

**2. CANADA LANDS COMPANY LTD. -
PROPOSED SUBDIVISION - 363 SMYTH ROAD, OTTAWA**

COMMITTEE RECOMMENDATION AS AMENDED

That Council give draft approval to the proposed subdivision at 363 Smyth Road, Ottawa (06T-99002), subject to the conditions attached as Annex I, as amended by the following:

That Transportation staff and the developer review the intersection of the Smyth/Fairbanks Subdivision entrance to ensure that the through movement to/from Fairbanks and to/from the entrance to the proposed subdivision is a safe movement and that the results of the review are incorporated into the final intersection if required.

DOCUMENTATION

1. Planning and Development Approvals Commissioner's report dated 24 Mar 2000 is immediately attached.
2. An Extract of Draft Minute, 11 Apr 2000, immediately follows the report and includes a record of the vote.

REGION OF OTTAWA-CARLETON
RÉGION D'OTTAWA-CARLETON

REPORT
RAPPORT

Our File/N/Réf. (25) 15-99-SD02
 Your File/V/Réf.

DATE 24 March 2000

TO/DEST. Co-ordinator
 Planning and Environment Committee

FROM/EXP. Commissioner
 Planning and Development Approvals Department

SUBJECT/OBJET **CANADA LANDS COMPANY LTD**
PROPOSED SUBDIVISION
363 SMYTH ROAD, OTTAWA

DEPARTMENTAL RECOMMENDATION

That the Planning and Environment Committee recommend that Council give draft approval to the proposed subdivision at 363 Smyth Road, Ottawa (06T-99002), subject to the conditions attached as Annex I.

BACKGROUND

The land that is the subject of this application is the site of the former Rideau Veterans Home, which has been declared surplus, and sold to the Canada Lands Company Ltd, which is the agency charged with disposing of surplus federal lands. It consists of 8.55 ha. (See Location Map as Annex II).

This is the first parcel to come forward for development within the much larger area covered by the Alta Vista/Smyth Road Planning Study, which the City of Ottawa approved on 6 November 1996. Subsequently, the City adopted Official Plan Amendment No. 22 which changed the designation of most of the subject property from "Major Institutional" to "Residential" and was approved by the Region on 1 October 1997. Most of the site is designated "General Urban Area" in the Regional Official Plan with the extreme westerly part being "Business Park" - the part that is "Major Institutional" in the City's Official Plan.

THE PROPOSAL

The proposal from Canada Lands Company Ltd. consists of a variety of housing types and one block for office uses.

In more detail, the proposal comprises 17 single family lots, three blocks for semi-detached and row housing (105 units) and a block, on the east side, for senior citizen (retirement home) suites (115 units). One block is being set aside which will protect both a 300 year old Burr Oak, and also will be the site for a memorial to Canada's war veterans. In addition, a block is set aside to protect a wooded area on the west edge of the subdivision and another block, also on the west side, for office development.

AGENCY COMMENTS

None of the circulated agencies had any substantive comments except for the City of Ottawa whose conditions are included with the Region's in Annex I.

PUBLIC COMMENTS

A public meeting under the Planning Act was held on 16 September 1999. The "Record of Public Comments" and individual comments sheets are on file. The following is a summary of the major points raised, together with a response.

- Smyth Road is already too busy - Alta Vista Parkway is on the books, but no commitment to build.

The proposed development is not of a scale to make a significant difference to the volume of traffic on Smyth Road. However, the Region is undertaking a transportation study of all the area north of Smyth Road, between Alta Vista Drive on the west, and the edge of the hospital complex on the east. This study will look at the expected development over the next fifteen years, and recommend what transportation improvements are needed. The study will be completed by June 2000.

- The helicopter serving the Ottawa Hospital causes noise and vibration - there should be no development until these impacts are mitigated.

The impact of helicopter flights on existing residences is not a matter that can be addressed as part of this application. However, even though there are no Provincial policies dealing with helicopters and helicopter noise (unlike airports and aircraft noise), the City of Ottawa has included conditions dealing with building construction to reduce the noise from air ambulance helicopters.

- Do not support cash-in-lieu of parkland.

The City of Ottawa has decided to take cash-in-lieu of parkland, but the funds will be applied towards the provision of a central park when the National Defence Medical Centre Lands to the north are redeveloped.

- There is already spillover parking from the hospital into the neighbourhood. If development proposes an office building, there must be sufficient on-site parking.

The City of Ottawa advises that the developer will have to meet the minimum requirements established in the new zoning by-law, but that the experience with other suburban office projects is that developers will provide the parking they need, even if this exceeds the minimum requirements.

- Will water table be reduced? Impact on pond south of Smyth Road.

The landowner commissioned a specific study which indicated that the proposed development would in no way affect water levels in the pond.

- More traffic means noise from Smyth Road will be aggravated - existing residents need protection.

The proposed development is not of a scale to make a significant difference to traffic noise on Smyth Road. Any remediation measures for the south side of Smyth Road would have to be considered in the context of Council's recently adopted policy for retro-fits, which is separate from the subdivision approval process. Because of individual driveways accessing the south side of Smyth Road, this stretch of road does not lend itself to effective retrofitting, but the community could approach the Region on this issue.

- There should be a hospital access road from Riverside Drive to relieve traffic on Smyth Road.

The proposed Alta Vista Parkway would fulfil this function but construction of this is many years away. The Region, as noted above, has instigated a transportation study of the whole area north of Smyth Road, which will identify what improvements are needed over different time horizons: 0-3 years, 3-5 years, 5-10 years and 10-15 years.

- Do not want a sound wall along Smyth Road as it would not be in keeping with character of the community. The new units should front Smyth and "suffer" like the existing residents.

There will not be a continuous wall, and a sensitive streetscape design has been prepared which involves some houses facing Smyth Road, with most of the significant existing trees preserved, coupled with new plantings.

- Width of the single family lots are too narrow, and not in character with the community.

The average width of the single family lots along Smyth Road will be 18.9 metres whereas the minimum for the R1A zone south of Smyth Road is 18.0 metres.

- Development of the site will mean a loss of a large parcel of open space owned by the Crown.

Although the Rideau Veterans' Home Site was not public parkland, it is true that its redevelopment will mean a loss of open space overall on this site. However, the Crown has determined that this land no longer serves its needs and has sold it for development. This development accords with the Alta Vista/Smyth Road Planning Study which was approved in 1996, and with Official Plan Amendment 22, approved in 1997.

- Developer should commit that only a senior's housing project will be built on the easterly block in the subdivision.

The City of Ottawa has included as one of their conditions that for a period of three years following registration of the plan of subdivision, the block in question shall be marketed only for senior citizen's housing.

- Development will put a strain on school space.

None of the school boards have indicated a need for a school site as part of this subdivision. Both the Ottawa-Carleton District School Board and the Ottawa-Carleton Catholic School Board project that each new residential ground-orientated (i.e. non-apartment) unit in the City of Ottawa will generate a maximum of 0.1 students. (In suburban areas this figure is doubled). Applying this figure to the 117 proposed new units yields 12 students.

- The proposal for a Veteran's plaque on the site should be discussed with the Royal Canadian Legion and the Korean Veteran's Association.

The City has agreed to consult the Royal Canadian Legion and the Korean Veteran's Association.

- Concern that after land is sold, the developer may want it zoned for denser development.

If a developer were to apply for a rezoning to a higher density, it would be dealt with through the normal process of the Planning Act, with its public notification and appeal provisions.

- This is Crown land - our land - there should be no rush to develop it.

The federal government has declared the land surplus to its needs, and sold it to the Canada Lands Company who, while not intending to sit on this asset, have undertaken all the necessary studies and investigations in finalizing their development proposal.

- Want a 90 day period to allow for another meeting, and to give the community time to discuss.

The Canada Lands Company agreed to this request.

- What will happen to the National Defence Medical Centre lands?

The Department of National Defence has no plans either to abandon the existing building or to develop any of the lands.

- Will the existing wooded area (on the west) be a community park?

This is to be re-zoned to “Environmentally Sensitive Area”. The City has included as one of their subdivision conditions that the owner will manage and limit all uses and functions within the woodland to ensure its long term preservation.

- Proposed signalized intersection on Smyth will result in buses stopping and starting - more noise and fumes.

The intersection of the National Defence Medical Centre access road with Smyth Road will be the access to the proposed development, and will be signalized as a traffic safety measure.

- Will the existing hydro lines along Smyth Road be buried?

Ottawa Hydro have no plans to bury these overhead lines.

- How much did the Canada Lands Company pay for this land?

- *CLC said they would be willing to provide this information if anyone wished to contact them.*

REGION’S COMMENTS

The proposal conforms to the Regional Official Plan and is supportive of the objective of encouraging development inside the Greenbelt. The Region has certain operational interests as described below.

Smyth Road Intersection

The applicant undertook a transportation impact study which established the need for traffic lights at the intersection of Smyth Road with the access road to the subdivision - the National Defence Medical Centre (NDMC) access road. The study concluded that an eastbound left turn lane on Smyth Road was not warranted by the amount of development proposed, but will be needed either by redevelopment of the NDMC lands, or by growth in background traffic beyond the year 2006. However, the Region’s position is that for safety reasons, the left turn lane should be installed at the same time as traffic lights. Without a left turn lane, increased back-ups in traffic will occur at the light and this will only encourage driver frustration. Eastbound motorists will switch lanes to pass on the right. This causes weaving manoeuvres and unnecessary conflicts with a much higher potential for conflicts than if a left-turn lane were implemented. The Region is prepared to use its best efforts to recover part of the costs of the left turn lane (and repay the Canada Lands Company) when the NDMC lands are redeveloped. This is dealt with in Condition No. 45.

Traffic Noise and Accesses on to Smyth Road

The study conducted on behalf of the applicant identified a need for a noise barrier along Smyth Road. However, in order to improve the streetscape, the developer has come up with a scheme which would see the houses along Smyth Road grouped in pairs with one pair with its back to Smyth Road, followed by the next pair facing Smyth Road and so on.

The houses backing onto Smyth Road would have their rear yards protected by a noise barrier which would wrap around the side yards. The houses facing Smyth Road would themselves act as the noise barrier to protect their rear yards (N.B. MOE guidelines on noise protection, focus on protecting an “outdoor living area” which normally would be the rear yard). This means that the patio areas must be centered on the house and not located near the corners of the rear yard, which would be exposed to noise. This matter is covered through Condition No. 71a).

Each of the four pairs of houses facing Smyth Road would have a common access onto Smyth Road, and would have front yard driveway arrangements so that vehicles would not need to back out onto the road. Although the Region normally discourages the creation of private residential accesses onto Regional roads where an alternative is available (which in this case there is), an exception will be made for two reasons: i) given that there are houses along the south side of Smyth Road, it is appropriate to consider the streetscape that the new development will present to these houses, ii) the road widening that is being taken will provide sufficient room to construct a centre lane for turning, should it prove necessary in the future.

Servicing

The lands fall within an area tributary to a Regional collector sewer system which has been assessed to be at capacity. However, this will be overcome by the Region removing extraneous wet weather flow sources elsewhere in the sewershed. (Condition No. 53).

CONSULTATION

A public meeting was held as required by the Planning Act. The main points raised are discussed above under “PUBLIC COMMENTS”.

FINANCIAL IMPACT

The developer will be required to pay for those infrastructure costs attributable to this development. These are identified in the conditions forming Annex I to this report, and will be secured through a subdivision agreement.

Approved by
N. Tunnacliffe, MCIP, RPP

ANNEX I

Regional File No: 15-99-SD02

**REGIONAL CONDITIONS FOR FINAL APPROVAL
CANADA LANDS COMPANY LTD
363 SMYTH ROAD SUBDIVISION
CITY OF OTTAWA**

The RMOC's conditions applying to the approval of the final plan for registration of the Canada Lands Company Limited's Smyth Road Subdivision (06T-99002) are as follows.

Agency
to
Clear

General

- | | | |
|----|---|-----------------------------------|
| 1. | This approval applies to the draft plan certified by E.H. Herweyer, OLS, dated 28 January 1999, as revised on 14 January 2000, showing 17 lots for single detached units, three blocks for semi-detached/row housing, one block for senior citizen housing, one block for parkland, one block for office, one block for woodland protection, two blocks for walkways, one block for an existing private roadway, one block for road widening, and five blocks for 0.3 m reserves. | |
| 2. | The owner agrees, by entering into subdivision agreements, to satisfy all requirements, financial and otherwise, of the local municipality 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)
OTTAWA |
| 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) |
| 4. | The Owner shall develop the property in accordance with the requirements of Part 1 of the City of Ottawa Subdivision policy, except as otherwise amended. | OTTAWA |

5. Prior to the signing of the Subdivision Agreement by the City of Ottawa, a Master Servicing Plan shall be prepared to the satisfaction of the Commissioner of Urban Planning and Public Works. This Plan shall detail, but not necessarily be limited to, the following:
- a) the proposed servicing or alternative servicing scenarios;
 - b) confirmation of servicing capacity;
 - c) determination and fulfillment, as required, of any determination and fulfillment, as required, of any cash-in-lieu obligations for storm water quality in the Rideau River Watershed;
 - d) determination and fulfillment, as required, of any cash-in-lieu obligations for the Rideau River Sanitary Collector Sewer identified by the Region of Ottawa-Carleton Environment and Transportation Department;
 - e) the proposed timing of any major infrastructure construction and in particular, the nature and timing of any stormwater management requirements and specialized construction requirements in consideration of geotechnical conditions, etc.
 - f) the post development run-off coefficient for the site shall not exceed the pre-development run-off coefficient for the site.
 - g) the site will be required to retain the 100 year storm prior to accessing an overland flow route.
 - h) the Master Servicing Plan shall also address how the proposed development may accommodate any necessary future servicing connections that could be required for the other potential development identified in the Alta Vista / Smyth Road Planning Study, as approved by City Council on November 6, 1996.

OTTAWA

6. a) The Registered Owner agrees that during the construction of any development on any part of the proposed subdivision, no parking of construction vehicles, including the vehicles of any construction worker, will be allowed on Fairbanks Avenue, Faircrest Road, Barnhart Place, Broadmoor Avenue, South Haven Place and Simpson Road.
- b) Heavy vehicles will be permitted to use Alta Vista Drive between Smyth Road and the National Defence Medical Centre access located approximately 500 metres north of Smyth Road. This permission applies only for the duration of demolition and construction activities on the subject property and is contingent on

OTTAWA

the following:

- i) Should the condition of Alta Vista Drive deteriorate as a result of its use by heavy vehicles, the developer will be responsible for any remedial works as determined by the Commissioner of Urban Planning and Public Works.
- ii) An oversized "Heavy Vehicles Prohibited" sign is to be installed facing northbound traffic on Alta Vista Drive, immediately north of the National Defence Medical Centre access road, the cost of which will be recovered from the developer.
- iii) The developer will provide copies of the letter authorizing use of this portion of Alta Vista Drive to the drivers of the heavy vehicles in order to assist enforcement of improper use of the road by other heavy vehicles. This will also confirm to the drivers that Alta Vista Drive north of the National Defence Medical Centre access road is not to be used.

7. The Owner covenants and agrees that prospective purchasers are to acknowledge in writing in the agreement of purchase and sale that they were notified of the following items by the registered owner:

OTTAWA

- a) The location of the purchaser's lot on the registered plan of subdivision.
- b) The location of the purchaser's unit on the plan showing the lot line and the existing or proposed surrounding structures, and the relationship of the purchaser's lot and/or block to the surrounding area within 200 metres .
- c) The drainage and topographic plan of the subdivision.
- d) The landscape plan for the area of the subdivision.
- e) Information, such as brochures and plans explaining the whole development including, but not limited to, the location of all future external roads leading to the proposed subdivision, the proposed land uses of all blocks, the proposed road alignment and lands uses of the undeveloped areas of the subdivision and the proposed location for future transit routes or stops near the subdivision, as well as the fact that further information pertaining to the above is available from the City of Ottawa.
- f) A plan showing the ownership of the lots and blocks and land and proposed roads surrounding each individual proposed residential lot and block.
- g) In accordance with By-law 165-73, home owners are responsible

for the care of all grass boulevards abutting their property.

- h) The City Council and Ontario Municipal Board approved zoning plan for the subdivision and surrounding area.
 - i) The location and function of any pedestrian paths and parks in the surrounding area in relation to the purchaser's lot.
 - j) The location, type and size of any utility plant or easement, including any hydro electric facility to be located on or near the purchaser's lot.
 - k) That the purchaser whose lot and/or block is adjacent to any fencing is responsible to maintain the integrity of that fence in a good and safe condition, including the replacement or reconstruction of the fence.
 - l) The nature and operation of on-site stormwater management methods.
 - m) That the development is located within close proximity to major hospitals and the occupants of any residence may from time to time hear air-ambulance helicopters and the warning systems of emergency vehicles.
 - n) That, for a period of three years following registration of the plan of subdivision, the Owners agree that Block 25 shall be marketed only for senior citizen's housing
- 8.** The Owner shall not engage in the practice of processing topsoil (i.e., filtering and cleaning) on the subject site nor the abutting sites. **OTTAWA**
- 9.** If blasting is required for any aspect of building or infrastructure construction for the proposed development, controlled blasting techniques shall be employed to minimize vibrations on surrounding properties. **OTTAWA**
- 10.** The Registered Owner acknowledges and agrees that Block 27 is a sensitive, treed Protection Area and will manage and limit all uses and functions within the woodland to ensure its long term preservation. **OTTAWA**
- 11.** The Registered Owner covenants and agrees to implement the following measures, to the satisfaction of the Commissioner of Urban Planning and Public Works, in order to ensure protection and long term survival of the individual existing trees contained within Lots 1 to 15 and located outside the maximum building envelope, as shown on Document 4, "363 Smyth Road, Composite Plan, Drawing No. 1", prepared by FoTenn Consultants Inc., dated January 14, 2000: **OTTAWA**
- a) the proposed grading plans for the subject subdivision and all

subsequent re-subdivisions and Site Plan Control applications for the property, must be signed by a Landscape Architect and indicate minimal disturbances (cut, fill or cultivation) within the following minimum setbacks from the tree trunks:

Trunk Diameter (dbh cm)	Minimum Setback (m)
less than 30	3.0
30 to 60	4.5
60 to 100	6.0
100 or more	12.0

- b) immediately prior to any on-site construction activity, particularly clearing, grubbing, and grading, solid tree protection barriers, having a minimum height of 1.5 metres, must be installed around all trees to be retained. As much as possible, the location of barriers should reflect the minimum setback distances outlined in "a" above. Barriers should be frequently checked to ensure they are in proper condition and functioning to protect the trees. Barrier installation must be verified by a City of Ottawa inspector (Contact Neil Dillon for inspection, 244-5300, ext.1-3507, Building Code Services Division), prior to the issuance of a Building Permit for a lot containing a tree to be protected or adjacent to such a lot.
 - c) no equipment or materials must be stored within the zone of protection around the trees.
 - d) trees that have been subjected to soil compaction within the setback zone, as a result of construction activities, must have the soil aerated and be thoroughly watered to help off-set damage.
 - e) all broken branches and trunk wounds must be treated using proper arboricultural practices.
 - f) a plan(s) shall be submitted with each Building Permit application to address the provisions of parts a) to e) above to the satisfaction of the Chief Building Official in consultation with the Planning Director.
- 12.** Prior to the signing of the subdivision agreement by the City, the Subdivider shall post a Tree Compensation Deposit in the amount of 100% of the value, to a maximum total value for all trees of Fifteen Thousand dollars (\$15,000.00), for the existing trees that are situated within Lots 1 to 15 inclusive, as described in condition 12 above and shown on "363 Smyth Road, Composite Plan, Drawing No. 1", prepared by FoTenn Consultants Inc., dated January 14, 2000. The tree compensation deposit shall be retained by the City Treasurer as follows:

OTTAWA

- a) 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 deposit is non-retrievable shall only commence upon occupancy of all the lots, or as otherwise determined by the Commissioner of Urban Planning and Public Works.
- b) To request a release of the Tree Compensation Deposit, the Owner must provide the Commissioner of Urban Planning and Public Works with a certified inspection and statement indicating:
 - i) whether the specific tree(s) remains structurally stable and healthy;
 - ii) to what extent a tree(s) is damaged during construction;
 - iii) whether the tree(s) will die primarily as a result of development;
 - iv) whether or not an existing tree(s) will require replacement, primarily as a result of the effects of development.
- c) The required inspection and statement must 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, Horticulturist, Botanist, or Landscape Technologist.
- d) 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. 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:
 - i) 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) millimeters caliper,
 - ii) 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 cultivators which are normally less than ten (10) metres high at maturity, or

iii) a combination of the above.

- 13.** Any tree protection and compensation for existing trees on Blocks 19, 21, 22, 23, 25 and 27 on the Plan of Subdivision shall be determined through the Site Plan Control approval process or re-subdivision and shall employ tree protection criteria similar to those prescribed in Condition 12 above. In regard to tree protection or compensation regard shall be had to the drawing "Existing Conditions Plan, Appendix C" contained in the report "Description of Existing Environment Rideau Veterans Home Property, 363 Smyth Road, Canada Lands Company, by Mulligan and Associates (October 1998)".

OTTAWA

- 14.** Prior to the issuance of the first Building Permit for the subject property the Owner shall submit a detailed description of all required building construction methods and materials intended to mitigate the undesirable noise effects of air ambulance helicopters, which shall include as a minimum to the satisfaction of the Chief Building Official:

OTTAWA

- i) In all bedrooms all windows shall be double pane sealed units having a 6.0 millimetre thick panes and an interpane spacing of 19.0 millimetres.
- ii) All dwelling units shall be air conditioned so that windows will not need to be open for ventilation.

The Owner shall provide information to all future purchasers, from a qualified engineer, describing additional building construction noise mitigation measures that, if implemented, will provide increased reduction in the undesirable noise effects of air ambulance helicopters.

The design for landscaping, the proposed sound attenuation barrier and the grading along the south side of proposed Lots 1 to 15 as generally shown on "363 Smyth Road, Ottawa, Streetscape Approach", prepared by James A. Colizza Architect Inc. and FoTenn Consultants Inc., and "363 Smyth Road, Ottawa, Smyth Road North Streetscape", dated December 8, 1999, prepared by James A. Colizza Architect Inc. and FoTenn Consultants Inc., shall be installed to the satisfaction of the Commissioner of Urban Planning and Public Works. The landscaping and grading and the general visual design of any required sound attenuation barrier along the south side of Block 25 shall be determined at the time of Site Plan Control approval.

15. a) Prior to registration of the Plan of Subdivision, the Registered Owner shall retain the services of a qualified engineer to undertake the Phase II Environmental Site Assessment and designated substance survey as recommended in the report entitled "Canada Lands Company, Phase I Environmental Site Assessment and Methane Investigation, Rideau Veteran's Land" prepared by Jacques Whitford Environment Limited (April 20, 1998) and submit the report(s) to the Manager of the Environmental Management Branch for review.
- b) The Registered Owner covenants and agrees to remediate the subject site as appropriate for residential/commercial uses, as directed in the Ministry of Environment and Energy's Guideline for Use at Contaminated Sites in Ontario (Revised, February, 1997).
- c) Prior to demolition of the existing buildings on site, that the Registered Owner shall submit a Waste Audit and Waste Reduction Work Plan in accordance with Ontario Regulation 102/94 Waste Audit and Waste Reduction 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 debris.
- d) Prior to demolition of the existing buildings on site, all friable asbestos identified through the substance survey shall be removed in accordance with Asbestos on Construction Projects (O. Reg 838/90).
- e) Prior to the demolition of the existing buildings on site, any lead substances identified through the substance survey, shall be managed in accordance with the Proposed Regulation Respecting Lead on Construction Projects Made Under the Occupational Health and Safety Act, 1996.
- f) Prior to demolition of the existing buildings on site, an inspection of fluorescent light ballasts shall be undertaken through the substance survey to determine the presence of PCB's, and if PCB's are encountered, they shall be disposed of in accordance with Regulation 362, Waste Management - PCBs.
- g) The Owner shall, before the signing of the Subdivision Agreement by the City, provide a report from a qualified Engineer to determine the extent of the buffer zone required during construction and/or development around the existing decommissioned well, located in the

central portion of proposed Block 21, to the satisfaction of the Commissioner of Urban Planning and Public Works. The Owner shall agree to maintain the required buffer zone around the existing decommissioned well, and to limit development in the required buffer zone area. All future Site Plan and Re-Subdivision applications for Block 21 shall show the well location.

- h) The existing decommissioned water well shall be bored out and resealed to ensure a proper seal and therefore limit the migration of methane vapors to the surface.
- i) All the above ground storage tanks shall be removed from all buildings that are no longer heated by oil.
- j) If construction is to be undertaken below a depth of 4.6 metres (e.g. for elevator shafts, underground parking), further assessment of methane levels shall be undertaken. Should further assessment determine that acceptable methane levels are exceeded, appropriate mitigation measures shall be identified and undertaken.

- 16.** a) Immediately after registration of the Subdivision Agreement, the Owner(s) shall grant, at no cost to the City, a sewer easement to the City across proposed Blocks 19 and 27 to the satisfaction of both the Office of the City Solicitor and the Commissioner of Urban Planning and Public Works. 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 easement as Part(s) on said plan.
- b) The easement shall meet the following criteria to the satisfaction of the Commissioner of Urban Planning and Public Works:
- i) Have a minimum width of 10 metres and is to be centered over the Moses Pepper Drain.
 - ii) To achieve this easement the Owner shall use its best efforts to obtain Registered Easements from the owners of abutting properties.
 - iii) The easement is to be perpetual and registered on title with the property.
- c) In cases where a building foundation or road foundation is proposed

OTTAWA

to abut the easement, the following will be required and apply:

- i) An engineering report outlining the effect the proposed structure and its foundation will have on the Drain; and the effect the existing Drain will have on the proposed structure and its foundation.
- ii) Prior to the start of construction, the Registered Owner agrees to contact the City of Ottawa, Operations Branch (Luc Dugal at 798-8899) to ensure City staff are present during the excavation of any foundations adjacent to the easement.
- iii) The Registered Owner will be liable for any damages to the Drain during the construction of the foundations and will be responsible for undertaking the necessary repairs at its expense.
- iv) Parking and driveways may be constructed within the required easement subject to the requirements of the City's Zoning By-law, Site Plan Control approval and all other applicable City By-laws.

- 17.** The owner shall provide, before the issuance of the first Building Permit for redevelopment of the subject property and to the satisfaction of the Director of Planning, a design and financial security for 100% of the cost, to a maximum of Ten Thousand Dollars (\$10,000.00) of erecting an interpretive display or panel(s) commemorating the contribution of Canadian veterans and the history of the Rideau Veterans Home. The display or panel(s) is to be located within proposed Block 24. The installation of the display or panel(s) shall be completed within three years of registration of the Plan of Subdivision, unless a longer period of time is deemed acceptable by the Planning Director.

OTTAWA

- 18.** a) The City shall require payment of cash-in-lieu of parkland for this entire subdivision, and the total cash-in-lieu amount for the entire subdivision shall be provided prior to the issuance of the first Building Permit for this subdivision,
- b) The City shall ensure that the cash-in-lieu of parkland funds are used for the development of the "Public Park" shown conceptually as "Block 8" on "Map 2: Proposed Land Use" and as "Public Park" on "Map 5: Implementation Plan" both of the Alta Vista/Smyth Road Planning Study, Final Plan, approved by City Council, November 6, 1996.

OTTAWA

- 19.** An 18.0 metre right-of-way shall be provided for Street No. 2. **OTTAWA**
- 20.** The right-of-way to be provided for Street No. 1 shall be determined through the study to be undertaken as set out in Condition 22 below. In determining the right-of-way, consideration will be given to the right-of-way width identified on the City's CR-90 standard for residential collector roads. **OTTAWA**
- 21.** The Registered Owner shall undertake a functional design study to determine the final right-of-way width to be provided for Street No. 1 and to determine the lane requirements for Street No. 1 at the approach to Smyth Road. The functional design must accommodate below-grade services and above-ground utilities identified in the City's CR-90 standard for collector roads, and the required lanes, boulevards and sidewalks as detailed in Conditions 24 and 25 below. The study shall be completed to the satisfaction of the Commissioner of Urban Planning and Public Works and the Region of Ottawa-Carleton prior to commencing construction of Street No.1. **OTTAWA**
- 22.** The Registered Owner shall be responsible for 100% of the cost, design and construction of the proposed roads to full urban cross-sections and all associated works, including the following requirements to be completed to the satisfaction of the Commissioner of Urban Planning and Public Works: **OTTAWA**
- a) For Street No. 1, to provide the number of driving lanes determined through the study to be undertaken as set out in Condition 23 and to develop Street No. 1 between Smyth Road and Street No. 2 with an outside-curb-to-outside-curb width that is not less than 11.0 metres. Details with respect to the final outside-curb-to-outside-curb width, number of lanes and the geometrics for the Smyth Road/Street No. 1 intersection, shall be to the satisfaction of the Commissioner of Urban Planning and Public Works and the Region of Ottawa-Carleton.
 - b) For Street No. 2, to provide two driving lanes with an outside-curb-to-outside-curb width of 9.0 metres in accordance with the Corporation's CR-90 standard for local roads, and to the satisfaction of the Commissioner of Urban Planning and Public Works.
- 23.** The Registered Owner shall be responsible for 100% of the cost, design, **OTTAWA**

and construction of the following sidewalks to the satisfaction of the Commissioner of Urban Planning and Public Works:

- a) A concrete sidewalk along the west side of Street No. 1 extending from the existing sidewalk along the north side of Smyth Road to Block 20.
- b) A concrete sidewalk along the east side of Street No. 1 extending from the existing sidewalk along the north side of Smyth Road to Street No.2.

- 24. The Registered Owner shall use best efforts to construct the sidewalks required by Condition 25 with a 2.0 metre width (as set out in the Alta Vista Smyth Planning Study) and to provide outer boulevards that have a minimum width of 2.0 metres. Deviation from these requirements will only be permitted where it is necessary to provide for the protection of existing trees and in no case shall the sidewalks have a width that is less than 1.5 metres, and outer boulevards must have sufficient width to provide for snow storage to the satisfaction of the Commissioner of Urban Planning and Public Works. **OTTAWA**
- 25. A conceptual streetscaping plan showing the design of all the roadways, sidewalks, lighting, and street furniture shall be prepared by the Registered Owner and be approved by the Commissioner of Urban Planning and Public Works, prior to the final registration of the Plan of Subdivision. **OTTAWA**
- 26. The Registered Owner shall be responsible for 100% of the cost and installation of all street name signs and traffic signs that may be required to the satisfaction of the Commissioner of Urban Planning and Public Works. All required signage shall be installed prior to the City's acceptance of the roads within the subdivision. **OTTAWA**
- 27. The Registered Owner shall comply with the provisions of the Corporation's Private Approach By-law for the location of all private approaches, except for the private approach provided for the existing private road through Block 20, which will be exempt from the private approach by-law. **OTTAWA**
- 28. The subdivision plan shall be revised to provide a minimum width for Block 20 as determined by the study required by 23 above. Block 20 shall be conveyed to the City, at no cost to the City, immediately after registration of the Subdivision Agreement, to be held by the City as a **OTTAWA**

Right-of-Way Reserve for purposes of providing a future public road access from Smyth Road along Street No. 1 to the lands occupied by the National Defense Medical Center (NDMC) when development approvals are sought and obtained for development of these lands as provided for in the Alta Vista/Smyth Road Planning Study approved by City Council on November 6, 1996. Should Block 20 not be required for a future public road connection the City shall reconvey Block 20 to the Registered Owner at the Owner's expense.

- 29.** The Registered Owner shall assume all responsibility for maintenance and liability associated with the existing road within Block 20 that extends from Street No. 1 north to the NDMC road and shall post a sign where Street No. 1 ends at Block 20 identifying the existing road as a private road. These signage and maintenance and liability responsibilities shall rest with the Registered Owner until such time as the road connection through Block 20 is developed to municipal collector road standards and a bylaw has been enacted by Council to formally dedicate the road as a public highway, or until such time as the private road connection is physically closed, should it not be required for a future public road connection. **OTTAWA**
- 30.** The Registered Owner shall convey to the City, at no cost to the City, Block 26 and Block 34, immediately after registration of the Subdivision Agreement, for a public pedestrian and bicycle connection from Smyth Road into the subdivision (Block 34) and from the subdivision to the lands located to the north (Block 26), and shall negotiate with the owner of the lands to the north for a right to allow public access from the Subdivision through Block 26 onto these adjacent lands. Should the owner not be successful in these negotiations, Block 26 shall be held by the City as a pedestrian/bicycle path reserve, and in lieu of Condition 33 below, the Registered Owner shall post Financial Securities for 100 % of the cost of the works associated with Condition 1.29 as it applies to Block 26. These securities will be held and used by the City to develop the pedestrian/bicycle path connection when development approvals are sought and obtained for development of these lands as provided for in the Alta Vista/Smyth Road Planning Study approved by City Council on November 6, 1996. **OTTAWA**
- 31.** The Registered Owner shall be responsible for 100% of the cost for the design, construction and landscaping of the pedestrian/bicycle path provided within Blocks 26 and 34. The final design for the paths and proposed landscaping, including fencing, shall be to the satisfaction of the Commissioner of Urban Planning and Public Works, and may allow for **OTTAWA**

reduced pathway width and alternative surface materials in order to reduce the impact on existing trees to be saved.

- 32.** The Registered Owner shall provide, and be responsible for 100% of the cost, for the design, construction and landscaping of a pedestrian/bicycle path through Block 24 between Street No. 2 and Block 25. The pathway shall be a hard surface with a minimum width of 2.0 metres and shall be designed in a manner that will not permit a vehicular connection from Street No. 2 to Block 25. The final design for the pathway shall show the entire area of Block 24, and shall also illustrate the requirements of 18 b) above. All works shall be completed within three years of the registration of the plan of subdivision, to the satisfaction of the Commissioner of Urban Planning and Public Works. **OTTAWA**
- 33.** The Owner shall agree to provide the following, to the satisfaction of the Commissioner of Urban Planning and Public Works and at no cost to the Corporation, through the first Site Plan Control approval for development of proposed Block 25: **OTTAWA**
- a) a paved pedestrian pathway, having a minimum width of not less than 2.0 metres, linking the east side of the subject property to proposed Block 24; and
 - b) a registered easement for public access having a minimum width of not less than 2.5 metres to contain the required walkway.
- 34.** Lot access and conceptual driveway configurations to lots 3, 4, 7, 8, 11, 12, 14 and 15 shall be generally as per "363 Smyth Road, Composite Plan, Drawing No. 1", prepared by FoTenn Consultants Inc., dated January 14, 2000 and Document 5, "363 Smyth Road, Ottawa, Streetscape Approach", prepared by James A. Colizza Architect Inc and FoTenn Consultants Inc. Prior to the issuance of a Building Permit for each of these lots a lot development plan, generally in keeping with Document 4 and Document 5 noted above, shall be submitted to the City, to the satisfaction of the Chief Building Official, illustrating on-site turn-around capacity to ensure the ability to exit the lot in a forward direction. **OTTAWA**
- 35.** The Owner shall convey to the City, at no cost to the City, immediately after registration of the Subdivision Agreement, 30 centimeter reserves as shown on the proposed Draft Plan of Subdivision, to limit and control all vehicular access to lots 1 to 15. **OTTAWA**

36. Financial security for the amount of 100 percent, or at the applicable rate commensurate with the City of Ottawa Subdivision Policy, of the actions and works required in Recommendations 5, 13, 19, 14, 25, 28, 32 and 34 shall be filed by the Owner with the City Solicitor prior to the execution of the subdivision agreement by the Corporation. **OTTAWA**
37. The detailed design and financial securities necessary to fulfil the streetscape landscaping for proposed Blocks 19, 21, 22, 23, and 25 shall be determined through the Site Plan Control approval process, where applicable. **OTTAWA**
38. The Owner shall sign a subdivision agreement with the City of Ottawa with respect to all matters contained in Conditions 4-38. **OTTAWA**

Zoning

39. Prior to registration of the plan of subdivision, the RMOC shall be advised by the City of Ottawa 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

40. The owner shall convey to the RMOC at no cost, an unencumbered road widening along Smyth Road (Regional Road 72), measuring 15 metres from the existing centreline of pavement to bring the existing Smyth Road right-of-way up 30 m. The owner's certificate on the M-Plan shall indicate which Block(s) are being dedicated as a public highway of the RMOC. **RMOC (PDAD)**
41. The design of all Regional Road intersections, including geometric, intersection spacing, grades, the conveyance of the necessary sight triangles and required 0.3 m reserves necessary for lot access control, be to the satisfaction of the RMOC. **RMOC (PDAD)**
42. A 0.3 reserve adjacent to the widened limit of Regional Road 72, shall be indicated on the plan submitted for registration and conveyed at no cost to the RMOC except where private driveways are proposed. The owner shall submit a plan showing where the driveways are to be located prior to the RMOC clearing this condition. **RMOC (PDAD)**
43. All streets shall be named to the satisfaction of the local municipality and the Regional Planning and Development Approvals Department. **RMOC (PDAD)**

**OTTAWA
RMOC
(PDAD)**

44. The owner agrees to construct/install an eastbound left turning lane and traffic lights at the intersection of Street No. 1 with Smyth Road. The timing and design of these installations shall be to the satisfaction of the Environment and Transportation Commissioner. The owner shall pay all expenses including but not limited to land acquisition, contract drawings preparation, utility relocations, advertising, road work, traffic signal lights installation, construction supervision, as built drawings preparation, and other engineering and administrative costs and shall provide financial security in the amount of 100% of the cost of implementing the required works. The Region agrees to use its best efforts to recover and repay the owner a portion of the costs of the left turning lane when the National defence Medical Centre lands are redeveloped.
45. Prior to registration, the owner shall provide confirmation from the Children’s Hospital of Eastern Ontario, that they will permit access from Block 25 to the private road abutting Block 25 on the east. Failing this, the owner shall show on the final plan a block reserved to provide access to Block 25 from Street No. 2.

**RMOC
(PDAD)**

Archaeology

46. The owner shall adhere to the procedures of the “Contingency Plan for the Protection of Archaeological Resources in Urgent Situations” as approved by the Ministry of Citizenship, Culture and Recreation in the “Archaeological Resource Potential Mapping Study” of the RMOC.

**RMOC
(PDAD)**

Environmental Constraints

47. Prior to registration, the owner shall provide a “Record of Site Condition” acknowledged by the Ministry of the Environment to demonstrate that the MOE’s “Guideline for Use at Contaminated Sites in Ontario (Revised February 1997)” has been followed.

**RMOC
(PDAD)**

Stormwater Management

48. Prior to the commencement of construction of any phase of this subdivision (roads, utilities, any off site work, etc.) the owner shall:
- a) have an Erosion and Sediment Control Plan prepared by a Professional Engineer in accordance with current Best Management Practices,

**RMOC
(PDAD)**

- 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.
49. 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)**
50. 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 part “4.0 Storm Drainage/Stormwater Management” of the report “Rideau Veteran’s Site (363 Smyth Road) Serviceability Study, Region of Ottawa-Carleton, City of Ottawa by J.L. Richards and Associates, February 1999”. The Stormwater Site Management Plan shall identify the sequence of its implementation in relation to the construction of the subdivision and shall be to the satisfaction of the City of Ottawa, RMOC and Rideau Valley Conservation Authority. **RMOC (PDAD) OTTAWA RVCA**
51. The owner shall contribute their portion of the cost (land, money, etc.) to implement the stormwater management works to the satisfaction of the City of Ottawa. The owner shall provide written confirmation from the local municipality to the RMOC that the required contribution has been received. **RMOC (PDAD)**

Sanitary Services

52. 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 coordinated by the Region and City of Ottawa within the area tributary to the affected Regional facility. **RMOC (PDAD)**

Water Services

53. The owner shall design and construct all necessary watermains within the subject lands to the satisfaction of the RMOC. The owner shall pay all related costs, including the cost of connection, inspection and sterilization **RMOC (PDAD)**

by Regional personnel.

- | | | |
|-----|---|------------------------|
| 54. | 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) |
| 55. | 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) |
| 56. | Financial security, in the amount of 100% of the value of the water plant, in accordance with the MOE Certificate, must be filed with the Regional Legal Department, pending preliminary acceptance of the water plant at which time the security may be reduced to 20% of the total cost of construction or installation. Security will be reduced to zero, one year after preliminary acceptance. | RMOC
(PDAD) |
| 57. | The installation of the water plant shall be subject to inspection by the RMOC at the owner’s expense. | RMOC
(PDAD) |
| 58. | 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) |
| 59. | The owner shall install the necessary watermains in accordance with the staging schedule approved by the RMOC. | RMOC
(PDAD) |
| 60. | 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) |
| 61. | 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) |

- 62.** As the owner proposes a road allowance(s) of less than 20 metres, and if the owner also proposes boulevards between 4.0 and 5.0 metres wide, the owner shall meet the following requirements:
- a) Extend water services a minimum of 2 m onto private property during installation before being capped.
 - b) Install hydro high voltage cable through the transformer foundations to maintain adequate clearance from the gas main.
 - c) Provide and install conduits as required by each utility.
 - d) If a sidewalk is to be installed, it shall be located adjacent to the curb and constructed of asphalt. Sidewalks, transformers and hydrants must be placed on opposite sides of the road. Sidewalks must be part of the initial design or not installed at all.
 - e) Provide and install transformer security walls when a 3 m clearance, as required by the Electrical Code, cannot be maintained. The design and location of the security wall must be approved by the local hydro utility.
 - f) Install all road crossing ducts at a depth not to exceed 1.2 m from top of duct to final grade.

**RMOC
(PDAD)**

- 63.** The owner agrees to relocate at his expense the water meters and chambers (serving the National Defence Medical Centre) from Street No. 1 to Block 20, and grant NDMC an easement across Block 20. If the NDMC is operating at less than capacity it may not be necessary to relocate all the meters and chambers.

**RMOC
(PDAD)**

- 64.** The existing private 203 mm watermain serving the former Rideau Veterans site will have to be abandoned or removed to the satisfaction of the RMOC.

**RMOC
(PDAD)**

- 65.** To ensure the reliability of water supply to existing developments including the Ottawa Hospital site, the owner agrees to install at his expense a valve near the connection of the new watermain to the existing watermain along Smyth Road.

**RMOC
(PDAD)**

Utilities

- 66.** 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

**BELL
GAS
ROGERS
OTTAWA
HYDRO**

registration of the final plan; and the affected agencies are duly notified.

67. 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.
68. 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.
69. The owner agrees to observe and to advise any developer who purchases land in this subdivision, of the following:

**BELL
GAS
ROGERS
OTTAWA
HYDRO**

**RMOC
(Leg)**

**OTTAWA
HYDRO**

“An electrical distribution line operating at below 50,000 volts is located within the area affected by this development or abutting this development. Section 186 - Proximity - of the Regulations for Construction Projects in the Occupational Health and safety Act, requires that no object be brought closer than 3 meters (10 feet) to the energized conductor. It is the proponent’s responsibility to be aware, and to make all personnel on site aware, that all equipment and personnel must come no closer than the distance specified in the Act. They should also be aware that the electrical conductors can raise and lower without warning, depending on the electrical demand place on the line. Warning signs should be posted on the wood poles supporting the conductors stating **“DANGER - Overhead Electrical Wires”** in all locations where personnel and construction vehicles might come in close proximity to the conductors”.

Noise Attenuation

70. The owner shall:
- a) implement the specific noise control measures recommended in “Environmental Noise Assessment and Control For The Rideau Veterans Site Development, Smyth Road, Ottawa, Ontario”, by Vincent Ferrano, 15 January 1999 as amended by an Addendum dated March 2000.

**RMOC
(PDAD)**

- b) prior to the construction of any noise control measures, provide certification to the RMOC through a Professional Engineer that the design of the control features will implement the recommendations of the approved study;
- c) prior to the registration of the plan of subdivision, provide financial security in the amount of 100% of the cost of implementing the recommended noise barriers; and
- d) prior to final building inspection, provide certification to the RMOC, through a Professional Engineer, that the noise control measures have been implemented in accordance with the approved study.

Financial Requirements

- 71. Upon draft plan approval, Regional services within the plan of subdivision may be installed provided appropriate financial security, insurance, and a letter of indemnity are posted to the satisfaction of the Regional Solicitor. **RMOC (Leg)**
- 72. 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

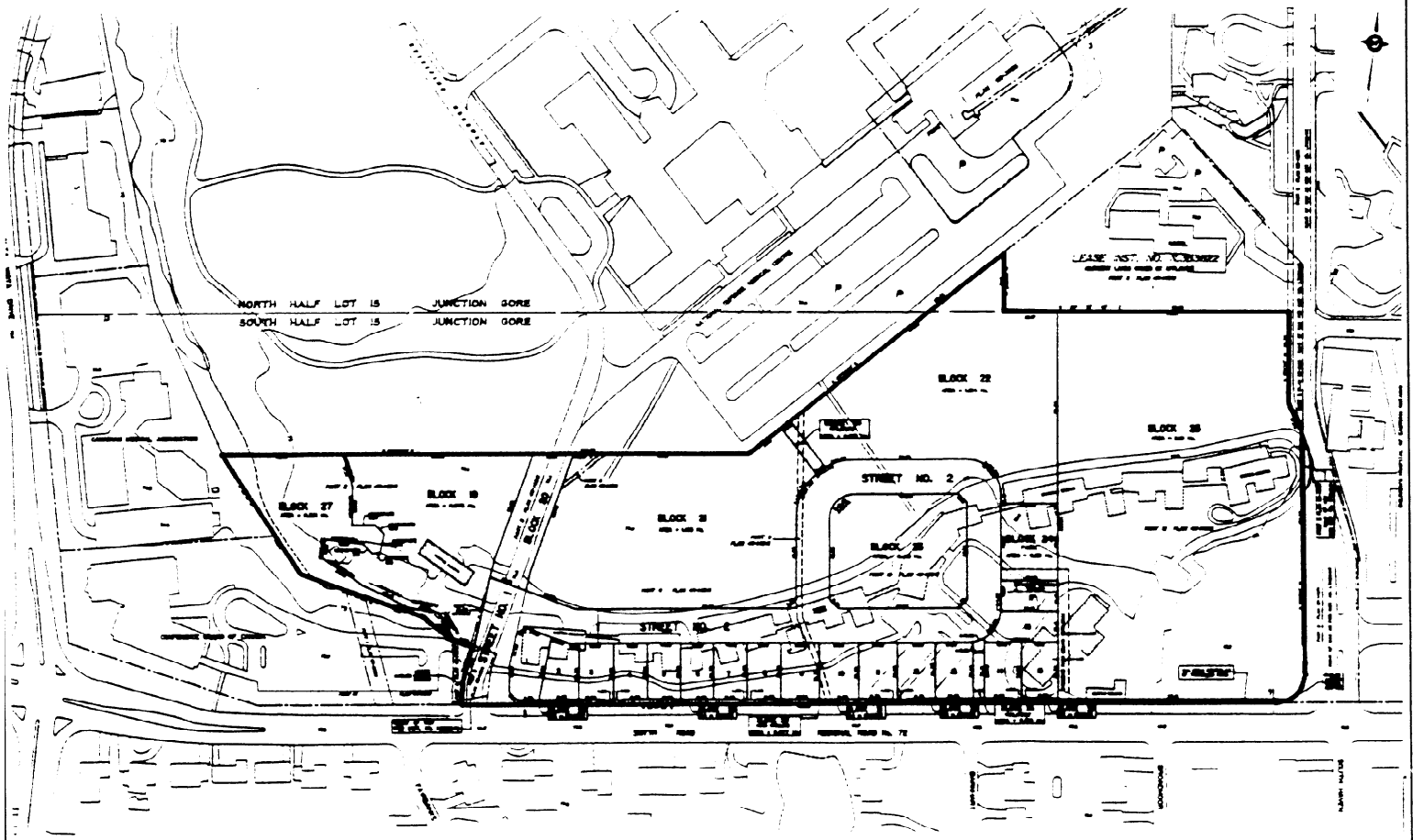
- 73. The plan of subdivision shall be referenced, where possible, to the Horizontal Control Network, in accordance with the municipal requirements and guidelines for referencing legal surveys. **RMOC (SURV)**
- 74. The owner shall provide the final plan intended for registration on diskette in a digital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

Closing Conditions

- 75. 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 **RMOC (Leg)**

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*.

- | | |
|---|---|
| <p>76. At any time prior to final approval of this plan for registration, the RMOC may, in accordance with Section 51 (44) of the Planning Act, R.S.O., amend, delete or add to the conditions and this may include the need for amended or new studies.</p> | <p>RMOC
(Leg)</p> |
| <p>77. 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.</p> | <p>RMOC
(Leg)
OTTAWA</p> |
| <p>78. Prior to registration of the plan of subdivision, the RMOC is to be satisfied that Conditions 2, 3 and 39 to 78 have been fulfilled.</p> | <p>RMOC
(PDAD)</p> |
| <p>79. If the plan of subdivision has not been registered by 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.</p> | <p>RMOC
(PDAD)</p> |



CANADA LANDS COMPANY

363 SMYTH RD.

SUBDIVISION

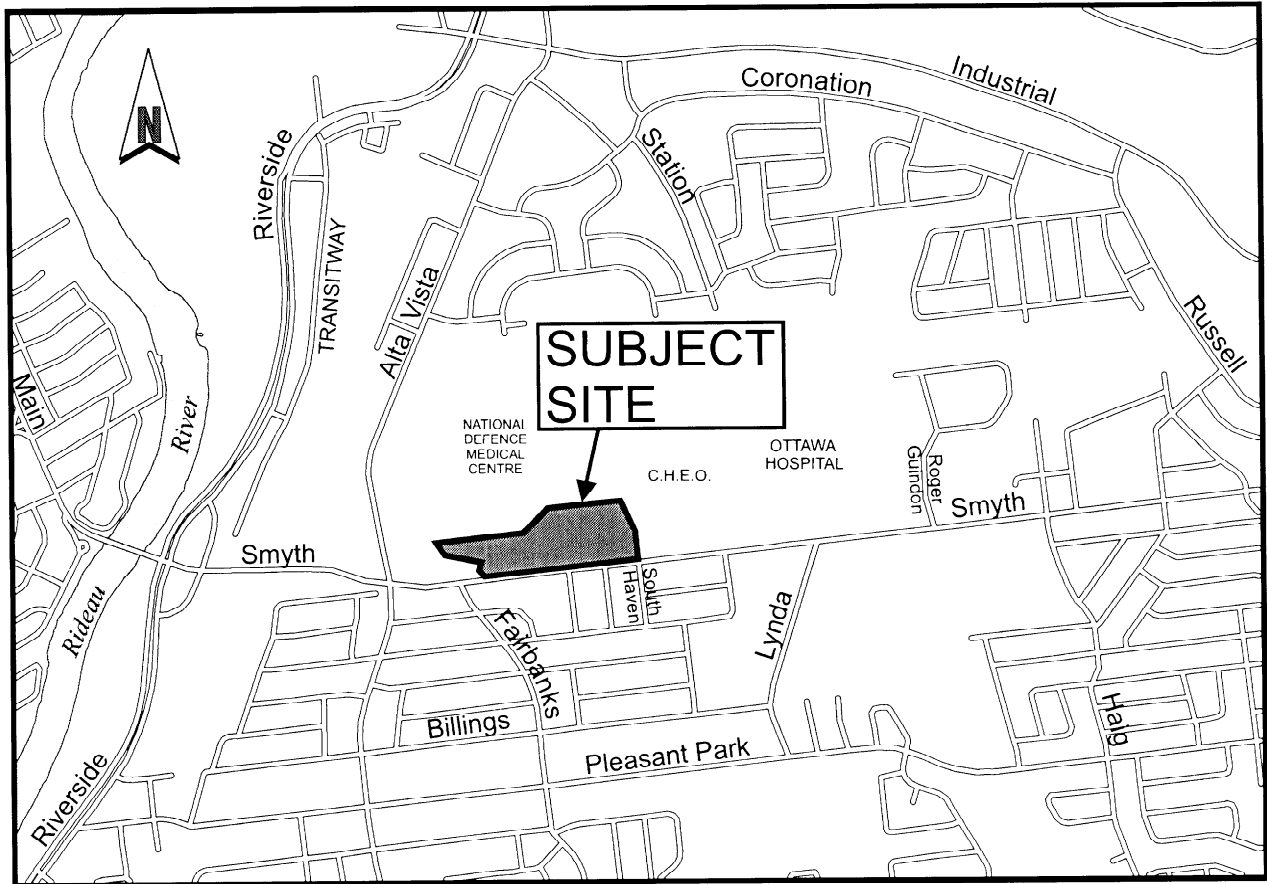
15-99-SD02

CITY OF OTTAWA

06T-99002

NOTE:

THIS REDUCED ILLUSTRATION IS FOR GENERAL INFORMATION PURPOSES ONLY. THE ORIGINAL ENLARGED PLAN IS ON FILE WITH THE PLANNING & DEVELOPMENT APPROVALS DEPARTMENT FOR REFERENCE IF REQUIRED.



Extract of Draft Minute
Planning and Environment Committee
11 April 2000

CANADA LANDS COMPANY LTD.
PROPOSED SUBDIVISION - 363 SMYTH ROAD, OTTAWA

- Planning and Development Approvals Commissioner's report
dated 24 Mar 2000

Nigel Brereton, Senior Project Manager, Development Approvals - District 2, Development Approvals Division, Planning and Development Approvals Department, provided the Committee with a brief overview of the staff report.

Mr. Brereton drew the Committee's attention to condition 3 on page 17 of the staff report which spoke to there being no more than 25 units per residential block. He indicated this condition was included in error and should be removed. He explained this was a fairly standard condition included in many subdivisions. The reasoning behind it is that in searching an abstract in the Land Titles Office, the fewer number of units per block, the easier it is to search that abstract. The difficulty this condition would present for the developer in this case, is that if lot lines were to be put down the middle of the blocks, under the City of Ottawa Zoning by-law this would immediately trigger requirements for setbacks of houses from the "artificial lot line" and would mean that the blocks could not be developed in the fashion proposed. Mr. Brereton indicated in this instance the maximum number of units in these blocks will be about 40 and the Land Registrar has concurred that this condition could be deleted in this instance.

Mr. Brereton asked that the Committee concur that this condition be removed and the subsequent conditions be renumbered. Chair Hunter confirmed this was acceptable.

Councillor Hume sought assurance that the block of land containing the burr oak tree, was protected. Mr. Brereton confirmed this block of land is protected through a City of Ottawa condition and will be conveyed to the City.

Councillor Hume noted there were two concerns that the community has raised. The first had to do with helicopter noise, which the Councillor noted is outside the jurisdiction of the Region to deal with. The other concern had to do with the through movement from the entrance to the subdivision to Fairbanks as he said, it becomes an offset intersection. The Councillor asked if there would be a problem in reviewing this intersection to ensure the movement is safe so that any mitigation measures that are required can be put in before the intersection is designed and put in place. Mr. Brereton stated this was perfectly appropriate and would be done with public consultation. Councillor Hume indicated he would be putting forward a motion asking that staff and the developer review this intersection to ensure its design takes into account any safety measures required.

The Committee then heard from the following delegations.

Lois K. Smith, advised she had a couple of points to raise. The first was a question of whether the traffic lights that go in, will be equipped with audible push-button signal for the visually impaired. Miss Smith felt this was a concern as the proposed development includes a seniors' residence. Her next point had to do with pedestrians and the grade of the sidewalks. She explained the danger of having slopes on sidewalks and felt the conditions should require that the sidewalks be almost level throughout and that slopes be very gentle when they have to be there.

Miss Smith then went on to point out a number of editing errors in the staff report. For example she noted in condition 33 (page 30 of the Agenda), there is a reference to condition 18 b). She pointed out there is no condition 18 b) and condition 18 speaks to an entirely different topic. As well, condition 23 a) (on page 27), refers to condition 23 and she felt the correct reference should have been condition 22.

Miss Smith indicated she had found a number of other such errors, however, Committee Chair Hunter suggested she meet directly with Mr. Brereton to address these. The Chair then asked Mike Sheflin, Commissioner, Environment and Transportation Department to respond to Miss Smith's questions concerning the audible traffic signal and the slope of the sidewalks.

Mr. Sheflin replied previously the visually impaired community wanted audible signals only in areas where training was being carried out. They have since changed their position in this regard and are in favour of having audible signals everywhere. He said he was almost positive this intersection would have an activated signal and it would be an audible signal. Mr. Sheflin also commented that because of the road alterations required, this issue would be the subject of a public hearing.

With respect to the issue of slope on the sidewalks, Mr. Sheflin advised that with a curb faced sidewalk there will always be a slope. If there is a boulevard, then the slope is not necessary. At the Chair's request, Ron Jack, Delcan, advised that in this instance the sidewalks would be curb faced.

Paul Kelly advised he was a resident of 310 Smyth Road and had lived there for 25 years. Mr. Kelly observed that Smyth Road had decayed over the last few years, as it is a truck route that generates a lot of traffic and noise. He said the vacated veterans land was also in a state of

Extract of Draft Minute
Planning and Environment Committee
11 April 2000

decay and the community is very enthused about this project with a bit of open space and a much cleaner streetscape.

Mr. Kelly went on to speak of the community safety zone designation and noted it is not working. He said people are not driving 50 kph on Smyth Road. The speaker advised he had carried out some sound measurements and from 25 feet in the noise level is approximately 70 decibels from a car, and even more for trucks, vans, buses and motorcycles. He requested that during the construction period the speed limit be lowered to 40 kph and enforced. Mr. Kelly commented on the number of children, pedestrians and cyclists in the area, as well there are a number of people attending rehab at the hospital, travelling in wheelchairs. He said if the reduced speed limit works, it should remain at 40 kph and not be put back to normal. On the issue of the erection of sound barriers on the proposed development, Mr. Kelly stated he had lived with the noise for 25 years and suggested that sound barriers be provided for the residents on the south side of Smyth Road who want them.

Committee Chair Hunter noted the Planning and Environment Committee could not deal with the issue of a reduced speed limit but suggested Mr. Kelly's Councillor, Peter Hume, could bring the issue to the Transportation Committee.

Ted Fobert, Fotenn Consultants, representing Canada Lands Co. stated he was pleased this matter was moving forward. He noted at the public meeting held at the City, there were approximately 250 people in attendance. There were 17 or 18 identified issues and they had resolved all of these. He said he felt there was a very satisfied and positive feeling in the community for this development. He urged the Committee to support this item.

The Committee then considered the motion put forward by Councillor Hume.

Moved by P. Hume

That Transportation staff and the developer review the intersection of Smyth/Fairbanks/Subdivision entrance to ensure that the through movement to/from Fairbanks and to/from the entrance to the proposed subdivision is a safe movement and that the results of the review are incorporated into the final intersection if required.

CARRIED

The Committee then considered the staff recommendation as amended.

Extract of Draft Minute
Planning and Environment Committee
11 April 2000

That the Planning and Environment Committee recommend that Council give draft approval to the proposed subdivision at 363 Smyth Road, Ottawa (06T-99002), subject to the conditions attached as Annex I as amended by the following:

That Transportation staff and the developer review the intersection of the Smyth/Fairbanks/Subdivision entrance to ensure that the through movement to/from Fairbanks and to/from the entrance to the proposed subdivision is a safe movement and that the results of the review are incorporated into the final intersection if required

CARRIED as amended