

REGION OF OTTAWA-CARLETON
RÉGION D'OTTAWA-CARLETON

REPORT
RAPPORT

Our File/N/Réf. Your File/V/Réf.	15-99-SD19
DATE	25 January 2000
TO/DEST.	Co-ordinator Planning and Environment Committee
FROM/EXP.	Commissioner Planning and Development Approvals Department
SUBJECT/OBJET	UNIFORM URBAN DEVELOPMENTS, CARLING AVENUE SUBDIVISION - CITY OF NEPEAN

DEPARTMENTAL RECOMMENDATION

That the Planning and Environment Committee recommend that Council approve Draft Plan of Subdivision 06T-99019 as outlined in the Draft Plan Approval Report attached as Annex A.

INTRODUCTION

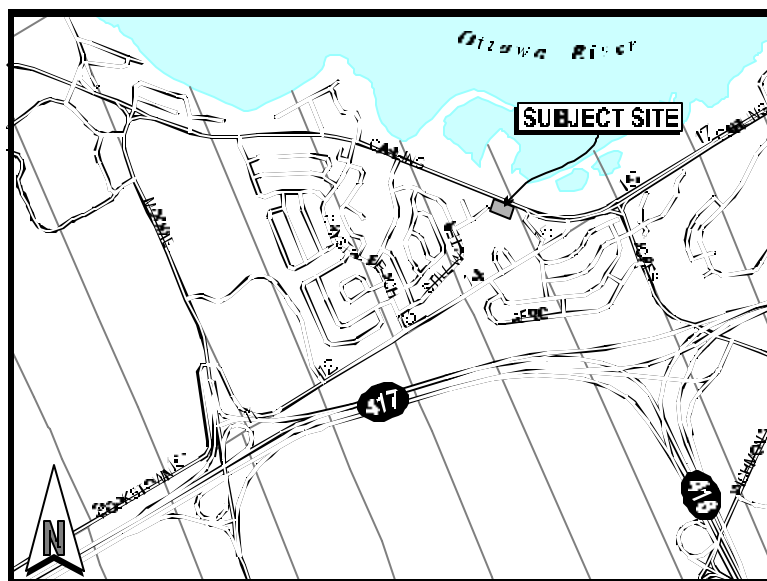
Uniform Urban Development Ltd. have applied for approval of a plan of subdivision for eight residential units on the subject site being lands located on the south side of Carling Avenue in the City of Nepean. The City of Nepean held a public meeting on 19 October 1999 in accordance with the requirements of the Planning Act and has recommended that the plan of subdivision be approved. At the same meeting, Nepean Planning and Development Committee recommended that the zoning by-law amendment to implement this plan be approved. Nepean Council subsequently passed By-law 088-99 which allowed the eight units with reduced setbacks. An appeal of By-law 088-99 to the Ontario Municipal Board was subsequently filed by Gerald S. Webb, a local resident.

This application is being brought to Planning and Environment Committee at the request of Mary Bush a local resident who supported the appeal to the zoning by-law and objects to the plan of subdivision.

This is a disputed application and therefore requires "Refusal" or "Approval" by Regional Council.

BACKGROUND

The subject site is designated “General Urban Area” in the Region’s Official Plan and “Residential” in the Nepean Official Plan. The subject site is 0.26 hectares (0.64 acres) in size located on the south side of Carling Avenue. The current zoning of the lands permits a block townhouse type of development (rental or condominium). An application for a plan of subdivision would not be required if the land were developed as one parcel. The owner of the land wishes to develop the land on the basis of freehold townhomes allowing the conveyance of land units to individual owners. The City of Nepean’s Official Plan only permits a maximum of three individual lots to be created through the severance process. As a result of this and the presence of the Stillwater Creek within the site, an application for plan of subdivision was required.



The property has been subject to several development applications through the years. In 1988, an application for a seven unit townhouse block was approved on the site. This resulted in the construction of the existing foundations (required to be removed) without the benefit of a building permit or site plan agreement. In 1992, a subsequent site plan control application for seven townhouse units was approved by Nepean Council but abandoned by the owner. Shortly thereafter a rezoning application for a four level apartment building was made however this did not receive approval from Nepean and was also abandoned by the owner.

Proposed Development

The proposed plan of subdivision creates two blocks as shown on the draft plan of subdivision attached as Annex B. Block 1 on the draft plan is comprised of lands from the top of slope down to Stillwater Creek. These lands will be dedicated to the City of Nepean as a condition of development. The City currently owns other sections of Stillwater Creek and the preservation of these lands is in conformity with the Regional and Nepean Official Plan(s). The valley lands of the Creek are heavily vegetated which will be retained and augmented where necessary for slope stability purposes.

The site plan application submitted in support of the plan of subdivision is attached as Annex C. The site plan indicates a total of eight units on the site with two blocks of three units oriented to Carling Avenue and one block of two units located at the rear of the site. The units are three storeys in height with a total of twenty parking spaces provided on site. The site will be served by a single access to Carling Avenue. The units will be freehold with each owner having a common interest in the access driveway, parking and landscaping.

ISSUES

Mrs. Bush in her letter dated 30 November 1999, attached as Annex D raises several issues with the proposed development. Her concerns which are identical to the reasons submitted in support of the appeal filed to the zoning by-law are as follows:

1. **Reduced Setbacks**

Concern is raised about the fact that relief from the setback requirements from three of the four property lines is required and that cumulatively, they are unacceptable and affect the community.

STAFF COMMENT

These are issues which are properly addressed through the zoning by-law amendment or minor variance process. The appeal to the zoning by-law will address whether the reduced setbacks are appropriate or not. Whether the setbacks are increased or the number of units reduced through the zoning appeal, it will not impact the ability to develop and subdivide the site subject to the attached draft plan conditions. Final approval of a zoning by-law (draft plan Condition 4, Annex A) is required before the plan of subdivision can be registered.

While development issues such as setbacks are typically addressed at the local level it should be noted that Regional staff did not object to the implementing zoning by-law approved by Nepean Council for this development. In terms of impacts on abutting residential development it should be noted that the subject site is bounded by Carling Avenue and Andrew Haydon Park to the north, the heavily vegetated Stillwater Creek to the west, the playing fields of Lakeview Public School to the south, and a walkway to Lakeview Public School to the east which separates the site from the adjacent Newport Cove condominium development. The front and side setbacks are similar to that of other freehold townhouse developments in the City.

2. **Lack of Amenity Area**

Concern has been raised about the lack of amenity area or private recreation area provided on the site.

STAFF COMMENT

Again, this is an issue appropriately addressed through the zoning by-law. The site is relatively small and would not warrant a park of its own. A substantial portion of the site comprising the Creek and valley lands are being dedicated to the City of Nepean as parkland/open space. The site is located across Carling Avenue from Andrew Haydon and Dick Bell Park(s). The City of Nepean Zoning By-law does not typically regulate a minimum amenity area for freehold development but relies on building setbacks and coverage to ensure adequate privacy areas. Significant landscaping will be provided along Carling Avenue with perimeter plantings provided and each unit having second level balconies overlooking the Ottawa River and/or Stillwater Creek. As a planned unit development, the units are designed for small upper income households which would not require large individual yards for privacy or small children to play in. In any event there are large expanses of open space and recreation areas proximate to the site. Landscaped area have been reduced from previous development proposals by 3 metres along Carling Avenue. It should be noted that this has been compensated for by additional landscaping with the regional right-of-way which will be maintained by the owner. The setback along the eastern property line has been reduced but this property line is fenced/hedged and abuts an 9.0 metre wide walkway block.

3. **Overdevelopment of Site**

The third basis for objection is that the site is overdeveloped with tight turns and access to the rear units with limited space for snow storage.

STAFF RESPONSE

Given the presence of the Creek and an existing 6.0 metre sewer easement which traverses the site, opportunity for development is constrained. The site plan application submitted to the City of Nepean indicates that laneway widths and radius conform to the City's By-law and design standards. Like many sites in the urban area, particularly those of an infill nature, snow removal will be required as there is very limited opportunity for snow storage on site. Draft plan conditions 19 and 51 prohibits snow storage or depositing of snow on vegetation or in Stillwater Creek and informs future homeowners of the requirement to have snow removed from the site. The City of Nepean (future owner of the Creek) and the Rideau Valley Conservation Authority (regulates stream and impacts on fish habitat) have also raised this concern and have legal means to ensure that this does not occur.

There are no apparent on site issues with regard to overdevelopment that would directly impact abutting residents. As mentioned earlier in the report, the site has been approved for a seven unit development on a couple of previous occasions. The addition of one unit with no change to building height, reduction in parking, or apparent impact on abutting land uses is negligible and could not be construed as "overdevelopment".

CONCLUSION

It is Regional staff's opinion that all issues pertinent to the subdivision process have been addressed through draft plan conditions and recommend that Council approve the draft plan of subdivision.

CONSULTATION

The City of Nepean hosted a public open house and the public meeting required by the Planning Act for the proposed plan of subdivision. The City of Nepean, the owner's agent Mr. Webb, and Mrs. Bush have been informed of this meeting to consider the proposed plan of subdivision.

FINANCIAL IMPLICATIONS

Staff may be required to attend an Ontario Municipal Board hearing should the decision be appealed.

*Approved by
N. Tunnacliffe, MCIP, RPP*

REGIONAL CONDITIONS FOR FINAL APPROVAL

UNIFORM URBAN DEVELOPMENTS LIMITED SUBDIVISION
CITY OF NEPEAN

DRAFT APPROVED DD/MM/YYYY

The RMOC's conditions applying to the approval of the final plan for registration of Uniform Urban Developments Limited's Subdivision (06T-99019) at 3304 Carling Avenue are as follows:

General

1. This approval applies to the draft plan certified by E.H. Herweyer, OLS, dated 23 September 1999, showing one block for 8 townhouses and one block for open space/parkland purposes.
2. The owner agrees, by entering into a subdivision agreement with the RMOC and a joint subdivision/site plan agreement (development agreement) with the City of Nepean, to satisfy all requirements, financial and otherwise, of the City of Nepean and the RMOC, including but not limited to, the phasing of the plan for registration, the provision of roads, installation of services and utilities, and drainage. **RMOC (PDAD) Nepean**
3. Prior to any further division of lots or blocks, the RMOC or the local municipality may require an additional agreement to address any new or amended conditions. **RMOC (PDAD)**

Zoning

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

Highways/Roads

5. The owner agrees, via the Development Agreement with the City of Nepean, to restore existing adjacent streets, curbs and other services that may be disturbed in the development of the subdivision. **Nepean**

6. All streets shall be named to the satisfaction of the City of Nepean and the Regional Planning and Development Approvals Department. The owner shall be responsible for the costs, if any, of creating an appropriate legal description in order for the existing roadway to be named in accordance with the Municipal Act. **RMOC (PDAD) Nepean**

Sidewalks, Walkways, and Fencing

7. The owner agrees to construct at his cost sidewalks to the specifications of the City of Nepean in locations specified within the Development Agreement. **Nepean**
8. The owner shall agree to construct at his/her cost, fencing to the specifications of the City of Nepean in the location specified by the Development Agreement. **Nepean**

Land/Streetscaping

9. Prior to final plan approval, the Landscape Plan (Thakar Associates, Drawing L-1, Job #230.1, October 1, 1999) shall be amended to incorporate additional plantings of suitable trees/shrubs and/or groundcover vegetation wherever feasible along and below the crest of slope to enhance the existing vegetative cover. The landscape architect shall also provide recommendations for any mitigative measures which will be implemented to increase the survivability of the existing oak trees which have been identified for preservation, but which are within 1.5 metres or less of the proposed asphalted areas. Recommendations shall also be provided for measures to protect these trees and existing vegetation below the crest of slope from disturbance during the period of construction. **RMOC (PDAD) Nepean**
10. The owner agrees to provide to the City of Nepean a Landscape Plan (amended per the condition above) which includes streetscape measures along the Carling Avenue frontage, said Plan to be approved to the satisfaction of the Deputy City Manager, Development Services Department and implemented by the owner. **Nepean**
11. The owner shall undertake to preserve existing vegetation where possible, as indicated in the "Existing Landscape Assessment", as prepared by Thakar Associates. **Nepean**
12. The owner agrees to enter into a maintenance and liability agreement with the Region with regard to the new plantings and berm proposed on the Regional right-of-way. **RMOC (PDAD)**

Parks

13. The owner shall convey “at no cost” to the City of Nepean, land for park purposes in the amount of 1.2 hectares per 1,000 population, or cash-in-lieu thereof as specified in the Development Agreement. This shall include the conveyance to the City of Nepean at no cost to the City of Nepean of the lands adjacent to Still Water Creek, for park and other public and recreational purposes required under Sections 42 and 51.1 of the Planning Act. **Nepean**

Environmental Constraints

14. Prior to final plan approval, the applicant shall provide written confirmation from a qualified geotechnical engineer that the final site grading and drainage plan, including the grade raise changes for the construction of the road and parking surfaces adjacent to the crest of slope, is satisfactory from a geotechnical perspective. **RMOC (PDAD) RVCA**
15. The subdivision/development agreements with the City of Nepean and the RMOC shall contain a clause whereby the owner agrees to implement the erosion control works as recommended by John D. Paterson & Associates in a November 12, 1999 letter report to the Rideau Valley Conservation Authority (File # G7536-99). Such works shall not be undertaken until the required approvals have been issued by the Conservation Authority under the “Fill, Construction and Alteration to Waterways Regulation” (Ontario Regulation 166 under Section 28 of the Conservation Authority Act). **RMOC (PDAD) RVCA**
16. The subdivision/development agreements with the City of Nepean and the RMOC shall contain a clause whereby the owner agrees that the City of Nepean or any other public agency acting on the City’s behalf, may use the private road for the purpose of accessing the Stillwater Creek Valley. Such access shall only be utilized in the event that maintenance works should become necessary on the channel and side slopes of the Stillwater Creek Valley. **RMOC (PDAD) Nepean**
17. The subdivision/development agreements with the City of Nepean and the RMOC shall contain a clause whereby the owner acknowledges that Stillwater Creek is subject to the Rideau Valley Conservation Authority’s “Fill, Construction and Alteration to Waterways Regulation” (Ontario Regulation 166 under Section 28 of the Conservation Authority Act). The regulation requires that, at the location of the subdivision, the owner of the property obtain the written approval of the Rideau Valley Conservation Authority prior to straightening, diverting or interfering in any way with the existing channel of Stillwater Creek. Any applications submitted in this regard shall be assessed within the context of approved policies for the administration of the regulation which are in effect at the time the application is submitted. **RMOC (PDAD) Nepean RVCA**

18. The owner shall agree to prohibit snow storage on the landscaped area, driveway and parking spaces at the west end of the site. **RMOC (PDAD) Nepean**
19. The subdivision/development agreements with the City of Nepean and the RMOC shall contain a clause whereby the owner agrees that snow removal on this property shall be undertaken in such a manner that snow will not be dumped over the crest of the Stillwater Creek valley slope. **RMOC (PDAD) Nepean**
20. The removal or cutting down of any trees without the approval of the City of Nepean is prohibited. **Nepean**

Stormwater Management

21. Prior to the commencement of construction of any phase of this subdivision (roads, utilities, any off site work, etc.) the owner shall: **RMOC (PDAD)**
- a) have an Erosion and Sediment Control Plan prepared by a Professional Engineer in accordance with Current Best Management Practices,
 - b) have such a plan approved by the RMOC, and
 - c) provide certification to the RMOC through a Professional Engineer that the plan has been implemented.
22. On completion of all stormwater works, the owner shall provide certification to the RMOC through a Professional Engineer that all measures have been implemented in conformity with the Stormwater Site Management Plan. **RMOC (PDAD)**
23. Prior to registration, or prior to an application for a Certificate of Approval for any stormwater works (whichever comes first), the owner shall prepare a Stormwater Site Management Plan in accordance with the general concept as specified in the September 28, 1999 letter report by Oliver, Mangione, McCalla and Associates, Reference MP13537A. The Stormwater Site Management Plan shall include recommendations for site level best management practices to improve the quality of stormwater runoff from the site, and identify the sequence of its implementation in relation to the construction of the subdivision and shall be to the satisfaction of the City of Nepean, the RMOC and the Rideau Valley Conservation Authority. **RMOC (PDAD) Nepean RVCA**
24. The owner shall note that Ministry of Environment approval is required for any on-site stormwater management facility to service this project. No construction of these works shall commence until the owner has secured a Certificate of Approval from the Ministry of Environment. **RMOC (PDAD)**

25. All leaders from eavestroughing shall be directed towards pervious surface areas, such as lawns, where possible. **RMOC (PDAD)**

Fisheries

26. The subdivision/development agreements with the City of Nepean and the RMOC shall contain a clause whereby the owner acknowledges that the Rideau Valley Conservation Authority is under agreement with the department of Fisheries and Oceans Canada to screen works that are in or beside water regarding the impacts that any such works may have on the fish habitat. Works which are likely to, or which have the potential for impact on fish habitat either directly adjacent to the site or downstream, will necessitate review by the Conservation Authority and may require approval of the Department of Fisheries and Oceans Canada. **RMOC (PDAD) Nepean RVCA**

Water Services

27. The details for water servicing and metering shall be to the satisfaction of the RMOC. The owner shall pay all related costs, including the cost of connections and the supply and installation of water meters by Regional personnel. **RMOC (PDAD)**
28. Upon completion of the installation of all watermains, hydrants and water services, the owner shall provide the RMOC with mylar(s) of the "as-built" plan(s), certified under seal by a professional engineer, showing the location of the watermains, hydrants and services. Furthermore, the owner shall provide the "as-built" information and the attribute data for the water plan installation on diskette in a form that is compatible with the Regional computerized systems. **RMOC (PDAD)**
29. The installation of the water plant shall be subject to inspection by the RMOC at the owner's expense. **RMOC (PDAD)**
30. The owner prepares, entirely at his cost, a hydraulic network analysis of the proposed water plant within the plan of subdivision and as it relates to the existing infrastructure. Said report shall be submitted to the RMOC for review and approval as part of the water plant design submission. **RMOC (PDAD)**
31. All prospective purchasers will be informed through a clause in all agreements of purchase and sale, that 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. **RMOC (PDAD)**

32. Fire flow records indicate a flow of 1600 IGPM at 20 PSI from the hydrant located west of this site on Carling Avenue. This test was performed in April 1998. This test reflects system conditions on the test date; however there may be variations in flow and pressure depending on the time of day. The owner may be required to undertake an engineering analysis certified by a professional engineer, to ensure that the water supply meets municipal/regional standards. **Nepean RMOB (PDAD)**
33. 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. **RMOB (ESB)**
34. 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. **RMOB (ESB)**
35. The owner shall satisfy the requirements of the Building Code with respect to hydrants(s). **Nepean**

Development on Private Streets

36. The owner 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 watermains, private hydrants and private water services. The agreement shall be to the satisfaction of the Regional Solicitor. **RMOB (Legal)**
37. The Purchase and Sale Agreements 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. **RMOB (Legal)**
38. The owner shall design and construct all private watermains within the subject lands to the satisfaction of the Regional Municipality of Ottawa-Carleton. The registered owner shall pay all related costs, including the cost of connection, inspection and disinfection by Regional Personnel. **RMOB (PDAD)**
39. The owner shall install the private watermains in accordance with the staging schedule approved by the RMOB. **RMOB (PDAD)**
40. Financial security, in the amount of 100% of the value of the water plant must be filed with the Regional Legal Department. **RMOB (PDAD)**
41. The owner may be required to provide a collection pad(s) for the solid waste and recycling containers of houses fronting onto the private street, such pad(s) must be in a location which allows for a safe three-point turn by collection trucks, or be located on Carling Avenue, to the satisfaction of the Environment and Transportation Commissioner. **RMOB (ESB)**

Utilities

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

Purchase and Sale Agreements and Covenants on Title

45. All prospective purchasers will be informed, through a clause in all agreements of purchase and sale, that individual curbside waste collection and/or recycling collection for properties fronting onto the private street may not be provided by the Region, and that waste collection and/or recycling collection by the Region for such properties may take place at a common collection area on Carling Avenue provided by the owner, subject to approval by the Environment and Transportation Commissioner. **RMOC (ESB)**
46. The owner undertakes and agrees to include wording in all Purchase and Sale Agreements/Subdivision Agreements and Site Plan Agreements, which will prohibit the filling of or dumping upon lands, or the destruction of trees. **Nepean**
47. The owner undertakes and agrees to include wording in all Purchase and Sale Agreements/Subdivision Agreements and Site Plan Agreements which will bind the future owners of lands to share certain parts of the property and services and utilities which pass through the lands as tenants-in-common. This Agreement will be registered to define and establish the rights and obligations between owners of units, their mortgagees and tenants, with respect to the common property and shares elements of land. **Nepean**

48. The Purchase and Sale Agreements 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. **RMOC (PDAD)**
49. The owner shall inform prospective purchasers that school accommodation problems exist in the Ottawa-Carleton District School Board schools designated to serve this development and that at the present time this problem is being addressed by the utilization of portable classrooms and/or by directing students to schools outside their community. **OCDSB**
50. The owner agrees to include in all offers and purchase and sale agreements, a clause, in wording to be developed as part of the stormwater site management plan, which conveys to future landowners information regarding the design of the stormwater management system and the relationship between property maintenance practices and potential impacts on the quality of the downstream aquatic environment. **RMOC (PDAD) RVCA**
51. All prospective purchasers, will be informed through a clause in all agreements of purchase and sale, that snow storage is prohibited on the landscaped area, driveway and parking spaces at the west end of the site, and that snow removal on this property shall be undertaken in such a manner that snow will not be dumped over the crest of the Stillwater Creek valley slope. **RMOC (PDAD)**
52. All prospective purchasers, will be informed through a clause in all agreements of purchase and sale, that a fire hydrant may be located or relocated, at any time, in front of any lot within the plan of subdivision. **RMOC (PDAD)**

Financial Requirements

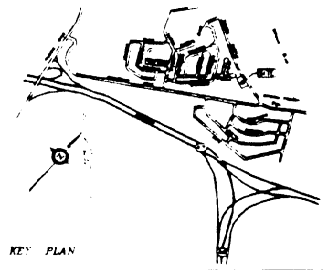
53. Prior to registration of the plan of subdivision, the RMOC shall be satisfied that the processing fee, as prescribed in Part 6.3 of the Regional Regulatory Code, has been paid in full. **RMOC (PDAD)**

Survey Requirements

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

Closing Conditions

56. The owner shall inform the purchaser after registration of each lot or block of the development charges that have been paid or which are still applicable to the lot or block. The applicable development charges shall be as stated as of the time of the conveyance of the relevant lot or block and the statement shall be provided at the time of the conveyance. The statement of the owner of the applicable development charges shall also contain the statement that the development charges are subject to changes in accordance with the *Development Charges Act, 1997* and the *Education Development Charges Act*. **RMOC (Leg)**
57. At any time prior to final approval of this plan for registration, the RMOC may, in accordance with Section 51 (18) of the Planning Act, R.S.O. 1990, amend, delete or add to the conditions and this may include the need for amended or new studies. **RMOC (Leg)**
58. The Regional and Local Subdivision Agreement shall state that the conditions run with the land and are binding on the owner's, heirs, successors and assigns. **RMOC (Leg) Nepean**
59. Prior to registration of the plan of subdivision, the RMOC is to be satisfied that Conditions 2-58 have been fulfilled. **RMOC (PDAD)**
60. If the plan of subdivision has not been registered by xxx date, the draft approval shall lapse pursuant to Section 51 (32) of the Planning Act, 1990. Extensions may only be granted under the provisions of Section 51 (33) of said Planning Act prior to the lapsing date. **RMOC (PDAD)**

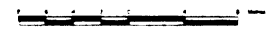


KEY PLAN

DRAFT PLAN OF SUBDIVISION

PART OF LOT 14
CONCESSION 2 (OTTAWA FRONT)
TOWNSHIP OF NEREEAN
NOW CITY OF NEREEAN
REGIONAL MUNICIPALITY OF OTTAWA CARLETON

Scale 1 : 200



Metric
DISTANCES SHOWN ON THIS PLAN ARE IN METRES AND
CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048

Prepared by: Annis O'Sullivan, Vollebek Ltd

Surveyor's Certificate

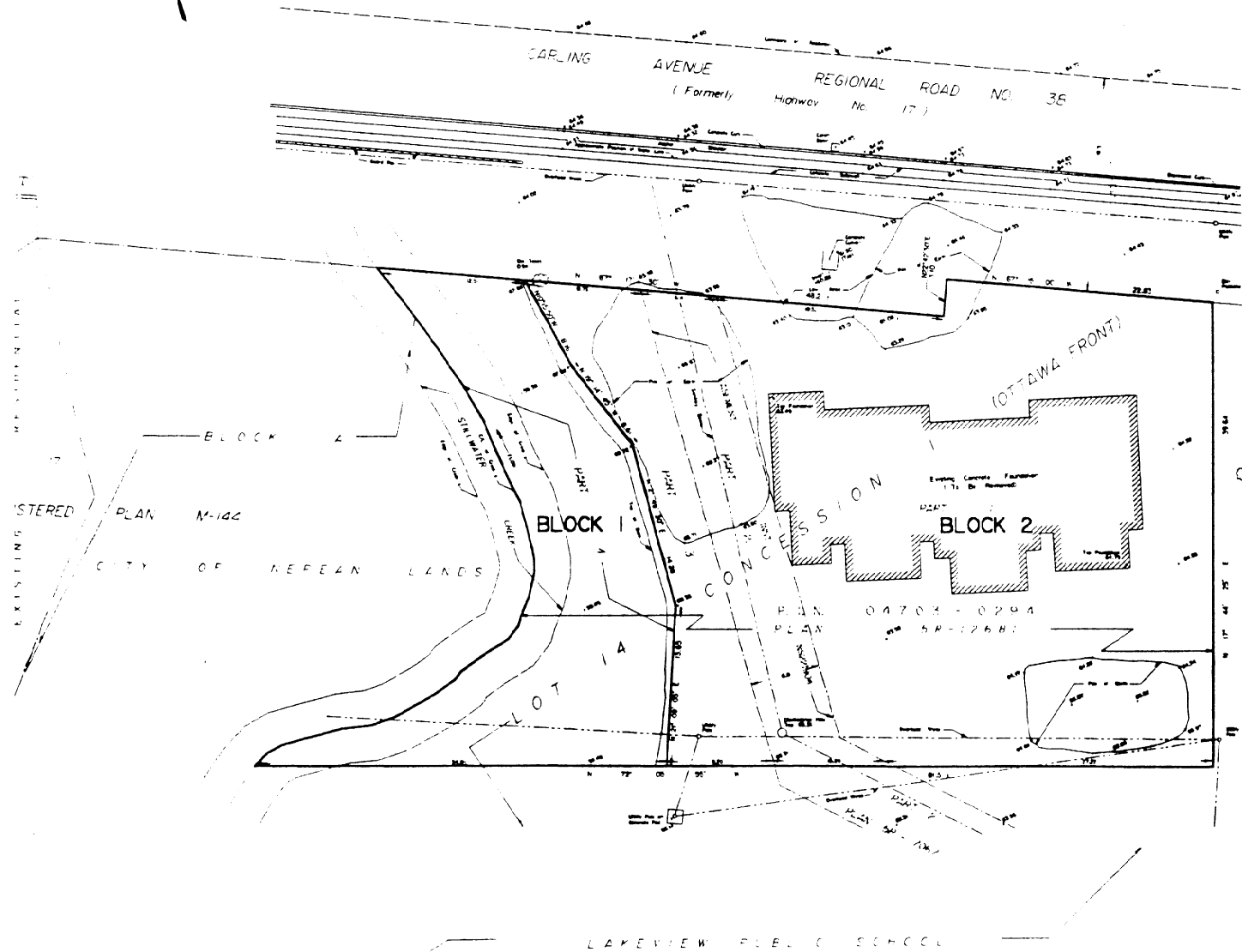
I CERTIFY THAT
The boundaries of the land to be subdivided and the measurements thereon
have been accurately and correctly shown as determined from Plan 58-0281

September 23 1999
DATE

E.H. Sullivan
E.H. Sullivan
Ontario Land Surveyor

ADDITIONAL INFORMATION REQUIRED UNDER SECTION 56(1)
OF THE PLANNING ACT

- A) AS SHOWN ON THIS DRAFT PLAN (Bounded)
- B) AS SHOWN ON THIS DRAFT PLAN (Bounded)
- C) AS SHOWN ON THIS DRAFT PLAN (Bounded)
- D) RESIDENTIAL TOWNHOUSES
- E) AS SHOWN ON THIS DRAFT PLAN (Mapping Limit)
- F) AS SHOWN ON THIS DRAFT PLAN (Bounded)
- G) AS SHOWN ON THIS DRAFT PLAN (Bounded)
- H) REGIONAL WATER
- I) SANDY LOAM / SILTY CLAY
- J) AS SHOWN ON THIS DRAFT PLAN (Bounded)
- K) ALL MUNICIPAL SERVICES AVAILABLE
- L) AS SHOWN ON THIS DRAFT PLAN (Bounded)



CARLETON CONDOMINIUM PLAN NO. 308
TOWNHOUSES

LAKEVIEW PUBLIC SCHOOL

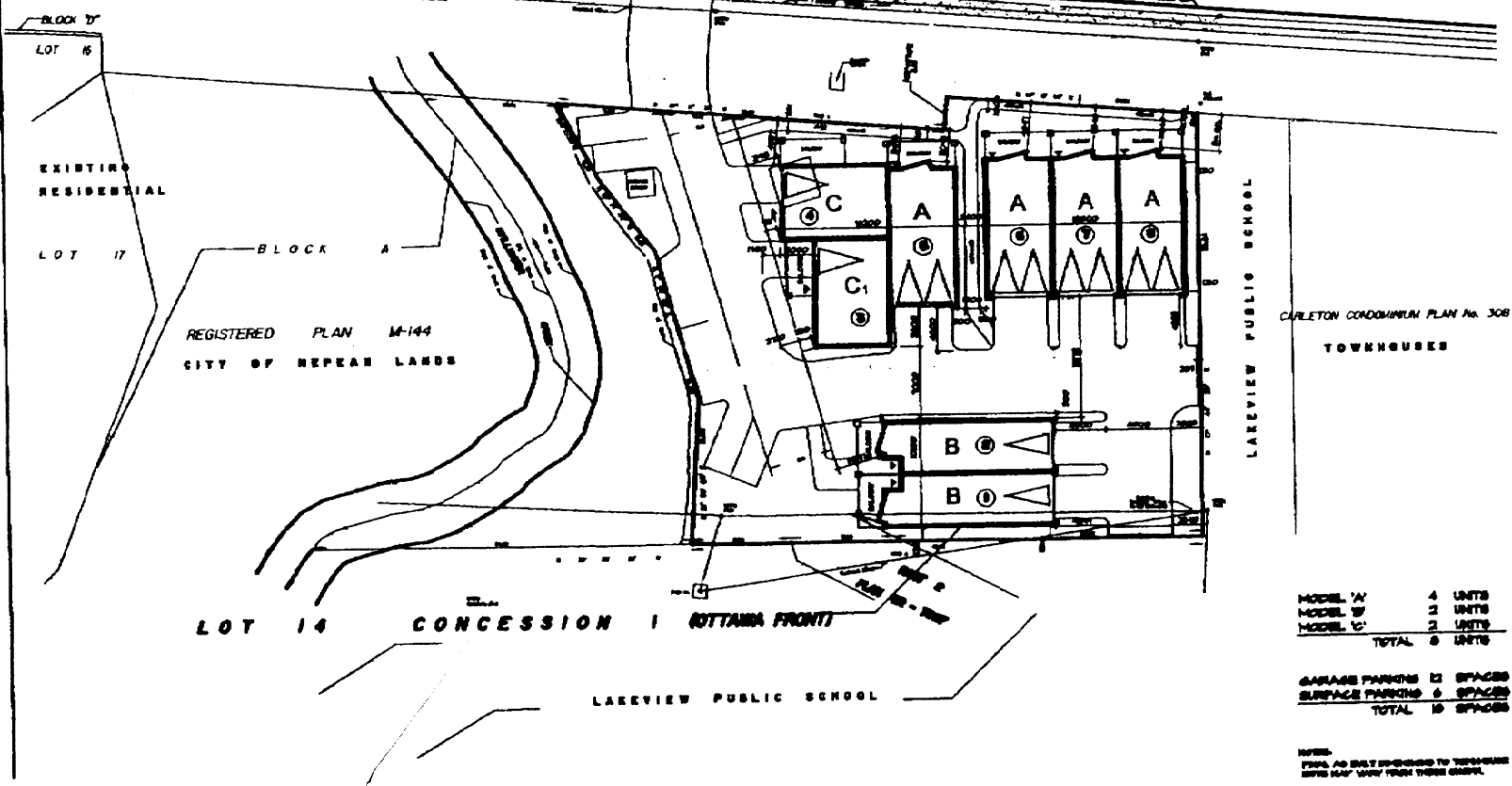
ANNIS, O'SULLIVAN, VOLLEBEK
Ontario Land Surveyors
ENCLOSURE GATE UNIT 107 NEREEAN ONTARIO R2S 7S5
TEL: (519) 881-1111 FAX: (519) 881-1112

15-99-SD19 06T-99019

ANDREW HAYDEN PARK



CARLING AVENUE REGIONAL ROAD NO. 28
(Formerly Highway No. 17)

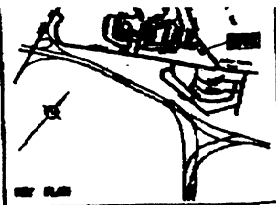


CARLETON CONDOMINIUM PLAN No. 308
TOWNHOUSES

MODEL 'A'	4 UNITS
MODEL 'B'	2 UNITS
MODEL 'C'	2 UNITS
TOTAL	8 UNITS

GARAGE PARKING	6 SPACES
SURFACE PARKING	6 SPACES
TOTAL	12 SPACES

NOTES:
PLAN AS BUILT DEPENDS ON TOWNHOUSES
SITE MAY VARY FROM THESE DATA.



UNIFORM URBAN DEVELOPMENTS
BY SUBDIVISION PERMITS
SITE AND
NEPEAN, ONTARIO REG. NO. 280
AND 280-0770

SITE PLAN OF
PART OF LOT 14
CONDOMINIUM 2 (OTTAWA FRONT)
TOWNSHIP OF NEPEAN
MUNICIPALITY OF OTTAWA CARLETON

Scale: 1 : 200
DATE: 1970.07.10

FROM THE OFFICE OF
JOHN WILLIAMS, V.L.B.S., L.T.C.
REGISTERED LAND SURVEYOR
10700 SHEPPARD AVENUE EAST

1	PLAN REVIEW	BY: [Signature]
2	REVISION	DATE: [Blank]

NAUTICA
SITE DEVELOPMENT PLAN

CORKSTOWN ROAD
AND CARLING AVENUE
CITY OF NEPEAN

SD-1

0660 67/ 510 7 7
 N.A.S. NO. 010 67/ 510 7 7
 W.M.T. W.V. 66-9 T.X.N. 66-1 -100

15 Erskine Place
Nepean, Ontario
K2H 8R8
November 30, 1999

Mr. Don Herweyer
Planning and Development Approvals Department
RMOC
FAX: 560-6006

RE: Proposed Plan of Subdivision at 3304 Carling Avenue

Dear Mr. Herweyer:

This letter is in response to your telephone call yesterday and question regarding my position with respect to my earlier letter of October 6, 1999 on the subject of the proposed Plan of Subdivision at 3304 Carling Avenue.

As you know, an objection to Nepean City Council's adoption of Nepean Zoning By-law 088-99 which amends Zoning By-Law 39-81 as it applies to Part Lot 14, Concession 1, Ottawa Front, (parts 1, 2, and 3 on Plan 5R-11482), known as 3304 Carling Avenue has been filed for the following reasons:

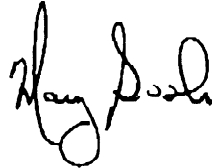
- The by-law introduces variances which provide reduced set backs to three of the four lot lines bounding the property. Each of these setbacks brings its own issues and may be defensible as a single decision, but the combination of the three variances results in a fundamental alteration of that part of the community which is unacceptable.
- Without the public's knowledge (understanding) the amenity area was changed and judged to be "not applicable" which we reject as inappropriate. It is our opinion that this requirement is indeed applicable to this site and that this development has not achieved the requirement for recreation and landscape areas.
- The site is overdeveloped, with a tight turn and restricted access to the rear units which are unacceptable especially in the winter when snow accumulation needs to be considered.

The two planning matters, zoning and Plan of Subdivision are so linked, one can not be dealt with without the other. The Plan of Subdivision is an issue in zoning and zoning is an issue in the Plan of Subdivision. My letter of objection to the Plan of Subdivision stands. The planned layout of buildings, lack of amenity area and variance on setbacks to three of the four property

lines all are symptomatic of over development. The two matters, zoning and Plan of Subdivision should proceed together.

I trust that this answers your question and that you will let me know when the issue will be considered by RMOC.

Sincerely,

A handwritten signature in black ink, appearing to read "Mary Bush". The signature is written in a cursive style with a large initial "M" and a long, sweeping underline.

Mary Bush