and Kirkwood Avenue will be required for auxiliary turning lanes. The exact widening requirement will be determined at the functional roadway design state.

Note: The exact widening must be determined by legal survey. The Owner(s) shall provide Reference Plans for registration, indicating the widenings. Such reference plan must be tied to the Horizontal Control Network in accordance with the municipal requirements and guidelines for referencing legal surveys and will be submitted to the Region for review prior to its deposit in the Registry Office. The widenings must be conveyed to the Regional Municipality of Ottawa-Carleton prior to construction on the site or on the regional road. The conveyances will be at no cost to the Region.

- T2a) In accordance with the Regional Official Plan, an additional widening is required at the intersection of Richmond Road and Kirkwood Avenue to provide a 4.5 by 4.5 metre corner triangle measured from the widened street lines.
- T2b) In accordance with the Regional Official Plan, an additional widening is required at the intersection of Kirkwood Avenue and Byron Avenue to provide a 4.5 by 4.5 metre corner triangle measured from the widened street lines.
- T3 No permanent features will be permitted above and below-grade within the widened right-of-way or corner triangle, including commercial signage.
- T4 In accordance with the Regional Official Plan, the Owner(s) shall construct a concrete sidewalk to regional standards and specifications across the frontage of the development on Kirkwood Avenue and on Richmond Road, between Kirkwood Avenue and Tweedsmuir Avenue.

Vehicular Access

- T8 In accordance with the Regional Regulatory Code, the grade of the access should not exceed 2% for a distance of 6 metres from the widened streetline on Richmond Road and Kirkwood Avenue.
- T9 The proposed access should be constructed having a depressed curb and continuous concrete sidewalk across the access.
- T12 The Environmental and Transportation Department has reviewed the Traffic Impact Study prepared for Loblaws at 190 Richmond Road by Delcan Corporation, and require an additional turn lane. The Region recommends that a westbound left-turn lane be implemented at the signalized access at McRae Avenue. This will require some road widening to the south pending the need to maintain on-street parking on the north side of Richmond Road in the vicinity of the site and/or McRae Avenue. Similarly, additional road widening will be required on Kirkwood Avenue in the vicinity of the site access in order to permit on-street parking on Kirkwood As well as a northbound left-turn lane. For the functional design, the region will require a comprehensive drawing showing the existing and proposed pavement markings and roadway geometry for the area surrounding the site, including Richmond Road from Fraser Street to west of Tweedsmuir Avenue and Kirkwood Avenue from north of Richmond Road to south of Byron Avenue.
- T13 The Owner(s) is responsible for all costs such as those associated with the public roadway modifications including final design construction drawings, signal plants and sidewalks. The final design and specifications shall be to the satisfaction of the Environment and Transportation Commissioner.

- T14 The Owner(s) shall be required to enter into a traffic Signal Agreement with the Region to provide for the ongoing maintenance of signals at Richmond Road and McRae Street until such time as the Ministry of transportation's traffic signal warrants are met and Regional Council approved the assumption of these costs.

Public Transit

- T15 The Owner(s) shall locate, design and construct, at no cost to the Region, paved transit passenger standings areas/shelter pads and shelters to the specifications of the Region.
- T17 The Owner(s) shall relocate/adjust those OC Transpo lay-by/bus stops which will be implemented by the proposed new roadworks and private approaches to the site.

Landscaping

- T18 In accordance with the Regional Regulatory Code, any trees removed from the Regional Road right-of-way, must be replaced at the owner's expense and/or appropriate compensation provided.
- T19 The Owner(s) shall be required to enter into a maintenance and liability agreement for all plant material placed in the Regional Road right-of-way and the owner shall assume all maintenance and replacement responsibilities in perpetuity.
- T20 The Owner(s) shall prepare a landscaping plan for the site to the satisfaction of the Region to ensure that plant material is compatible with regional road maintenance practices.
- T21 The Owner(s) shall submit a drainage and grading plan to the Region for review and approval with respect to regional roads 36, 37 and once approved, drain and grade the subject development in accordance with the approved plans.
- T22 The Owner(s) must enter into a Maintenance Agreement for the unit pavers within the regional right-of-way.

ENVIRONMENTAL

Stormwater Management

- SWM4 The Owner(s) agrees to prepare and implement an erosion and sediment control plan to the satisfaction of the local municipality, appropriate to the site conditions, prior to undertaking any site alterations (filling, grading, removal of vegetation,

etc.) And during all phases of the site preparation and construction in accordance with the Current Best Management Practices for Erosion and Sediment Control.

Industrial Waste

- IW1 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.
- IW2 Any sanitary or storm drainage from the site must comply with the provision of Section 5.2 of the Regional Regulatory Code.
- IW3 Prior to discharge of sewage into the sewer system, a waste Survey Report required by Section 5.2.5 of the Regional Regulatory Code must be completed and submitted to the Industrial Waste Section 800 Green Creek Drive, Gloucester. For information, contact Industrial Waste Inspector at 560-6086.

Water

- W2 The details for water servicing and metering shall be in accordance with the Regional Regulatory Code.
- W4 In accordance with the Regional Regulatory Code, all existing services that will not be utilized, shall be capped at the watermain by the Region. The owner shall be responsible for all applicable costs.
- W5 In accordance with the Regional Regulatory Code, no driveway shall be located within 3.0 metres of an existing fire hydrant. No objects, including vegetation, shall be placed or planted within a 3.0 metre corridor between a fire hydrant and the curb nor a 1.5 radius beside or behind a fire hydrant.
- W6 The Owner(s) shall extend the regional watermain to the site and enter into an agreement with the Region to design and construct the watermain. (Private Street Kirkwood to Tweedsmuir).
- W8 The Owner(s) shall grant to the Region of Ottawa-Carleton a 6 metre service easement for the existing watermain/sewer running through the property. Grading within the easement shall be to the satisfaction of the Environment and Transportation commissioner. The owner shall prepare a Reference Plan for the easement, at their expense and shall contact the Legal Department at 560-2056 for the preparation of the easement agreement. Such reference plan must be tied to the Horizontal Control Network in accordance with municipal requirements and guidelines for referencing legal surveys.

W9 The Owner(s) shall be required to co-ordinate the preparation of an overall utility distribution plan showing the location (shared or otherwise) and installation, timing and phasing of all required utilities (on-ground, below-ground) through liaison with the appropriate electrical, gas, water, sewer, telephone and cablevision authorities and including on-site drainage facilities and streetscaping - such location being to the satisfaction of all affected authorities.

W11 The Owner(s) shall register a Common Elements agreement on Title, setting forth the obligations between the co-owners of the common elements for the operation and maintenance of the private watermain, private hydrants and private water services. The agreement shall be to the satisfaction of the Regional Solicitors. (Private Street).

W12 The Purchase and Sale Agreement shall include a clause to the satisfaction of the Regional Solicitor advising all prospective purchasers that the property is serviced by a private common water supply. (Private Street).

Finance

RDC The owner, heirs successors and assigns shall ascertain if development charges are payable pursuant to the Regional Development Charges By-law and any amendment or revisions thereto.

For the advice of the applicant and/or the City of Ottawa the following comments/conditions will apply:

ENVIRONMENT

Water

W1 Fire flow records indicate a flow 2584 IGPMat 20 PSI from the hydrant located at 190 Richmond Road. This test was performed in July 1998. This flow reflects system conditions on the test day; however, there are variations in flow and pressure depending on day. The owner may be required to undertake an engineering analysis of the water supply certified by a Professional Engineer to ensure that the water supply meets municipal/regional standards.

W3 The Owner(s) shall submit drawings for approval prior to tendering and make application to the Regional Environment and Transportation Department for the water permit prior to the commencement of construction.

W7 The Owner(s) shall satisfy the requirements of the Building Code with respect to hydrant(s).

Sewer

- S1 As the proposed development is located within an area tributary to a regional collector sewer system which has been assessed by the Region to be at capacity, the owner shall, prior to applying for a building permit, liaise with the Region in the identification of extraneous wet weather flow sources. Where flow removal cannot be achieved on site, removal of extraneous flows will be conducted through a flow removal program co-ordinated by the Region and the area municipality within the area tributary to the affected Regional facility.

Solid Waste

SW4 Waste collection and recycling collection will not be provided by the Region. The applicant should make appropriate arrangements with a private contractor for waste collection and recycling collection.

SW5 The Owner(s) should consult a private contractor regarding any access requirements for waste collection and/or recycling collection.

ENBRIDGE-CONSUMERS GAS

Enbridge-Consumers Gas should be contacted regarding the necessity of providing easements or servicing requirements. (Contact Gary Roth, Engineering Department, 742-4636)

OTTAWA HYDRO

Ottawa Hydro, Engineering Department should be contacted regarding the necessity of providing a transformer and vault, pad mounted transfer and easements. (Contact Daniel Desroches, 738-5499, ext. 210)


BELL CANADA

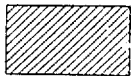
Bell Canada should be contacted three months in advance of any construction. (Contact Rick Watters, 742-5769)


ROGERS OTTAWA

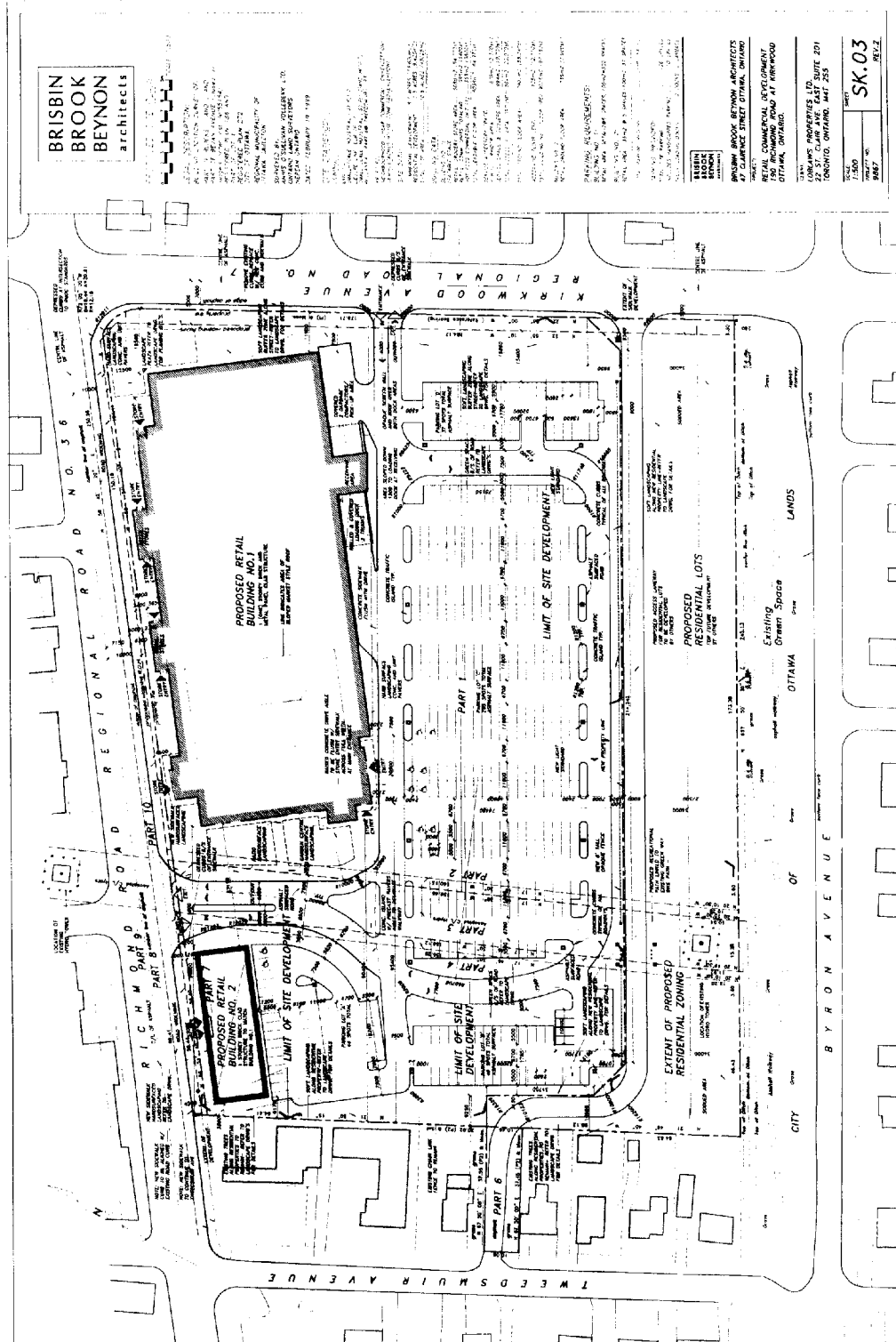
Rogers Ottawa Cablevision be contacted in planning stages to arrange facilities. (Contact Jeff Niles, 247-4519 - East side Bank Street Dave Hart 247-4562)




City of Ottawa
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 DEPARTMENT OF URBAN PLANNING AND PUBLIC WORKS
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 I:\ca\Rlch190z
 SEPT 21, 1999
 REVISION DATE


LOCATION MAP
 190 RICHMOND RD.


 SCALE
 N.T.S.
 METRES



CONSULTATION DETAILS

Document 7

NOTIFICATION AND CONSULTATION PROCESS

Notification and consultation procedures were carried out in accordance with notification procedure P&D/PPP/N&C#2 approved by City Council for Site Plan Control Applications.

SUPPLEMENTAL NOTIFICATION

The Environmental Advisory Committee and the Disability Issues Advisory Committee were sent a copy of the technical notification. A public meeting to discuss the proposed development was held on December 15, 1999, in the surrounding community. One hundred and fourteen people signed the attendance sheets provided.

Fifty responses were received as a result of the posting of the on-site sign for the Site Plan Control Application. Seventeen of these respondents had concerns related to the proposed development. Thirty-three respondents were in favour while one person did not offer an opinion. Two responses were received as a result of the circulation to Concerned Community Groups. Eleven responses were received as a result of the public meeting. Seven of these people had concerns while four of these people were in favour. Seven responses were received from concerned community groups. A summary of the comments from the on-site sign, from each community group and those who attended the public meeting are presented in this document. A copy of the complete submission from each community group has been placed on file with the City Clerk for viewing.

In addition to the foregoing, a petition containing 940 signatures was received. The petition contained the following preamble:

“We the undersigned, oppose any development at 190 Richmond Road that is not in the spirit of the City of Ottawa’s Neighbourhood Linear Commercial zoning and that is not consistent both with the existing business and residential character of Westboro Village”.

SUMMARY OF PUBLIC INPUTConcerns From Posting of the On-site Sign

1. The size of the store on the property should be smaller to fit in to the community, 50,000 square feet would be acceptable.
2. A smaller store would allow for a larger Greenway Linkage on the property.
3. The size of the store is more compatible with a District Linear Commercial Designation.

4. It should be determined whether or not the goals of the Island Park Drive/Kirkwood Traffic Calming Plan done for the area can be obtained as a result of this proposed development.
5. I am against any development that would result in any possible road widening as this would create subsequent problems for pedestrians crossing the street.
6. There should be less parking provided in favour of green space, even if the size of the store does not shrink.
7. This proposal does not serve the needs of the community.
8. The area is served by only two-lane streets, any traffic increase would be detrimental.
9. The entrances to the small commercial units are perpendicular to the street and therefore out of character with the shops along Richmond Road.
10. There are only four openings to the separate commercial uses, which means that the rest of the area along Richmond Road is dead space.
11. The small access point connecting the parking lot to Tweedsmuir Avenue should be closed. This laneway is not a street and is too narrow to accommodate two way traffic.
12. There should be more of a buffer between the abutting residential development along Tweedsmuir Avenue and the proposed development.
13. There is too much parking on site, which is inconsistent with the way parking is provided for other shops along Richmond Road. This parking impacts negatively along Tweedsmuir Avenue.
14. The Greenway Linkage proposed should be enhanced and positioned under the hydro corridor.
15. This proposal will decrease the property values of surrounding residents.
16. This proposal fails to consider traffic from Quebec.
17. The Official Plan states that changes to a road designation and character should improve residential livability and reduce the use of local roads by non-local traffic.
18. There should be more planting to attract birds and butterflies.
19. I would like to see less asphalt and more porous materials such as paving stones.

20. The city should take 5% land and not cash to enhance the parkland area and be used in conjunction with the linkage area.
21. How will people along Kirkwood Avenue opposite the site be able to use their driveways during construction?
22. How can we ensure that access to the separate commercial units do not get locked and blocked off.
23. This proposal will result in parking occurring on the street.
24. The proposed site plan is a waste of valuable urban land in close proximity to a transit station and a mature residential area. Parking covers about two thirds of the subject site. The parking should be reduced and the amount of residential increased.

Response to Concerns From the Posting of the On-site Sign

1. The allowable gross floor area of a use, in this case a retail food store, is a consideration of the concurrent rezoning application. This Site Plan Control Application will address such issues as landscaping and parking around the building which is to be constructed.
2. This site plan application contains a greenway linkage which the Department feels satisfies the relevant policies in the Official Plan.
3. It is the Department's opinion that the size of the store is compatible with the policies in the Official Plan relating to Neighbourhood Commercial Areas. This has been addressed through the concurrent rezoning application.
4. The Island Park Drive/Kirkwood Avenue Traffic Calming Plan was undertaken in an effort to decrease the speed of traffic on the subject roads. Modifications to the road were not intended to decrease volumes of traffic. Furthermore, it was not the mandate of the traffic calming study to consider future development, whether the subject proposal or the future development of any property.
5. The development will have a signalized intersection at McRae Avenue and Richmond Road. As well, the intersection of Kirkwood Avenue and Richmond Road is already signalized. The signalization of these intersections will provide a safe opportunity for people to cross the road.
6. The tenants for the separate retail properties have not been determined. Some of the uses permitted in the proposed zoning have large parking requirements. Consequently, although there is more parking than is required for a retail food store, this extra parking could be needed for other uses on the property.

7. The Westboro Business Employment Area is a commercial area intended to supply goods and services to residents of Westboro, as well as from elsewhere in the Region. The City cannot prohibit people who do not live in Westboro from visiting the subject site, nor from visiting any other store in the BIA.
8. The traffic study prepared for this development proposal indicates that the streets in the area can accommodate the expected traffic from the proposed development. These findings have been reviewed by City Staff, who concur.
9. It is the Department's position that the proposed "small" commercial units will complement the character of the Westboro Strip.
10. The building facade along Richmond Road is articulated and landscaped. This, coupled with the proposed commercial retail units along the street is expected to create an active streetscape along Richmond Road.
11. There is no access proposed from Tweedsmuir Avenue to the parking lot for the grocery store.
12. The Department has ensured a heavily landscaped strip area between the development and the homes on Tweedsmuir Avenue to provide an adequate buffer.
13. It is the Department's position that there is adequate parking being provided on site to meet the needs of the proposed retail food store and the separate commercial operations.
14. The Greenway Linkage is proposed to be heavily landscaped and positioned either directly under the Hydro Corridor, or immediately adjacent to the corridor.
15. The proposed development is not expected to decrease the property values of houses in the surrounding area.
16. The traffic study completed for this proposed development has taken into consideration that three percent of the people visiting the site will travel from Québec.
17. The use of local roads by non-local traffic as a result of the proposed development is not expected to be significant.
18. It is the Department's position that there is an optimal amount of planting on the site.
19. The Department has attempted to reduce the stormwater runoff coefficient where possible, through the use of landscaping and more porous materials.
20. The City will take land or cash-in-lieu of parkland in accordance with its needs.

21. Construction on the subject property is not expected to deny people across the street the use of their driveways.
22. A special condition has been included in this submission whereby the owner acknowledges and agrees that the outside doors to the separate commercial units shall not be blocked off and shall remain unlocked during regular business hours.
23. It is the Department's position that adequate parking is being provided on-site. Consequently, it is not expected to result in parking occurring on the surrounding streets.
24. It is the Department's position that the proposed development complies with the policies of the Official Plan relating to residential intensification.

Reasons in Favour from Posting of the On-Site Sign

1. Loblaws would be better than a large manufacturing plant than the present zoning permits.
2. It will be convenient.
3. It will be a great addition to Westboro.
4. The traffic in the area will not change much from this proposed development.
5. This will be great for the economy in the area, which has been in decline since the 70's.
6. This proposal will increase the possibility of employment for people in the area.
7. This proposal will increase the possibility of other development in the area, which will further increase the viability of the area.
8. We need this, we are under serviced.
9. I drive every day to other communities to shop, finally I will be able to do my shopping in Westboro.
10. Municipal Government should put an end to the obstructionism of an apparent minority of less than one percent and get on with approvals.

Concerns Over the Proposed Development Raised at the Public Meeting

1. Kirkwood Avenue might be a Regional Road, but it is not a four-lane road.

2. Since Kirkwood Avenue is built on clay, the vibrations from trucks will cause damage to houses.
3. The area looked at in the traffic study is too small.
4. Traffic in the area is already bad and this proposal will only make it worse.
5. Why not make this store similar in size to the one on Rideau Street.
6. The City has just incorporated traffic calming measures along Kirkwood Avenue, will it now do a complete turn-around and design the street for more traffic.
7. This proposal will destroy the quality of the neighbourhood.
8. I have a concern with the Ward Councillor already stating he is in favour of this application.
9. This proposal is not in keeping with the 1996 Light Industrial Zoning Study.
10. An Environmental Impact Analysis should be undertaken for this property.
11. The proposed store will first dwarf then obliterate many legitimate and useful businesses.

Response to Concerns Raised at the Public Meeting

1. Kirkwood Avenue is a Regional Arterial. The traffic study indicates that it can accommodate the traffic associated with the proposal. The study has been reviewed by the Regional Municipality.
2. Kirkwood Avenue is a designated truck route with a spring load restriction (half load).
3. While the area defined for the traffic study is consistent with the extent of area that would typically be examined for such a study, staff requested clarification on how the traffic study area for the proposed development relates to the identified market area. The pilot traffic calming measures implemented in the area are not focussed on reducing road capacities.
4. The traffic study and requested addendum undertaken for the proposed development indicates that there is sufficient capacity in the road network to accommodate the proposed development. The City generally concurs with these findings.
5. It is the Department's position that the size of the development proposed is

appropriate for the site.

6. As mentioned in this submission, the traffic calming measures implemented by the Region along Kirkwood Avenue were designed to slow the speed of traffic, not to reduce the road's ability to carry its expected volumes of traffic.
7. It is the Department's position that the proposed development will not be detrimental to the quality of the surrounding neighbourhood. Through the rezoning and Site Plan Control processes, the proposal is anticipated to enhance the Westboro area.
8. It is not uncommon for a Ward Councillor to present his or her views on proposed developments prior to its consideration at Committee and Council.
9. The Minor Rezoning Study of Industrial Lands in the Westboro Area, completed in 1996, did not have a recommendation for the subject lands. No recommendation for rezoning was presented at that time as it was felt that any potential zoning of this site be dealt with on an individual site basis.
10. The applicant has undertaken a Municipal Environmental Evaluation to the satisfaction of the City. The Site Plan Control application contains conditions by which to address any environmental concerns associated with the previous operation of the site, as well as with the proposed use.
11. While a marketing study completed for the proposed retail food store indicates that over the short term it will decrease the market share of similar stores, none of these is expected to close. This has been confirmed by a "peer review" of that study.

Reasons in Favour Raised at the Public Meeting

1. The commercial zone of Richmond Road is undergoing a positive change. This proposal will enhance this change.
2. This proposal will help recapture the spirit of activity - social and commercial - which has been lost in this particular part of the City.
3. This proposal will make shopping easier in the community.
4. I like the store and the size proposed.
5. The traffic volumes are quite reasonable.
6. This proposal will draw future desired development to the area.
7. We feel this development is best for the community as a whole.

8. If this property remains zoned industrial, who knows what we will get.
9. This proposal is much needed for Westboro.
10. Neighbourhood objections will quickly pass when the property is developed and used as proposed.
11. This proposal will create new jobs for residents of Westboro.

Westboro Beach Community Association

Simply put, the proposal is for a Regional-Scale Shopping Centre to be built in a residential neighbourhood.

In all this time, not one resident has expressed support for the proposal to any member of the WBCA Executive. Indeed, every comment received has been opposed to the project as proposed. The basic position of most residents is “We’d like a grocery store, but not something that big.

It is the position of the WBCA that the impacts of the proposal have not been adequately considered to date and certainly not to the degree required for a project of this magnitude. The only study to date has been by the applicant and the scope of the study has been far too narrow, in time and space.

The WBCA opposes the two applications for the following specific reasons.

Re-Zoning Application

The City Planning Department is breaking promises to the Community made during the M-1 Light Industrial Zoning Study of 1995-1996

1. The study is still recent and its raison d’être still valid - the appropriate zoning for the last remaining village heading west on Richmond Road - and the participants are still present in the community.
2. This study was the last and only time neighbourhood representatives were consulted on their vision for their community and they unanimously recommended that the property at 190 Richmond Road be rezoned 1/3 commercial and 2/3 residential.
3. However, the Planning Department unilaterally, without notice to the community representatives who had participated in the study in good faith, removed this community recommendation from its final report at the last-minute request of the owner Crain-Drummond, completely violating the public trust placed in these municipal public servants. This was their first promise broken.

4. The second promise broken is that none of the issues raised in the M1 Zoning Study, (i.e. need for a traffic study, the impact on the Westboro BIA, the need for other applications, including an Official Plan Amendment, the impact on the surrounding community and the need for extensive public input. To date, none of these issues has been studied sufficiently by the Department, given the huge size of the project.
5. Most particularly, the issue of “the need for public input” has not been addressed by the Planning Department. This is the third broken promise. Meetings hosted by the applicant or by politicians do not count.
6. Simply put, the Planning Department is treating the Loblaws application in isolation, not in relation to other current and proposed development in the immediate vicinity. Simply put, this approach runs contrary to good planning. The Department does not wish to consider the development of the Frieman Woodlot across the road. I suggest that a secondary plan be undertaken immediately to see how all the major developments in the area may be managed.
7. The City Planning Department is abdicating its professional and civic responsibilities by failing to make a comprehensive approach to the application.

Site Plan Application

1. The Traffic Impacts of the proposed development should be independently verified by the City. The traffic studies commissioned by the applicant are unrealistic and inconsistent with previous studies, both of local traffic conditions and projected demand and to comparable projects in other jurisdictions.
2. We recommend that Loblaws submit an enhanced traffic plan consistent with the area and computer modelling in the Traffic Calming Study (Braaksma Report). This is so we can compare apples with apples.
3. The impact of a major development at 190 Richmond Road will have to be factored into the pilot project for traffic calming.
4. The WBCA urges that Site Plan approval not be given to any project in the area until the necessary revisions have been made to the evaluation criteria.
5. The area for the Loblaws traffic study needs to be expanded. The WBCA requests that the traffic Study for the development include a reasonable scientific estimation of impacts in the entire “market area”
6. We recommend that the Loblaws traffic study outline the changes in traffic calming measures required to achieve the goals of the Traffic Calming Study and that this study be subject to peer review.

7. We recommend that the City conduct or commission independent traffic studies.
8. The assertion that the “main entrance” will be Richmond Road is nonsense.
9. Kirkwood will become an off ramp for the Queensway.
10. If this project goes ahead, Loblaws should be forced to expropriate at fair market value, properties on Kirkwood.
11. The parking lot will be the largest feature on the lot. The size of the lot should be reduced. This can be achieved by having underground parking.
12. Loblaws has misrepresented the facts by never stating the area that will be covered by asphalt and painting it sandy brown on the plan.

The Steering Committee of Island Park - Kirkwood - Churchill Traffic Calming Study

We have concerns that the integrity of the assessment of the traffic calming study will be compromised by the construction of the Loblaws site. We would like to see the assessment of the current traffic calming pilot study on Kirkwood Avenue completed before the site is developed.

We have concerns about the safety of the uncontrolled accesses on Kirkwood and Tweedsmuir.

The widening of Richmond Road and increased traffic causes concerns that pedestrians will have problems crossing the road. A pedestrian crossing sign should be added at the corner of Kirkwood Avenue and Richmond Road.

We feel that the incidence of cut-through traffic will increase.

Trucks entering the site from the Queensway will increase the congestion, due to the unsignalled entrance at Kirkwood Avenue. Kirkwood and McRae have load restrictions. When trucks are diverted this will place more traffic on Churchill and Richmond Road.

We would like to suggest that bicycle parking be installed at the rear of the store near one of the entrances. This area should be covered.

We would like to see all current traffic calming pilot project sites included in the traffic impact assessment of the Loblaws project. We recommend that other roadways in the area are considered for assessment of traffic impact created by the Loblaws Site.

Response to Comments From Concerned Community Groups

Of the two responses received by the Department, the site plan control concerns seemed to be concentrated towards that of traffic. A response to this concern is presented below.

Traffic and the Supporting Traffic Study

There is a concern within community groups that the traffic resulting from the proposed development will be detrimental to the existing roads in the area as well as to the surrounding residential neighbourhood. While it is a fact that the traffic in the area will increase, the traffic study completed by Delcan for the proposed development indicates that the roads in the surrounding area, as well as their intersections, will not be adversely affected. This result has been determined by looking at not only the effect of the proposed development, but also the potential development of other sites in the neighbourhood (i.e. the Crane Drummond Site). City staff have reviewed the study completed for this proposal on a professional basis and agree with the methodology as well as the results of the report.

Related to the concern of the impacts on the community from site-generated traffic is the effect the proposed development may have on the traffic calming measures along Kirkwood Avenue recently implemented by the Region, and the monitoring of these features.

While it is recognised that volumes of traffic in the area are of concern, it is important to note that the Island Park / Kirkwood / Churchill Area Traffic Calming Study does not include recommendations which are tied directly to volumes on any particular street, but it does include recommendations to address existing volumes (at the time the report was prepared), and proposed measures primarily intended to address the speed and the manner in which people drive. The report is silent on the issue of increases in traffic due to development of any kind in the area, as it was not undertaken to respond to development in the surrounding community. Rather, the traffic calming measures which have been implemented, as well as the ones intended for the northern portion of Kirkwood Avenue, will be completed, with the intent of slowing the speed of vehicles. Although traffic calming measures may in certain cases result in a reduction of traffic (or diversion of traffic), the measures on Kirkwood are not intended to reduce the volume of traffic that uses or is intended to use Kirkwood Avenue.

APPLICATION PROCESS TIMELINE

This application, which was submitted on November 22, 1999, was subject to a project management timeline, as recommended by the “A Better Way Task Force”, and a process chart which established critical milestones was prepared. A Mandatory Information Exchange was not undertaken by staff as the only Community Association indicating they required early notification was aware the application had been submitted. This application was originally submitted as a staff approval and was to be sent to the Director for consideration by February 17, 2000. However, delegated authority was removed and this submission is proceeding to the earliest Planning and Economic Development Committee

hearing, along with the concurrent zoning application.

DISABLED ISSUES ADVISORY COMMITTEE

Location of Handicapped Parking Spots

The two spots located behind the retail bldg No. 2 seem to be enclosed on two sides by a curb. There is a need for a curb cut to the right and rear of the spot on the west side. Alternatively the curb in front of these spots could be removed and a gradual slope created to permit easy access to the sidewalk from the parking spots.

Additional Curb Cuts

Curb cuts should be added to the sidewalk on the east side of proposed bldg #2 at the points (north and south) where it meets the entrance to the parking area behind this building. As well, cuts should be added to both sides of the concrete island to permit one to use it when crossing that intersection. There is a need for a curb cut at the termination point of the sidewalk development on Kirkwood Avenue.

Entrances to Building No.1 on Richmond Road.

It is desirable that the entrances be the same as that proposed for the Main Entrance namely that the entrance be at grade level and not sloped to permit access by those in wheel chairs.

Response to Concerns from Disabled Advisory Committee

There will be a depressed curb from the two parking spaces for persons with disabilities behind building number two to provide easy access to that building.

The entrance to building number one are intended to be at grade level.

Other Comments

The number and location of the handicapped parking spots have been well thought out and are appropriately placed to serve the needs of those with disabilities.

Councillor's Comments

Councillor Little has indicated that he is in favour of this proposal.

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City of
Ville d' **Ottawa**

March 6, 2000

ACS2000-PW-PLN-0015
(File: OZP1999/037)

Department of Urban Planning and Public
Works

Ward/Quartier
OT3 - Southgate

- Planning and Economic Development
Committee / Comité de l'urbanisme et de
l'expansion économique
- City Council / Conseil municipal

Action/Exécution

8. Zoning - 3170 Conroy Road Zonage - 3170, chemin Conroy

Recommendations

1. That an amendment to *Zoning By-law*, 1998, from R3F[217] to a new R3K exception zone, for those lands shown in Document 2, be **APPROVED**, as detailed in Document 3.
2. That an amendment to *Zoning By-law*, 1998, from R5A[644] H(10.7) to R5C[644] H(10.7), for those lands shown in Document 2, be **APPROVED**, as detailed in Document 3.
3. That an amendment to the R5C[644] H(10.7) zone designation of *Zoning By-law*, 1998 to include a public library as an additional permitted use be **APPROVED**, as detailed in Document 3.
4. That an amendment to *Zoning By-law*, 1998, from IL F(1.0) to R5C[644] H(10.7) for those lands shown in Document 2, be **APPROVED**, as detailed in Document 3.

March 7, 2000 (2:59p)

Edward Robinson
Commissioner of Urban Planning and Public
Works

PM:pmcd


Contact: Prescott McDonald - 244-5300 ext. 1-3854

March 8, 2000 (11:31a)

Approved by
John S. Burke
Chief Administrative Officer

Financial Comment

N/A.


 March 7, 2000 (11:37a)

for Mona Monkman
 City Treasurer

BH:cds

Executive Report

Reasons Behind Recommendation 1 and 2

An application has been received to amend the residential zonings for 3170 Conroy Road to accommodate reductions in lot width and yard setbacks for residential dwellings on what are currently vacant lands.

Official Plan Designations

The Regional Official Plan designation for the subject lands is “General Urban Area” which is intended to provide for a range of urban uses including residential development.

The applicable City of Ottawa Official Plan designation is “Residential Area” where the predominant land use is intended to be residential. The guiding principle contained within the “Strategic Approach” of the Official Plan’s Chapter 3.0, Housing Development and Residential Areas, directs developments to accommodate both present and future housing demands, to facilitate housing choice, to provide compatible development and to redevelop underutilized, and surplus lands. The proposed rezoning will conform to these statements in allowing the development of housing which is compatible to the existing residential development within phase 1 of the Hunt Club Enclave subdivision.

Conformity with Official Plan Policies

Applicable Official Plan Policy 3.6.2 k) directs that minor residential development occur along local and collector roadways, and on underutilised sites adjacent to developments which have been built at low or moderate intensities. The rezoning will conform with this policy statement, as it will facilitate the construction of the Johnston Road extension, which will be a collector arterial road; it will facilitate the construction of local residential streets internal to the site; and it will form part of the northerly extension of single-family housing within phase 2 of the Hunt Club Enclave Subdivision.

Additionally, applicable Official Plan Policy 3.6.2 l) provides factors to assess minor

residential development proposals. Factors for consideration include lot size, building height, mass and setback, and a consistent building orientation similar to that of adjacent development. This rezoning extends the applicable zone designations and exceptions of an existing development of low-density housing located immediately to the south of the property, and will enable development to occur in a manner consistent with the building orientation and setbacks of the adjacent development.

The applicant further requests that there be additional exceptions in the zoning relating to minimum lot widths for townhouse development and minimum side yard setbacks for detached dwellings. Regarding minimum lot width, the applicant is requesting the minimum width be reduced from 5.6 metres to 5.48 metres in order to reflect standard construction practices for townhouse development. It is felt that this reduction is minor in nature and recognizes that the minimum width of 5.48 metres accommodates a standard townhouse width. In the case of a side yard reduction for a detached dwelling, the exception will allow a setback for the garage portion of the dwelling unit to be a minimum of 0.9 metres. This is felt to be an appropriate performance standard given that the garage wall will be windowless, and as such will not result in intrusive views between the facing walls of two dwelling units. A reduction for a rear yard setback is recommended for detached, semi-detached and townhouses so as to reflect a similar performance standards applicable found elsewhere in the subdivision.

Reasons Behind Recommendation 3

This recommendation to permit a library as an additional permitted use is as a result of a previous subdivision approval which as a condition of approval required that 0.61 hectares of land within Block 6 of Plan 4M-977 be set aside for library purposes. Staff was also directed to investigate and report back to Planning and Economic Development Committee for the appropriate timing to amend the zoning to accommodate this land use. It is now felt that through this rezoning application, an amendment to the zoning is now appropriate.

Reasons Behind Recommendation 4

This recommendation is as a result of a previous Council directive to rezone the Hunt Club Enclave Phase 3 subdivision lands to residential pending the outcome of an investigation relating to the environmental sensitivity of the Conroy Swamp lands. The investigation has identified those lands that are environmentally significant and those lands now have been conveyed to the City as a nature reserve. As such it is now appropriate to proceed with the residential rezoning of the remaining lands.

Environmental Impact

The Municipal Environmental Evaluation Process (MEEP) checklist indicated no adverse environmental impact.

Consultation

Departments Consulted

All appropriate Department have been consulted and their comments have been considered in the preparation of this submission.

Public Input

Written comments from the general public and a local community association were received. These comments have been summarized and responded to in Document 5 of this report.

Disposition

1. Statutory Services Branch to notify the owner (Conroy Road Developments Inc., c/o Claridge Homes, 210 Gladstone Avenue, Ottawa, Ontario, K2P 0Y6), the Corporate Finance Branch, Revenue Section, Assessment Control Supervisor and the Region of Ottawa-Carleton, Plans Administration Division, of City Council's decision.
2. Office of the City Solicitor to forward the implementing by-law to City Council.
3. Department of Urban Planning and Public Works to prepare and circulate the implementing by-law.

List of Supporting Documentation

Document 1	Explanatory Note
Document 2	Location Map
Document 3	Zoning Details
Document 4	Municipal Environmental Evaluation Process Checklist (on file with City Clerk)
Document 5	Compatibility with Public Participation Policy/Input from Other Departments or Other Government Agencies

Part II - Supporting Documentation

EXPLANATORY NOTE

Document 1

THE FOLLOWING IS AN EXPLANATORY NOTE TO BY-LAW NUMBER -2000

An application has been received for residential zoning changes for 3170 Conroy Road. The purpose of the amendments is allow similar development configurations reflected within phase one of the Hunt Club Enclave subdivision. The lands affected by this application are shown on Document 3.

CURRENT ZONINGS

The current zone designations for the subject lands are R3F [217] and R5A [644] H(10.7). These are respectively low to medium density residential zone designations permitting detached, semi-detached, townhouse, duplex and triplex dwellings with the latter zone designation permitting multiple low-rise apartment dwellings.

PROPOSED ZONINGS

The applicant is requesting the lands be rezoned to new R3K exception zone and an amended R5C [644] H(10.7) zone. These are similar zone designations which will permit reductions in lot widths and side yard setbacks consistent with phase one of the Hunt Club Enclave. The new zoning and amended [644] exception will also introduce a new performance standard which will allow a minimum side yard setback of 0.9 metres versus 1.2 metres adjacent to a garage wall, and a minimum rear yard setback of 6.0 metres. Additionally, there will be a reduction in the minimum townhouse lot width from 5.6 metres to 5.48 metres. A public library has been introduced as an additional permitted use.

Staff has recommended a rezoning of a portion of the Hunt Club Enclave lands from IL to R5C [644] H(10.7). This recommendation is as a result of a previous Council directive to rezone the Hunt Club Enclave phase three subdivision lands to residential pending the outcome of an investigation relating to the environmental sensitivity of the Conroy Swamp lands. The investigation has identified those lands that are environmentally significant and those lands now have been conveyed to the City as a nature reserve.

Zoning Details

Proposed Amendment - Zoning By-law, 1998

1. That the provisions found in exception number [217] be incorporated into the R3K exception zone designation, as amended by the following:
 - i) to include a minimum yard setback of 7.0 metres for a lot abutting a L3A zone;
 - ii) to require a minimum side yard setback of 1.2 metres;
 - iii) to allow a minimum side yard setback of 0.9 metres for an attached garage of a detached house; and
 - iv) to require a minimum lot width for townhouses to be 5.48 metres; and

2. That the provisions for exception number [644], applicable to the R5C zone designation, be amended by the following:
 - i) to require a minimum front yard setback of 5 metres, except for stacked-townhouses and apartment dwellings;
 - ii) to require a minimum side yard setback of 1.2 metres, except for stacked-townhouses and apartment dwellings;
 - iii) to allow a minimum side yard setback of 0.9 metres for an attached garage of a detached house;
 - iv) to allow a minimum rear yard setback of 6.0 metres for detached, semi-detached and townhouses,
 - v) to require a minimum lot width for townhouses to be 5.48 metres; and
 - vi) to permit a public library as an additional use.

COMPATIBILITY WITH PUBLIC PARTICIPATION

Document 5

NOTIFICATION AND CONSULTATION PROCESS

Notification and consultation procedures were carried out in accordance with the Early Notification Procedure P&D\PPP\P&C #1 approved by City Council for Zoning Amendments.

SUMMARY OF PUBLIC INPUT

The South Keys/Greenboro Community Association stated that the side yards for each unit in the proposed development be a minimum of 0.9 metres in width.

The zoning amendment allows for a minimum side yard setback of 0.9 metres for the garage portion of a detached dwelling only.

General Public Comments:

The Department received numerous comments from the public regarding Block 4 which had been designated for a neighbourhood shopping centre use but is currently zoned industrial. The proposed zoning amendments for this application do not include these lands, however, these comments will be kept on file for information purposes. The follow comments were received from the public pertaining to this application:

1. Do not wish to see building lots narrower than 25 feet for detached dwellings.
2. Would oppose a zoning which allows a minimum building separation of 0.6 metres.

Response

1. The proposed zoning amendments allow for minimum lot widths of 9 metres or 29.5 feet.
2. The zoning amendment proposed would only allow for a scenario where a minimum 2.1 (approximately 6.9 feet) metres building separation could occur.

APPLICATION PROCESS TIMELINE STATUS

This application was received on October 29, 1999, and was subject to a project management timeline, as recommended by the "A Better Way Task Force Report". A process chart establishing critical milestones was prepared and circulated as part of the technical and early notification process. This application is proceeding as being processed within the recommended 100 to 135 day timeframe for this type of application.

INPUT FROM OTHER DEPARTMENTS OR GOVERNMENT AGENCIES

COUNCILLOR'S COMMENTS

Councillor Diane Deans provided the following comments:

Community members have advised that they are not in support of reduced lot widths and side yard setbacks. Altering the existing plans is unacceptable to the Hunt Club Enclave residents who chose the neighborhood to live in based on the current plan of subdivision. With the proposed reduced side yard setbacks, residents will have difficulty accessing their backyards.

Response

These concerns have been noted and responded to under “Summary of Public Input” above.

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March 10, 2000

ACS2000-PW-PLN-0016
(File: OLV1999/005)

Department of Urban Planning and Public
Works

Ward/Quartier
OT3 - Southgate

- Planning and Economic Development
Committee / Comité de l'urbanisme et de
l'expansion économique
- City Council / Conseil municipal

Action/Exécution

9. Subdivision - 3170 Conroy Road Lotissement - 3170, chemin Conroy

Recommendations

- 1 That following amendments to the existing City Council subdivision conditions pertaining to Plans of Subdivision 4M-995, 4M-996, and 4M-997, be **APPROVED**, and included in the draft approval of subdivision by the Region of Ottawa-Carleton, as follows:
 - a) That condition 4. c) be replaced with the following condition:
 - 4.c) i) The main park site is to be substantially completed in its entirety, to the satisfaction of the Commissioner of Community Services, by 15 October 2000;
 - ii) Soccer Field B must be sodded rather than seeded as per the approved park plan;
 - iii) Should City staff, upon inspection in spring 2000, consider Soccer Field A to be unacceptable for use during the 2000 playing season, such field must be re-graded and sodded as soon as conditions permit in spring 2000 whereupon the City will assume maintenance of the field should the required completed works be to the satisfaction of the Commissioner of Community Services. Acceptance of these works will be based on National Master Specifications after two field growth cuttings from a height of 60 millimeters to 40 millimeters.
 - b) That condition 1.15 a) xii) be replaced with the following condition:
 - xii) That the Registered Owner shall have completed the connecting street network between Lorry Greenberg Drive and the existing terminus of Johnston Road by May 31, 2000 to the satisfaction of the Commissioner of Urban Planning and Public Works and no further building permits shall be

issued at this date unless there are seasonal construction conditions which prevent the completion of the road connection, whereupon the Commissioner may extend the completion date to June 15, 2000.

Until the final width and design has been approved, the extension of Johnston Road from its existing western terminus, and that portion of Street Number 1 linking the Johnston Road extension to Lorry Greenberg Drive, shall be developed as a temporary road with a pavement width of 8.5 meters that is to be constructed at final elevations and centerline alignment without curbs. Notwithstanding the above, securities for the full cost of a permanent roadway with an 11 meter pavement width must be provided to the satisfaction of the Commissioner of Urban Planning and Public Works.

- c) That condition 6. b) be replaced with the following condition:
 - 6. b) Phase 2: Part Blocks 2 and 3, Blocks 4, 5, 6, 9, 10, 11, 12, and 13.
 - d) That condition 6. c) be deleted.
 - e) That condition 4. f) be replace with the following condition:
 - 4. f) That the sum of \$375,000.00 for costs of the baseball facilities constructed on part of Block "C", Registered Plan M-237 which is located across Lorry Greenberg Drive from the Greenboro Community Centre, shall be reimbursed to the City by the Registered Owner in the following manner:
 - i) Prior to the registration of phase 2 of the subdivision, the Registered Owner shall reimburse the City monies in the amount proportional to the land area of phase 1 to that of the total land area within the subdivision;
 - ii) Prior to the issuance of building permits within phase 2 of the subdivision, the Registered Owner shall reimburse the City monies in the amount proportional to the land area of individual subdivision block to that of the total area within the subdivision; and
 - iii) Not withstanding ii) above, the final owing monies shall be paid to the City no later than June 3, 2002, and if not, no further building permits will be issued until the outstanding monies have been paid.
2. That condition 1.26 b) be replaced with the following:
- b) Notwithstanding 1.26 a), the Registered Owner shall convey at no cost a minimum of 0.61 hectares of Block 6 to the City of Ottawa for the purpose of a public library use. The library land shall have frontage onto Street Number 1 to the satisfaction of the Commissioner of Urban Planning and Public Works. Should the Ottawa Pubic Library not require these lands at the time of Block 6 development,

the City of Ottawa shall offer the Registered Owner of Block 6 first right of refusal to purchase these lands at the market value established within six months of the registration of phase 2 and the proceeds from that purchase or an alternate purchase will be placed in the Library Reserve Fund.

3. That the authority to enter into an agreement addressing Hunt Club Enclave subdivision's required off-site roadway improvements be **APPROVED** as detailed in Document 3.
4. That City Council approve the forwarding of the City's position, as detailed in Document 4, to be included in the draft approval of subdivision by the Region of Ottawa-Carleton for the proposed draft plan of Block 9 and Part of Block 8 of Registered Plan 4M-997, dated October 18, 1999, and dated as received by the City of Ottawa on October 29, 1999, and as shown on Document 2.



March 13, 2000 (1:30p)

Edward Robinson
Commissioner of Urban Planning and Public
Works



March 13, 2000 (3:52p)

Approved by
John S. Burke
Chief Administrative Officer

PMCD:pmcd

Contact: Prescott McDonald - 244-5300 ext. 1-3854

Financial Comment

All costs shall be the responsibility of the owner / applicant. The Financial Security will be retained by the City Treasurer until advised that all conditions have been met and the security is to be released.



March 13, 2000 (9:35a)

for Mona Monkman
City Treasurer

BH:cds

Executive Report

Reasons Behind Recommendations

Background

This is an application submitted for 3170-3250 Conroy Road to amend previously approved City Council conditions of subdivision for Hunt Club Enclave and for the resubdivision of Block 9. The Hunt Club Enclave subdivision as currently approved is to be developed in three phases which consist of 13 residential blocks, plus one block proposed for commercial development and a final block to be developed as a City park. These associated lands are located west of Conroy Road, south of the CN Railway lines and marshalling yard, north of Lorry Greenberg Drive, and east of the Tapiola Drive residential area. The site has an area of approximately 71 hectares and construction for phase one is currently approaching completion.

Applicant's Requested Subdivision Amendment:

- To defer the requirement to complete the City park prior to commencement of phase 2 of the subdivision. The requested deferral is for a September 15, 2000 completion of Soccer Field B and August of 2001 for the completion of the remaining required City park works.
- To eliminate a phasing distinction between phases 2 and 3. The conditions associated with the third phase have been met, which called for an environmental assessment of the Turtlehead Nature Reserve (formerly known as Conroy Swamp). These lands have now been categorised as environmentally significant by the Natural Open Spaces Study (NOSS). Their boundary limits have been defined and land title transferred to the City of Ottawa.
- To amend the limit for issuing building permits within the phase 1 development to a total of 80% of the issuable permits. The applicant has indicated that, as a result of unexpected surge in housing demand within this subdivision, the 80% building permit threshold has been reached earlier than expected. The applicant wishes to continue development in both building road construction and expects the road to be asphalted by May of 2000.
- To reevaluate the subdivision's terms for payment of the off-site baseball facilities.

Rationale for Recommendations

Recommendation 1. a)

The recommended amending condition relating to the timing for the completion of the park meets with the Department of Community Services' objective in requiring that the recreational facilities be in place prior to when the majority of the residents have moved into the new subdivision. The Department of Community Services also recommends that Soccer Field "B" be sodded instead of seeded. This recommendation is as a result of, to date, the unsuccessful seeding of Soccer Field "A" which caused a delay in its usability.

Recommendation 1. b)

The Department can confirm that there is an increase in residential construction activity within the City of Ottawa as a result of rising housing demand. The Departmental recommendation is to require that the road construction be completed by June 15, 2000 at the latest. The spring completion dates will allow for winter road construction to be completed to the point of asphaltting in early spring when the asphalt plants open in May. The extended June 15th date has been recommended in order to accommodate a late opening of asphalt plants or particularly wet spring conditions should they occur. The Department does not see the need for residential construction delays as long as road construction is currently proceeding. As such, the revised subdivision condition now reflects the requirement for the road connection to be completed at the earliest possible date. Should this not occur, no further building permits will be issued after that date.

Recommendation 1. c)

The principal reasoning for distinguishing between subdivision phase 2 and phase 3 has been addressed. The logical build-out of the subdivision may now proceed with new construction conditions imposed through the resubdivision of blocks within the master subdivision that will ensure minimal construction activity impact to newly built sections of the subdivision.

Recommendation 1. d)

Condition 6.c) now becomes redundant by Recommendation 1.c).

Recommendation 1. e)

This recommendation has been made in order to divide the cost of the baseball facilities constructed off-site proportional to the block-by-block build-out of the subdivision. The recommendation ensures that the City will be reimbursed the owing monies by a set date while relieving of the developer from a one-time payment.

Recommendation 2

This recommendation has been made in order to clearly reflect the original intent of the subdivision condition. The modification of this subdivision condition ensures that the Ottawa Public Library will receive an intended benefit from the development of this subdivision.

Recommendation 3

Recommendation 3 implements a previous condition of subdivision approval requiring the applicant and the City of Ottawa to enter into an agreement relating to off-site roadway improvements under the jurisdiction of the City as recommended by a Traffic Impact Study.

The Traffic Impact Study undertaken for the Hunt Club Enclave Subdivision (February 1999) identified a need to upgrade Johnston Road from Albion Road to its eastern terminus east of Tapiola Crescent (east intersection) from its current two-lane rural cross-section to a full two-lane urban cross-section with an 11.0 metre pavement width. Based on this, staff advised the developer that the Transportation Agreement would include provisions requiring the developer to be responsible for all costs associated with this off-site improvement. The developer considered this requirement to be onerous and felt the cost for this upgrade should be shared on an equitable basis between the developers of the Hunt Club Enclave Subdivision, the developers of the property at 1555 Johnston Road and the City. The developer did indicate agreement to undertake interim improvements that would support use of this section of Johnston Road (west section) following the construction of Johnston Road within the Hunt Club Enclave Subdivision to Zaidan Drive and the completion of Zaidan Drive to provide a temporary road connection from the west section of Johnston Road to Lorry Greenberg Drive. The detailing of this agreement is described in Document 3. Council approval of this recommendation provides the authorization to enter into the agreement.

Staff are currently reviewing the position put forward by the developer and will continue discussions with the developer to obtain agreement on the developer's responsibility for upgrading the west section of Johnston Road to a full urban standard. As such, modifications to this Transportation Agreement will be raised at Planning and Economic Development Committee to incorporate additional provisions setting out the requirements for upgrading the western section of Johnston Road.

Recommendation 4

This recommendation is to approve the subdivision of Block 9 to accommodate the development of 52 detached dwellings subject to the conditions detailed in Document 4. The subdivision of Block 9 falls under a master subdivision known as Hunt Club Enclave and is subject to the associated City Council-approved conditions of that master subdivision. The subdivision of Block 9 forms part of a logical, orderly build-out of the Hunt Club Enclave lands. Block 9 is part of the Hunt Club Enclave phase 2 lands which require the implementation of a number of infrastructure developments and upgrades which will benefit the Hunt Club Enclave community under construction as well as the larger surrounding neighbourhood.

The following rationale relates to the specific subdivision conditions pertaining to Block 9:

Park

In development of Block 9, a concern was raised regarding the prospective homeowners' possible lack of knowledge of the pending park development and the location of its facilities abutting their rear yards, should residential development occur prior to construction of the park. This concern has been addressed by adding a

subdivision condition to ensure adequate notice is given to prospective home purchasers that there will be a City park abutting their property. As noted earlier in this report, the park is planned to be completed by October 15, 2000.

Pedestrian Link

This is a follow-up condition from a previous Site Plan Control approval. This condition to be incorporated into the subdivision approval now contains a more specific time by which the required works must be completed.

Construction Vehicles

This condition limits the access of construction vehicles to areas within the subdivision under construction, and implements performance standards by which construction-related debris must be cleaned from surrounding area streets.

Environment

These conditions reiterate and/or implement previously approved environmental conditions by relating the condition to a building or occupancy permit.

Environmental Impact

The Municipal Environmental Evaluation Process (MEEP) checklist indicated no adverse environmental impact.

Consultation

All appropriate Departments were circulated on this matter and their comments have been incorporated into this report.

Public Input

A number of comments were received from the public relating to park and road construction, and to the development of this subdivision, all of which have been responded to in Document 6 of this report.

Disposition

1. Department of Corporate Services, Statutory Services Branch to notify the agent (210 Gladstone Avenue, K2O 0Y6) and the Region of Ottawa-Carleton, Development Approvals Division, of City Council's decision.

2. Office of the City Solicitor to prepare the amending Subdivision Agreement.

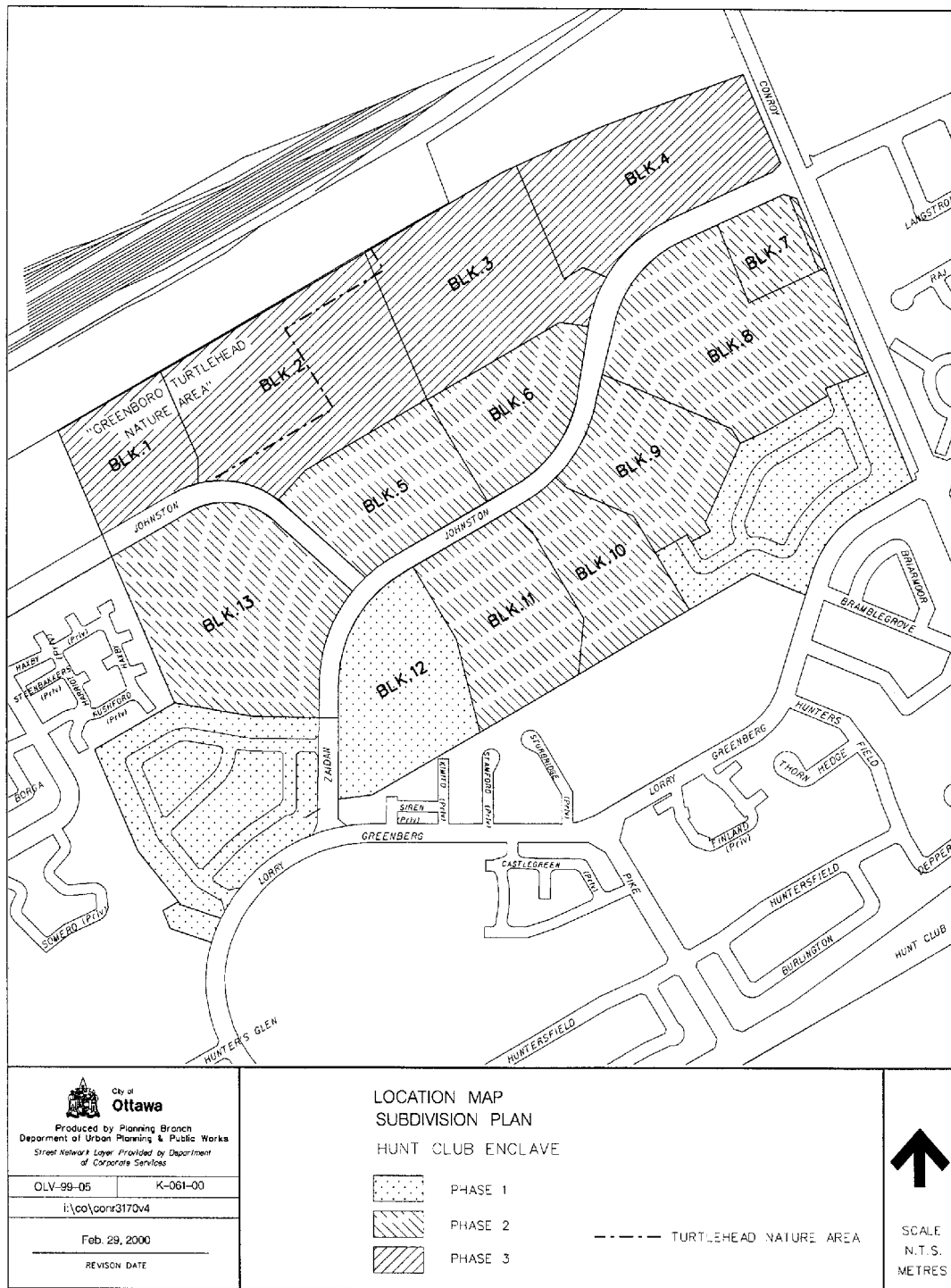
List of Supporting Documentation

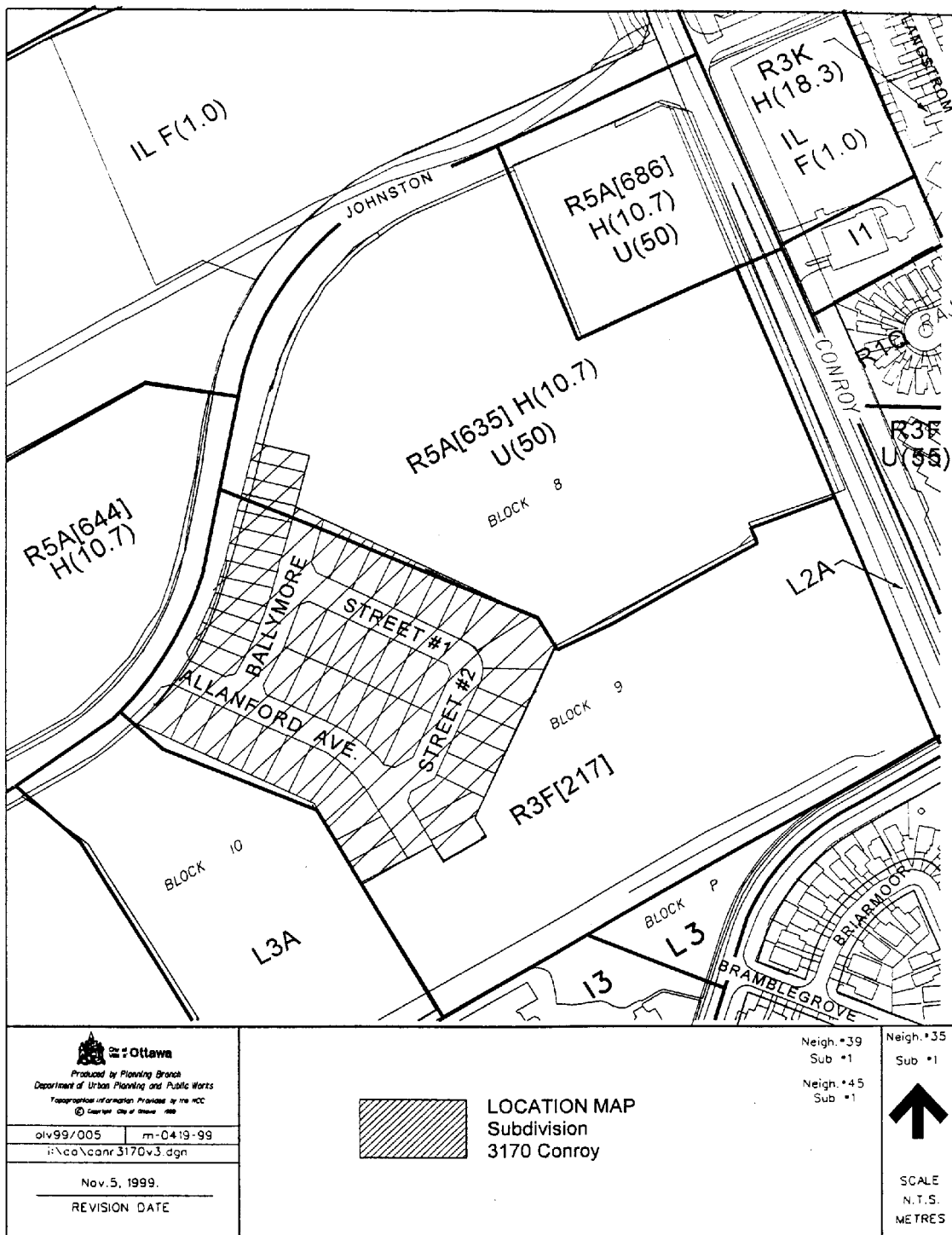
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|------------|----------------------------------------------------------------------------------------------------------|
| Document 1 | Location Plan - Hunt Club Enclave General |
| Document 2 | Location Plan - Hunt Club Enclave - Block 9 |
| Document 3 | Transportation Agreement |
| Document 4 | Block 9 Subdivision Conditions |
| Document 5 | Municipal Environmental Evaluation Process Checklist (on file with City Clerk) |
| Document 6 | Compatibility with Public Participation Policy/Input from Other Departments or Other Government Agencies |

Part II - Supporting Documentation

Location Plan - Hunt Club Enclave General

Document 1





Hunt Club Enclave Transportation Agreement

Preamble

Pursuant to Section 4.7(a) and (b) of the Hunt Club Enclave Subdivision Agreement between Claridge Homes, hereinafter referred to as the “Subdivider”, and the City of Ottawa, hereinafter referred to as the “City”, the Subdivider is required to enter into a Transportation Agreement with the City to detail requirements for transportation works that the Subdivider will be responsible for and that are to be undertaken as part of Phase 2 of the Hunt Club Enclave Subdivision, hereinafter referred to as the “Subdivision”.

The transportation works that the Subdivider will be responsible for deal with Zaidan Drive and Johnston Road within the Hunt Club Enclave Subdivision and with Johnston Road between Albion Road and the western boundary of the Hunt Club Enclave Subdivision (off-site). For purposes of this agreement, Johnston Road is divided into three sections that will be referred to as follows:

- “west section” - for that portion of Johnston Road generally from Albion Road to its existing terminus east of Tapiola Crescent (east intersection)
- “central section” - for that portion of Johnston Road within the Subdivision from the existing terminus of Johnston Road east of the Tapiola intersection (east intersection) to Zaidan Drive
- “east section” - for that portion of Johnston Road within the subdivision from Zaidan Drive to Conroy Road.

Agreement

1. The Subdivider agrees to be responsible for all costs associated with the design and construction of the following transportation system related works and agrees to complete these as set out in this agreement in accordance with municipal standards and to the satisfaction of the Commissioner of Urban Planning and Public Works:

1.1 Upgrade the west section of Johnston Rd to:

- a) provide interim improvements so as to provide a safe and functional roadway for the level of traffic anticipated as a result of the construction of the central section of Johnston Road and the completion of Zaidan Drive to provide a road link to Lorry Greenberg Drive. The specific improvements that will be required are to be as determined through a study to be undertaken by a geotechnical engineer that assesses the current condition of the road including sub-surface conditions. This study and the interim road improvements identified shall be to the satisfaction of

the Commissioner of Urban Planning and Public Works.

1.1.2 Specific requirements and timing for the study and implementation of interim improvements shall be in accordance with the following:

- The study to assess the current condition of the road including sub-surface conditions and to determine the nature of works required for the interim improvements shall be undertaken by a professional geotechnical engineer, and the final study report, satisfactory to the Commissioner of Urban Planning and Public Works, shall be submitted no later than May 22, 2000. The geotechnical field testing for this study shall be completed by May 1, 2000.
- The interim improvements shall be undertaken immediately following acceptance by the Commissioner of Urban Planning and Public Works of Works identified for the interim improvements by the study noted in a) above and shall be completed to the satisfaction of the Commissioner of Urban Planning and Public Works to generally coincide with the completion of the temporary road link to be constructed for the central section of Johnston Road and for Zaidan Drive.

1.2 Construction of Central Section of Johnston Road within the subdivision to:

- a) provide a full two lane urban cross section with an 11.0 metre pavement width, concrete curbs, catch basin and other works as per City standards;
- b) provide a 1.5 metre centre median extending not less than 10 metres (subject to final design) north of the Johnston Road/Zaidan Drive intersection;
- c) provide a 1.5 metre sidewalk along both sides of the street with a 3.0 metre outer boulevard (between curb and sidewalk) as per the City's CR-98 for collector roads; and
- d) identify with line painting the road centre line, and at the discretion of the City, east and west bound dedicated bicycle lanes.

1.2.1 Specific requirements and timing for these works shall be in accordance with the following:

- a) the Subdivider shall provide a temporary road link extending from the west section of Johnston Road to Zaidan Drive within the Johnston Road right-of-way consisting of an 8.5 metre cross-section at final elevations and centerline alignment, without curbs by May 31, 2000, subject to favourable weather conditions and to the satisfaction of the Commissioner of Urban

Planning and Public Works.

- b) Prior to constructing the Johnston Road approach to Zaidan Drive to provide for the temporary road link as set out in 2.1 (above), the Subdivider shall have prepared by a professional transportation engineer a general design for the Johnston Road/Zaidan Drive intersection that may provide for a more continuous road alignment for Johnston Road (with Zaidan Drive being the minor approach intersecting with Johnston Road) to the satisfaction of the Commissioner of Urban Planning and Public Works. Following acceptance of the general design, functional design drawings for this intersection shall be submitted for approval by the Commissioner of Urban Planning and Public Works. The functional design drawings must identify details of the roadway geometrics (turning radii, roadway alignment, tapers), details related to the centre medians to be provided for all three approaches, and details of the lane widths/ markings to be provided.
- c) All works and actions required along the central section of Johnston Road adjacent to each residential block must be completed within one year of the issuance of the first building permit for a residential development within the adjacent residential block.
- d) Should it be determined through the intersection design work required as per 2.2 above, that additional right-of-way lands will be required for the Johnston Road/Zaidan Drive intersection, the Subdivider agrees to convey to the City any such lands as part of the Johnston Road and/or Zaidan Drive right-of-way.

1.3 Completion of Zaidan Drive from Johnston Road to Lorry Greenberg Drive to:

- a) provide a full two lane urban cross-section with concrete curbs, catch basins, and other works as per city standards and a 10.0 metre pavement width that widens to 11.0 metres at the approaches to Johnston Road and Lorry Greenberg Drive to provide for centre medians at the approaches to these intersections;
- b) provide 1.5 metre centre medians extending not less than 10.0 metres (subject to final design) north of the Lorry Greenberg Drive intersection and not less than 10.0 metres (subject to final design) west of the Johnston Road intersection;
- c) provide a 1.5 metre sidewalk along both sides of the street with a 3.0 metre outer boulevard (between curb and sidewalk) as per the City's CR-98 for collector roads; and
- d) identify with line painting the road centre line.

1.3.1 Specific requirements and timing for these works shall be in accordance with the following:

- a) the Subdivider shall provide a temporary road link between Johnston Road (where it is to intersect with Zaidan Drive) and the existing section of Zaidan Drive where it terminates at Margrave Avenue within the Zaidan Drive right-of-way consisting of an 8.5 metre cross section at final elevations and centreline alignment, without curbs by May 31, 2000, subject to favourable weather conditions and to the satisfaction of the Commissioner of Urban Planning and Public Works.
- b) prior to constructing the Zaidan Drive approach to Johnston Road to provide for the functional road link as set out in 1.2.1a) (above), the Subdivider shall submit functional design drawings of the Johnston Road/Zaidan Drive intersection as set out in 1.2.1b) above.
- c) prior to completing the Zaidan Drive approach to Lorry Greenberg Drive in its final form with concrete curbs and a centre median, the Subdivider shall submit functional design drawings of the Zaidan Drive/Lorry Greenberg intersection for approval by the Commissioner of Urban Planning and Public Works that identifies details of the roadway geometrics (turning radii, roadway alignment, tapers), details related to the centre median to be provided, and details of the lane widths/ markings to be provided.
- d) all works and actions required along Zaidan Drive between its existing terminus at Margrave Avenue to Johnston Road adjacent to each residential block must be completed within one year of the issuance of the first building permit for a residential development within the adjacent residential block.

1.4 Construction of the east section of Johnston Road within the subdivision to:

- a) provide a full two lane urban cross section with concrete curbs, catch basins, and other works as per City standards with an 11.0 metre pavement width that widens out to an appropriate width and lane arrangement at the approach to Conroy Road. This will be determined through the functional design drawings required for this approach as set out in 1.4.1b) below;
- b) provide a 1.5 metre centre median extending not less than 10 metres (subject to final design) north of the Johnston Road/Zaidan Drive intersection;
- c) provide a 1.5 metre centre median extending west of the Johnston Road/Conroy Road intersection. The length of this median shall be determined in consultation with the Region;

- d) provide a 1.5 metre sidewalk along both sides of the street with a 3.0 metre outer boulevard (between curb and sidewalk) as per the City's CR-98 for collector roads; and
- e) identify with line painting the road centre line, and at the discretion of the City, east and west-bound dedicated bicycle lanes.

1.4.1 Specific requirements and timing for these works shall be in accordance with the following:

- a) All works and actions required along the east section of Johnston Road adjacent to each residential or commercial block must be completed within one year of the issuance of the first building permit for development within the adjacent block.
- b) Prior to constructing the Johnston Road approach to Zaidan Drive to provide for the temporary road link as set out in 1.4a) (above), the Subdivider shall submit functional design drawings of the Johnston Road/Zaidan Drive intersection for approval by the Commissioner of Urban Planning and Public Works as set out in 1.2.1b) above.
- c) Prior to completing the Johnston Road approach to Conroy Road in its final form with concrete curbs and a centre median, the Subdivider shall submit functional design drawings of the Johnston Road approach to Conroy and of the Johnston Road/Conroy Road intersection for approval by the Commissioner of Urban Planning and Public Works and the Region that identifies details of the roadway geometrics (turning radii, roadway alignment including alignment with Johnston Road east of Conroy, tapers), details related to the centre median to be provided, and details of the number of lanes, lane widths, and markings to be provided. Also, any required modifications to the traffic control signal at this intersection shall be identified.

2. In addition to identifying interim improvements, the study to be undertaken as per 1.1 shall also determine the nature of works that will be required to have the west section of Johnston Road developed to a full urban cross-section with an 11.0 metre pavement width, concrete curbs, catch basins and other works as per City standards. This will serve to define the details related to responsibilities and timing for upgrading this section of Johnston Road to a full urban cross-section.

City Conditions for Subdivision Approval

The City has no objection to the amended draft approval of subdivision for Block 9 and Part of Block 8 of Registered Plan 4M-997, dated October 18, 1999, and dated as received by the City of Ottawa on October 29, 1999, subject to the following conditions:

1. a) That the Registered Owner provide a Draft Plan of Subdivision for Block 9, prepared by an Ontario Land Surveyor, including all required amendments contained herein, prior to the City signing the Subdivision Agreement.
- b) That the Registered Owner develop the property in accordance with the requirements of Part 1 of the City of Ottawa Subdivision Policy, except as otherwise amended herein.

Park

2. That the Registered Owner shall place a notice on the title of the lands abutting and in the vicinity of the City park indicating that the activities (soccer fields, play equipment, etc.) within the park may be an annoyance to the enjoyment of their outdoor amenity areas, and that prior to the sale of those lands, the Registered Owner shall additionally inform each prospective purchaser in writing of these conditions, which shall then be acknowledged in writing by the prospective purchaser.

Pedestrian Link

3. Prior to the issuance of occupancy permits within Block 9 and subject to the successful road closure between Allanford Avenue and Lorry Greenberg Drive, the Registered Owner shall have completed the required works associated with the pedestrian link between Allanford Avenue and Lorry Greenberg Drive to the satisfaction of the Commissioner of Urban Planning and Public Works.

Construction Vehicles

4. That the Registered Owner shall undertake the following measures during the construction of any development within Block 9 of the proposed subdivision:
 - a) That construction vehicle access to development within Block 9 be limited to a single direct vehicular access from Johnston Road via Conroy Road;
 - b) That parking for construction vehicles be limited to streets within Block 9 only;
 - c) i) That the Registered Owner shall be responsible for the cleaning, to include scraping and washing, of those opened, travelled portions of Johnston Road and Zaidan Drive a minimum of once a week, or as deemed necessary, to the

- satisfaction of the Commission of Urban Planning and Public Works;
- ii) That the Registered Owner is required to remove all spill, dirt, mud, stone or other transported material from all roads at the end of each day during construction. However, should this material at any time pose a hazard to vehicles or pedestrian, the Registered Owner shall clean the road immediately. In the event of a dispute, the Commissioner of Urban Planning and Public Works, or his designate, will be the judge of what constitutes a hazard. In the event that the material is not removed as required, it may be removed by the Commissioner at the expense of the Registered Owner.

Environment

5. a) That prior to the issuance of a building permit, the Registered Owner shall provide the approved site grading plan for Block 9 of Registered Plan 4M-997 to the Manager of the Environmental Management Branch in order to determine the viability of tree preservation within this subdivision block. Should tree preservation be warranted, the Registered Owner shall implement tree preservation measures prescribed by the Environmental Management Branch and provide a tree compensation deposit in an amount acceptable to the Branch. This compensation deposit shall be retained for a period of three (3) years during which time the deposit is non-retrievable, unless otherwise determined by the Manager of the Environmental Management Branch.
- b) That all conditions as approved in the original subdivision agreement dated March 5, 1998 and registered in the Land Titles Office as Instrument Number 1113596 on April 1, 1998, still apply.
- c) That the Registered Owner agrees to prepare an erosion and sediment control plan to the satisfaction of the Commissioner of Urban Planning and Public Works, appropriate to site conditions prior to the issuance of a building permit for Block 9, and prior to undertaking any site alterations (filling, grading, removal of vegetation, etc.) and during all phases of site preparation and construction in accordance with current Best Management Practices for Erosion and Sediment Control.
- d) That the Registered Owner acknowledges and agrees to implement and monitor the approved Erosion and Sediment Control Plan during all phases of site preparation and construction to the satisfaction of the Commissioner of Urban Planning and Public Works.
- e) The Registered Owner acknowledges and agrees that any alterations to McEwen Creek will require approval from the Rideau Valley Conservation Authority under "Alterations to Waterway Regulations" made under the Conservation Authorities Act (O.R. 166/90). (Contact: Glen McDonald, Rideau Valley Conservation

Authority, 692-3571, extension 133).

- f) The Registered Owner agrees that no alterations, diversions or enclosure of McEwen Creek will occur between March 15th and June 3rd, to ensure discharges will not occur which would contravene Sections 35 or 36 of the Canada Fisheries Act. (Contacts: Deborah Irwin, Environmental Management Branch, extension 3000, Glen McDonald, Rideau Valley Conservation Authority, 692-3571, extension 133)

NOTIFICATION AND CONSULTATION PROCESS

Notification and consultation procedures were carried out in accordance with the Early Notification Procedure P&D/PPP/N&C #7 approved by City Council for Subdivision Approvals.

SUPPLEMENTAL NOTIFICATION AND CONSULTATIONSUMMARY OF PUBLIC INPUT

Community Association

The following is a summary of the South Keys/Greenboro Community Association comments:

1. There was a concern expressed that they had not received a copy of a letter from the applicant to the City, which was in effect an addendum to the original amending subdivision application. The addendum affects the association's original comments on the application. The association is concerned that a revision to the association's original comments would not be considered if submitted after the date set by the City for receipt of comments.
2. The combining of phases 2 and 3 will not guarantee build-out of the subdivision occurring in an orderly fashion.
3. The lands adjacent to the Conroy Swamp lands (now the Greenboro Turtlehead Nature Area should be left undeveloped for as long as possible.
4. The phase 3 lands which are adjacent to the Canadian National Railway (CN) lands should not proceed until the CN objections to a neighbouring residential subdivision have been resolved.
5. The association strongly opposes a commercial rezoning of Block 4 located at the northwest corner of Conroy and Johnston Roads.
6. The association supports the position of the Community Services Department to require the City park to be completed by September 15, 2000.
7. The association recommends that construction traffic should be restricted as much as possible within the newly constructed portions of the subdivision.

Response:

1. It was the City's understanding that the referenced addendum had been forwarded to the community association through the Ward Councillor's office. It is the Department's policy to consider all comments relating to development applications up until the signing-off of the staff report. Should additional comments be received after that sign-off date, the Department would be then provide copies of those comments to the Planning and Economic Development Committee members.
2. It is the Department's position that the development of this subdivision will occur in an orderly manner with the proposed second and final phase of the subdivision by, in part, limiting construction activity to the partially constructed collector roads within the subdivision. Additionally, future subdivision applicants for phase 2 residential blocks will incorporate conditions which will limit construction activities specifically to those blocks, ensuring minimal disturbances to the newly development portions of the subdivision.
3. There are conditions in place which protect the newly defined "nature area", and which will be further refined when a site-specific development is proposed within the adjacent residential blocks. It is felt that these will provide sufficient measures to ensure protection of the area in question.
4. This subdivision received approval from the Region of Ottawa-Carleton which was responsible to circulate CN in 1994. Should CN, at this date, have an objection to residential development occurring within this part of the subdivision, it will have an opportunity to appeal a residential rezoning when notice of such a zoning amendment is provided in accordance with the Planning Act.
5. This commercial rezoning will be reviewed as a separate application. The City has yet to received a commercial development proposal for consideration in a zoning review of this block.
6. The Department of Community Services has subsequently agreed to an amending subdivision condition requiring the completion of the park by October 15, 2000.
7. This concern has been responded to in 2.) above.

Public Comments

1. A number of comments were received to require the park's completion prior to proceeding with phase 2 of the subdivision.
2. The collector roads should be completed as a condition of phase 2.
3. The phasing of the subdivision should reflect the orderly build-out of the subdivision as currently proposed.

4. Phase 2 should be able to proceed right away and not delay the completion of the subdivision build-out.

Response:

1. The subdivision is recommended to be amended setting a October 15, 2000 completion date for the park. This amendment addresses an earlier than expected build-out of phase one of the subdivision and ensures that the park will be completed within a reasonable time period for the new home owners.
2. The City expects that these collector roads will be completed as a condition of a second subdivision application for a residential block within phase two.
3. The principal condition of the swamp which distinguished development from proceeding phase two and three has now been addressed. It is felt that existing master subdivision conditions now in place and proceeding ones which can be imposed through the resubdivision of the remaining residential blocks will ensure the orderly build-out of the overall subdivision.
4. The staff recommendations contained within this report are structured so as to minimize delays for the subdivision to proceed while ensuring that all the intended performances and obligations of the subdivision have been met.

APPLICATION PROCESS TIMELINE STATUS

This Application which was submitted on November 26, 1999, was subject to a project management timeline, as recommended by the "A Better Way Task Force Report". This application was not processed within the 106 to 129 calendar day timeframe established for the processing of subdivision applications.

INPUT FROM OTHER DEPARTMENTS OR OTHER GOVERNMENT AGENCIES

COUNCILLOR'S COMMENTS

Councillor Diane Deans provided the following comments:

1. The original agreement between the community and the developer stipulates that the development of the Hunt Club Enclave land be capped at 1,500 residential units. Please ensure that any amendment of the subdivision agreement and the re-zoning will not permit the construction of residential units in excess of this number.
2. I am opposed to the request for a change in phasing of the development. Phasing of the Hunt Club Enclave land was previously approved to ensure that orderly development take place within specified blocks of land; and that new home owners should not be

forced to live in an area under construction for extended periods of time.

Only a few short years ago when the housing market was experiencing a decline in sales, the construction of streets, the installation of curbs and street lighting in new housing areas were not completed within a reasonable period of time. In some cases home owners had to wait up to five years after the first occupancy permit was issued by the City before the curbs, final coat of asphalt and street lighting were installed. These residents, frustrated with the slow home sale market, vented their frustration on city hall with calls to the engineering and works department and councillor's office demanding that the outstanding work be completed.

At the present time, combined phasing may appear to be a viable option, but should the housing market change, home buyers should have a clear commitment from the City when they can expect the work on their streets to be completed. Phasing of the development of blocks of land will ensure that sporadic development does not occur.

3. I am emphatically opposed to a large scale commercial development on the north-west corner of Johnston and Conroy Roads. Although this land is currently zoned industrial, I will not support a commercial development on this site. Residents who purchased their homes had no knowledge of this proposal; and when asked their views on the idea by the developer's representative they unanimously advised that they would not support the commercial development concept.
4. Phase 3 of the development is situated in close proximity to the railway marshalling yards. Please provide me with Canadian National's comments on the proposal to combine phase 2 and 3e of the development.
5. A large tract of undeveloped land in Southgate Ward is located to the south of the Canadian National railway marshalling yards and tracks. A section of this track is located north of the Hunt Club Enclave land. In response to community comments on what is considered the most appropriate use for the land, I request the Department of Urban Planning and Public Works undertake a West Conroy zoning review. Please incorporate the study in the Department of Urban Planning and Public Works' year 2001 work plan.
6. A previous subdivision condition required that once 80 percent of the building permits for phase 1 of the Hunt Club Enclave lands were issued, a section of roadway from Johnston Road west be constructed to meet the Zaidan Drive connection to Lorry Greenberg Drive. The road should have been constructed in the fall of 1999 but it was not. This section of roadway should be constructed no later than June 15, 2000.
7. Should the combined phasing be approved, then a condition of the merging of the phases should require the developer to complete the other main road linkages by June 15, 2001, including Johnston Road, west of Conroy to Zaidan Drive.

8. Construction traffic should not be permitted on Lorry Greenberg Drive and should be required to service the land by means of the internal road system.
9. Please ensure that the wording for the library condition 1.26 a) clearly specifies the original intent of committee and council that land in block 8 (the blocks have been re-assigned new numbers) be conveyed to the City of Ottawa for the purpose of a south end library branch, but specifically noting that this land will be conveyed to the city even if it is not chosen as the site for the new Ottawa Public Library branch. Members of my community have long believed that if that site is not chosen, proceeds from its sale would be deposited into the South End Library Reserve account.
10. It would seem reasonable that the park be built in accordance with the original subdivision agreement conditions that were in place when Hunt Club Enclave residents purchased their homes. Residents have overwhelmingly advised me that they are not prepared to accept a delay in the construction of the neighbourhood park. They purchased homes in the area with certain expectations, one being that the park would be completed in the year 2000, and they expect that the work will be done by that date.

In addition, the park should be constructed prior to the sale of the homes that border the property, allowing residents to fully appreciate the park design prior to their home purchase.

Response:

1. The City of Ottawa was not party to this agreement, nor has this side agreement ever received City Council consideration to implement its intent. However, it should be noted that a review of the current development patterns occurring within the subdivision suggests that the projected density for the subdivision's build-out will fall short of the 1500 dwelling units, thereby respecting the agreement between the applicant and the community.
2. The conditions for subdivision approval of Block 9 will adequately address the concern relating to construction activities and will be a condition for consideration in the future resubdivision of blocks within Hunt Club Enclave. The future development of land will occur on a basis, requiring separate subdivision applications, which will ensure incremental versus wide-scale development within the subdivision.
3. The future commercial development of Block 4 will be re-examined when a plan of development has been received by the City. It is the Department's understanding that the original intention for a neighbourhood commercial plaza is being re-assessed by the applicant.
4. It is the responsibility of the Region of Ottawa-Carleton to circulate Canadian National Railways for comment. It should be noted that the phasing amendment to the Hunt Club

Enclave subdivision does not in itself substantially change the manner in which the subdivision will be built-out as originally approved by the Region. The proposed amending subdivision, as it relates to phase 3, does however incorporate a previous subdivision directive to conduct an environmental study of the Conroy Swamp and act upon the study's recommendations. Only in so far as distinguishing residential and swamp lands, has the subdivision has been altered.

5. The lands in question did form part of the original subdivision lands which were conveyed to the Region for the future construction of Inner Provincial Highway By-pass. Subsequently the By-pass has been removed from the Region's Official Plan and the lands are now considered surplus. However, there is a disposal freeze that has been placed on the lands by the Region until such time as it has been determined whether there will be a need for a grade separation between Conroy Road and the railway crossing. As such, a zoning/land use study would be premature at this time until the configuration of the railway crossing has been finalized.
6. Recommendation 1.b) amends the required date for the completion of the road to May 31, 2000, with the possibility of extending the completion date to June 15, 2000.
7. A pending subdivision application for another residential block within phase two will address the timing for the completion of Johnston Road to Conroy Road.
8. The amending conditions for subdivision of Block 9 remove Lorry Greenberg Drive as a means for construction vehicle access.
9. Recommendation 2. requires that the lands in question be conveyed to the City for the library.
10. Recommendation 1.a) requires that the park be completed by October 15, 2000.



March 6, 2000

ACS2000-PW-PLN-0017
(File: TSB1999/007)

Department of Urban Planning and Public
Works

Ward/Quartier
OT3 - Southgate

- Planning and Economic Development
Committee / Comité de l'urbanisme et de
l'expansion économique
- City Council / Conseil municipal

Action/Exécution

10. Street Closure - Lorry Greenberg Drive/Allanford Avenue

Fermeture de rue - Promenade Lorry-Greenberg/Avenue Allanford

Recommendations

1. That the application to close the roadway linkage between Lorry Greenberg Drive and Allanford Avenue, as shown on Document 1, be **APPROVED**, subject to the following conditions and that the closing be undertaken by By-law:
 - a) That prior to enactment of the closing by-law, the applicant shall provide the following material to the satisfaction of the City Solicitor:
 - i) a plan of survey showing the roadway link to be closed and the lands to be conveyed to all parties, as well as any utility easements;
 - ii) draft deed(s) of conveyance of all lands to be conveyed, ready for execution by the Mayor and City Clerk on behalf of the City;
 - iii) registration of all documents and the costs thereof.
 - b) That the closing by-law not be forwarded to Council unless and until Conroy Road Developments Incorporated files a letter with the City Solicitor acknowledging that any zoning violation which may result from the closure will be the affected property owner's responsibility to remedy.
 - c) That the portion of the street to be closed and its 30 centimetre reserve be offered to Conroy Road Developments Incorporated at the price of one dollar (\$1.00).
 - d) That the closing of the street be contingent upon acceptance by Conroy Road Developments Incorporated at the price of one dollar (\$1.00).
 - e) That a 30 centimetre reserve be reestablished adjacent to Lorry Greenberg Drive.

2. Should the conditions of this report not be fulfilled within one year of approval by City Council, the recommendations of this report shall become null and void.



March 7, 2000 (2:42p)

Edward Robinson
Commissioner of Urban Planning and Public
Works

PMCD:pmcd

Contact: Prescott McDonald - 244-5300 ext. 1-3854

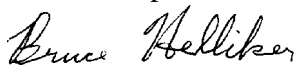


March 8, 2000 (11:35a)

Approved by
John S. Burke
Chief Administrative Officer

Financial Comment

Subject to City Council approval, costs for legal, survey and registration requirements will be charged to the applicant. Recommended sale revenue of \$1.00 will be credited to the General Capital Reserve.



March 7, 2000 (11:33a)

for Mona Monkman
City Treasurer

BH:cds

Executive Report

Reasons Behind Recommendations

Background

The roadway linkage between Lorry Greenberg Drive and Allanford Avenue was created in order to temporarily access a portion of phase 1 of the Hunt Club Enclave subdivision. This access was to be provided until such time as the roadway providing access to Conroy Road via Johnston Road had been completed.

Recommendation 1.

The City has been advised that the necessary road works have been completed except for the final lift of asphalt. It is the Department's position that the residences within that portion of the subdivision are adequately serviced by municipal streets which now link up to Conroy Road, and it is therefore appropriate to close the subdivision's temporary road linkage to Lorry Greenberg Drive.

Recommendation 2.

To ensure prompt fulfilment of the condition of approval, an expiration date has been added as a condition of approval.

Environmental Impact

A street closure application falls within the MEEP Automatic Exclusion List. No environmental impact is anticipated.

Consultation

All appropriate Departments have been consulted and their comments have been considered in the preparation of this submission.

Public Input

Area community associations and all owners and tenants which abut the street proposed for closure were notified of the application in accordance with the Early Notification Policy. In response to the public circulation, one written response was received in support of the application.

Disposition

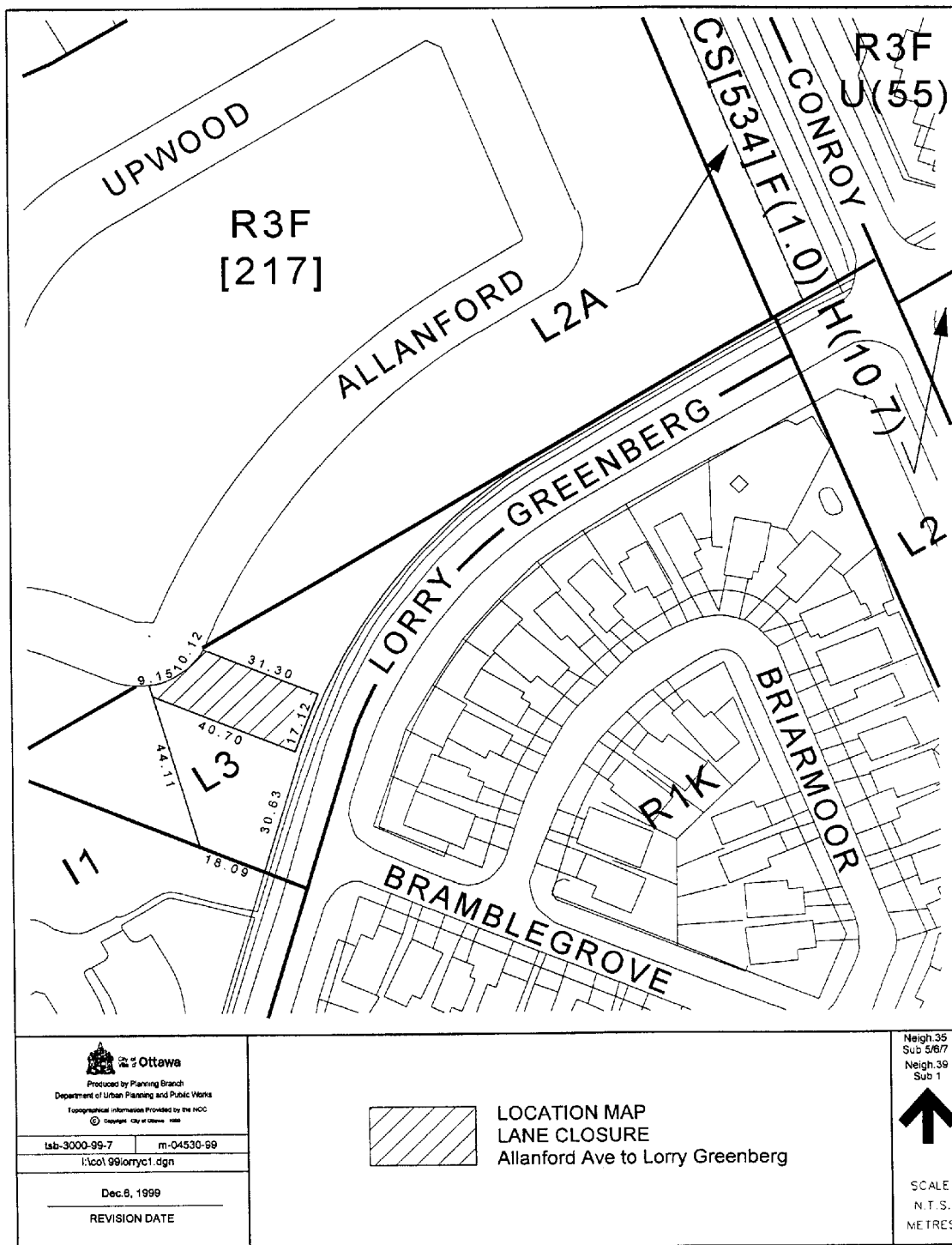
Department of Corporate Services

1. Statutory Services Branch to:
 - i) Notify the Department of Urban Planning and Public Works, Engineering Branch (Attention D. Hope) and the Regional Municipality of Ottawa-Carleton, Plans Administration Division, of City Council's decision.
 - ii) Advertise the intent to close the roadway linkage between Lorry Greenberg Drive and Allanford Avenue in accordance with the provisions of the Municipal Act.
2. Office of the City Solicitor to prepare and forward the closing by-law to City Council as set out in the recommendations of this report.

List of Supporting Documentation

- | | |
|------------|---------------------------------------------------------------------------------------------------------|
| Document 1 | Location Map |
| Document 2 | Compatibility with Pubic Participation Policy/Input From Other Departments or Other Government Agencies |

Part II - Supporting Documentation



COMPATIBILITY WITH PUBLIC PARTICIPATION POLICY

Document 2

Procedure Number P&D/PPP/N&C #4 (In accordance with the On-Site Information Sign Policy and General Guideline approved by City Council on March 6, 1991).

Total Notified: 3

In Favour: 0

Opposed: 0

AREA COMMUNITY ASSOCIATION

The South Keys/Greenboro Community Association supports the road closure due to the Association's position that temporary street presents a dangerous situation. The Association also supports the road closure as it will result in the construction of a pedestrian linkage from Lorry Greenberg Drive to Allanford Avenue. The Association also would like the completion of this pedestrian linkage in a timely manner.

Response

A time performance measure has been introduced into the amending subdivision approval to ensure a timely completion of the pathway.

PUBIC INPUT

The following comments were received from surrounding area residents:

1. The road closure will cause an increased traffic load onto Allanford Avenue.
2. The temporary street should not be closed until Johnston Road has been connected to Bank Street.
3. The road closure will leave only one exit out of Blocks 7 and 8.

Response

The intention of the Allanford Avenue roadway linkage to Lorry Greenberg Drive was to temporarily provide vehicular access until the build-out of the subdivision street network had been sufficiently completed as to enable adequate access onto a proposed collector road (the newly extended Johnston Road west of Conroy Road). The Department's position is that the newly constructed neighbourhood is now adequately served by collector and arterial roads within the immediate vicinity and that the temporary road can now be closed. The closure will now enable construction to proceed for a pedestrian link between Lorry Greenberg Drive and Allanford Avenue and the completion of residential construction on roadway lands intended for residential lots. Regarding the concern of a traffic increase, the Department's view is that the road closure will result in a decrease in the overall traffic within the area.

APPLICATION PROCESS TIMELINE STATUS

This application, which was received on November 26, 1999 was not processed within the project management timeline as recommended by the “A Better Way Task Force Report” but was processed concurrently with related Subdivision and Zoning Applications.

INPUT FROM OTHER DEPARTMENTS OR OTHER GOVERNMENT AGENCIES

COUNCILLOR’S COMMENTS

Councillor Diane Deans provided the following comments:

I am in support of the road closure application. The temporary street linking the Hunt Club Enclave development and Lorry Greenberg Drive was constructed in order to serve the first phase of the subdivision. The link was slated to be closed once a permanent street, the extension of Johnston Road, was constructed from Conroy Road to the subdivision. This was a condition of the subdivision agreement between the City of Ottawa and Conroy Road Developments Inc.

The site plan condition calling for the construction of a pedestrian pathway should be implemented upon the closure of the roadway.

Members of the community have raised concerns that the east and west internal roadway links should be built allowing access/egress to both Conroy Road and Bank Street in order to handle the traffic that will be re-routed as a result of the road closure. Residents wishing to travel to the west will be forced to use Conroy Road as there is not another road out of the neighborhood. An internal road system should be in place to serve the community.

Response

The Site Plan Control condition relating to the pedestrian pathway will be reintroduced as a condition of subdivision approval and must be completed prior to the issuance of occupancy permits within Block 9 of Plan 4M-997.

The east-west internal linkage will occur through the build out of phase 2 of the Hunt Club Enclave subdivision.



March 10, 2000

ACS2000-PW-PLN-0024
(File: OSP1999/063)

Department of Urban Planning and Public
Works

Ward/Quartier
OT6 - Somerset

- Planning and Economic Development
Committee / Comité de l'urbanisme et de
l'expansion économique

Action/Exécution

11. Site Plan Control - 85-95 Beech Street

Plan d'emplacement - 85-95, rue Beech

Recommendations

That the Site Plan Control Application (OSP1999/063) be **APPROVED**, as shown on the following plans:

1. "Site Plan, 95 Beech Street", Drawing Number A1-01, prepared by Douglas Hardie, Architect, dated December, 1999, as revised to March 6, 2000, and dated as received by the City of Ottawa December 17, 1999;
2. "Landscape Plan, 95 Beech Street Phase 1 and 2", Drawing Number L1, prepared by Gino J. Aiello, Landscape Architect, dated October 1999, as revised to February 22, 2000, and dated as received by the City of Ottawa February 25, 2000;

subject to conditions contained in Document 1.

March 10, 2000 (12:15p)

for/ Edward Robinson
Commissioner of Urban Planning and
Public Works

March 13, 2000 (8:54a)

Approved by
John S. Burke
Chief Administrative Officer

PMD:pmd

Contact: Prescott McDonald - 244-5300 ext. 1-3854

Financial Comment

Subject to Planning and Economic Development Committee approval, the required financial security will be retained by the City Treasurer until advised that all conditions have been met and the security is to be released.



March 10, 2000 (11:40a)

for Mona Monkman
City Treasurer

BH:cds

Executive Report

Reasons Behind Recommendations

This Site Plan Control application pertains to 85-95 Beech Street. The property is a through-lot having frontages on the north side of Beech Street and the south side of Aberdeen Street. The property is located west of Preston Street, adjacent to the National Capital Commission Bicycle Path and the Canadian Pacific Railway corridor.

The subject lands have a lot area of approximately 4665 square metres. The current site development consists of an industrial building having an approximate gross floor area of 4875 square metres. The existing development provides for surface parking to the east of the building with vehicular access from Aberdeen and Beech Streets. The principal pedestrian access to the building is from the Beech Street frontage.

The applicant proposes a three-phased redevelopment of this property which will consist of a full residential conversion of the original industrial structure fronting Beech Street, an office and residential conversion to the newer industrial building addition which fronts Aberdeen Street, and a new back-to-back, eight unit townhouse block to front Beech Street. The converted industrial building will also be expanded by adding two additional storeys to the existing structures. The two additional storeys will be setback from the existing building wall which will reduce the impact of the building's mass onto the street. A Committee of Adjustment application was granted on November 26, 1999 for permission to convert and expand the industrial building to a mixed-use commercial and residential building. When completed there will be a total of 45 apartment dwellings and 2450 square metres of office space associated with the industrial conversion. A second pending Committee of Adjustment application has been received requesting a reduction in landscaped open space and side yard setback. The Department has no objection to the variances sought as the townhouse development has adequate amenity provisions provided in the form of balconies.

Parking will be provided in the form of individual garages for the townhouses, and a mix of surface (35) and indoor (56) parking for the residential/commercial component of the development. The surface parking will continue have access to Beech and Aberdeen Streets with the townhouses fronting Beech Street having individual access to the street. A third Aberdeen Street access leading to the indoor parking is being proposed.

A number of landscaping enhancements to the site will be undertaken. Trees and shrubs will be planted within the municipal boulevard as well as internal to the site. Foundation plantings are proposed adjacent to the building which will effectively reduce the impact of the building edge at ground level. An additional planting of trees along an interior property line will provide a landscaped buffer between residential and commercial developments which front Preston Street.

The site and landscape plans have been reviewed and represent a functional, efficient and aesthetically sensitive development of the site, satisfying the intent of the Official Plan Policies in Sections 3.6.2 k) and l) for locating and assessing Minor Residential Development proposals. Additionally, the development proposal adheres to the Preston-Champagne Secondary Official Plan Policies requiring developments to improve streetscapes, maintain existing facades and promote residential infill.

Environmental Impact

The Municipal Environmental Evaluation Process Checklist (MEEP) was completed and indicated that the only environmental impact anticipated would be construction-related noise. However, this site has been identified as having soil contaminates, which have been addressed in Document 1 of this report, requiring the implementation of a Remedial Work Plan.

Consultation

This application was subject to early notification and the posting of on-site information signs. A public information meeting was held on November 4, 1999 to discuss the development proposal. No comments have been received to date.

Disposition

Office of the City Solicitor to prepare the required Site Plan Control Approval Agreement.

Department of Urban Planning and Public Works to notify the owner (95 Beech Street Limited, 237 Argyle Avenue, Suite 100, Ottawa, Ontario, K2P 1B8), and agent (J.E. Ironside Consulting Limited, 2055 Prince of Wales Drive, Nepean, Ontario, K2E 7A4) of the Planning and Economic Development Committee's decision.

List of Supporting Documentation

- Document 1 Conditions for Site Plan Control Approval
- Document 2 Location Plan
- Document 3 Site Plan
- Document 4 Landscape Plan
- Document 5 Municipal Environmental Evaluation Process Checklist (on file with City Clerk)
- Document 6 Compatibility with Public Participation Policy/input from Other Departments and Other Government Agencies

Part II - Supporting Documentation

Document 1

PART I - CONDITIONS TO BE SATISFIED PRIOR TO THE EXECUTION OF THE REQUIRED AGREEMENT**SPECIFIC CONDITIONS**

That the Registered Owner covenant and agree to remediate the subject site for residential/parkland use as stipulated in the Ministry of Environment and Energy's Guideline for Use at Contaminated Sites in Ontario (Revised, February 1997). (Contact: Deborah Irwin, Environmental Management Branch, 244-5300 ext. 3365)

STANDARD CONDITIONS**STC 1.2.1 - Landscape Elements Estimate by Landscape Architect**

The Owner(s) must provide a detailed itemized estimate prepared by a Landscape Architect, of the value of all required landscaping, including the value of all or any specific existing tree(s) to be retained in accordance with the Canadian Nurseries Association and the International Society of Arboriculture (ISA) Standard, to the satisfaction of the Commissioner of Urban Planning and Public Works. (Contact Prescott McDonald, 244-5300, ext. 1-3854, Planning Branch)

STC 1.3 - Posting of Financial Securities for Landscape Elements

The Owner(s) must post Security in the amount of 100% of the value of the landscape elements as identified in the detailed itemized estimate, including estimates for new landscape elements on private and municipal and/or regional property, which shall be retained in the custody of the City Treasurer, (no security will be taken for existing municipal and regional road allowance trees because they are already protected by the Trees By-law (By-law Number 55-93, as amended) and the Road Cut By-law (By-law Number 31-91 as amended). For the purposes of this condition, Security means cash, certified cheque, or subject to the approval of the City Treasurer, bearer bonds of the Government of Canada (except Savings Bonds), Provincial bonds or provincial guaranteed bonds, or other municipal bonds provided that the interest coupons are attached to all bonds, or letters of credit, with an automatic renewal clause, issued by a chartered bank, credit unions and caisse populaires, trust companies or some other form of financial security (including Performance Bonds from institutions acceptable to the City Treasurer). (Contact Debbie Van Waard, 244-5300, ext. 1-3570, Office of the City Solicitor)

STC 1.5 - Submission of Financial Securities for Future Sidewalk Construction

The Owner(s) must submit cash, certified cheque, or letter of credit (in the amount of \$5,820.00) with an automatic renewal clause to compensate for the future sidewalk construction along the Aberdeen Street street frontage in accordance with City policy. For the information of the Owner(s), if more favourable bids are received from the contractor to build the sidewalk, the Owner may do so upon approval by the Commissioner of Urban Planning and Public Works. A City Inspector must be present during the construction of the sidewalk and the Owner must submit financial securities to cover the cost of this inspection. (Contact Richard Villeneuve, 244-5300, ext.1-3832, Engineering Branch)

PART 2 - CONDITIONS TO BE INCLUDED IN THE REQUIRED SITE PLAN CONTROL AGREEMENT

SPECIFIC CONDITIONS

1. That prior to the issuance of a building permit, the Owner(s) shall prepare and submit a Remedial Works Plan to the Manager, Environmental Management Branch, prepared by a qualified engineering consultant, which documents the methodology to remove, treat or otherwise manage the contamination found on the site. The Remedial Works Plan may include, but is not necessarily limited to:
 - confirmation of contaminated areas based on the current Ministry of Environment and Energy's Guidelines for Use at Contaminated Sites in Ontario (Revised February, 1997);
 - goals of the restoration program;
 - methodology to determine extent of contamination;
 - assessment of options for removal, storage, and/or treatment of contaminated material, while recognizing that all reasonable and practicable attempts should be made to remove all solid waste products and phase-separated liquid waste products;
 - a decision on the site restoration approach to be used;
 - detailed design and implementation;
 - monitoring and verification sampling
 - management of wastes in accordance with Part V of the Environmental Protection Act and Regulation 347 (General - Waste Management)

2. That prior to the issuance of a building permit, the Owner(s) shall remediate the subject site for residential/parkland use as stipulated in the Ministry of Environment and Energy's *Guideline for Use at Contaminated Sites in Ontario* (Revised February, 1997). (Contact: Deborah Irwin, Environmental Management Branch, ext. 3000)

3. That prior to the issuance of a building permit the Owner(s) shall obtain and submit to the Manager, Environmental Management Branch, a Record of Site Condition as proof

that the site is suitable for the proposed land use. (Contact: Deborah Irwin, Environmental Management Branch, ext. 3000)

4. Agreement Required for Existing Permanent Encroachment:

The Owner(s) shall enter into a permanent encroachment agreement to permit two balconies within the Beech Street road allowance and planter boxes within the Aberdeen Street road allowance. The costs of preparation and registration of the encroachment agreement will be borne by the Owner(s). (Contact: Ray Fournier, 244-5300, ext. 3811, Engineering Branch)

5. The Owner(s) acknowledges and agrees that the City shall hold in its possession landscaping security until completion of the works in accordance with the approved plan(s) to the satisfaction of the City. The Owner(s) hereby covenants and agrees:

- (i) that it shall be responsible to arrange for the transfer or replacement of landscaping security provided to the City prior to the sale or transfer of the Owner's lands, and
- (ii) that if the landscaping security has not been replaced prior to the sale or transfer of the Owner's lands, the new Registered Owner(s) may utilize the security for any works as approved by the City which have not been completed pursuant to the Plan(s), and for this purpose, the City Treasurer is hereby authorized to call in Letters of Credit or other security provided. The balance of security held, if any, will be refunded to the Owner(s) who provided the security, upon completion of the works to the satisfaction of the City.

STANDARD CONDITIONS

STC 2.1 - Installation and Planting of Landscape Elements

The Owner(s) shall install and plant all landscape elements in accordance with the Site Plan Control Approval, within one year from the date of occupancy, to the satisfaction of the Commissioner of Urban Planning and Public Works. The landscape elements shall include but not be limited to, all vegetation and topographic treatment, walls, fences, hard and soft surface materials, lighting, site furniture, free-standing ground-supported signs, steps, lamps, and play equipment, information kiosks and bulletin boards and other ground cover and new tree(s) and shrubs located on the road allowance.

STC 2.2 - Reinstatement of Damaged City Property, Including Sidewalks and Curbs

The Owner(s) shall reinstate to the satisfaction of the Commissioner of Urban Planning and Public Works, any property of the City or Regional Municipality of Ottawa-Carleton, including sidewalks and curbs, that is damaged as a result of the subject development. This reinstatement shall be at the expense of the Owner(s). (Contact Bruce Coombe, 244-5300, ext. 1-3461, Engineering Branch)

STC 2.9 - Release of Financial Securities for Landscape Elements

When requested by the Owner(s), the Security shall be released by the City Treasurer when authorized by the Commissioner of Urban Planning and Public Works according to City Council policy, provided that the landscape elements have been installed and planted in accordance with the Site Plan Control Approval, and that all plant materials are in good and healthy condition. (Contact Prescott McDonald, 244-5300, ext. 1-3854, Planning Branch, and/or where there are landscape elements on the road allowance, John Honshorst, 244-5300, ext. 1-3763, Operations Branch.)

STC 2.11 - Task Oriented Lighting for Areas Other Than Those Used For Vehicular Traffic or Parking

The Owner(s) agree that on site lighting, in addition to lights used to illuminate any area used for vehicular traffic or parking, shall be task oriented and shall be installed in such a manner that there will not be any spillover or glare of lights onto abutting properties.

STC 2.12 - Storage of Snow

The Owner(s) agrees that snow stored on landscaped areas shall be in a well drained area where the storage will not result in over-spillage onto abutting lots nor destruction to planting areas.

STC 2.13 - Requirement for Maintenance and Liability Agreement

The Owner(s) shall enter into a Maintenance and Liability Agreement with the City for the installation of decorative landscaping or interlocking pavers on City property. The costs of preparation and registration of the agreement will be borne by the Owner(s). (Contact John Honshorst, 244-5300, ext. 1-3763, Operations Branch)

STC 2.16.2 - Release of Site Plan Control Agreement for Non-residential or Mixed Use Developments

The City may release the Owner(s) from any agreement required as a condition of this Site Plan Control Approval once all terms of the agreement have been completed but not earlier than five years after the date of release of all financial securities required as a condition of this

Approval. The Owner(s) shall pay all costs associated with the application for and registration of release from this agreement. (Contact Compliance Reports Section, 244-5300, ext. 1-3907, Planning Branch)

PART 3 - CONDITIONS TO BE SATISFIED PRIOR TO THE ISSUANCE OF A BUILDING PERMIT

SPECIFIC CONDITIONS

1. That prior to the issuance of a building permit, the Owner(s) must prepare an erosion and sediment control plan to the satisfaction of the Manager, Environmental Management Branch, appropriate to site conditions, prior to undertaking any site alterations (filling, grading, removal of vegetation, etc.) and during all phases of site preparation and construction in accordance with current Best Management Practices for Erosion and Sediment Control. (Contact: Deborah Irwin, 244-5300, ext. 3000, Environmental Management Branch)
2. That prior to the issuance of a building permit for phase two of the development proposal, the Owner(s) shall submit a revised site plan addressing the on-street parking configuration on Aberdeen Street to the satisfaction of the Commissioner of Urban Planning and Public Works. (Contact Prescott McDonald, 244-5300, ext. 1-3854, Planning Branch)
3. The Owner(s) agrees to prepare and implement an erosion and sediment control plan to the satisfaction of the Manager of the Environmental Management Branch, appropriate to site conditions, prior to undertaking any site alterations (filling, grading, removal of vegetation, etc.) and during all phases of site preparation and construction in accordance with the current Best Management Practices for Erosion and Sediment Control. (Contact: Deborah Irwin, Environmental Management Branch, extension 3365)
4. That prior to the issuance of a building permit, the Owner(s) shall prepare and submit a Remedial Works Plan to the Manager, Environmental Management Branch, prepared by a qualified engineering consultant, which documents the methodology to remove, treat or otherwise manage the contamination found on the site. The must include, but is not necessarily limited to:
 - confirmation of contaminated areas based on the current Ministry of Environment and Energy's Guidelines for Use at Contaminated Sites in Ontario (Revised February, 1997);
 - goals of the restoration program;
 - methodology to determine extent of contamination;
 - assessment of options for removal, storage, and/or treatment of contaminated material, while recognizing that all reasonable and practicable attempts should be

- made to remove all solid waste products and phase-separated liquid waste products;
 - a decision on the site restoration approach to be used;
 - detailed design and implementation;
 - monitoring and verification sampling; and
 - management of wastes in accordance with Part V of the Environmental Protection Act and Regulation 347 (General - Waste Management)
5. That prior to the issuance of a building permit, the Owner(s) shall remediate the subject site for residential/parkland use as stipulated in the Ministry of Environment and Energy's *Guideline for Use at Contaminated Sites in Ontario* (Revised February, 1997). (Contact: Deborah Irwin, Environmental Management Branch, ext. 3000)
6. That prior to the issuance of a building permit the Owner(s) shall obtain and submit to the Manager, Environmental Management Branch, a Record of Site Condition as proof that the site is suitable for the proposed land use. (Contact: Deborah Irwin, Environmental Management Branch, ext. 3000)

STANDARD CONDITIONS

STC 3.1.1 - Signing of Site Plan Control Agreement

The Owner(s) must sign a Site Plan Control Agreement including the conditions to be included in the agreement. When the Owner(s) fails to sign the required agreement and complete the conditions to be satisfied prior to the signing of the agreement within six (6) months of Site Plan Control Approval, the approval shall lapse. (Contact Debbie Van Waard, 244-5300, ext. 1-3570, Office of the City Solicitor).

STC 3.2 - Approval of Private Sewer Systems, Lot Grading and Drainage Plan(s)

The Owner(s) must submit a plan(s) showing the private sewer systems and lot grading and drainage which indicates:

- i) the methods that surface water will be self-contained and directed to catch basins, storm sewers, swales and or ditches, and then conveyed to the public storm, combined sewer system or City ditches unless otherwise directed by the Commissioner of Urban Planning and Public Works;
- ii) by calculation, that the stormwater runoff from this site will not exceed the design capacity of the City sewer system. The allowable runoff coefficient is 0.4, (if the uncontrolled stormwater runoff exceeds the requirement specified, an application to the Ministry of Energy and the Environment for stormwater management will be required);
- iii) that all sanitary wastes shall be collected and conveyed to a public sanitary or combined sewer; and
- iv) that all private storm and sanitary sewers required to service the subject site are completely separated from each other and conveyed to the public storm, sanitary or combined sewer, except in the designated Combined Sewer Area;

to the satisfaction of the Commissioner of Urban Planning and Public Works. (Contact Bruce Coombe, 244-5300, ext. 1-3461, Engineering Branch)

PART 4 - CONDITIONS TO BE SATISFIED PRIOR TO COMMENCEMENT OF AND DURING CONSTRUCTION/DEVELOPMENT

SPECIFIC CONDITIONS

1. Prior to the issuance of the occupancy permit, the Registered Owner convenants and agrees to submit a copy of the record of site remediation from the Ministry of the Environment to the Manager of the Environmental Management Branch which clearly documents the activities undertaken, results obtained, and identify any future actions (monitoring, etc.) which may be required. (Contact: Deb Irwin, Environmental Management Branch, 244-5300 ext. 3365)
2. That the Owner(s) shall provide external walls of a composite construction with an external insulation and finishing system that will provide a high sound transmission loss, and enhanced glazing and air conditioning for all west side units.
3. Prior to the issuance of any occupancy permit, the Owner(s) shall require that the site servicing contractor perform field tests for quality control of all sanitary sewers. Specifically the leakage testing shall be completed in accordance with OPSS 410.07.01.16 and 407.07.26. The field tests shall be performed in the presence of a certified professional engineer who shall submit a certified copy of the tests results to the satisfaction of the Director of Engineering Branch. (Contact: Bruce Coombe, 244-5300, ext. 3461, Engineering Branch)
4. That the Owner(s) must implement and monitor the approved Erosion and Sediment Control Plan during all phases of site preparation and construction to the satisfaction of the Manager, Environmental Management Branch. (Contact: Deborah Irwin, 244-5300, ext. 3000, Environmental Management Branch)
5. The Owner(s) must install an asphalt overlay over the total area of the public driving surface fronting the site on Beech Street from the east limit of the site to approximately 40 metres westerly, because of the number of road cuts required to provide utility services to the development, to the satisfaction of the Commissioner of Urban Planning and Public Works. All cost(s) are to be borne by the Owner(s). (Contact: Bruce Coombe, 244-5300, ext. 3461, Engineering Branch)

STANDARD CONDITIONS

STC 4.2 - Protection of Existing Private Trees and Shrubs Prior to and During Demolition and/or Construction

The Owner(s) must undertake protective measures to the satisfaction of the Commissioner of Urban Planning and Public Works, prior to commencement of and during demolition and/or construction, to ensure against damage to any roots, trunks or branches of all existing private trees and shrubs, as shown on the Site Plan Control Approval, which are to be retained and protected. These measures shall consist of the following:

The erecting of a snow fence along the western limits of the site and beyond the dripline to protect the row of trees on adjacent property.

(Contact Neil Dillon for inspection, 244-5300, ext.1-3507, Building Code Services Division)

STC 4.3 - Approval of Work on Municipal Property or Easements

The Owner(s) must receive written approval from the Director of Engineering prior to any work commencing on City or Regional property or easements. A description of the proposed work along with twenty-four (24) copies of the plan illustrating the work must be submitted and will be circulated to all underground utilities for their comments, prior to any approval. (Contact Larry Lalonde, 244-5300, ext. 1-3820, Engineering Branch)

STC 4.4 - Approval for Construction Related to Private Approaches

The Owner(s) must receive written approval from the Commissioner of Urban Planning and Public Works for any construction related to a private approach within the road allowance. (Contact Ray Fournier, 244-5300, ext. 1-3811, Engineering Branch)

STC 4.5 - Notification of Construction or Alteration of Private Approach

The Owner(s) must notify the Commissioner of Urban Planning and Public Works in writing when the construction or alteration of any private approach servicing this development will commence. Lack of notification may result in the City requiring changes to the private approach at the expense of the Owner. (Contact Ray Fournier, 244-5300, ext. 1-3811, Engineering Branch)

STC 4.6 - Construction Materials on Public Road Allowances

The Owner(s) must ensure that:

- i) construction vehicles are to be loaded and driven in such a manner so that the contents will not fall, spill or be deposited on any road that has been given preliminary or final acceptance for use during construction;

- ii) all spills, dirt, mud, stone or other transported material from the road must be removed at the end of each day;
- iii) the road is cleaned immediately should this material pose a hazard to vehicles or pedestrians, and in the event of a dispute, the Commissioner of Urban Planning and Public Works will be the judge of what constitutes a hazard. In the event the material is not removed as required, it may be removed by the City at the expense of the Owner(s). (Contact John Honshorst, 244-5300, ext. 1-3763, Operations Branch and Neil Dillon, 244-5300, ext 1-3507, Building Code Services Division)

STC 4.7 - Submission of Survey Plan Upon Pouring of Foundation(s)

The Owner(s) must submit to the Chief Building Official, a certified building location survey including foundation elevations, upon completion of the foundation, to ensure interim compliance with the Zoning By-law and the approved private sewer system, lot grading and drainage plan(s). (Contact Neil Dillon, 244-5300, ext. 1-3507, Licensing, Transportation and Buildings Branch)

STC 4.8 - Pumping of Liquids Into Sewers During Construction

The Owner(s) in accordance with the Sewer By-law (By-law Number 163-73, as amended), must obtain authorization from the Commissioner of Urban Planning and Public Works prior to the pumping of any liquid or liquid with sediment into sanitary, storm or combined sewers during construction. Failure to obtain authorization may result in the owner(s) having to bear the full cost of removing all sediment and debris downstream from the construction site. (Contact Sewer Inspector, 798-8892, Operations Branch)

STC 4.9 - Inspection of Service Connections

The Owner(s) in accordance with the Sewer By-law (By-law Number 163-73, as amended), must contact the Department of Urban Planning and Public Works, Sewer Operations Inspections staff, to view the connection of deep services to municipal sewer lines. Compliance regarding service connections can only be determined if this inspection has been carried out. (Contact Sewer Inspector, 798-8892, Operations Branch)

STC 4.10 - Requirements for Catch Basins and Storm Lines to Catch Basins

The Owner(s) must ensure that:

- i) catch basins should be the trap type to prevent odours from the street coming back towards the building, since the Beech and Aberdeen Streets have a combined sewer; and
- ii) storm lines to catch basins should have check valves to prevent back flow should the City sewer surcharge during a heavy storm or spring run-off. (Contact Sewer Inspector, 798-8892, Operations Branch)

STC 4.15 - Reinstatement of Redundant Accesses

The Owner(s) must reinstate the sidewalk and curb at the redundant access and maintain a curb face equal to or better than the existing adjacent curbs with all costs borne by the Owner(s). (Contact Ray Fournier, 244-5300, ext. 1-3811, Engineering Branch)

STC 4.17 - Planting of Trees in Hard Surfaced Areas

The Owner(s) must ensure that any tree to be located in a hard surfaced area must be planted in accordance with the "Guidelines for Hard Surface Planting" in accordance with the Trees By-law (By-law Number 55-93, as amended). (Contact John Honshorst, 244-5300, ext. 1-3763, Operations Branch)

STC 4.18 - Planting of Trees in Road Allowance

The Owner(s) must ensure that any new road allowance tree(s) be planted as follows:

- i) 0.6 metres from the property line, pursuant to the Standard Locations for Utility Plant (referred to as the CR-90), as approved by the City;
- ii) utility clearances are required prior to planting and/or staking;
- iii) wire baskets and burlap used to hold the root ball and rope that is tied around the root collar are to be removed at the time of the planting of the tree(s);
- iv) guying of the tree(s) is not acceptable;
- v) the tree(s) must meet the requirements set out by the Canadian Nursery Standards; and
- vi) tree stakes are to be removed prior to the release of the financial securities for the landscape elements. (Contact John Honshorst, 244-5300, ext. 1-3763, Operations Branch)

STC 4.19 - Requirement for "As Built" Drawings of Private Sewer Systems, Lot Grading and Drainage

The Owner(s) must provide the Department of Urban Planning and Public Works with "As Built" drawings of all private sewer systems, lot grading and drainage, prior to the issuance of a final occupancy permit. (Contact Bruce Coombe, 244-5300, ext. 1-3461, Engineering Branch)

PART 5 - FOR THE INFORMATION OF THE REGISTERED OWNER(S)**SPECIFIC CONDITIONS**

1. The allowable average sanitary flow is 1.35 litres/sec./ha. which may be directed to Aberdeen Street and/or Beech Street. (Contact: Kamal Toeg, 244-5300, ext. 3833, Engineering Branch)

2. The storm flow may be directed to Aberdeen Street and/or Beech Street. (Contact: Kamal Toeg, 244-5300, ext. 3833, Engineering Branch)
3. This development is situated within the drainage basin serviced by combined sewers. This means that underground garages and/or depressed driveways may be subject to surface water problems which could result in flooding. We strongly discourage the installation of a depressed driveway or underground garage at this location and suggest if any other option is possible it be considered. If the owner insists on building this driveway as indicated, the City of Ottawa will not take responsibility for basement flooding claims in the future.

It is also recommended that a back water valve be installed on any catch basins located in a depressed laneway. (Contact: Brian Meech, 244-5300, ext. 3835, Engineering Branch)

STI 1 - Additional Requirements

This approval only relates to Site Plan Control matters and the owner must still abide by all other municipal by-laws, statutes and regulations.

STI 3 - Release of Existing Site Plan Control Agreement(s)

The existing site plan control agreement(s) may be eligible for release according to the City Council approved policy, at the cost of the Owner(s). (Contact Compliance Reports Section, 244-5300, ext. 1-3907, Planning Branch)

STI 4 - Changes to the Site Plan Control Approval

Changes to the Site Plan Control Approval may require a new approval according to the provisions of the Site Plan Control By-law.

STI 5 - Permit Required for Signs

This Site Plan Control Approval does not constitute approval of any sign. The Owner(s) must procure separate sign permits for all signs in accordance with the Signs By-law (By-law Number 311-90, as amended). Further, according to the Site Plan Control By-law, where proposed ground signs are not indicated on an approved plan(s), the Owner must seek Site Plan Control Approval to reflect the intended sign(s) prior to the issuance of the required sign permits. (Contact Jim Denyer, 244-5300, ext. 1-3499, Planning Branch)

STI 6 - Compensation for Damaged or Lost Municipal Trees

In accordance with the provisions set out in The Trees and Road Cut By-laws, (By-law Number 165-73, as amended) compensation will be required if any municipal/regional tree is

damaged or lost. (Contact John Honshorst, 244-5300, ext. 1-3763, Operations Branch)

STI 7 - Maintenance of Municipal Boulevard

In accordance with the Use and Care of Streets By-law (By-law Number 165-73, as amended) the Owner(s) and or prospective owner(s) will be responsible for the maintenance of the municipal boulevard. (Contact John Honshorst, 244-5300, ext. 1-3763, Operations Branch)

STI 8 - Prohibition of Storage of Snow on Road Allowance

No snow is to be deposited on the road allowance as per the By-law Regulating the Use and Care of Streets (By-law Number 165-73, as amended). (Contact John Honshorst, 244-5300, ext. 1-3763, Operations Branch)

REGION OF OTTAWA-CARLETON

ROC Registered Agreement Required

The Owner(s) is advised that an agreement must be entered into with the Region of Ottawa-Carleton and the Owner(s) (Contact Millie, Mason, Legal Department, 560-6025, ext. 1224) which will include the following conditions:

ROC -Other Conditions and Information

ENVIRONMENT

Water

W1 Fire flow records indicate a flow of 1261 IGPM at 20 PSI from the hydrant located at Preston Street and Beech Street. This test was performed in June 1998. This flow reflects system conditions on the test day; however, there are variations in flow and pressure depending on the time of day. The owner may be required to undertake an engineering analysis of the water supply certified by a professional engineer to ensure that the water supply meets municipal/regional standards.

W2 The details for water servicing and metering shall be in accordance with Regional Regulatory Code. The owner shall pay all related costs, including the cost of connecting, inspection, disinfecting and the supply and installation of water meters by Regional personnel.

W3 The owner shall submit drawings for approval prior to tendering and make application to the Regional Environment and Transportation Department for the water permit prior to the commencement of construction.

- W4 In accordance with the Regional Regulatory Code, all existing services that will not be utilized, shall be capped at the watermain by the Region. The Owner(s) shall be responsible for all applicable costs.
- W5 In accordance with the Regional Regulatory Code, no driveway shall be located within 3.0 m of an existing fire hydrant. No objects, including vegetation, shall be placed or planted within a 3.0 m corridor between a fire hydrant and the curb nor a 1.5 m radius beside or behind a fire hydrant.
- W7 The Owner(s) shall satisfy the requirements of the Building Code with respect to hydrants(s).
- W9 The Owner(s) shall be required to co-ordinate the preparation of an overall utility distribution plan showing the location (shared or otherwise) and installation, timing and phasing of all required utilities (on-ground, below-ground) through liaison with the appropriate electrical, gas, water, sewer, telephone and cablevision authorities and including on-site drainage facilities and streetscaping - such location plan being to the satisfaction of all affected authorities.

General Transportation

- T23 The Owner(s) shall have a noise study prepared and certified by a professional engineer (expertise in the subject of acoustics related to land use planning). The study shall be to the satisfaction of the Region and shall comply with MOE LU-131, Noise Assessment Criteria in Land Use Planning and the Region of Ottawa-Carleton's standards for Noise Barriers and Noise Control Guidelines.
- T24 The Owner(s) shall implement the noise control measures recommended in the approved noise study and have its engineering consultant certify the design and construction of the required measures.

Stormwater Management

- SWM3 The Owner(s) agrees to implement Stormwater Best Management Practices to provide for protection of the receiving storm sewer or water course during construction activities.

Solid Waste

- SW1 Curbside waste collection and recycling collection will be provided by the ROC in accordance with the Regional Waste Collection By-law and will be placed on Beech Street by entrance to parking (Phase III Townhouses).
- SW4 Waste collection and recycling collection will not be provided by the Region. The

applicant should make appropriate arrangements with a private contractor for waste collection and recycling collection. (Commercial Units).

- SW5 The Owner(s) should consult a private contractor regarding any access requirements for waste collection and/or recycling collection. (Commercial Units).
- SW6 The Owner(s) shall provide adequate storage space for waste containers and recycling bins to the satisfaction of the Environment and Transportation Commissioner. Waste collection and recycling collection will be provided by the Region and requires direct access to the containers. Any additional services (i.e. winching of containers) may result in extra charges. (Apartment Units).

Finance

- RDC The Owner(s), heirs, successors and assigns shall ascertain if development charges are payable pursuant to the Regional Development Charges By-law and any amendment or revision thereto.

ENBRIDGE-CONSUMERS GAS

Enbridge-Consumers Gas should be contacted regarding the necessity of providing easements or servicing requirements. (Contact Gary Roth, Engineering Department, 742-4636)

OTTAWA HYDRO

Ottawa Hydro, Engineering Department should be contacted regarding the necessity of providing a transformer and vault, pad mounted transfer and easements. (Contact Daniel Desroches, 738-5499, ext. 210)

BELL CANADA

Bell Canada should be contacted three months in advance of any construction. (Contact Rick Watters, 742-5769)

ROGERS OTTAWA

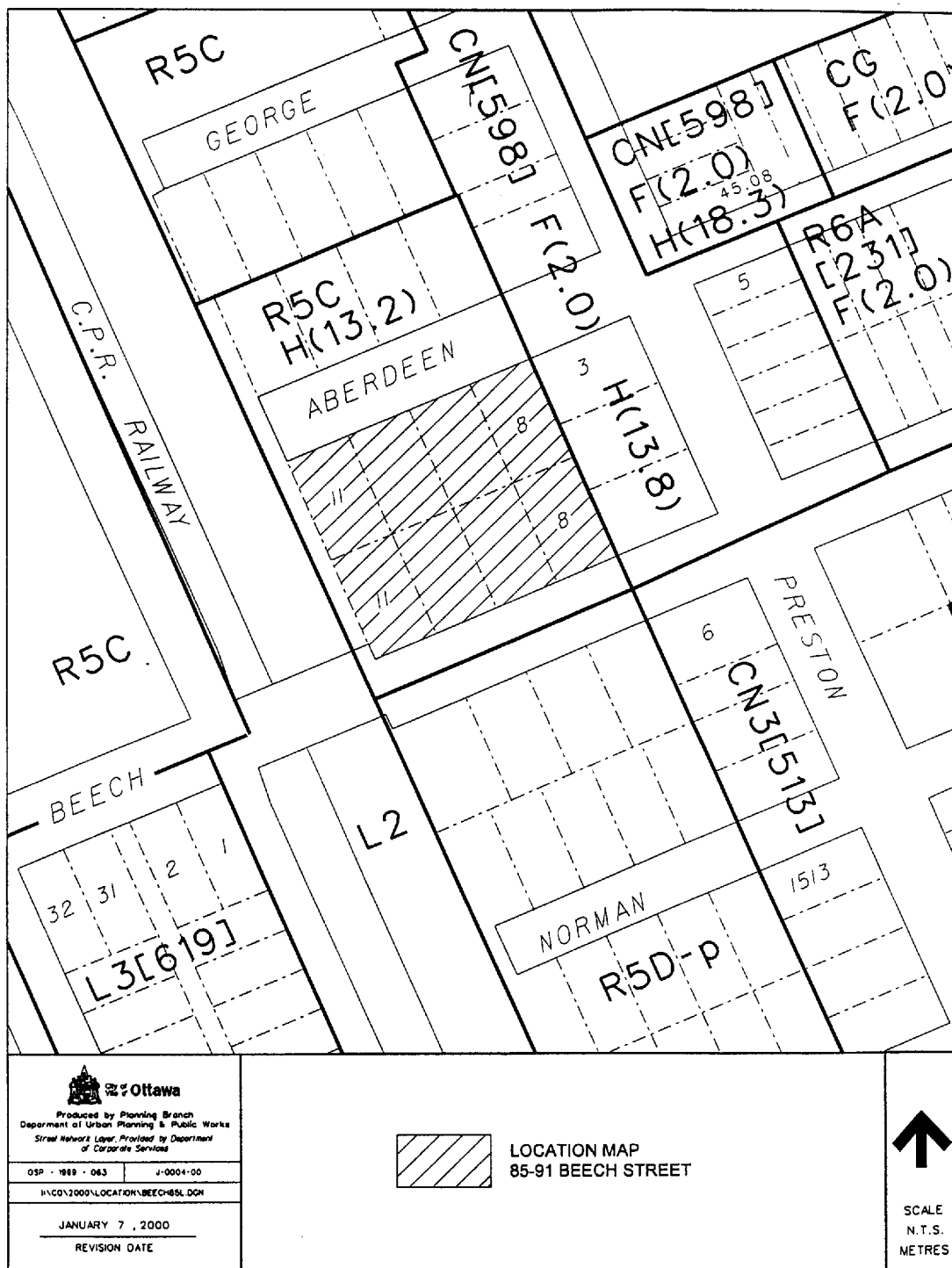
Rogers Ottawa Cablevision be contacted in planning stages to arrange facilities. (Contact Jeff Niles, 247-4519 - East side Bank Street Dave Hart 247-4562)

CANADA POST

Door to door mail delivery to the eight townhouses: Owner(s) must supply, install at street level and maintain mail receptacles.

Centralized mail delivery to the loft apartments (95 Beech Street): Owner(s) must supply, install and maintain lock box assembly at main entrance.

Centralized mail delivery to the loft apartments (95 A Beech Street): Owner(s) must supply, install and maintain lock box assembly at main entrance.



NOTIFICATION AND CONSULTATION PROCESS

Notification and consultation procedures carried out in accordance with early notification procedure P&D/PPP/N&C #2 approved by City Council for Site Plan Applications.

Public Input

No comments have been received to date.

INPUT FROM OTHER DEPARTMENTS OR OTHER GOVERNMENT AGENCIES**COUNCILLOR'S COMMENTS**

Councillor Elizabeth Arnold is aware of this site plan application.

APPLICATION PROCESS TIMELINE STATUS

This application which was received on December 20, 1999, was subject to a project management timeline, as recommended by the "A Better Way Task Force Report". A process chart, which established critical milestones, was prepared and circulated as part of the technical and early notification process. This application was processed within the 70 to 110 calendar day timeframe established for the processing of Site Plan Control Approval applications and is being considered in advance targeted Planning and Economic Development Committee meeting date.

A Information Exchange was undertaken by staff with interested community associations. Pre-consultation was not requested by the identified community associations.

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March 6, 2000

ACS2000-PW-PLN-0025
(File: TBS3000-2000/001)Department of Urban Planning and Public
WorksWard/Quartier
OT6 - Somerset

- Planning and Economic Development
Committee / Comité de l'urbanisme et de
l'expansion économique
- City Council / Conseil municipal

Action/Exécution

12. Street Closing - 85-91 Beech Street

Fermeture de rue - 85-91, rue Beech

Recommendations

1. a) That the application to close a portion of the Beech Street roadway, measuring 3.71 metres in width and extending northward 5.87metres, as shown on Document 1, be **APPROVED**, subject to the following conditions and that the closing be undertaken by By-law:
 - i) That prior to enactment of the closing by-law, the applicant shall provide the following material to the satisfaction of the City Solicitor:
 - 1) a plan of survey showing the roadway link to be closed and the lands to be conveyed to all parties, as well as any utility easements;
 - 2) draft deed(s) of conveyance of all lands to be conveyed, ready for execution by the Mayor and City Clerk on behalf of the City;
 - 3) registration of all documents and the costs thereof.
 - ii) That the closing by-law not be forwarded to Council unless and until the property owner eligible to acquire that portion of the street to be closed files a letter with the City Solicitor acknowledging that any zoning violation which may result from the closure will be the affected property owner's responsibility to remedy.
 - iii) That the portion of the street to be closed be offered to the abutting property at a price to be established by Corporate Services Department and approved by City Council.
 - iv) That the closing of the street be contingent upon acceptance by the abutting property owner of the price set by City Council.

- b) Should the conditions of this report not be fulfilled within one year of approval by City Council, the recommendations of this report shall become null and void.
2. That the application to close a portion of the Aberdeen Street roadway measuring 6 metres in width and extending easterly 55 metres from where Aberdeen Street dead-ends, as shown on Document 1, be **REFUSED**.



March 7, 2000 (2:30p)

Edward Robinson
Commissioner of Urban Planning and Public
Works

PM:pmcd

Contact: Prescott McDonald - 244-5300 ext. 1-3854



March 8, 2000 (11:39a)

Approved by
John S. Burke
Chief Administrative Officer

Financial Comment

Subject to City Council approval, costs for the legal, survey and registration requirements will be charged to the applicant. Any revenue from the sale to the abutting owners will be credited to the General Capital Reserve.



March 7, 2000 (11:26a)

for Mona Monkman
City Treasurer

BH:cds

Executive Report

Reasons Behind Recommendations

Recommendation 1. a)

This portion of the Beech Street road allowance is not developed as a street and it is currently not being maintained by the City, but is shown as forming part of the Beech Street road allowance on the Plan of Subdivision for the area. As such, this portion of Beech Street is considered a public street which falls under the jurisdiction of the City of Ottawa, with respect to any request for closure.

The Department has determined that this portion of Beech Street is not required as it is offset in a northerly direction from the linear travelled east-west alignment of Beech Street. Additionally, this closure will benefit the abutting property owner in enabling the residential building conversion to incorporate balconies that project over this portion of the street.

The Corporate Services Department will be forwarding a separate report to the Policy, Priorities and Budgeting Committee and City Council recommending the disposal price in accordance with City Council approved policy for the Disposal of Closed Streets and Lanes.

Recommendation 1. b)

To ensure prompt fulfilment of the condition of approval, an expiration date has been added as a condition of approval.

Recommendation 2.

The recommendation for refusal is based upon the following:

- The purpose of the proposed road closure is to create privatized parking for a residential development proposal in an area where there is a shortage in the availability of on-street public parking. It has been determined that the development proposal satisfies the minimum zoning by-law requirement of providing on-site parking. As such, the Department can not recommend a road closure for the purposes of creating privatized parking which further exacerbates an on-street parking shortage within the Preston Street area.
- The portion of the road closure which has been requested will result in the creation of substandard parking in contravention of the Private Approach By-law. The Private Approach By-law requires that there be a minimum separation of 1.0 metres between an established parking space and the edge of the travelled portion of the road. Should the area of the road closure be modified to accommodate the 1.0 metre offset, the travelled width of Aberdeen Street would be reduced to a minimum of 8.0 metres whereas the City's minimum standard is 9.0 metres.
- Should the private parking be established, the parking would not comply with the performance stands of the zoning by-law in that vehicles would not be able enter and leave in a forward direction, parking spaces would not be providing a minimum aisle width of 6.7 metres, nor be providing minimum driveway widths of 3.6 metres. Additionally, the creation of multiple driveways for individual parking spaces would create further contraventions to the Private Approach By-law.
- The proposed closing of this portion of the street would eliminate the possibility of providing a future public sidewalk on the south side of the street. A sidewalk located along this side of the street would enhance pedestrian safety and ensure better pedestrian access to the front entrance of phase two of this development.

- The road closure will reduce available snow storage along Aberdeen Street which is currently a substandard, dead-end street. Additionally, the closure would further degrade the City's current maintenance operations (i.e. snow clearing) on what is a dead-end street lacking a cul-de-sac, hammerhead or similar turn-around feature.

Environmental Impact

A street closure application falls within the MEEP Automatic Exclusion List. No environmental impact is anticipated.

Consultation

All appropriate Departments have been consulted and their comments have been considered in the preparation of this submission.

Public Input

Area community associations and all owners and tenants which abut the street proposed for closure were notified of the application in accordance with the Early Notification Policy.

Disposition

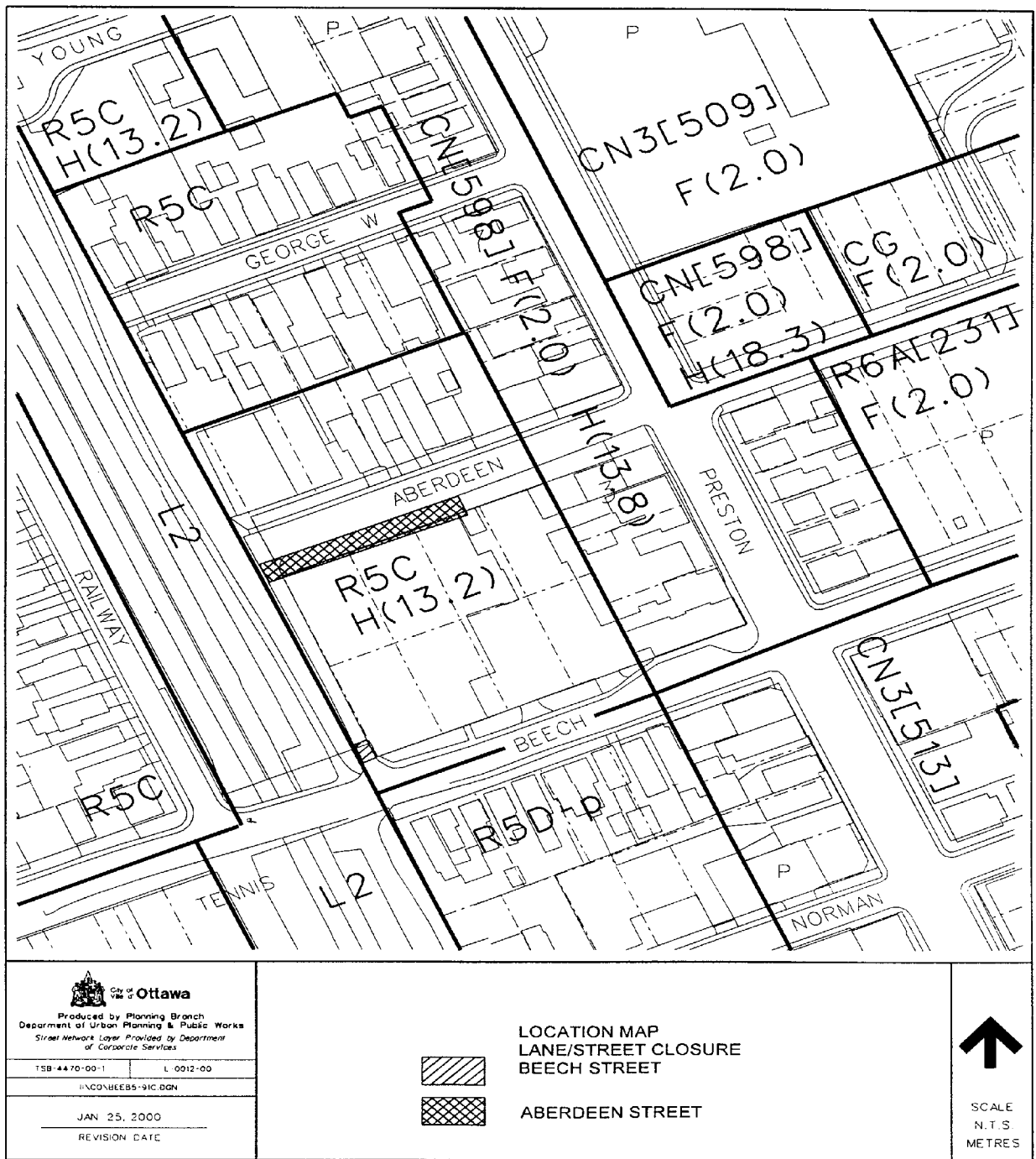
Department of Corporate Services

1. Statutory Services Branch to:
 - i) Notify the Department of Urban Planning and Public Works, Engineering Branch (Attention D. Hope) and the Region of Ottawa-Carleton, Plans Administration Division of City Council's decision.
 - ii) Advertise the intent to close a portion of Beech Street in accordance with the provisions of the Municipal Act.
2. Office of the City Solicitor to prepare and forward the closing by-law to City Council as set out in the recommendations of this report.
3. Property Services Branch to prepare and forward a report to the Policy, Priorities and Budgeting Committee and City Council recommending the disposal price of the lands associated with the street closure.

List of Supporting Documentation

Document 1	Location Map
Document 2	Compatibility with Public Participation Policy/Input From Other Departments or Other Government Agencies

Part II - Supporting Documentation



COMPATIBILITY WITH PUBLIC PARTICIPATION POLICY

Document 2

Procedure Number P&D/PPP/N&C #4 (In accordance with the On-Site Information Sign Policy and General Guideline approved by City Council on March 6, 1991).

Total Notified: 28; no responses received.

APPLICATION PROCESS TIMELINE STATUS

This application, which was received on January 14, 2000 has been processed in advanced of the 75 to 90 day project management timeline as recommended by the “A Better Way Task Force Report”.

INPUT FROM OTHER DEPARTMENTS OR OTHER GOVERNMENT AGENCIES**COUNCILLOR’S COMMENTS**

Councillor Elizabeth Arnold is aware of this application.



240

City of
Ville d' **Ottawa**

March 13, 2000

ACS2000-PW-PLN-0032
(File: JPD4850QUEE 00330)

Department of Urban Planning and Public
Works

Ward/Quartier
OT9 - Capital

- Planning and Economic Development
Committee / Comité de l'urbanisme et de
l'expansion économique
- City Council / Conseil municipal

Action/Exécution

13. Signs By-Law Amendment Application - 330 Queen Elizabeth Driveway

Modification de l'Arrêté municipal sur les enseignes - 330, promenade Queen Elizabeth

Recommendation

That the application to amend the Signs By-law 311-90, to permit an illuminated ground mounted identification sign in a Level 1 residential use zone, as detailed in Document 2, be REFUSED.

March 14, 2000 (7:30a)

for/ Edward Robinson
Commissioner of Urban Planning and
Public Works

March 14, 2000 (11:34a)

Approved by
John S. Burke
Chief Administrative Officer

DRB:drb

Contact: Donald Brousseau - 244-5300 ext. 1-3118

Financial Comment

N/A.

March 13, 2000 (2:19p)

for Mona Monkman
City Treasurer

BH:cds

Executive Report

Reasons Behind Recommendation

The applicant is requesting an amendment to the Signs Permitted, Area and Dimension Limitations, and the Illumination provisions of the by-law, to install one illuminated ground mounted sign to identify the Roxborough Apartment complex located at the corner of the Queen Elizabeth Driveway and Second Avenue.

The property is zoned R3M and occupied by a 12-storey apartment building facing Second Avenue. The property is a corner lot with the side of the building facing Queen Elizabeth Driveway. Area land use is low rise single family, doubles, duplexes and row dwellings. The property is readily visible from both Second Avenue and the Driveway.

For Signs By-law purposes, an R3 zone is classified as a Level 1 Use zone. Signs within a Level 1 zone are limited to wall-mounted having a maximum sign face area of .19 square metres.

Illumination is not permitted.

The applicant contends that, since the building is set back on the lot, the building may be overlooked by emergency vehicles and that a sign would help solve that problem.

The intent of the by-law is to allow for adequate identification through the use of signage while respecting adjacent/area land use and the character of the surrounding neighbourhood. The Urban Design Section of the Official Plan also states that surrounding visual environs not be adversely affected as a result of the design or location of outdoor signs.

In this case, the property is located within a residential community and adjacent to a National Capital Ceremonial Route. Currently the property is not signed and only the municipal number, 330, is displayed over the entrance. It would appear that confusion is being created by the lack of clear identification, in that the municipal number located over the entrance facing Second Avenue actually relates to Queen Elizabeth Driveway. In this regard, the appropriate solution would be to change the address of the building to 10 Second Avenue.

The above notwithstanding, at this location, an illuminated ground mounted sign installed perpendicular to Second Avenue and adjacent to the Queen Elizabeth Driveway is considered inappropriate. It is felt that a sign of this type would detract from the character of the neighbourhood and the established visual environs within the Driveway corridor. With regard to safety (the applicant's primary objective) the Department is prepared to accommodate an address change so that the building more appropriately relates to Second Avenue. If this is not feasible, the owner is encouraged to install the full municipal address, "330 Queen Elizabeth Driveway", both adjacent to the main entrance on Second Avenue and

on the east side wall facing Queen Elizabeth Driveway. This would significantly reduce confusion for the emergency services when attempting to locate the building. With regard to the name of the building, a non-illuminated sign not exceeding .19 square metres in area could be installed under permit at or over the principle entrance on Second Avenue -- for example, either on the existing entrance canopy fascia or on the building wall adjacent to the entrance on the first or second storey facade.

With regard to the new Signs By-law, scheduled to come into force and effect on May 16, 2000, a wall-mounted non-illuminated sign having a maximum sign-face area equal to 10% of the ground floor wall area would be permitted in the locations specified in the preceding paragraph. The increased size of sign would provide additional clarification for emergency services without compromising the residential character of the neighbourhood or the Queen Elizabeth Driveway through the use of a ground mounted sign.

In light of the above, the Department is of the opinion the application does not satisfy the general purpose and intent of the by-law and it is recommended that the application be refused.

Consultation

In response to the standard early notification, several respondents including the National Capital Commission opposed the application. The primary concerns, as outlined in Document 2, are that the sign would detract from both the residential character on Second Avenue and the scenic National Capital Commission Queen Elizabeth Driveway, would introduce unwanted light pollution and set an undesirable precedent. The Glebe Community Association indicated their opposition based on the concerns outlined above. Finally, the National Capital Commission emphasized that the sign would have a significant negative impact on the aesthetic and heritage qualities of Queen Elizabeth Driveway, a major scenic entry into the Capital. The ward Councillor is aware of the application.

Disposition

The Department of Corporate Services, Statutory Services Branch is to notify the applicant, Claude Neon, 390 - 2255 St. Laurent Blvd., Ottawa, Ontario, K1G 4Y3 and the property owner, Roxdrive Holdings Ltd., c/o Tycon Realty Ltd., P.O. Box 1003 STN Main, Milton, Ontario, L9T 4B6, of City Council's decision.

List of Supporting Documentation

Document 1	Fact Sheet
Document 2	Details of Requested By-law Amendment and Consultation details
Document 3	Location Plan
Document 4	Site Plan
Document 5	Elevation Drawing

Part II - Supporting Documentation

FACT SHEET

Document 1

Signs By-law Amendment Application
 Address - 330 Queen Elizabeth Drive
 JPD4850/QUEE 00330

Current Zoning:	R3M
Sign Level Use:	Level 1
Defined Special Signage Area:	N/A
Existing Development/Use:	Residential Apartment Bldg.
Site Plan Control (Cross Reference):	N/A
Existing Signs Under Permit: (For the Subject Occupancy)	Ground sign permit in 1970 Sign since removed.
Requested:	Permitted or Maximum allowable:
Type: On-Premises ground sign	Not Permitted - wall sign permitted
Classification: Identification sign	Permitted
Illumination: Proposed	Not Permitted
Location: In the north-east corner of the property adjacent to Queen Elizabeth Driveway	Not Permitted
Area of Face: 1.87 square metres	Not Permitted - Maximum wall sign .19 square metres
Sign Height: 1.7 m.	Not Permitted

NOTES:

Relief from articles 1.1.1.1., 1.1.2.5., 1.1.3.3., 1.1.4.1. and 1.1.5.1 of Schedule A of By-law 311-90, as amended, to permit one on-premises identification ground sign in a Level 1 Use Zone that:

- is illuminated
- is mounted perpendicular to the street line
- has a maximum sign area limitation of 1.87 square metres, and
- has a maximum dimension height limitation of 1.7 metres

Consultation Details

In response to the standard early notification circulated to area residents and businesses located within 30 metres of the subject property, the ward councillor and business/community groups, 15 responses were received all in opposition to the application. The following specific comments were provided.

In Support:

- ii None.

Against:

- ii The apartment has never put the name on the entrance canopy and suddenly they want a large illuminated sign on the corner of the property.
- ii Queen Elizabeth Drive is one of the most beautiful features of this City, beautifully tended by the N.C.C. and the pride of those who live here. One of the delights is that it is virtually free of this type of illuminated sign.
- ii No apartment house has any other commercial signs on the Driveway.
- ii The by-law standards are in place for a reason and I can see no reason to make an exception, especially a precedent setting exception.
- ii The sign would be a visual eyesore, visual pollution daily to every resident and

driver on Second Avenue and the Queen Elizabeth Driveway.

- ii A sign would change the character of the Driveway, obstruct the panoramic view for Second Avenue residents and be an unnecessary advertising device for a large apartment building.
- ii Adds to the light pollution already coming from the apartment building.
- ii This large apartment building is clearly visible without a large ground sign.
- ii There are many other ways to identify the building without ruining the beauty of the Canal.

Glebe Community Association

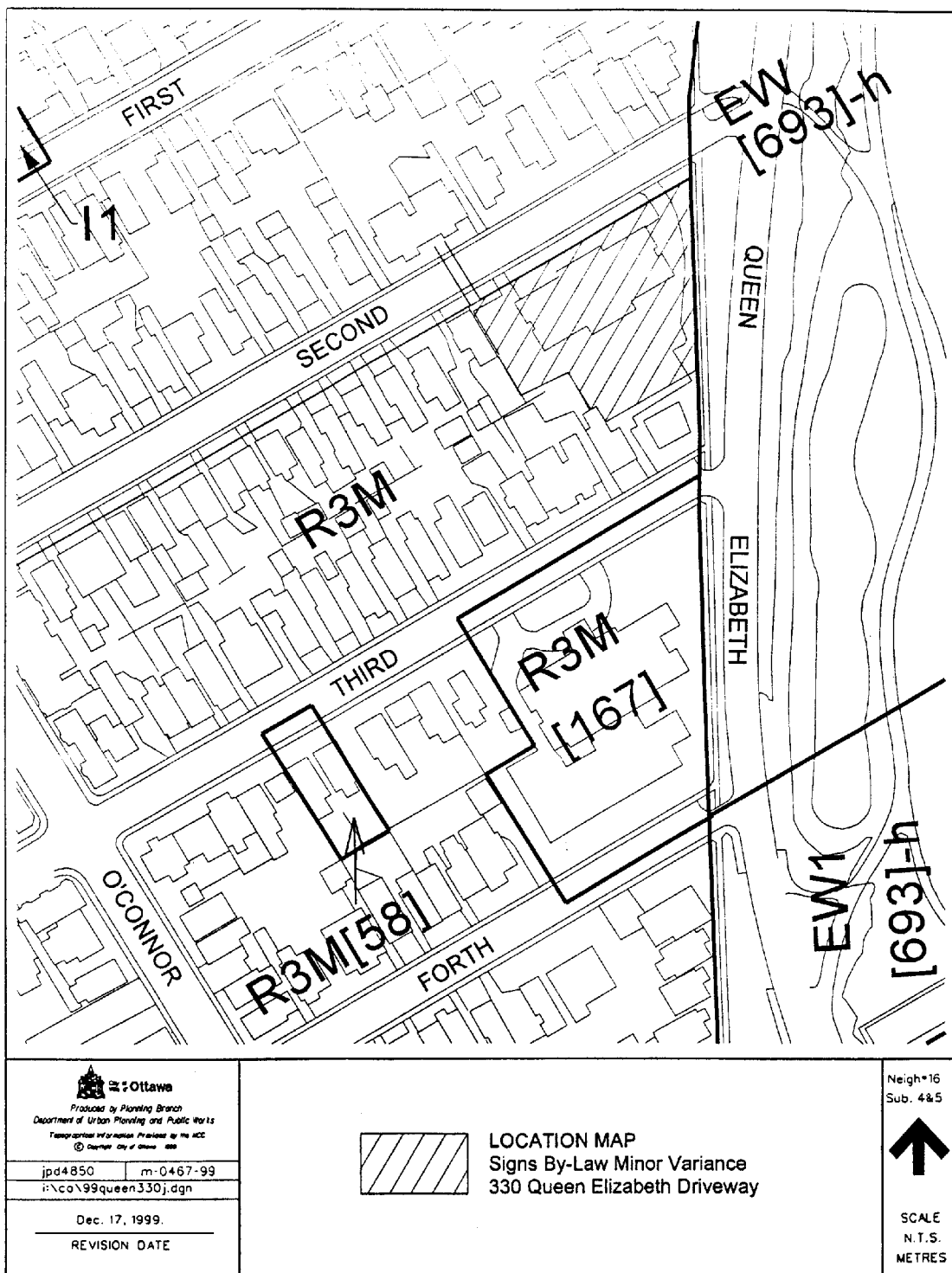
The Association strongly opposes this application. There are no illuminated signs along the Driveway in the Glebe. This would change the peaceful character of the Driveway and make it look more commercial. It would also create unwanted light pollution for neighbours. It would set an undesirable precedent for other apartment buildings wishing to do the same. While all 14 board members opposed the illuminated sign, we do not necessarily oppose a ground based sign but we are concerned with the illumination.

National Capital Commission

I would like to reiterate the National Capital Commission's great discomfort with the proposal for a sign fronting the Roxborough Apartment Building at 330 Queen Elizabeth Drive. The sign would have a significant negative impact on the aesthetic and heritage qualities of Queen Elizabeth Drive, a major scenic entry into the Capital.

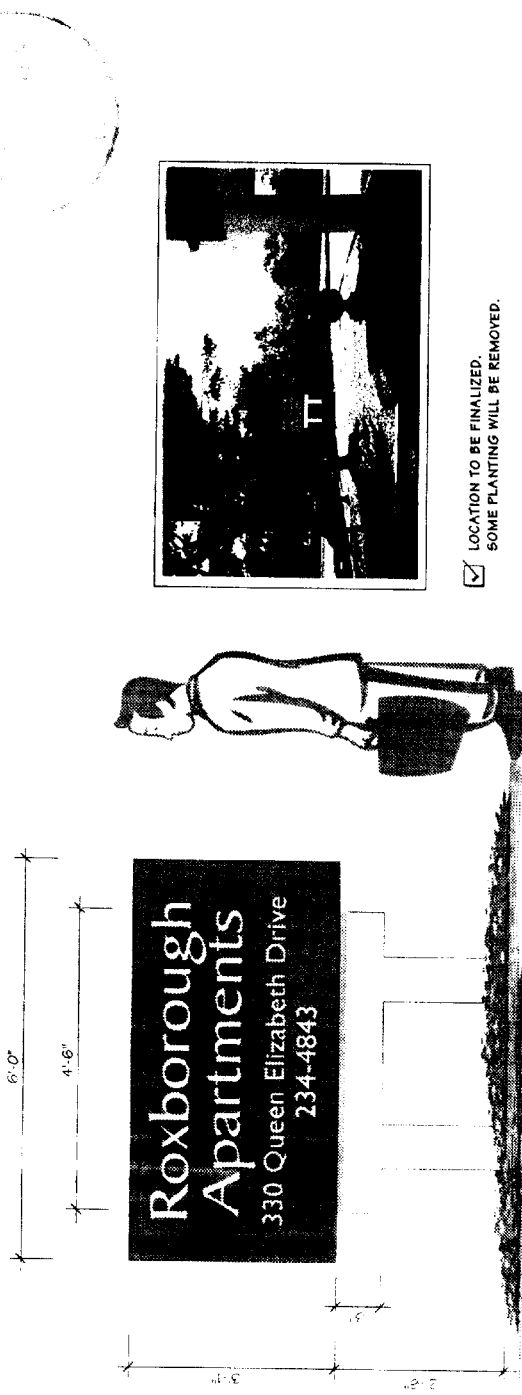
Ward Councillor

Councillor Inez Berg supports the position of the neighborhood and the Glebe Community Association, i.e. the sign is not appropriate at this location.



ELEVATION DRAWING

Document 5



DOUBLE-FACED ILLUMINATED GROUND SIGN
SCALE: 3/4" = 1'-0"

- DOUBLE-FACED ILLUMINATED GROUND SIGN LIT FROM INSIDE BY H10 FLUORESCENT TUBES
- FACE TO BE NO. 2146 PIMENTED IVORY FLEXIGLAS WITH BACKGROUND TO BE PAINTED TO MATCH PPG DURACRON K71232 BROWN (OPAQUE) ON THE OUTER SURFACE
- ALUMINUM EXTRUSIONS TO BE PAINTED PPG DURACRON K71232 BROWN
- CASE TO BE 1/8" ALUMINUM PAINTED FLAT WHITE

LOCATION TO BE FINALIZED.
SOME PLANTING WILL BE REMOVED.



Claude Neon

ALAN GIANTOUS
505 OTTAWA

ROXBOROUGH APARTMENTS
330 QUEEN ELIZABETH DRIVE OTTAWA ONTARIO

DATE: _____ BY: _____

APPROVED BY: _____ DATE: _____

REVISIONS

NO. DATE DESCRIPTION



250

City of
Ville d'**Ottawa**

March 7, 2000

ACS2000-PW-LTB-0003
(File: XOD8100/0200)

Department of Urban Planning and Public
Works

Ward/Quartier
City Wide

- Planning and Economic Development
Committee / Comité de l'urbanisme et de
l'expansion économique
- City Council / Conseil municipal

Action/Exécution

14. Agreement Renewal - Rideau Valley Conservation Authority - Septic Systems

Renouvellement de l'entente - Office de protection de la nature de la vallée Rideau - Fosses septiques

Recommendations

1. That the City extend its agreement with the RVCA for the enforcement of Part 8 of the Ontario Building Code relating to septic systems and small-contained sewage systems in accordance with the original terms and conditions agreed to in 1998 and attached as Document 1 and with a new termination date of December 31, 2000.
2. That the Commissioner of Urban Planning and Public Works be delegated the authority to execute the agreement as documented on behalf of the Corporation of the City of Ottawa and be authorized to make minor revisions of an administrative nature to the agreement if required.

March 8, 2000 (8:52a)

Edward Robinson
Commissioner of Urban Planning and Public
Works

CJ:seg:sk

Contact: Catherine Junop - 244-5300 ext. 1-3368

March 8, 2000 (11:17a)

Approved by
John S. Burke
Chief Administrative Officer

Financial Comment

There are no direct financial implications in these recommendations. Subject to City Council approval, all permit applications for this service will be referred to the Rideau Valley Conservation Authority for action.



March 7, 2000 (3:09p)

for Mona Monkman
City Treasurer

BH:cds

Executive Report

A Report to City Council dated June 15, 1998 was approved providing the authority for the Commissioner of Urban Planning and Public Works to enter into an Agreement with the Rideau Valley Conservation Authority for the enforcement of Part 8 of the Ontario Building Code relating to septic systems and small self contained sewage systems. Prior to 1997, sewage systems were regulated by Public Health Units or Conservation Authorities. Then, as part of the Province of Ontario, Services Improvement Act of 1997, the enforcement of smaller self-contained sewage systems was transferred to municipalities.

Reasons Behind Recommendations

The Conservation Authority has been responsible for the approval, inspection, and enforcement of these systems to date, and this Agreement maintains the status quo until December 31, 2000. With the exception of the Townships of Osgoode and West Carleton, the Conservation Authority has provided this service for all area municipalities.

Economic Impact Statement

There continues to be no financial impact on the Corporation with this Agreement. The expenses assumed by the Conservation Authority in fulfilling the responsibilities of the Act are recovered through the charge of \$400.00 per permit application. Through the extension of this Agreement, the Corporation maintains continuity in the existing program and ensures that the enforcement responsibility is carried out at no cost to the Corporation. Furthermore, the Conservation Authority has advised that there will be no permit fee increase for the period of this Agreement.

Consultation

A draft of this Report and the Agreement have been reviewed and approved by the Office of the City Solicitor.

Options and Analysis of Options

The only option available would be the provision of this service by the Corporation. This option is not recommended because of the minimal financial gain, the increased exposure to liability, and the additional burden on staffing and training to incorporate the responsibilities at this time. In 1999, the RVCA received only one application from within the City of Ottawa. The RVCA has provided this service for a considerable length of time and is equipped with the expertise and the administrative framework to continue.

Disposition

The Office of the City Solicitor to arrange for the execution of the Agreement.

List of Supporting Documentation

Document 1 Draft copy of the Agreement between the City of Ottawa and the Rideau Valley Conservation Authority

Part II - Supporting Documentation

SEWAGE SYSTEM MANAGEMENT AGREEMENT Document 1

This agreement dated as of the day of

BETWEEN:

RIDEAU VALLEY CONSERVATION AUTHORITY
(hereinafter called the “Conservation Authority”)

OF THE FIRST PART

- AND -

THE CORPORATION OF THE CITY OF OTTAWA
(hereinafter call the “Municipality”)

OF THE SECOND PART

WHEREAS this Agreement is being entered into pursuant to the *Building Code Act* Section 32.1(2) (hereinafter called the “Act”), for the purpose of delegating to the Conservation Authority certain responsibilities under the Act and the Building Code, as they are from time to time amended, as set out herein with respect to sewage systems (with a capacity of less than 10,000 litres per day);

NOW THEREFORE IN CONSIDERATION of the mutual covenants herein contained, the parties hereto agree as follows:

ARTICLE ONE

GENERAL

Section 1.01 Application: This Agreement shall be applicable to all lands within the municipality not serviced by municipal sewers.

Section 1.02 Duties: The Conservation Authority shall faithfully carry out its duties hereunder in accordance with the Act and the Building Code in force from time to time, this Agreement and any other legislation contemplated hereunder.

ARTICLE TWO

DEFINITIONS

Section 2.01 of this Agreement,

- (i) “Sewage System” means any work for the collection, transmission, treatment and disposal of sewage or any part of such works to which the Act applies with a design capacity of less than 10,000 litres per day and located wholly within the boundaries of the lot or parcel on which is located the building which it serves;
- (ii) “Inspector” means an inspector appointed under Section 32.1(3) of the *Building Code Act, 1992* as amended:

ARTICLE THREE

SERVICES OF THE CONSERVATION AUTHORITY

Section 3.01 Services: The Conservation Authority shall provide the following services in relation to the Lands:

- (i) Must carry out an inspection of land which is planned to be divided by severance, where no municipal sewage services are proposed, to ensure that each lot will be suitable for the installation of a Sewage System.
- (ii) Inspection of properties prior to the issuance of a permit for the construction, installation, establishment, enlargement, extension or alteration of a Sewage System.
- (iii) Following the issuance of a permit, inspection and reinspection when necessary, of Sewage System installations to ascertain compliance with the permit and other requirements under the Act or Building Code.
- (iv) Land Inspections, to determine the acceptability of applications for minor variances or lot line adjustments, as they relate to existing and proposed Sewage Systems and review of official plans and zoning by-laws and amendments to ensure compliance with provisions of the Act and Building Code relating to Sewage Systems.
- (v) Issue permits under the Act and Building Code relating to Sewage Systems (a “Permit”).

- (vi) Receive and process applications and requests related to activities listed in paragraphs (i) through (v) of this section.
- (vii) Provide reports and comments on minor variances and severances directly to the appropriate planning authority.
- (viii) Review planning documents including, but not limited to, subdivision proposals, draft official plans, and proposed amendments, to ensure compliance with provisions of the Act and Building Code relating to Sewage Systems.
- (ix) As requested, attend meetings of Municipal Council and their committees to discuss matters relating to any provisions of the Act or Building Code relating to Sewage Systems.
- (x) Maintain adequate records of all documents and other materials used in performing the duties required under this Agreement.
- (xi) Upon reasonable notice by the Municipality, provide reasonable access to the Municipality of all records kept under subsection 3.01 (x) within 5 days of such notice.
- (xii) Consult with various groups regarding compliance with provisions of the Act and Building Code relating to Sewage Systems.
- (xiii) Respond to inquiries made by any person under the Freedom of Information and Protection of Privacy Act and related Regulation, as amended from time to time, or through any other legal channel.
- (xiv) Investigate complaints and malfunctioning Sewage Systems, undertake compliance counselling and preparation of reports for abatement action as it relates to existing and proposed Sewage Systems.
- (xv) Issue orders under the Act relating to Sewage Systems.
- (xvi) Prepare documentation necessary for prosecution activities relating to Sewage Systems under the Act and the Building Code. Administer proceedings relating to Sewage Systems pursuant to the Provincial Offenses Act, R.S.O. 1990, c. P.33.
- (xvii) The Conservation Authority shall provide all forms necessary for the administration of this Agreement.

- (xviii) Any other matters relating to the administration or enforcement of the Act or Building Code relating to Sewage Systems.

ARTICLE FOUR

FEES

Section 4.01 Collection of Fees: The Conservation Authority shall collect and retain all fees, as set out Regulation 98-01, payable by any person for work performed by the Conservation Authority hereunder as compensation for its services provided hereunder and all persons required to pay any such fee shall pay the fee to the Conservation Authority. The Authority agrees that compensation for the services outlined in Article Three - “Services of the Conservation Authority” shall be provided solely from the fee collected pursuant to Section 4.01 and the Municipality shall not be required to pay any further compensation to the Authority for the services.

Section 4.02 Amendment of Fee Schedule: The Conservation Authority shall have the sole discretion, acting reasonably, to amend the fees as set out in Schedule A in Regulation 98-01 from time to time. Each municipality will be notified in advance of any change in fees.

ARTICLE FIVE

INSPECTORS

Section 5.01 Appointment: The Board of Directors of the Conservation Authority shall be responsible for the appointment of all Sewage System Inspectors and shall issue a certificate of appointment bearing his or her signature, or a facsimile to it, to each Inspector appointed by the Conservation Authority.

ARTICLE SIX

LIABILITIES AND INSURANCE

Section 6.01 Indemnification of the Conservation Authority: The Conservation Authority, its directors, employees and agents shall indemnify and save harmless the Municipality from any and all claims, demands, causes of action, loss, costs or damages that the Municipality may suffer, incur, or be liable for, resulting from the performance of the Conservation Authority, its directors, employees and agents in the execution of the work and obligations described under this Agreement.

Section 6.01 Insurance: The Conservation Authority shall provide and maintain Commercial/Comprehensive General Liability insurance subject to limits of not less than Five Million Dollars (\$5,000,000.00) inclusive per occurrence for bodily injury, death and damage to property including loss of use thereof. Such insurance shall be in the name of the Conservation Authority and shall name the Municipality as an additional insured thereunder.

ARTICLE SEVEN

TERM AND TERMINATION OF AGREEMENT

Section 7.01 Term: This Agreement shall continue in force the period between March 31, 2000 and December 31, 2000.

Section 7.02 Termination: This Agreement may be terminated by either party on not less than 180 days written notice. Upon termination of this Agreement, the Conservation Authority shall provide the Municipality complete copies of all files and records of the Conservation Authority relating to the exercise of the delegated authority pursuant to this Agreement. The obligation of the Conservation Authority to indemnify the Municipality pursuant to Section 6.01 of this Agreement shall continue in full force and effect after the termination of this Agreement with respect to all actions or omissions of the Conservation Authority in executing the work under this Agreement prior to the date of termination.

ARTICLE EIGHT

MISCELLANEOUS

Section 8.01 Preamble: The preamble hereto shall be deemed to form an integral part thereof.

Section 8.02 Gender, etc.: Whenever the singular form is used in this Agreement and when required by the context, the same shall include the plural, the plural shall include the singular and the masculine gender shall include the feminine and neuter genders.

Section 8.03 Amendments: This Agreement shall not be changed, modified, terminated or discharged in whole or in part except by instrument in writing signed by the parties hereto, or their respective successors or permitted assigns, or otherwise as provided herein.

Section 8.05 Notices: Any notices, report or other communication required or permitted to be given hereunder shall be in writing unless some other method of giving such notice, report or other communication is expressly accepted by the party to whom it is given and shall be given by being delivered or mailed to the following addresses of the parties respectively:

- (a) To the Conservation Authority:
Rideau Valley Conservation Authority
1127 Mill Street, Box 599
Manotick, Ontario
K4M 1A5
Attention: General Manager

(b) To the Municipality:

The Corporation of the City of Ottawa
 111 Sussex Drive
 Ottawa, Ontario
 K1M 5A1

Attention: Chief Building Official

Any notice, report or other communication, if delivered, shall be deemed to have been given or made on the date on which it was delivered to any employee of such party, on the date of receipt of facsimile transmission, or if mailed, postage prepaid, shall be deemed to have been given or made on the third business day following the date on which it was mailed (unless at the time of mailing or within forty-eight hours thereof there shall be a strike, interruption or lock-out in the Canadian Postal Service, in which case service shall be by way of delivery only). Either party may at any time given notice in writing to the other party of the change of its address for the purpose of this Section 8.03.

Section 8.06 Headings: The section heading hereof have been inserted for the convenience of reference only and shall not be constructed to affect the meaning, construction or effect of this Agreement.

Section 8.07 Governing Law: The provisions of this Agreement shall be constructed and interpreted in accordance with the laws of the Province of Ontario as at the time in effect.

IN WITNESS WHEREOF the parties hereto have executed this Agreement as of the day and year first written above.

**RIDEAU VALLEY CONSERVATION
 AUTHORITY**

General Manager

Director

**THE CORPORATION OF THE CITY OF
 OTTAWA**

Commissioner of Urban Planning and Public Works



March 9, 2000

ACS2000-PW-LTB-0007
(File:TAS3000/QUES 00100)

Department of Urban Planning and Public
Works

Ward/Quartier
OT6 - Somerset

- Planning and Economic Development
Committee / Comité de l'urbanisme et de
l'expansion économique
- Action/Exécution

**15. Transportation - Travel Demand Management Plan - World Exchange
Plaza - 100 Queen Street**

**Transports - Plan de gestion des besoins en transport - World
Exchange Plaza - 100, rue Queen**

Recommendation

That the World Exchange Travel Demand Plan, prepared by Delcan Corporation for Truscan
Property Corporation, dated January 2000 and attached as Document 1, be **ACCEPTED**.

March 10, 2000 (12:27p)

Edward Robinson
Commissioner of
Urban Planning and Public Works

JS:lf

Contact: John Smit - 244-5300 ext. 3866

March 13, 2000 (8:48a)

Approved by
John S. Burke
Chief Administrative Officer

Financial Comment

Implementation of the Transportation Demand Management Plan will be the responsibility
(including the provision of funding) of the property owner.

March 10, 2000 (11:47a)

for Mona Monkman
City Treasurer

BH:cds

Executive Report

Reasons Behind Recommendation

Background

On July 28, 1998, the Planning and Economic Development Committee considered a Departmental submission recommending approval of modifications to the Development Agreement between the City of Ottawa and Truscan Property Corporation for the World Exchange Plaza (WEP). The modifications were requested by Truscan to accommodate an office tower for the Phase 2 development of the WEP, and to allow 439 spaces of the 839 public parking spaces currently provided within the below-grade parking facility to be available for lease to the office and retail tenants of the development. The Planning and Economic Development Committee recommended approval of the Departmental recommendation subject to a number of conditions, which included the following:

To submit a Travel Demand Management Plan to include modal share and vehicle occupancy targets satisfactory to the Planning and Economic Development Committee, and to provide updates on an annual basis until those targets are met.

The Planning and Economic Development Committee recommendation (and associated conditions) was approved by City Council on August 5, 1998.

In response to the above, Truscan Property Corporation retained Delcan Coporation to undertake research to determine the existing modal share at the WEP, to identify modal share and vehicle occupancy targets for the proposed office tower (Phase 2 of WEP), and establish a time frame for TDM initiatives to be undertaken and to achieve the proposed targets. The Consultant's study, proposed TDM plan, and recommendations are contained in a document entitled "*World Exchange Plaza Travel Demand Management Review and Plan*" (included as **Document 1**).

WEP Travel Demand Management Plan

The WEP Travel Demand Management Plan (**Document 1**) has been reviewed by the Department and is being forwarded to the Planning and Economic Development Committee for the Committee's acceptance.

The research undertaken by the Consultant to determine the existing modal share at the WEP identified the following:

- 53% of all trips were non-auto related;

- 12% of all trips were multi-occupant vehicle related; and,
- 35% of all trips were by single occupant vehicles.

In comparing the existing modal share at WEP with the existing modal shares in the Core Area (Central Business District west of the Rideau Canal), it was found that the current modal shares for the WEP are comparable to the 1995 Core Area modal shares. In reviewing the Central Area (as identified in the City Official Plan) targets identified in the Region's Transportation Master Plan (TMP) for 2021, it was determined that the existing non-auto modal shares for the WEP are greater than the targets set out for the Central Area. The TMP does not identify specific targets for the Core Area.

Based on the existing modal shares for the WEP and the targets identified in the TMP, the consultant has recommended that the TDM objectives for the new building should be to meet or exceed those modal shares set out in the Region's Transportation Master Plan for the Central Area, and to meet or exceed the existing vehicle occupancy rates for the WEP. The Department considers these to be appropriate targets for the new development. The TMP is the only document that sets out area wide targets for the Central Area and it is appropriate that Phase 2 of the WEP meet these. Also, the WEP currently has a relatively low percentage of single occupant vehicle trips and it is appropriate to establish as a target, a vehicle occupancy rate that is equal to or better than the current vehicle occupancy rate.

To determine whether the targets are met following construction of Phase 2, the Consultant is recommending that a second TDM survey be undertaken once the second office tower reaches 70% occupancy. This will identify the travel mode choices for the new tenants and if the targets are not met, specific TDM measures will be identified for implementation to achieve the modal share targets with annual follow-up studies being undertaken until the targets are achieved. The Department concurs with this strategy.

In addition to identifying modal share targets and detailing timing for achieving the targets, Truscan Property Corporation is intending to advance three TDM initiatives aimed at further increasing non-auto modes of travel and to reduce reliance on single occupant vehicles. These measures, intended to be instituted in advance of the second TDM study to be undertaken following completion and 70% occupancy of the Phase 2 office tower are:

- improved change and shower facilities on-site for walkers and cyclists;
- sale of OC Transpo tickets on site; and,
- a one-time grant to OC Transpo of \$40,000 for use by OC Transpo at its discretion to promote transit ridership.

In summary, the Department is satisfied with the Transportation Management Demand Plan submitted by Truscan Property Corporation and recommends that the Plan included in **Document 1** be accepted by the Planning and Economic Development Committee.

Environmental Impact

No environmental impact is anticipated as the recommendation falls within the MEEP Automatic Exclusion List - Section 1 (d) - Studies/Surveys.

Disposition

Department of Urban Planning and Public Works to prepare a staff-initiated revision to the Approved Site Plan for Phase 2 of the WEP to include within the associated Site Plan Control Agreement conditions related to the following:

1. Follow-up Travel Demand Management Studies (as recommended in **Document 1**);
and,
2. Implementation of travel demand measures, should these be required, to achieve the transit modal and vehicle occupancy targets set out in **Document 1**.

List of Supporting Documentation

Document 1 - World Exchange Plaza Travel Demand Management Review and Plan

Part II - Supporting Documentation

Document 1

**WORLD EXCHANGE PLAZA
TRAVEL DEMAND MANAGEMENT
REVIEW AND PLAN**

Prepared for:

**Truscan Property Corporation
c/o Elliott Realty Advisors Inc.**

by:

DELCAN

January 2000

SO2342SO-A00

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DELCAN

1.0 INTRODUCTION

Travel Demand Management (TDM) comprises a variety of initiatives to promote alternate modes of travel to single occupancy vehicle travel. Truscan Property Corporation is proposing to add a second office tower to the existing World Exchange Plaza (WEP) located on Queen Street in the City of Ottawa. One of the conditions of the site plan agreement for the second office tower is as follows;

to submit a Travel Demand Management Plan to include modal share and vehicle occupancy rate targets satisfactory of the Planning and Economic Development Committee. Truscan further agrees to update these figures on an annual basis until the targets identified in the report have been reached and submit these updates to Planning and Economic Development Committee.

The condition can be divided into two parts:

- The development of satisfactory modal share and vehicle occupancy targets for the second tower; and
- A plan to monitor the values annually until the targets have been reached.

To satisfy this condition, Delcan was retained to undertake research to determine the existing modal share at the WEP. A survey of employers and employees at the World Exchange Plaza was conducted to determine existing travel behaviour. The performance of the existing building is used as an indicator of the potential performance of the new building. Based on the existing behaviour of employees at the WEP, this report identifies modal share and vehicle occupancy targets for the second tower as well as a time frame for the TDM initiatives to be undertaken and the proposed targets reached.

There are presently 52 employers and approximately 1500 employees in the WEP. The following tables provide a summary of the results of the employer and employee surveys undertaken in the Summer and Fall of 1999. Survey response rates are considered high relative to other tenant surveys undertaken by the property manager at the WEP. A copy of each survey form is attached as Appendix A.

**TABLE 1
SURVEY RESPONSE RATES**

	Total Number	Responses	% Response
Employers	52	31	60%
Employees	1500	388	26%

2.0 EXISTING CONDITIONS

Based on the surveys undertaken of the existing building, the current conditions for modal share and vehicle occupancy of the WEP were determined and are presented below.

2.1 TRAVEL MODE BREAKDOWN

The following is a breakdown of the travel mode share for the World Exchange Plaza based on the results of the employee survey.

**TABLE 2
EXISTING TRAVEL MODE BREAKDOWN**

Travel Mode		% of trips	
walk		9.6%	53%
bicycle ¹		1.8%	
transit		41%	
telecommute		0.4%	
taxi		0.3%	
multi-occupant vehicles	car/van pool	3.4%	12%
	passenger	8.5%	
single occupant vehicle		35%	35%

¹ Figures are for year-round trips. During the Spring, Summer, and Fall seasons, cycle trips would account for approximately twice the percentage shown, or 4% of all trips.

As shown, 53% of all trips were non-auto related. Approximately 12% of trips were multi-occupant vehicle related and 35% of all trips were by single occupant vehicles.

2.2 VEHICLE OCCUPANCY

Vehicle occupancy was investigated in the survey through the questionnaires to employees as well as through vehicle occupancy counts conducted in the morning peak period at the parking garage's two entrance locations.

Based on the employee survey responses, the following table identifies the number of persons in the vehicle, including the driver, for those who said they come to work by car and park at the WEP.

**TABLE 3
EMPLOYEE SURVEY
VEHICLE OCCUPANCY**

# of persons in each car	# of cars	Total # of persons
1	106	106
2	24	48
3	3	9
Total	133	163

In total, there were 133 vehicles with 163 occupants for a vehicle occupancy of 1.2.

The second method for determining vehicle occupancy was with a vehicle occupancy survey of the two World Exchange Plaza parking garage entrances. Table 3 identifies the number of cars and the number of persons per car arriving during the morning peak period (7:30-9:00am).

**TABLE 4
VEHICLE OCCUPANCY SURVEY**

# of persons per car	# of cars	Total # of persons
1	469	469
2	25	50
3	1	3
Total	495	522

In total, there were 495 vehicles surveyed with 522 occupants for a vehicle occupancy of 1.05.

The vehicle occupancy calculation based on the survey at the parking garage entrances was lower than that from the employee survey. The discrepancy between these two vehicle occupancy data sources likely results from the garage survey being undertaken at the underground entrances to the WEP parking facility. Passengers that work outside of the WEP are likely dropped off and picked up at other locations or on the street before the vehicle enters the garage where the occupancy counts were recorded. As a result, these individuals would not have been counted. The actual vehicle occupancy for those employees who park at the WEP is therefore likely between 1.1 and 1.2.

3.0 TARGETS

The suggested targets for the TDM performance of the second tower at the World Exchange Plaza are based on the existing conditions at the WEP and the targets identified in the ROC Transportation Master Plan (1997). Existing data for the Core Area and the Central Area from the Region of Ottawa-Carleton's Transportation Master Plan as well as the 1995 *TRANS Origin-Destination Survey* are included below for purposes of comparison with the current conditions at the WEP.

3.1 COMPARISON WITH REGION'S TRANSPORTATION MASTER PLAN (1997)

The 1997 Transportation Master Plan provides modal share conditions for the Core Area and for the Central Area for 1995 as well as targets for the Central Area for 2021. Table 5 compares these values against the 1999 existing conditions for the World Exchange Plaza.

**TABLE 5
COMPARISON'S TO THE REGION'S
TRANSPORTATION MASTER PLAN**

Travel Mode	Core Area	Central Area		WEP
	1995	1995	2021	1999
walk	12%	1%	3%	10%
cycle	3%	3%	4%	2%
transit	36%	28%	33%	41%
auto	49%	68 %	60%	47%

Comparison with the Core Area

The values for the WEP are comparable to those for the Core Area for walking (10% compared to 12%) and cycling (2% compared to 3%). The WEP has a lower share of auto-related travel (47% compared to 49%) and a higher level of transit use (41% compared to 36%) when compared with the Core Area values. The Transportation Master Plan does not appear to identify travel mode targets for the Core Area.

Comparison with the Central Area

When compared with the values for the Central Area, which extends beyond the Core, the WEP modal share for cycling is comparable with the 1995 conditions and has a significantly lower share of auto travel (47% compared to 68%) and a significantly higher rate of walking (10% compared to 1%) and transit (41% compared to 28%). It appears that the only established modal share targets in the Region's Transportation Master Plan are for the Central Area.

3.2 1995 TRANS ORIGIN-DESTINATION SURVEY

Another source for comparison is the *1995 TRANS Origin-Destination Survey* undertaken by the Region. Information provided by the Region on the transit modal share to/from the Central Area of Ottawa (TRANS Traffic Zones 1, 2, and 3) is as follows:

- approximately 30% of all trips destined to this area in the morning peak period are by transit; and
- approximately 45% of work trips destined to this area in the morning peak period are by transit.

The transit share of work-related trips for the WEP is comparable, at 41%, to the data from the Region's origin-destination survey for morning peak period work trips.

Based on the surveys undertaken, the travel mode characteristics of the existing WEP employees compare favourably with recent data and projected targets for the Central Area of Ottawa. The WEP generally exceeds the 1995 averages in the Core Area for non-auto travel and its 1999 transit modal split surpasses the 2021 targets for transit identified by the Region for the Central Area.

3.3 SUGGESTED TARGETS

The existing TDM performance of the WEP has favourable levels of non-single occupant vehicle travel relative to the existing conditions in the Core Area and to the Region's 2021 targets set out for the Central Area. The TDM objectives for the new building should be to meet or exceed those modal share targets set out in the Region's Transportation Master Plan for the Central Area and to meet or exceed the existing vehicle occupancy rates.

4.0 TDM INITIATIVES

Notwithstanding the favourable existing levels of non-single occupant vehicle travel the owner of the WEP is proposing to advance the following initiatives to further increase non-auto modes of travel and to reduce the use of the single occupant vehicle:

- provide improved change and shower facilities on-site for cyclists and walkers;
- the sale of OC Transpo passes and tickets on-site at the WEP; and
- a one time grant of \$40,000 will be made to OC TRANSPO to be used at their discretion to promote transit ridership.

4.1 FURTHER TDM INITIATIVES

Upon completion of the TDM employee survey of the second tower, if TDM levels meet the targets, it is recommended that no further TDM surveying of the WEP be undertaken. If upon completion of the survey, the levels are determined to be lower than targeted, then it is recommended that further TDM initiatives be undertaken at that time.

Should subsequent TDM monitoring be required, future vehicle occupancy counts could be conducted at two time periods (prior to 9:30am and after 9:30 am). Surveying at these two times will take into account the current requirement that a certain percentage of parking be closed (chained off) until 9:30 am in order to retain a percentage of parking spaces for the retail customers of the WEP.

5.0 RECOMMENDATIONS

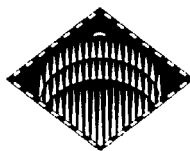
The recommendations of this study are;

- When the second office tower reaches 70% occupancy, a second TDM survey should be conducted at the WEP to determine the travel mode choices of the new tenants in the second tower;
- If the travel mode choices determined by this second survey are at suitable levels, no further TDM monitoring of the WEP will be required;
- If the travel mode choices are not at suitable levels, further TDM initiatives should be undertaken at that time by the management of the WEP in an effort to obtain the targeted levels; and
- Subsequent TDM surveys be undertaken on an annual basis until the targets have been met.

APPENDIX A

**EXAMPLE OF EMPLOYER
AND EMPLOYEE SURVEYS**

DELCAN



WORLD
EXCHANGE
PLAZA

Company name: _____ phone: _____
 Contact person: _____ fax: _____
 Title: _____ e-mail: _____

Section A - Employees

1. How many of your employees work at the World Exchange Plaza? Part-time _____
Full-time _____
2. How many full-time employees work a compressed work week? _____
3. How many full-time employees have flexible work hours? _____
4. How many company paid parking spaces are provided? _____
- 5a. Are all of these paid spaces within the World Exchange Plaza building? Yes__ No__
- 5b. If No on 5a, how many external paid parking spaces are provided? _____

Section B - Existing Travel Demand Management (TDM)

Does your company currently undertake any of the following programs and incentives for employees at the World Exchange Plaza?

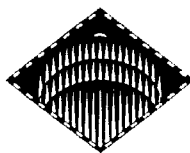
	Yes	No
1. Charge employees for parking		
2. Transit promotion (e.g. literature)		
3. Transit pass subsidy		
4. Transit pass sales by payroll deduction		
5. Company organized car-pooling programs		
6. Preferential parking for car-pooling		
7. Provision of change and shower facilities		
8. Sufficient, visible and secure bicycle parking		
9. Walking and cycling promotion		
10. Guaranteed ride home for late-working employees		
11. Paid taxi fare for late-working employees		
12. Travel Demand Management promotional literature		

Please return by fax to (613) 739-7105.

If you have any questions about this survey please call Marc Sarazin at 738-4160.

Thank you for your assistance.

O & Y Enterprise Real Estate Services
 45 O'Connor Street, Suite 300, Ottawa, Ontario K1P 1A4
 Tel: (613) 230-3002 • Fax: (613) 563-3217 • www.oyp.com



WORLD
EXCHANGE
PLAZA

Company Name: _____
Section A - Work Information

1. Are you a full-time or part-time employee? full time ___ part time ___
2. Do you currently work a compressed work week? Yes ___ No ___
(i.e. 37.5 to 40 hrs in 4 days or less)
3. Do you have flexible work hours? Yes ___ No ___
(i.e. able to choose your start and finish times)
4. How do you travel to work? (Please indicate the number of days in a typical work-week that you use each of the following transportation methods)

Telecommute ___ days/week	taxi ___ days/week
walk ___ days/week	car/van pool ___ days/week
bicycle ___ days/week	private car (driver) ___ days/week
transit (bus) ___ days/week	private car (passngr) ___ days/week

Section B - Private Vehicle Travel Information

If you come to work by private vehicle, please answer the following:

1. Are you generally the driver, or the passenger? Driver ___ Passenger ___
2. How many people are usually in the vehicle (including the driver)? # _____
3. Is the vehicle most often parked at the World Exchange Plaza? Yes ___ No ___
4. Do you pay for your own parking? Yes ___ No ___ partially ___

Section C - Incentives To Reduce Private Vehicle Travel

If you most often come to work by private vehicle (car, van, truck), which of the following incentives, if any, would motivate you to change from private vehicle travel to walking, cycling, transit or car pooling? (please indicate your top 3 choices with a ✦).

Transit pass subsidy by your employer	___	Convenient change and shower facilities	___
Transit passes available through payroll deduction	___	Sufficient, visible and secure bicycle parking	___
Company organized car-pooling programs	___	Guaranteed ride home for late-working employees	___
Preferential parking for car-poolers	___	Paid taxi fare for late-working employees	___
Reduced parking rate for car-poolers	___	Other _____	___
A walking and cycling promotion program	___	None of the above	___

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City of
Ville d' **Ottawa**

February 14, 2000

ACS2000-PW-PLN-0009
(File: LBT-3200-500)

Department of Urban Planning and Public
Works

Ward/Quartier
City Wide

- Planning and Economic Development
Committee / Comité de l'urbanisme et de
l'expansion économique
- City Council / Conseil municipal

Action/Exécution

16. Ontario Municipal Board Appeals against the *Zoning By-law, 1998* Appels interjetés devant la Commission des affaires municipales de l'Ontario contre l' Arrêté municipal sur le zonage de 1998

Recommendation

That the amendments to the *Zoning By-law, 1998* resulting from the issue resolution process for the Ontario Municipal Board appeals against the new zoning by-law, be APPROVED, as detailed in the recommendations column of Document 2.

February 14, 2000 (1:45p)

Edward Robinson
Commissioner of Urban Planning and Public
Works

February 16, 2000 (8:28a)

Approved by
John S. Burke
Chief Administrative Officer

DL:dl

Contact: David Leclair - 244-5300 ext. 1-3871

Planning and Economic Development Committee Recommendation - February 22, 2000

► *The Committee concurs and so recommends, subject to the following, as detailed in the Committee Recommendation/Action (PEDC) column of Document 2:*

- 1) *That the departmental recommendation on the lands located at 711-713 Montreal Road be **approved**.*
- 2) *That the departmental recommendation on the lands located at 1454 Clementine Boulevard be **deferred** to its meeting of March 28, 2000.*

3) *That no further notice be provided pursuant to Section 34(17) of the Planning Act.*

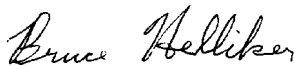
Record of Proceedings is attached.

City Council Decision - March 1, 2000

- ▶ *The Planning and Economic Development Committee recommendation, as presented, carried.*

Financial Comment

N/A.


February 14, 2000 (1:30p)

for Mona Monkman
City Treasurer

BH:cds

Executive Report

Reasons Behind Recommendation

This report outlines the progress made with respect to the appeals against the *Zoning By-law, 1998*. Since the last such appeals report, dated November 4, 1999, a number of appeals have been withdrawn. Document 1 indicates the status of these and the remaining appeals. Since the last appeals report, Urbandale Corporation, David Gladstone, Andrew Doyle Investments, Ottawa-Carleton Homebuilders Association, Richcraft Homes Ltd., Old Ottawa South Community Association, and Capital Parking et al have withdrawn their appeals, bringing the number either withdrawn or dismissed/ resolved at the Ontario Municipal Board (OMB) to 33 of the original 41 appeals. The appeal by the Regional Municipality of Ottawa-Carleton has, at their request, been adjourned by the OMB. In addition, another 2 appeals are expected to be withdrawn. Discussions are continuing with the remaining five appellants, Centretown Citizens Ottawa Corporation, the Ottawa-Carleton District School Board, the Ottawa-Carleton Catholic District School Board, Les Filles de la Sagesse d'Ontario and Inglenook Developments Inc..

Attached as Document 2 are staff recommendations to resolve two of the remaining appeals, Les Filles de la Sagesse d'Ontario and Inglenook Developments Inc., both of which are scheduled to proceed to an OMB hearing on March 27, 2000. Staff has been in contact with both appellants independently and worked towards solutions to their appeals. The

recommended zoning amendments are considered reasonable and acceptable from a land use planning perspective, as discussed in Document 2. It must be noted that if Council is unable to support the staff recommendations contained in this report, then planning consultants would need to be retained to support Council's position on these matters at the OMB.

Consultation

In its review of the outstanding appeals, staff exchanged correspondence and telephone calls with the appellants and undertook site visits prior to finalizing its recommendations.

Disposition

Department of Corporate Services, Statutory Services Branch to notify the Regional Municipality of Ottawa-Carleton, Development Approvals Division, of City Council's decision.

Office of the City Solicitor to forward implementing by-law to City Council.

Department of Urban Planning and Public Works to prepare and circulate the implementing by-law(s).

List of Supporting Documentation

- | | |
|------------|--------------------------------------------------------------------------------------------|
| Document 1 | Status of Appeals Against The Zoning By-law, 1998 |
| Document 2 | Proposed Resolution to Two of The Remaining Appeals Against The <i>Zoning By-law, 1998</i> |
| Document 3 | Location and Zoning- 711-713 Montreal Road |
| Document 4 | Location and Zoning- 1454 Clementine Boulevard |

Part II - Supporting Documentation

STATUS OF APPEALS AGAINST THE ZONING BY-LAW, 1998

Document 1

Appellant	Appellant Name	Appeal Status	OMB Date
1	Urbandale Corporation	withdrawn	
2	20 Vic Management Ltd.	withdrawn	
3	D..Kenneth Gibson	withdrawn	
4	1155519 Ontario Inc.	withdrawn	
5	Toth Holdings Ltd.	withdrawn	
6	Andrew Axline	withdrawn	
7	AEB Holdco	withdrawn	
8	University of Ottawa	withdrawn	
9	David Gladstone	withdrawn	
10	Mastomattei Holdings	withdrawn	
11	Centretown Citizens Ottawa Corp.	partially withdrawn-all issues but downzonings withdrawn	to be determined
12	RMOC	partially withdrawn- (items 3,4,11,12 withdrawn)	adjourned (as of Jan.13/00)
13	David McNicholl	dismissed	
14	898640 Ontario Inc.	withdrawn	
15	Claridge Residential Inc.	withdrawn	
16	Andrew Doyle Investments	withdrawn	
17	Minto Developments Inc.	withdrawn	
18	Ottawa-Carleton Home Builders Association	withdrawn	
19	Richcraft Homes Ltd.	withdrawn	
20	Chris Jalkotzy	withdrawn	
21	O-C District School Board	deferred by OMB	after Sept., 2000
22	O-C Catholic District School Board	deferred by OMB	after Sept., 2000
23	Old Ottawa South Community Association	withdrawn	
24	James A Colizza Architect Ltd.	withdrawn	
25	Louis Lepage	withdrawn	

Appellant	Appellant Name	Appeal Status	OMB Date
26	Carsons A. Unsworth / Scott and McRae	withdrawn	
27	Helen Anderson	withdrawn	
28	Les Filles de la Sagesse d'Ontario	outstanding	Mar.27, 2000
29	NCC	withdrawn	
30	M. Denison and M.R.Denison in trust	withdrawn	
31	1155323 Ontario Ltd.	withdrawn	
32	Capital Parking et al	withdrawn	
33	Ontario Hydro	withdrawal pending Nov.23 PEDC appeals report	Mar.27, 2000
34	Jim Kargakos	resolved at OMB	
35	Cognos and Investors Group	withdrawn	
36	Arnon Corp.	withdrawn	
37	Metcalfe Realty Co. Ltd.	withdrawal, in part- rest pending Nov.23 PED appeals report	to be determined
38	Canada Post Corp.	withdrawn	
39	Lois K. Smith	withdrawn	
40	Inglenook Developments Inc.	outstanding	Mar.27, 2000
41	The Canada Life Assurance Co.	withdrawn	

LEGEND

Withdrawn,
dismissed or
resolved at OMB



Expected Withdrawal



Proceeding to
OMB or unknown

PROPOSED RESOLUTION TO TWO OF THE REMAINING APPEALS AGAINST THE ZONING BY-LAW, 1998

APPELLANT	ZONING BY-LAW REFERENCE	PARTICULARS OF APPEAL	DISCUSSION	RECOMMENDATIONS	COMMITTEE RECOMMENDATION /ACTION (PEDC)
28. Les Filles de la Sagesse d' Ontario	Zoning Map 24-3	-711-713 Montreal Road- the appellant feels that the L3-tp5 zoning is inappropriate as there are no planning studies undertaken to justify the zoning, and the zoning does not adhere to Official Plan policies or proper planning principles; the three year time limit is a permanent downzoning as there are no opportunities to extend the time limit (expropriation, in effect-land sterilized)	-the L3-tp5 zoning was placed on these lands to reflect the nature of the previous "P" zoning under By-law Number Z-2K, pending determination of the ultimate zoning for these lands through the NOSS implementation study. -however, lifting the three year time limit by removing the temporary "tp5" subzone would not be in conflict with the Official Plan, as the L3 Zone was in fact created to be applied to leisure/natural areas such as this which were previously zoned "P" and are located in the Residential Area designation of the Official Plan -it is also proposed that an exception (exception [698]) be added to the zoning of these lands to permit the same range of uses allowed in the "tp5" subzone and under the former "P" zoning (cemetery, community centre, community health and social service centre, court house, ecclesiastical residence, emergency services, municipal office, place of worship, retirement home, recreational uses, various government uses) -this would be consistent with the approach used for both the National	That the lands located at 711-713 Montreal Road as shown on Document 3 be rezoned from L3-tp5 to L3 [698]	<i>The Committee concurs and so recommends.</i>

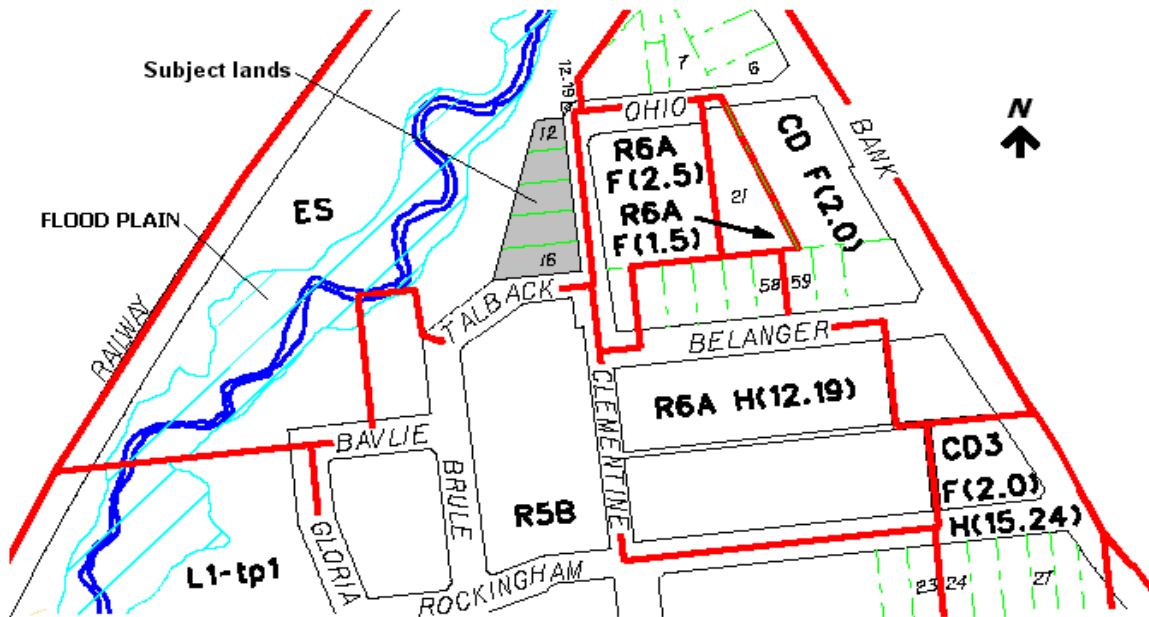
APPELLANT	ZONING BY-LAW REFERENCE	PARTICULARS OF APPEAL	DISCUSSION	RECOMMENDATIONS	COMMITTEE RECOMMENDATION /ACTION (PEDC)
			<p>Capital Commission and Ontario Hydro lands, and would not compromise the development review process, as any future development plans for this site for uses other than the above would still be subject to a rezoning</p> <p>-it should be noted that an application to subdivide the subject lands for detached, semi-detached and townhouse lots has recently been submitted to the Region for consideration- as well, a rezoning application for these lands has also recently been filed with the City</p>		
40. Inglebrook Developments Inc.	Zoning Map 31-2	<p>-1454 Clementine Boulevard- the appellant has had ongoing discussions with City regarding rezoning and developing the subject property from P to R5 under By-law Number Z-2K</p> <p>-the appellant is of the opinion that the ES zoning boundary should exclude this site as it is not part of the</p>	<p>-the lands in question were zoned "P" under previous Zoning By-law Number Z-2K</p> <p>-the entire lot was placed in an ES Zone under the <i>Zoning By-law, 1998</i> to provide appropriate zoning controls to address the unstable slope along the western lot line abutting Sawmill Creek</p> <p>-however, it has since been determined by Environmental Management that the boundary of the Greenway System abutting this site is located at the 73 metre height contour line, which essentially defines the top of the unstable slope</p> <p>-consequently, the ES Zone should</p>	<p>That the lands located at 1454 Clementine Boulevard be rezoned to place those portions of the site which are located above the 73 metre elevation contour line as shown on Document 4 in an R5B Zone</p>	<p><i>The Committee recommends that this issue be DEFERRED to its meeting of March 28, 2000.</i></p>

APPELLANT	ZONING BY-LAW REFERENCE	PARTICULARS OF APPEAL	DISCUSSION	RECOMMENDATIONS	COMMITTEE RECOMMENDATION /ACTION (PEDC)
		environmentally sensitive area	<p>only apply to those lands located at or below the 73 metre contour- the remainder of the site can be zoned to permit some opportunity for development</p> <p>-as all of the surrounding area is zoned to permit apartment (R5) or high-rise apartment buildings (R6), it is proposed that these lands be rezoned to R5B, to permit a range of residential uses up to and including a low rise apartment building not exceeding 13.5 metres in height, similar to adjacent lands located to the south along Clementine Boulevard</p> <p>-appropriate measures would still have to be undertaken through the site plan and building permit approval processes to ensure the safety of development abutting this unstable slope</p>		

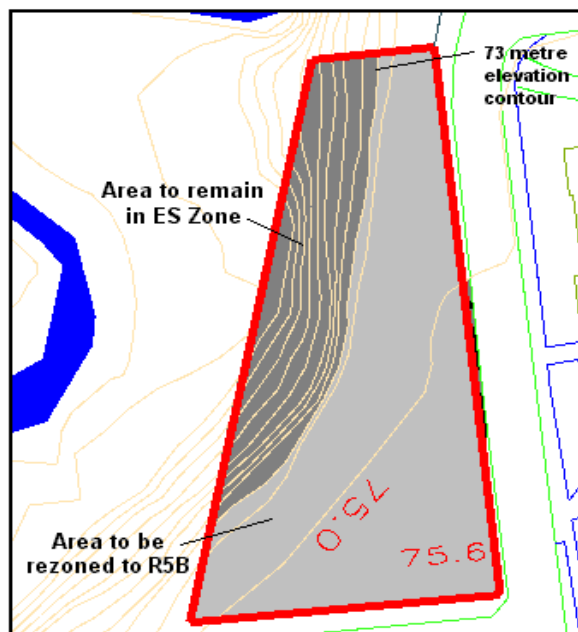
LOCATION AND ZONING- 711-713 MONTREAL ROAD



LOCATION AND ZONING- 1454 CLEMENTINE BOULEVARD



Site Map



Record of Proceedings

Planning and Economic Development Committee - February 22, 2000

Ref #: ACS2000-PW-PLN-0009

Ontario Municipal Board Appeals against the Zoning By-law, 1998

Parties Who Appeared

David McNicoll

455 Sunnyside Avenue, K1S 0S8, Tel.: 730-5434.

Mr. McNicoll read his one page written document (see attached) and showed some slides.

Amy Kempster

Federation of Citizens' Associations

118 Clearview Avenue, K1Y 2L2, Tel.: 722-6039.

Ms. Kempster made the following presentation:

“The Federation of Citizens' Associations of Ottawa-Carleton wrote to the City early in the appeal process and indicated our support of the zoning in the bylaw and our interest in both these appeals and any mediation of them. At the first hearing of the OMB we asked for party status but unfortunately the City lawyer did not support us in our request. Unfortunately we were not included in the mediation of these appeals and receive no notification of their resolution. Friday's advertisement that the resolution of some appeals were coming to Committee on Tuesday was the only staff notification we received. This is very short notice of the City essentially giving up the defence of its own zoning. In the case of 1454 Clementine that portion of the parcel not left as ES is to be zoned R5B, with no notice of the surrounding community or circulation. The Citizen ad for today's meeting did not even mention the address. We therefore suggest a deferral of this item as we do not believe appeals should lead to back door re-zoning and we believe the Committee will agree that such a situation is against the usual good practices of public consultation of the City.”

Barbara Barr

Greenspace Alliance of Canada's Capital

1237 Pebble Road, K1V 7S1, Tel.: 731-4784.

Ms. Barr made the following presentation:

I requested, on behalf of the Greenspace Alliance of Canada's Capital, that the Alliance be granted Participant status in the two OMB appeals being discussed today. Participant status

was granted, and we were pleased because we wanted to support the City's position on these appeals. Quite frankly, we are dismayed and disappointed at how dismissively the City has treated the Greenspace Alliance recently. We did not undertake Participant status as a meaningless, silly endeavour, yet we were not even extended the courtesy of being informed that a settlement of these two appeals had been negotiated.

Had the Greenspace Alliance been extended the additional courtesy of being asked for comment on the settlement, we would not have agreed with the negotiated solution, which could explain why we were not kept informed. In our opinion, this manner of conducting business on the part of the City is very unsatisfactory.

The Greenspace Alliance recommends deferral of the settlement of the 1454 Clementine OMB appeals. The customary early consultation, notification, public comment period, and public meeting processes involved in the development proposals have not taken place. For the Clementine property, in particular, the change from ES to R5B is a big change and except for today's public meeting, for which there has been only about a 4- or 5-day notice, there has been little opportunity for the local community to meet, think about, and comment on the proposed re-zoning. I think the Province requires perhaps a 20-day notice period in the Planning Act for such re-zoning. Most local residents probably don't know the re-zoning is happening. The newspaper notice of this meeting didn't even list the addresses of the properties. The posted sign on the property has been there since 1996.

Even if it could, why would City Council want to re-zone in this manner? The City should be giving the people adequate opportunity to consider issues which will affect their local neighbourhoods and encouraging public participation in accordance with the recommendations of the "A Better Way" Task Force. Zoning to R5B in the time-frame and by the means proposed essentially deprives the community of the opportunity to participate.

Furthermore the Official Plan requires public participation in setting the borders of the Greenway System. The Official Plan specifies, "The border of the Greenway System is to be considered conceptual; should not be interpreted to follow individual property boundaries; and will be delineated through specific studies which will include public participation." The proposed negotiated settlement essentially sets the boundary of the Greenway System on the Clementine property as everything below the 73-metre height contour line, without any public participation on the matter of setting this border. Monfort Woods is not in the Greenway System, so lack of public participation does not apply to it in this respect.

Deferral would also give the Environmental Advisory Committee an opportunity to provide Council with an opinion on the proposed settlements. Also, I received a phone call yesterday from a member of the Urban Stewardship Council that the Council has not had any time to become informed about the Clementine property. The Stewardship Council is well informed about Montfort Woods.

A final advantage of deferral is that it would give time for the City to undertake, if it has not

done so already, pro-active measures to try to preserve these properties. Preservation is clearly what the communities near them desire, and is also what the NOSS recommends. Section 6.1 of the Official Plan provides for enhancing the quality of the environment by taking pro-active measures to establish a system of natural areas and open spaces and to increase the City's urban forest.

Pro-active measures could include offering land swaps to the owners or seeking the Region's assistance in purchasing the land or in land swaps. The Region's Official Plan policy of maintaining and where possible, enhancing forest cover in Ottawa-Carleton has resulted in the Region's purchase of Malborough Forest, for example.

Finally, it makes no sense whatsoever that the proposed R5B zoning for 1454 Clementine Blvd. does not reflect the nature of the previous "P" zoning as they are suggesting for Montfort Woods. Why should this property be treated differently from other properties that were previously zoned "P"?

If the appellant disagrees with the ES category for zoning above the 73-metre elevation contour line, then the part of the site above the 73-metre contour should be zoned an appropriate category of "L" which would be equivalent to the former "P" zoning. The owner can then apply to re-zone the "L" land to R5B according to the normal procedures, including early consultation, notification, and a public meeting.

Dr. Erwin Dreessen

45 Confederation Private, Tel.: 739-0727.

Dr. Dreessen made the following presentation:

I live on the other side of Sawmill Creek in a community called the Riverside Park and I feel very safe in saying that the environmental protection of the Sawmill Creek corridor is very near and dear to the hearts of members of my neighbourhood. In fact a few years back when the Neighbourhood Plan was put forward for our community, one of the highlights was the endorsement of the ES designation of the Sawmill Creek corridor. It was certainly very heartening to us that in the new *Zoning By-law, 1998* indeed that designation was confirmed. When we then later became aware of an appeal by the owner of this particular property at Clementine Boulevard, we were actually looking forward to, for once, being in a position to support the City in its defence of that ES designation, but only to be extremely disappointed to find at the last minute, that staff has completely caved in to the property owner and saw fit to come forward to you now, as mentioned by the two previous speakers, with a back door zoning from a former "P" to an "R5". I think this is totally inappropriate. It cannot be supported by myself or any one that I know in my neighbourhood and I would support the idea of deferring this so as to come up with a better solution.

Donna Silver

Heron Park North Community Association
1116 Apolydor Avenue, K1H 8B2.

Ms. Silver made the following presentation:

Heron Park North Community Association was founded in April of 1990 to deal with issues arising from developments (commercial, residential and Transitway) that were felt by the majority of residents to adversely affect the wildlife and natural vegetation contained within the ravine known as Sawmill Creek. The community has worked hard to assist and support the documentation and analysis work undertaken by the Rideau Valley Conservation Authority, the Environmental Committee of Ottawa South and the Natural and Open Spaces Study. Yet once again we are threatened by a development proposal that seeks zoning that would allow for the placement of a multi-unit building in this urban forest setting. Here we are, 2 months short of 10 years later, still fighting to protect this environmentally sensitive area from development.

While we applaud the recognition of planning staff that at least part of the property at 1454 Clementine Blvd. is not suitable for development and is to remain zoned ESA, we question the logic of the excessive designation of R5-B for the portion of this site above the 73 metre mark.

When the setback requirements are taken into consideration, the remaining portion of land upon which a building could be situated is negligible. R5-B designation is not only excessive to the useable lot size, it is still potentially a threat to the environmental issues of slope stability and it is still potentially a concern regarding increased traffic into a neighbourhood where pedestrian safety of seniors and children would likely be jeopardized.

A lot has changed here in the intervening years, and these changes must be introduced into the considerations. There are others here today who will speak to the environmental, technical and due-process questions. My purpose is to make you aware of the community itself in terms of demographics and socio-economic issues that we are beset with. We are a small community of mixed income, mixed cultures and mixed needs. The Heron Park North Community Association is actively involved in many affiliated groups such as the Coalition of Inner City Community Associations, Centretown Citizens Group, Federation of Community Associations, Greenspace Alliance of Canada's Capital, Ontario Healthy Communities Coalition and more. We have struggled with the effects of provincial downloading as they impact upon our individual lives. We have identified a sharp increase in Youth at Risk and have liaised with the Crime Prevention Unit of the Ottawa-Carleton Regional Police to develop programs to slow this process down. We have been (and still are) dealing with having a convicted paedophile living in our community. There are houses that have been identified as being active drug centres, and we have been working hard to reduce and ultimately eliminate these unsavoury elements from our streets. We have families living on social assistance, families whose children need social programs that would integrate them into the community.

We have no community centre to run these programs from. We have a very small park at the south end of the area, where we run an outdoor rink program and the City runs a summer wading pool. That is not enough to deal with the problems that we already have. Had we been involved in discussions on the potential re-zoning of this property, we would most assuredly have argued for reverting to P-x, thereby creating an opportunity for the City to buy back the land and reserve it for future community centre use, something we need here a lot more than we need to build condominiums. The recent stakeholder discussions of the City's Leisure Arts and Heritage Study, of which Heron Park North Community Association has been actively involved in, have been apprized of the needs situation in this demographically different pocket within the large boundaries of District 5. While amalgamation has slowed down the progress being made on those talks, we have continued apace with the design of a Community Needs Assessment and Skills Profile because we cannot afford to sit back and watch our community continue this negative spiral.

Specific to today's concerns in the north end of this community, there is an increase of seniors in immediate proximity to this site. The expansion recently undertaken at Billings Lodge has tripled the accommodations there. There is also Billings Woods, another seniors building now under construction at the corner of Bank and Ohio. We must emphasize that we do not have a problem with these developments per se, nor with the City Living buildings on Rockingham and on Belanger. But we do feel obliged to ask how many buildings can be accommodated in one little corner of the city, in a community that already has more than its share of issues to contend with? Provincial funding cuts and downloading already adversely affect the seniors living here as more of them are returned early from hospitalization and require ongoing home care. Do traffic studies clearly indicate that the need for specialty vehicles (such as Para-Transpo, ambulances, VON's etc.) which must park on limited access, narrow streets can be met or will this be creating even more problems? Or, have there even been recent traffic studies that would include consideration of these important questions in their warrant criteria?

We have been involved in more development proposals in the last year than in the previous five, and we are beginning to feel under siege. We have active commercial developments on Bank St. and applications pending on Heron Road. We have residential developments throughout the community, almost all at the north end. We have historically argued that our concerns must be addressed during any re-zoning applications and that community input is vital to the process. Indeed, it is community input that has in part contributed to the ESA designation that is being contested here today. Ten years ago, when this community began the journey to identify itself and protect its interests, there were substantially less problems than those which have just been brought to light. The need for greenspace has increased rather than decreased, the need for less development is evident to everyone who lives here. And for the seniors who live closest of all to the Clementine site, just across the street, this loss would have the most impact on quality of life.

I urge the committee members sitting here today, and the potential developers with their legal counsel, to give serious consideration to rejecting the staff recommendations. Density is a definite issue here, and adding to it will not in any way contribute to solving any of the problems in this little community. Rejecting it will.

Marion Hall

Heron Park North Community Association
1029 Aldea Avenue, K1H 8B7, Tel.: 733-3175.

Ms. Hall made the following presentation:

I am here as a long time member of the Heron Park North Community Association and also a twenty-year resident of Heron Park North. I remember when the north end of the community was re-zoned to allow multiple use dwellings and I remember when the Px zoning was put on the 1454 Clementine property. I would like to take issue with comments of staff today saying that, because the neighbouring properties are zoned multi use residential it is logical to make the portion of 1454 Clementine above the 73-metre line also R5. I think we are mixing apples and oranges. I think it is important to point out that the community already has plenty of multi use residential facilities - it is increased congestion. Donna Silver has already briefed you on that and I do not buy the suggestion that R5 is an appropriate zoning for this parcel of land. I think it was a logical move to make the zone Px years ago and I think the logic of that still holds today, in fact even more so given the needs of the seniors in the area and the fact that Clementine at that point is extremely narrow and we do have the VONs, the Para Transpo and so on that need access. We have experienced with other multi-family dwellings in the area problems with parking; problems with not having a place to put the garbage from 18 dwellings for pick-up, and I am very concerned that we are just going to be adding to those kinds of problems in an area that is already very densely occupied. I have participated in the Sawmill Creek Watershed Study and it became very evident to me in that process that we need to protect the canopy and the entirety of Sawmill Creek if it is going to work as an ecologically viable unit. So I would like to propose that the Committee apply an equivalent to Px zoning to the entire 1454 Clementine parcel.

Peter Vice

Vice & Hunter
344 Frank Street, K2P 0Y1, Tel.: 232-5773.

Mr. Vice addressed the Committee on more than one of the issues. Firstly he focussed on the positive by noting that, out of the over thirty appeals filed, we are now down to the last three; most of them had been settled with everybody involved. He spoke generally by advising that there is a motion to be heard by the Ontario Municipal Board on March 1st with regard to an adjournment of these matters and that motion comes out of an exchange of correspondence between Mr. Bellomo, Mr. Kelly and himself. He thinks that the people the Committee heard this morning and himself are all singing from the same hymn book in that regard. He talked about time period and generality on the three appeals. Whatever the Planning Committee does today and whatever goes to Council on March 1st, the by-law will

have to be circulated and even with doing it on the next day, that will take us to March 22nd with the hearing set to proceed on March 27th. He feels that this is not practical at all for everybody concerned. There is a simple time problem on this that needs to be addressed. He asked the Committee to instruct the City lawyer, Mr. Bellomo to consent to this adjournment. He had to do a lengthy affidavit because Mr. Bellomo had no instruction to date.

Speaking on the Clementine issue, he assured the residents that he is as much in the dark as they are. He heard from Mr. Bellomo late January that the City was considering a zoning on the site. He received a draft report on February 14 or 15. If the residents think that the zoning was done behind the scene, he noted that he never met with anybody at City Hall in that regard and neither have his clients. He expressed concern about whether they even support the Rx zoning. He likes the principle but he cannot advise his clients until he sees the by-law, because sometimes planners give and take away by setting conditions subject to the site plan.

Speaking on the Montreal Road property, his client presently has a conditional agreement of purchase and sale with Douglas Kelly in Trust. As pointed out by Mr. Moser, there are some separate applications on that. There is an application for subdivision approval, which was filed with the Region on December 15th. There is an application for re-zoning that was filed in early February with the City. Mr. Kelly has advised him that if this is not dealt within the 90-days he will be moving as quickly as he can to get the matters before the Board.

He also spoke on the Hydro appeal. He advised that his client's planning consultants met with the City. An arrangement was worked out and the report was approved and the by-law passed and adopted by Council. It was sent out and is presently on circulation. February 28 is the deadline date for appeal. However, he understands that there have been some mistakes or errors found in the by-law, which may necessitate a further appeal. His planning consultants are presently reviewing it.

He asked the Committee to consent to this adjournment for March 27th in order to have some meetings and discussions on all these matters.

Written Submissions by Parties

The Committee received the following written submissions:

- Letter dated February 22, 2000 from David McNicoll, 455 Sunnyside Avenue, K1S 0S8, addressed to the Planning and Economic Development Committee.

Finding of Fact and Recommendation by Committee

The Committee considered the oral and written submissions presented and, on the basis of the report by the Department of Urban Planning and Public Works, the Committee recommended the following to City Council:

- 1) That the departmental recommendation on the lands located at 711-713 Montreal Road be **approved**.
- 2) That the departmental recommendation on the lands located at 1454 Clementine Boulevard be **deferred** to its meeting of March 28, 2000.
- 3) That no further notice be provided pursuant to Section 34(17) of the Planning Act.



February 23, 2000 (11:56a)

Executive Assistant
Planning and Economic Development Committee
AML:aml

Ms Elizabeth Arnold
Chairperson
Planning and Economic Development
Corporation of the City of Ottawa
111 Sussex Drive
Ottawa, ON K1N 5A1
Tuesday, February 22, 2000 - 9:15am

ACS2000 - PW - PLN - 0009

Dear Ms. Arnold, Councillors and Citizens:

Re: Agenda 5, Action Items #4 (Monfort & Sawmill)

Thank you for the opportunity to appear before you this morning to give my feelings and attitudes regarding the proposed rezoning of two of the remaining pieces of greenspaces in Ottawa.

GIVEN the amalgamation process now underway, and
GIVEN the actual use of the Parikland Reserve Fund not to sanction greenspace, and
GIVEN the lack of detailed NOSS studies, and
GIVEN a new zoning request for the property at 711-713 Montreal Road from Mr. Crosby, and
GIVEN the lack of any Environmental Master Plan by the Council of RMOC

THEREFORE it is premature at this time to consider the zoning changes to the Montfort Woods and Sawmill Creek properties. Not supported.

From an overview position, as some of you may remember, I no longer support the structure of government in Canada which of course includes this corporation of power. And, as I have stated on previous occasions, with no adequate counter from any staff person or elected citizen, I feel Ottawa's Zoning By-Law is massively dysfunctional and can not see in law, or sanction using *plain language*, any greenspace at all. It is a sad and profoundly disturbing thesis.

Let's now consider some slides¹ of remaining greenspaces in Ottawa, none of which have been sanctioned as greenspace in *plain language* by this Council of Ottawa, of you are the elected citizens theoretically representing over 300,000 citizens.

Yours truly



David McNicoll
455 Sunnyside Avenue
Ottawa, ON K1S 0S8
cd800@ncf.ca

Rankin Family. 1993. Song - Leis An Lurgainn (Boat Song). North Country. EMI Music Canada.