



File No.: D07-16-03-0025

1 March 2005

Distribution List

Dear Madam/Sir

**Re: Notice Under Section 51(37) of the Planning Act
KNL Developments Ltd.
Draft Plan Subdivision (File No. D07-16-03-0025)
300 Goulbourn Forced Road and 535 Goulbourn Forced Road**

In accordance with Section 51(37) of the Planning Act, you are hereby notified that the Director of Planning and Infrastructure Approvals has approved the Draft Plan of Subdivision, submitted by D.W. Kennedy Consulting Ltd. on behalf of KNL Development Ltd. subject to the conditions contained in the attached Delegated Authority Report.

NOTICE OF APPEAL

Pursuant to Section 51(39) of the Planning Act, any person or public body may, not later than 4:30 p.m. on 21 March 2005, appeal the decision by filing a notice of appeal on Draft Plan of Subdivision with the Planning and Growth Management Department. Such appeal must identify, in writing, the reasons for the appeal and be accompanied by a cheque in the amount of \$125.00 (payable to "The Minister of Finance, Province of Ontario") to cover the Ontario Municipal Board's prescribed fee.

If no notice of appeal is received before 21 March 2005, the decision of the Director of Planning and Infrastructure Approvals is final and Draft Plan of Subdivision will be approved on the 22 March 2005.

Please note that the applicant or any public body may, at any time before the approval of the final Plan of Subdivision, appeal any of the conditions imposed by the City to the Ontario Municipal Board by filing with the City a notice of appeal.

Only individuals, corporations or public bodies may appeal a decision of the City to the Ontario Municipal Board. A notice of appeal may not be made by an unincorporated association or group. However, a notice of appeal may be made in the name of an individual who is a member of the association or group on its behalf.

*Shaping our future together
Ensemble, formons notre avenir*

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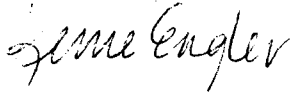
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NOTICE OF CHANGED CONDITIONS

Individuals, corporations or public bodies are entitled to receive notice of any changes to the Draft Plan of Subdivision approval conditions if a written request has been made to be notified of such changes.

Should you require further clarification, please contact me at 580-2424 ext. 19307 or by e-mail at Kerrie.Engler@ottawa.ca.

Yours truly,



Kerrie Engler
Planner
Planning and Infrastructure Approvals Branch
Planning and Growth Management Department

Attach.(s): Draft Plan Approval Report
The Approved Draft Plan(s) of Subdivision

c.c. Tim Marc, City of Ottawa Legal Services Branch
All Signs, 8692 Russell Road, Navan ON K4B 1J1 – No attachments
Councillor Peggy Feltmate, Ward Councillor
Distribution List



**DRAFT PLAN OF SUBDIVISION APPLICATION
DELEGATED AUTHORITY REPORT
MANAGER, DEVELOPMENT APPROVALS, WEST DIVISION,
PLANNING AND INFRASTRUCTURE APPROVALS**

Site Location: 300 Goulbourn Forced Road and 535 Goulbourn
Forced Road
File No.: D07-16-03-0025
Date of Application: April 30, 2003

This application submitted by KNL Developments Ltd. is recommended for DRAFT APPROVAL, subject to the following Standard and Special Conditions, as attached.

Feb. 25, 2005

Date

A handwritten signature in black ink, appearing to read 'Grant Lindsay', written over a horizontal line.

Grant Lindsay
Manager, Development Approvals Central/West
Planning and Infrastructure Approvals

Attach(s):

1. Supporting Information
2. Conditions of Draft Approval KNL Developments Ltd. Lakeside Subdivision.
3. Draft Plans of Subdivision

DRAFT PLAN OF SUBDIVISION APPLICATION SUPPORTING INFORMATION

SITE LOCATION

300 Goulbourn Forced Road and 535 Goulbourn Forced Road - D07-16-03-0025

The subject lands represent the majority of the undeveloped area of the Marchwood-Lakeside Community. The subject land straddles the Kizell Pond to the west of Goulbourn Forced Road. The proposed plan runs north of the Beaver Pond where it meets the Morgan Grant's Community and the future Terry Fox Drive extension. The western limit is the unopened First Line Road allowance and the eastern limit abuts the Kanata North Business Park. The lands are currently undeveloped and are covered by forest, Canadian Shield rock outcropping and locally significant wetlands. Goulbourn Forced Road, currently constructed to rural standard, bisects the land. For planning purposes, the Marchwood-Lakeside Community is made up of the Marchwood, which is planned to contain four neighbourhoods, and Lakeside, which is planned to contain three neighbourhoods. (See location map for specific area).

SYNOPSIS OF APPLICATION

The proposed Plan of Subdivision encompasses the remaining landholdings of KNL Developments Ltd. within the Marchwood-Lakeside (also known as Kanata Lakes) Community of the former City of Kanata. The proposed plan of subdivision proposes the development of 3102 +/- dwelling units and covers an area of 269.19 hectares. 72.62 hectares are proposed to be developed with single-detached dwellings (approximately 1215 dwelling units). 41.77 hectares will be developed with townhousing (approximately 1667 dwelling units) and 5.04 hectares will be devoted to high-density apartment and stacked townhouse development (approximately 220 dwelling units). The proposed plan of subdivision also proposes four school sites as well as some public parkland.

The lands were designated for urban development by order of the Ontario Municipal Board in January 1983. As described above, the current proposal includes a wide range of land uses, including a mix of residential densities, institutional uses, open space, commercial uses and natural environment areas (referred to as "Environmental Protection Area" by the former Kanata Official Plan). This Subdivision proposal is atypical of most such applications due to the legal requirement for 40% of the land area to be designated for "open space" purposes.

The proposed Plan of Subdivision will replace much of the forested area with residential development. Consequently, the community has expressed a great deal of opposition to the subdivision layout as it was submitted and proposed in June 2003. The magnitude of

concern became evident at the Community Information Session, held in September 2003, at which approximately 600 people expressed their wish to maintain the forests and pathways in their current state. Due to the magnitude of community concern, review of the proposal became a highly interactive process between staff, the applicant, community representatives and Ward Councillor.

The primary matter of discussion has been the 40% Agreement, and identification of the lands to be dedicated as “open space” under the definitions contained within the Agreement. The plan has been modified from its original submission through Plans “A”, “B”, and “C”. Version “D” was proposed by the community and finally, Plan “H”, is supported by staff and, with amendments, is appended as the final proposed Draft Plan of Subdivision. The proposed draft plan is of a size that necessitates two separate plans.

The land owner currently enjoys the right to develop the land by virtue of its current Official Plan designation. Since its submission in June 2003, the plan(s) have been presented and discussed with community associations and the public in numerous venues. Various forms of formal public meetings and focus group sessions were held in September and December 2003, as well as February and April 1, 2004. On June 9, 2004, City Council approved an amendment to the former City of Kanata Official Plan to shift boundaries of current land-use designations of said lands. Likewise, Council approved the associated Zoning By-law amendment to implement the zoning provisions for this proposed plan of subdivision. In order to balance the desire of existing adjacent communities with the needs of the future community, and the acceptance of such changes by the land owner, Council approved Planning and Environment Committee recommendations. Recommendations include the reduction in the active park by 3.4 acres and that the 3.4 acres of open space be added to the Natural Environment Area “NEA” lands north of the Beaver Pond. Further, the Solandt Road connection, which remains unchanged, is to be reflected in the Plan of Subdivision until such time as a formal traffic study confirms it is not required. Conditions of draft plan of subdivision approval were recommended for approved, which accompany this report.

DISCUSSION AND ANALYSIS

It is recommended that the Draft Plan of Subdivision application be approved. The landowner currently enjoys the right to develop the land by virtue of its Official Plan designation. In 1981, the former City of Kanata entered into a legal agreement with the landowner of the time, which required 40% of the total land area (566.5 hectares at the time) to be designated as “Open Space”. In return, the City would support the landowner’s application to designate the land for urban development. The decision to designate the land for urban development was rendered in 1983 by the Ontario Municipal Board, and the 40% Agreement continues to remain registered on title. Based on the total land area of 566.5 hectares, the 40% Agreement requires that a total of 226.6 hectares be allocated as “Open Space”. The 1981 40% Agreement, amended in 1988, defines the applicable 40% lands. To date, a Surveyor’s Certificate certifies that 119.08 hectares of land have already been provided under the 40% Agreement through registration of previous subdivisions, leaving 107.55 hectares to be dedicated and designated through the current applications.

As a condition of development approval granted in 1983, the landowner was required to submit a concept plan of the entire development. This concept plan formed the basis of current Kanata Official Plan designations, which were adopted in 1990. The current proposal represents a relatively minor deviation from the 1988 concept plan.

The subject application has been examined pursuant to the provisions of the Official Plan and Planning Act.

City Approved Official Plan

The Growth Management strategies of the new Official Plan provide that growth will occur by directing it to the urban area. Environmental integrity will be maintained by conserving provincially and locally significant wetlands, maintaining ecosystems functions and protecting greenspaces. The subject application is consistent with this strategic direction.

Within the Plan, Section 3 – “Plan Designation and Land Use” contains policies pertaining to the natural environment and the “Urban Natural Features” designation that applies to Trillium Woods, Kizell Pond and Beaver Pond. The Official Plan policies apply this designation to woodlands, wetlands, watercourses, and ravines and describe the permitted uses as including open air recreation, scientific, education or conservation uses. The Plan designates the land as “General Urban Area” and “Urban Natural Feature”. Applicable Official Plan policy states, “The boundaries of land designated Urban Natural Features are based on a variety of detailed mapping sources...However, when more detailed environmental studies are completed, this additional information may require minor adjustments in the definition of features and functions and the interpretation of the boundary. It is not intended that these minor adjustments will require amendment to this Plan”. The City of Ottawa Official Plan is currently under appeal. Therefore, the applications are subject to policies of the Regional Official Plan and the Kanata Official Plan.

Former Regional Official Plan (ROP) Designation

The subject lands are designated “General Urban Area” and “Natural Environment Area-A” by the former Regional Official Plan. The “General Urban Area” designation permits residential uses, as well as community facilities, retail uses and service commercial uses.

The areas that form part of Trillium Woods, as well as Kizell Pond and Beaver Pond are designated “Natural Environment Area-A”. The “Natural Environment Area” designation is intended to protect significant natural areas. However, the Plan recognizes that the boundaries of this designation may be interpreted differently without amending the plan, based on more detailed studies. The proposed Draft Plan of Subdivision conforms with both the “General Urban Area” and “Natural Environment Area-A” designations of the Regional Official Plan.

Former Kanata Official Plan Amendment

In order to implement the proposed Draft Plan of Subdivision, changes to the Kanata Official Plan have been approved by Council on June 9, 2004, which affect the policies as well as land use designations shown on Schedule 'B' – "Urban Land Use Designations". This Council Approved amendment alters the boundary of the "EPA" lands. The boundary of the "Environmental Protection Area" (EPA) north of the Beaver Pond remains relatively unchanged, with the exception of the loss of a small amount of open space west of Kimmins Court and the addition of a 40-meter wide corridor connecting the Beaver Pond forested area to the Trillium Woods to the north. Also, Shirley's Brook, along with its required 30-meter buffer is added. The "EPA" lands on the west side of Goulbourn Forced Road at Kizell Pond/West block are decreased along the northern edge where this boundary has been shifted to the south. The designation of Trillium Woods as "EPA" remained unchanged. Following Council amendments to the proposed Plan 'H', this final proposed Plan of Subdivision reduces the small active park providing a mini soccer pitch and Tot Lot at the southeast intersection of Goulbourn Forced Road and the rail right-of-way. The active park, reduced by 3.4 acres will be alleviated through a sharing arrangement for parking and playing fields with the adjacent schools. The 3.4 acres of open space is added to the NEA lands north of the Beaver Pond.

Zoning By-law Amendment

The land has been designated for urban development since 1983; however, an implementing Zoning By-law has never been sought. On June 9, 2004 Council approved the Official Plan and Zoning By-law amendment applications and By-law 2004-342 passed July 14, 2004.

Rationale

Planning Policy Context and Conformity

Currently, the three relevant Official Plans, being Kanata, the Region and the new City of Ottawa Plan, designate Trillium Woods, Beaver Pond and Kizell Pond, as well as forested area north of Kizell Pond (West block) as "Environmental Protection Area" (EPA), "Natural Environment Area – A" (NEA-A) and "Urban Natural Feature" (UNF), respectively. All designations generally have the intention of protecting the environmental value and integrity of the natural area. The three Official Plans also acknowledge that the boundary of natural area may be further defined through the plan of subdivision process, field studies or other further studies. The current application defines the final natural area boundary.

The proposed Draft Plan of Subdivision has been modified numerous times since its submission as an application in June 2003. Staff is recommending approval of this plan (called Plan/Alternative 'H', as amended) together with the Council approved associated Official Plan and Zoning By-law amendment applications.

Ratio of Low, Medium and High residential

The Subdivision plan proposes the development of over 3200 dwellings. Of these, nearly 54% represent medium density townhouse development. High-density residential development represents 11% of the dwellings proposed, while low-density single-detached development makes up the remaining 35%. The new Official Plan encourages higher density development such as this, as well as the use of alternative development standards to assist in providing more affordable housing. The implementing Zoning By-law amendment implements reduced setbacks and the use of some alternative development standards.

School Blocks

The proposed Draft Plan of Subdivision contains one separate elementary school site within the final (4th) Marchwood neighbourhood. Within the three Lakeside neighbourhoods, two elementary schools and one high school site are proposed to be grouped together north of Kizell Pond, along the west side of Goulbourn Forced Road, opposite Trillium Park. The schools are also in proximity to the 5.4-hectare active City Park, planned to provide four full size soccer pitches. The school boards have provided their concurrence on the proposed sites. These sites are designated and zoned “Institutional” in the Council approved Official Plan and Zoning By-law amendment applications.

City Parks

The Planning Act permits the municipality to take up to 5% of the total land area as parkland dedication. With a total land area of 269 hectares, 13.45 hectares could be dedicated for parkland purposes through a typical subdivision approval process. However, based on the provisions of the 40% Agreement, more than 107 hectares will be dedicated as open space through the subdivision development. The areas of active parkland are designated “Open Space” and Zoned “Open Space –1” while the natural environment areas are designated “Environmental Protection Area” (EPA) by the Kanata Official Plan and zoned “OS-1”. The proposed draft plan provides approximately 8.5 hectares of active parkland, including a 5.4-hectare community park, described above. The remaining five hectares of parkland that would normally be dedicated under the Planning Act are transferred to the “EPA” designation.

Servicing

Servicing of the proposed subdivision will be in four phases. Capacity is not a concern as the proposed Draft Plan of Subdivision contains densities and land uses similar to those proposed in the original concept plan. When the existing trunk sewers and water mains that will service this development were designed through previous subdivision development, capacity was provided for the subject lands.

Transportation

As part of the current planning applications, the applicant has provided a revised Transportation Impact Study to update the earlier study and to address the minor changes

between the transportation network of the original concept plan and the currently proposed Draft Plan of Subdivision. Further, Council carried a motion, which requires the applicant to illustrate the Solandt Road connection on the Draft Plan of Subdivision until such time as a formal traffic study confirms that it is not required.

Rail Right-of-Way

The former CN Railway line runs diagonally through the proposed subdivision. The line remains active; therefore the right-of-way is not proposed for recreational purposes through the subdivision approvals process. The Zoning provisions require deeper setbacks for yards where residential lots abut the rail right-of-way. The developer is required to install 1.2-metre high black vinyl-coated chain link fence along the rail right-of-way. At the current usage of one train per week, noise walls are not necessary. Under a light-rail scenario, they would likely be required. The draft plan conditions include a notice on title to all purchasers of the potential for light rail along this corridor, in addition to the standard noise warning clauses.

Environmental Protection Area, Green Linkages and the 40% Agreement

The boundaries of the natural environment area (EPA) have been defined through the subdivision approval process. Green linkages have also been added as "EPA" to create a pedestrian-oriented recreation pathway system that links the various natural areas (Beaver Pond, Kizell Pond, Trillium Woods and South March Highlands). The accompanying Council approved Official Plan and Zoning By-law amendment applications, and approval of the Draft Plan of Subdivision complete the allocation of over 107 hectares of open space lands required under the 40% agreement. A condition of approval was added to verify that any differences between the 40% Open Space calculations and the actual parcels registered will be adjusted in the final phase of registration to the approval of the Director of Planning and Infrastructure Approvals in conjunction with the Ward Councillor.

The Environmental Implications section of Report ACS2004-DEV-APR-0054 presented to Planning and Environment Committee on May 11, 2004 describe the methodology and consultation process whereby the fulfilment of the Open Space Agreement as shown on the draft plan was determined.

Conclusion

City staff support the approval of Draft Plan of Subdivision. The proposed draft plan balances existing and future community needs and respects the principles of the original open space agreement and existing land use designations.

The applicant and the Ward Councillor, Councillor Peggy Feltmate, support the conditions of approval.

The proposed development does not require an expenditure of municipal funds over and above those funds recovered by development charges or for which an allocation has been made in a Council approved budget.

CONSULTATION DETAILS

Councillor Peggy Feltmate has concurred with the proposed conditions of Draft Approval.

Councillor Peggy Feltmate has indicated the following:

The residents of Kanata have made it clear that they want to see the lands north of the Beaver Pond saved. If the public consultation conducted by the City are to be seen to have legitimacy then the will of the community should be respected when there are no other factors.

Public Notification and Consultation

This application was subject to the Public Notification and Consultation Policy. Enhanced notification was carried out. Information signs were posted on-site indicating the nature of the applications. The Ward Councillor is aware of the applications and the staff recommendation, and has been actively involved in City-initiated focus group meetings and in trying to achieve a consensus among community groups.

At the request of the Kanata Lakes Community Association (KLCA), meetings were held with staff, and site visits and walking tours of the existing and proposed trails were undertaken shortly after the original application was circulated in the summer of 2003. A Community Information Session was held in the community on September 18, 2003. The primary matter of concern to the community was the desire to prohibit development on the forested land north of the Beaver Pond, south of the rail line and Trillium Woods.

Staff coordinated a facilitated focus group in an effort to obtain community input in a more efficient and productive manner. Invitees included representatives from the three most affected Community Associations (KLCA, Beaverbrook Community Association, and Morgan's Grant/Briarbrook Community Association) as well as organized groups that had previously provided input and written comments about the applications. These groups included the Kanata Survey Group, the Trails Advisory Committee, The Ottawa Forest and Greenspace Advisory Committee and the Environmental Advisory Committee.

The focus group meeting, held December 17, 2003, considered the proposed draft plan of subdivision within the context of the 40% Agreement. Following from this, staff and the applicant began an intensive review and negotiation process to find additional 40% land that could be allocated to areas known to be of greatest concern to the community. A "savings" in 40% land was achieved by reducing three proposed north-south linkages between Beaver Pond and Trillium Woods into one 40-metre wide corridor. Buffers along the rail line were removed wherever possible, and rear yard setbacks were increased as an alternative. Also, the rock knoll located west of Kizell Drain open space buffer behind Kimmins Court was deleted and proposed for development. This discussions resulted in a "freeing up" of approximately 5.67 hectares of "EPA" land.

A second focus group meeting was held on February 3, 2004. Conclusions of the second focus group meeting found that opinions continued to differ with respect to the preferred

location of the 40% open space lands. The public meeting with respect to the Planning Act, was held on February 16, 2004. There were approximately 150 people in attendance at the meeting who, again, supported preservation of the lands north of the Beaver Pond.

A further meeting was organized by the Councillor's office on April 1, 2004 between the applicant, City staff, the community representatives and the Councillor to try to reach a consensus on a plan. It was Plan 'H' that comes closest to achieving this level of agreement between all parties.

The Planning and Environment Committee meeting of May 11, 2004 considered the Official Plan Amendment, Zoning By-law Amendment and Draft Plan of Subdivision applications. The May 25, 2004 Council meeting deferred consideration of Approval of said applications until June 9, 2004 in order that City staff, the applicant and Ward Councillor could resolve the legal status of lots, and outstanding technical questions. On June 9, 2004, Council approved the Official Plan amendment and Zoning By-law amendment applications and added special conditions for final approval. With Council Approval and Councillor concurrence, the final Draft Plan of Subdivision and attached conditions for final approval are submitted to the Manager of Development Approvals, West Division, Planning and Infrastructure Approvals for approval.

Public Comments

The basis of a significant amount of discussions focused on the question of which lands should be taken as "Environmental Protection Area" under the 40% Agreement. So as to not repeat or simplify in any shape or form the public comments received with respect to these applications, staff direct the reader to consider the details of discussions, and list of questions raised by residents and focus group members, with staff responses as provided within Document 6 – "Consultation Details", a 15 page document appended to Report ACS2004-DEV-APR-0054 dated April 13, 2004 submitted by Ned Lathrop to Planning and Environment Committee on May 11, 2004.

Synopsis of Public Comments

As stated above, it is pertinent to refer to Document 6, noted above. Concerned citizens raised the suggestion of simply denying the application(s) and saying no to the developer. In response, the history of approvals, which brought the land into an urban development designation, was disclosed.

The public indicated the desire to preserve as much of the land north of Beaver Pond as possible. Questions received asked why City staff were not insisting that the developer not build on these lands. In response, staff outlined the provisions of the 40% Agreement. As well, staff raised the threat of losing control of the final plan layout to the OMB.

The public suggested filling in of Kizell Pond and trading these lands to allow the lands north of the Beaver Pond to be preserved as environmental protection land instead. Staff elaborated on planning policies, and environmental and social benefits which support its designation for environmental preservation. There are also stormwater servicing limitations

and development constraints that preclude the implementation of this idea. Environmental analysis determined that Kizell and Beaver Ponds are important wetland features within a local planning context. The Provincial Policy Statement states that municipalities can identify other natural heritage features and areas considered significant within their local context. Kizell Pond represents a diverse wetland habitat of greater value than Beaver Pond. Kizell Pond is also ecologically linked with the wetlands and upland habitat directly to the west of First Line Road (compensation lands) and Beaver Pond. Removing Kizell Pond would reduce the overall environmental value of the NEA lands, including the lands to the north and compensation lands to the west.

The public questioned the area required for Kizell Pond needed to accommodate its stormwater management function. The Draft Plan Conditions of Subdivision Approval require that a final Stormwater Management Plan be approved prior to registration of the pertinent phase of the subdivision.

The public suggested that Kizell Pond be filled to accommodate the City's active park requirements. The public suggested that the damaged, clear cut area of Kizell Pond not be accepted as Natural Environment Area (NEA) or as dedication under the 40% Agreement. In response, the negotiated settlement was described as a result of the unauthorized tree-cutting incident.

With respect to Shirley's Brook habitat, it was questioned why the fish habitat and Shirley's Brook were considered under the 40% Open Space Agreement. It was questioned whether this brook contained fish habitat and whether the creek corridor could be decreased. Staff referred to the Council approved Shirley's Brook/Watts Creek Subwatershed Plan wherein Shirley's Brook was classified as Type 1 habitat. Mississippi Valley Conservation Authority and Department of Fisheries and Oceans conducted a further review of the fisheries resource within Shirley's Brook. The Subwatershed Plan recommends the 15-meter setback from top-of-bank. Where the 30-meter wide open space area to be dedicated under the 40% Agreement may ultimately need to be wider at some points to accommodate the meander, this open space dedication will not come out of the 40% allotment. This will be a Draft Plan Condition of Subdivision Approval and will be adjusted on the final Plans prior to registration. Further, conditions requiring DFO and MVC approval prior to registration of the Subdivision are included as Draft Plan Conditions of Subdivision Approval.

Questions ensued regarding the Daniel Brunton study of 1992 and the delineation of Black Cherry Trees referenced in this study. Draft Plan Condition 38 requires that these trees be identified and preserved wherever possible. Further, concern was expressed with respect to the proximity of the school blocks to Trillium Woods. Shared parking arrangements between school sites and the community-scale Park were presented. As well, it was suggested that the City take lands from Walden Park (yet-to-be-developed) and apply it to lands north of the Beaver Pond. Staff provided complete explanations and responses.

A petition was received from Kimmins Court residents. Following further community consultation, staff now support preserving most of the rock knoll between Kizell Creek open space and the Hydro Corridor. It is deemed appropriate to maintain the buffer of the

rock knoll for residents of this area, acknowledging that the northern-most portion of the area will be developed to connect the sanitary sewer that presently ends at the north end of Kimmins Court. Further, the Hydro Corridor immediately west of Kimmins Court is included in the 40% agreement because it will be developed with a pedestrian pathway and is therefore considered to be open space under the 40% Agreement. A Condition of Subdivision Approval requires the developer to construct the pathway to City standards.

With respect to servicing, the location of the water mains, local sanitary collector sewer and trunk sewer were described. The costs of installing infrastructure through lands north of Beaver Pond were described, as were impacts of blasting. Suggested land trades were proposed and staff provided complete explanations and responses.

Other comments included the alignment of future Terry Fox Drive, the inclusion of the rock knoll in the 40% Agreement and a discrepancy wherein municipally owned road allowances were inadvertently included in the 40% calculation. Staff provided elaborate responses in Document 6 of ACS2004-DEV-APR-0054, described above.

APPLICATION PROCESS TIMELINE STATUS

This Plan of Subdivision application was not processed by the target date established for the processing of an application that has Manager Delegated Authority due to the complexity of the issues associated with balancing the desire of existing adjacent communities with the needs of the future community, and the acceptance of such changes to the the landowner. Further, the 1990 Kanata Official Plan had not considered the presence of Shirley's Brook. The inclusion of these lands, and others, under the 40% Open Space Agreement was subject to much debate and discussion.

Contact: Kerrie Engler Tel: (613) 580-2424 ext. 19307, Fax 560-6006 or e-mail: Kerrie.Engler@ottawa.ca.

File: D07-16-03-0025

CONDITIONS FOR FINAL APPROVAL
KNL DEVELOPMENTS LTD.
LAKESIDE SUBDIVISION

DRAFT APPROVED DD/MM/YYYY

The City of Ottawa's conditions applying to the approval of the final plan for registration of KNL Developments Ltd. subdivision (D07-16-03-0025) are as follows:

Agency to
Clear

General

1. This approval applies to Draft Plans 1 and 2, certified by, Edward M. Lancaster, Ontario Land Surveyor, dated 20 August 2004, Plan 1 being Part of Lots 6, 7 and 8, Concessions 2 and 3 and Part of the Road Allowance between Concessions 2 and 3, and Plan 2, being Part of Lots 7, 8 and 9, Concessions 2 and 3 of the KNL development.
2. The Owner agrees, by entering into subdivision agreements, to satisfy all requirements, financial and otherwise, of the City of Ottawa, including but not limited to, the phasing of the plan for registration, the provision of roads, installation of services and utilities, and drainage. **OTTAWA (PPD)**
3. Any residential blocks on the final plan shall be configured to ensure that there will generally be no more than 25 units per block. **OTTAWA (PPD)**
4. That the Owner shall employ Professional Engineers to the satisfaction of the City, to design and supervise the construction of the Subdivision Works in accordance with the City Specifications. No departure from the City Specifications is permitted without the written consent of the City. "As Built" drawings of the development works shall be provided to the City's satisfaction. **OTTAWA (PPD)**
5. The Owner agrees to promptly notify the City Clerk in writing should any of the Works required by the Subdivision Agreement be assigned to other parties. Such notification shall not release the Owner of his obligation to construct such Works. **OTTAWA (PPD)**

6. The Owner agrees that its obligation to construct or install the Works, as required by the Subdivision Agreement, shall not be assigned to any party who purchases land on which a residence has been constructed. **OTTAWA (PPD)**
7. The Owner agrees to co-ordinate the staging of the Subdivision to the satisfaction of the City in consideration of the construction of the Works with the development of other lands in the area, or provision of underground services within the Subdivision. The City acknowledges that a roadway connection between the subject lands and the lands located west of First Line Road allowance and south of Kizell Pond will not be required. **OTTAWA (PPD)**
8. The Owner agrees that, where applicable, all Offers of Purchase and Sale shall contain a clause notifying the purchasers of the type, location, construction and size of any sidewalk abutting the lands, which are the subject of the offer. **OTTAWA (PPD)**
9. The Owner agrees to implement the recommendations of all applicable reports. The Owner acknowledges and agrees that all reports and/or studies required as a result of the approval of the Plan of Subdivision shall be implemented to the satisfaction of the City at the sole expense of the Owner. Further, that the City may require certification by the Owners Professional consultants that the works have been designed and constructed in accordance with the approved reports, studies, standards specifications, and plans to the satisfaction of the City. **OTTAWA (PPD)**
10. The Owner shall ensure that the entire Draft Approved Plan and any revisions thereto will be displayed at all times in all applicable sales offices.
11. The Owner shall develop a communication strategy to update the Ward Councillor and the community on the phasing of construction and timing of development, prior to the commencement of new phases of construction. This shall be to the satisfaction of the Director of Planning and Infrastructure Approvals.

Zoning & Official Plan

12. Prior to registration of the plan of subdivision, the City of Ottawa shall be satisfied that the proposed plan of subdivision conforms with the applicable Official Plan, approved under the requirements of the Planning Act, with all possibility of appeal to the Ontario Municipal Board exhausted. **OTTAWA (PPD)**
13. Prior to registration of the plan of subdivision, the City of Ottawa shall be satisfied 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 Ontario Municipal Board exhausted **OTTAWA (PPD)**
14. For each registration, the Owner shall provide a surveyor's certificate from an Ontario Land Surveyor indicating the frontage and area of all lots/blocks on the final plan. **OTTAWA (PPD)**

Highways/Roads

15. The Owner acknowledges and agrees that no additional cul-de-sacs, bulbs or eyebrows will be permitted prior to registration, without prior approval of the City. **OTTAWA (PPD)**
16. The Owner shall convey to the City, in accordance with the principles of the 40 percent agreement, an unencumbered road widening along the Second Line Road allowance between Concessions 2 and 3 in conjunction with the dedication of the realigned Goulbourn Forced Road. The Owner's certificate on the M-Plan shall indicate which Block(s) (are) being dedicated as a public highway of the City of Ottawa, which plan shall be submitted in draft to the City Surveyor. **OTTAWA (PPD)**
17. Where deemed applicable, the Owner shall convey to the City, at no cost, the land required to construct grade-separated crossings at Goulbourn Forced Road and Terry Fox Drive where they cross the right of way. **OTTAWA (PPD)**
18. The design of all 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, shall be to the satisfaction of the City of Ottawa. **OTTAWA (PPD)**

19. The Owner shall undertake to have the approved “Traffic Study, Communities of Marchwood-Lakeside”, dated April 1985, and prepared by Cummings Cockburn Limited, updated by a Professional Engineer with expertise in undertaking such studies. The update shall comply with the City of Ottawa’s Transportation Impact Study Guidelines (September 1995) in confirming corridor protection requirements, intersection configurations and turning lane requirements as well as identifying TDM measures and analyzing traffic impacts, transit impacts and implications for pedestrian and bicycle movements. The methodology and analysis principles shall be to the satisfaction of the City of Ottawa.
- OTTAWA
(PPD)**

The update shall also address the following matters:

1. The requirement for the connection of Solandt Road from March Road to Walden Drive within the subdivision.
2. The timing and phasing of construction of all collector roads including, but not limited to, Goulbourn Forced Road, Walden Drive, Street No. 7 and Terry Fox Drive from Goulbourn Forced Road to March Road.
3. The requirement for temporary construction access roads to accommodate construction traffic.
4. Requirements of the Environmental Assessment Act as it relates to the construction of Goulbourn Forced Road.
5. The timing of construction of Goulbourn Forced Road in conjunction with each phase of subdivision development.

For each phase of development of the subdivision, Traffic Impact Studies shall be undertaken to address how the updated Traffic Study is to be complied with, or address any required amendments. As the phases of this development proceed, if multiple deviations from the updated Traffic Study occur, the Owner shall undertake another update of the Traffic Study upon direction and at the discretion of the City prior to a next phase being approved for development.

The owner acknowledges that development shall proceed relative to the availability of alternate construction route accesses, which shall be either roads that are to be developed as part of new construction or temporary roads laid down only as a construction access route as approved by the City. Where existing roads are used as construction access routes, the developer shall be responsible for upgrading and maintaining the road as specified in the City's subdivision agreement.

The Owner shall, at its cost, implement the recommendations of the updated Traffic Study including any traffic signals, when warranted, and related roadway modifications, subject to any applicable development charge contributions.

The Owner shall, at its cost, be responsible for the construction of Solandt Road within the Draft Plan of Subdivision, subject to any applicable development charge contributions, unless the updated Traffic Study demonstrates that the connection of Solandt Road from March Road to Walden Drive is not required and the City does not require the road to provide access to Block 12, Plan 4M-1075.

- | | | |
|-----|--|-------------------------|
| 20. | The Owner agrees to transfer to the City at no cost, the land required for Terry Fox Drive right-of-way upon request by the City. | OTTAWA
(PPD) |
| 21. | All streets shall be named to the satisfaction of the City of Ottawa. | OTTAWA
(PPD) |
| 22. | The Owner shall, at its cost, apply for and obtain all necessary road closings and applicable land transfers within the plan of subdivision. This shall be completed prior to the registration of the plan of subdivision. | OTTAWA
(PPD) |

23. That the Owner acknowledges that the future Goulbourn Road is a roadway eligible for funding from the Development Charge reserve at a rate of 90% of costs from Development Charges and 10% of the cost from a non-growth fund in accordance with the commitments of the former Kanata Development Charge Bylaw. The roadway is to be developed by the City in accordance with any requirements stipulated in the Environmental Assessment Act. **OTTAWA (PPD)**

As part of the detailed planning and design for Goulbourn Forced Road, an environmental mitigation plan will be required, outlining the specific mitigation and monitoring measures required to ensure minimal impacts to Trillium Woods, Kizell Pond and Beaver Pond Urban Natural Features, as well as Shirley's Brook.

24. The Owner shall dedicate all proposed streets on Plan 1 and Plan 2, in addition to any road widening blocks necessary for the construction of Goulbourn Forced Road, as shown on the plans as Public Highways to the City. **OTTAWA (PPD)**
25. The Owner shall at its sole cost prepare and register any reference plans for the establishment of municipal rights of way crossings of the Arnprior Nepean Railway corridor as required by the City. Further, if required, the Owner shall construct Walden Drive through the Arnprior Nepean Railway corridor and all ancillary railway-crossing requirements as established by and to the satisfaction of the City and Transport Canada. **OTTAWA (PPD) RPAM**

Public Transit

26. The Owner shall design and construct, at no cost to the City of Ottawa, Street No. 7 on Plan 1, Walden Drive on Plan 2, and Street No. 1 on Plan 2, which have been identified for potential transit services, to TAC standards, including right-of-way width, horizontal and vertical geometry, and pavement structure and the construction of a sidewalk on both sides of the street. **OTTAWA (PPD) OC Transpo**

27. The Owner shall:
- OTTAWA
(PPD)
OC
Transpo**
1. orient dwellings and vehicular accesses in the vicinity of bus stops in a manner as to avoid traffic conflicts and visual intrusion and to submit plans for approval by the City of Ottawa indicating the orientation of all dwellings and private accesses in the vicinity of all bus stop locations;
 2. inform all prospective purchasers through a clause in all agreements of purchase and sale and indicate on all plans used for marketing purposes that Goulbourn Forced Road, Street No. 7, Walden Drive, and Street No. 1, have been identified for potential transit services. The locations of the bus stops, paved passenger standing areas, or shelter pads and shelters, which may be located in front of or adjacent to the purchasers' lots at any time shall also be indicated.
28. The Owner shall design and construct, at no cost to the City of Ottawa, paved transit passenger standing areas, or shelter pads and shelters, to the specifications of OC Transpo.
- OTTAWA
(PPD)
OC
Transpo**
29. The Owner shall ensure that the staging of the subdivision, including dwellings, roadways, walkways and paved passenger standing areas, or shelter pads and shelters, will be constructed in a sequence that permits the operation of an efficient, high-quality transit service at all stages of development.
- OTTAWA
(PPD)
OC
Transpo**
30. The following streets shall be constructed to collector standards having a R.O.W. width of 26m with 11 m of asphalt pavement and concrete sidewalks on both sides of the road:
Street No.7 on Plan 1
Walden Drive
Street No 1 on Plan 2
- OTTAWA
(PPD)**
- Where the City deems appropriate, local streets on the final plan shall have a road allowance width in accordance with the City's policies related to construction of sidewalks.
- Sidewalks, Walkways, and Fencing**
31. The Owner shall design and construct at no cost to the City, public all season pathways within walkway Blocks and in locations specified on the final plan to the satisfaction of the City.
- OTTAWA
(PPD)**

32. The Owner shall construct a pedestrian pathway, to City specifications, through the hydro corridor (Plan 1, Block 464) located immediately west of Kimmins Court, and running along the south side of the Rail line, connecting to the existing pedestrian crossing of the Rail line. **OTTAWA (PPD)**
33. Where required, the Owner shall construct fencing to City specifications along the shared property line between the subdivision lands and the road allowance between Concession 1 and 2, and adjacent to any park, walkway or open space blocks. **OTTAWA (PPD)**
34. The Owner shall install at its expense, fencing on the Railway right-of-way. Fencing shall be commercial grade chain link, shall not contain gates, and shall be of a height and at a location to be approved by the City prior to installation. **OTTAWA (PPD)**
35. The Owner shall install at its expense, and to City specifications, fencing in the following locations: **OTTAWA (PPD)**
OCDSB;
OCCSB
1. fencing where required on park, open space blocks and walkway blocks;
 2. perimeter fencing surrounding school sites, where required
 3. along the rear and side property lines of all lots abutting the Beaver Pond and Kizell Pond Urban Natural Features and Shirley's Brook
 4. perimeter fencing around Blocks 688 and 674 on Plan 2 where they abut lands owned by others, the rail right-of-way and the community park.

Tree Preservation and Land/Streetscaping

36. The Owner acknowledges and agrees to make every effort to preserve vegetation and natural features located on the lands included in the Plan of Subdivision. To this end, no trees shall be cleared or significant natural features disturbed in any lots or blocks within the Plan of Subdivision until an Existing Conditions and Natural Features and Vegetation Preservation Plan, prepared by a Landscape Architect in good standing with the Ontario Association of Landscape Architects, showing existing contours and/or spot elevations, rock outcroppings, drainage swales or ditches, and the location, species, size range and condition of all stands of trees or outstanding specimens has been submitted to and approved by the City of Ottawa prior to the City of Ottawa reviewing the Lot Grading Plan. **OTTAWA (PPD)**
37. The Owner(s) shall undertake to protect all existing vegetation on site until such time as a Detailed Tree Planting and Conservation Plan is approved by the City and the vegetation communities and specimen trees which are to be conserved are appropriately marked with snow fencing on-site. The City forester shall approve, on-site, the trees to be preserved and review compliance of on-site works against the approved Tree Planting and Conservation Plan. The Detailed Tree Planting and Conservation Plan shall be prepared by a qualified landscape architect and shall be integrated with the Grading and Drainage Plan, the Storm water Site Management Plan and the Environmental Impact Statement, and further, the Owner agrees that no tree cutting or removal shall occur prior to approval of the Detailed Tree Planting and Conservation Plan and no sooner than two years in advance of construction, or no sooner than is necessary to complete detailed engineering submissions. This shall be to the satisfaction of the Director of planning and Infrastructure Approvals. **OTTAWA (PPD)**
38. The Detailed Tree Planting and Conservation Plan shall specifically identify Black Cherry species and preserve such trees wherever possible, to the satisfaction of the Director of Planning and Infrastructure Approvals. **OTTAWA (PPD)**
39. The Owner shall update the Kizell Pond Trail and Woodland Restoration Plan (Corush, Sunderland, Wright, April 2003) to the satisfaction of the City to ensure continuity of trails and appropriate connection to existing trails based on the draft plan of subdivision. The Owner shall be responsible for construction of the pathways and implementing the approved plan at no cost to the City. **OTTAWA (PPD)**

40. The Owner shall, at its cost, revise the concept plan for the Beaver Pond Open Space natural area, which plan shall include trails and pathway connections to existing trails to be retained along the north and south side of Beaver Pond, trail alignment with Kizell Pond Natural Environment Area and trail connections to Trillium Woods Natural Environment Area, and further the Owner agrees to construct the pathways so that connections to trails to be retained are maintained during development of the subdivision, except that temporary trail closures may occur where a safety hazard has been determined by the Director of Planning and Infrastructure Approvals. The Owner shall implement the plan at its cost, subject to any development charge contributions.

**OTTAWA
(PPD)**

41. The Owner shall provide appropriate plans for the approval of the Director of Planning and Infrastructure Approvals including the following:

**OTTAWA
(PPD)**

1. a description of the parks and open space included in the Draft Plan;
2. a concept plan for each of the parks and open space/natural areas within the area of the Draft Plan;
3. an indication of the location and alignment of the walking trails within the Natural Environment Areas and Open Space areas and the abutting road allowance between Concessions 1 and 2.
4. a cross-section of the trail construction detail;
5. the location, elevation and cross-section detail of any sound attenuation fence required within the area of the Draft Plan;
6. a demarcation on the plan and cross-section indicating the treatment of the boundary of open space and the rear of abutting lots; and
7. an indication of the street and park tree planting with a list of all proposed trees and other plant materials and details of their size and method of installation.
8. The Owner shall construct the trails in accordance with the approved *Trail and Woodland Restoration Plan* for Kizell Pond, at no cost to the City, subject to any applicable development charge contributions or obligations pursuant to existing agreements.

42. The Owners shall implement the mitigation and monitoring measures stated in the report “Environmental Impact Statement, Kanata Lakes North (Muncaster, April 2003) to the satisfaction of the City which include but are not limited to:
1. The outside side of the natural area’s buffers and open space areas will be clearly delineated with construction fencing prior to any grading or other site alterations ;
 2. Woodchips will be placed on the development side of the construction fencing to prevent compaction of soil;
 3. Tree removal will not occur between May 15th and July 10th to protect breeding birds;
 4. No in-stream works within the watercourse will occur between March 15th and June 30th;
 5. An approved system of measures to protect the trees and their root systems during blasting.
- OTTAWA
(PPD)**
43. Prior to registration, the Owner shall prepare, at no cost to the City, the on-site remediation and restoration plan for each damaged area within the Kizell Pond Urban Natural Feature as outlined in the *Kanata Lakes NEA Boundary Definition, Shirley Brook and Tree Cutting Mitigation Report (Muncaster, November 2002)* to the satisfaction of the City. The restoration works will be implemented by the Owner and coordinated with the installation of the pathway and storm water management works.
- OTTAWA
(PPD)**
44. The Owner shall provide interpretative signs for each Urban Natural Feature, in locations approved by the City, to indicate the sensitive nature of the wetlands, woodlands and watercourses in the subdivision.
- OTTAWA
(PPD)**
45. The Owner shall dedicate at no cost to the City the following individual blocks of land comprised of: 1) Kizell Pond (Block 481 on Plan 1), 2) Beaver Pond (Block 479 on Plan 1); 3) Trillium Woods (Blocks 670, 671 and 672 on Plan 2); and 4) West Block (Block 735 on Plan 2) Urban Natural Features in healthy and restored condition to the City as “environmental lands”, in accordance with the approved Plan. If applicable, the Owner shall pay any land transfer tax associated with the dedication of these lands.
- OTTAWA
(PPD)**

46. The Owner(s) shall prepare to the satisfaction of the City, a Conservation Handbook describing the natural attributes of the subdivision and the importance of good stewardship practices to ensure the long-term health and sustainability of Kizell Pond, Beaver Pond and Trillium Woods Urban Natural Features and Shirley's Brook. The Handbook shall be distributed to all new home Owners within the subdivision. **OTTAWA (PPD)**
47. The Owner(s) shall design and construct at no cost to the City, a pathway along one side of Shirley's Brook for its entire length from Goulbourn Forced Road, connecting to the unopened First Line Road allowance to the satisfaction of the City, subject to applicable development charge policies. **OTTAWA (PPD)**
48. The Owner(s) shall convey the lands containing Shirley's Brook to the City (area to be defined by survey) once the creek realignment and landscaping works have been completed with all associated approvals, to the satisfaction of the City of Ottawa. **OTTAWA (PPD)**
49. That the Owner acknowledges, and agrees, that prior to registration, the Owner shall submit to the City and receive approval of, a Street Landscaping Plan, by a Landscape Architect which plan shall specify: **OTTAWA (PPD)**
1. Footprints of building units, driveway locations, service drainage swales, retaining walls, fences, street furniture, etc.
 2. trees at a minimum ratio of two (2) trees per building lot with one (1) being located in the road allowance and one (1) on private property, where possible and any surplus trees being located on corner lots, and flankages.
 3. landscaping requirements for townhouse or multiple blocks within the Plan of Subdivision will be addressed through Site Plan Control Approval Process.

Parks & Open Space

50. The Owner shall install any necessary municipal services to the lot line of each park or open space block, as required by the City. **OTTAWA (PPD)**

51. That, prior to registration, a table shall be provided to the City to reflect the agreed and legal land allocation by Blocks and acreage catalogued to the specific lands dedicated under the 40% agreement for all of Marchwood/Lakeside, and further, that any differences between the 40% Opens Space calculations table and the actual parcels registered, will be adjusted in the final phase of registration to the approval of the Director of Planning and Infrastructure Approvals in conjunction with the Ward Councillor. **OTTAWA (PPD)**

Schools

52. The Owner acknowledges and agrees to reserve Block 667 on Plan 2 in the subject draft plan of subdivision as an elementary school site and Block 668 on Plan 2 as a secondary school site for the Ottawa-Carleton District School Board. The size, configuration and servicing of the school site will be to the satisfaction of the Ottawa-Carleton District School Board. **OTTAWA (PPD), OCDSB, OCCSB**
53. The Owner agrees to enter into a legal agreement with the Ottawa-Carleton District School Board for the reservation of the delegated school sites known as Blocks 667 and 668 on Plan 2, in the draft plan of subdivision for a period of up to seven (7) years, from the date of registration of the plan, which contains the subject school site. **OTTAWA (PPD), OCDSB, OCCSB**
54. The Owner acknowledges and agrees to reserve Block 486 on Plan 1 and Block 675 on Plan 2 in the subject draft plan of subdivision as elementary school sites for the Ottawa-Carleton Catholic School Board. The size, configuration and servicing of the school site will be to the satisfaction of the Ottawa-Carleton District School Board. **OTTAWA (PPD), OCDSB, OCCSB**
55. The Owner agrees to enter into a legal agreement with the Ottawa-Carleton Catholic School Board for the reservation of the delegated school sites known as Blocks 486 on Plan 1 and 675 on Plan 2, in the draft plan of subdivision for a period of up to seven (7) years, from the date of registration of the plan, which contains the subject school site. **OTTAWA (PPD), OCDSB, OCCSB**
56. That the Owner be required to 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.

Archaeology

57. The Owner shall undertake/agree to the following, to the satisfaction of the Ministry of Citizenship, Culture and Recreation and the City of Ottawa: **OTTAWA (PPD)**
1. an archaeological assessment of the entire property by a licensed consultant archaeologist, including 1:10,000 scale mapping, "Archaeological Site Record" and report(s);
 2. the implementation of the recommendations of the approved assessment, including mitigation, through preservation or removal and documentation of archaeological resources;
 3. no demolition, grading or other soil disturbances shall take place until any archaeological resource conservation concerns have been addressed.

58. 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 City of Ottawa. **OTTAWA (PPD)**

Storm water Management

59. Prior to commencement of construction, the Owner shall provide all Storm Water reports that may be required by the City for approval. The reports shall be in accordance with the approved *Shirley's Brook and Watts Creek Subwatershed Study* prepared by Dillon Consulting and the *Carp River Subwatershed Study*, as the study(ies) pertains to this subdivision and all City or Provincial standards, specifications and guidelines. The reports shall include but are not limited to, the provision of erosion and sedimentation control measures, implementation or phasing requirements, all storm water management measures have been constructed to the satisfaction of the City. **OTTAWA (PPD) MVC**

The Storm Water Management Plan shall identify the sequence of its implementation in relation to the construction of the subdivision and shall be to the satisfaction of MVCA and the City.

60. The Owner agrees that the commencement of construction of any phase of this subdivision will not occur until such time as the storm water management facilities required for this subdivision in accordance with the approved *Shirley's Brook Watt's Creek Subwatershed Study and Carp River Subwatershed Study* has been designed and construction has been initiated in accordance with all municipal and agency requirements. **OTTAWA (PPD)**
61. Prior to the commencement of construction of any phase of this subdivision (roads, utilities, any off site work, etc.) the Owner shall: **OTTAWA (PPD)**
1. Have an Erosion and Sediment Control Plan prepared by a Professional Engineer in accordance with Current Best Management Practices,
 2. have such a plan approved by the City of Ottawa, and provide certification to the City of Ottawa through a Professional Engineer that the plan has been implemented.
62. The Owner agrees that the storm water outlets to be contained within Block 479 on Plan 1 (Beaver Pond) and Block 481 on Plan 1 (Kizell Pond) shall be designed and constructed to ensure a minimal amount of disturbance to the wetlands as possible. The mitigation measures should be clearly documented in the Storm water Site Management Plan prepared for the subdivision. **OTTAWA (PPD)**
63. The Owner agrees that on completion of all storm water works, the Owner shall provide certification to the City of Ottawa through a Professional Engineer that all measures have been implemented in conformity with the Storm Water Management Plan. **OTTAWA (PPD)**

Fisheries

64. The Owner acknowledges that the relocation of Shirley's Brook and any other tributaries within the plan of subdivision will result in harmful alteration, disruption or destruction (HADD) of fish habitat within the existing channel. No Authorizations will be issued unless appropriate measures to compensate for the loss of fish habitat are developed and implemented by the Owner and approved by DFO. The relocated stream must provide an equal or increased stream length and improved quality of fish habitat. The re-aligned stream shall be designed by a DFO approved fluvial geomorphologist. The Owner further acknowledges that any further land required to meet DFO requirements will be at the Owner's expense and will be provided on the final plan and will not form part of the Owner's obligations with respect to the 40% open space agreement. **DFO
MVC
OTTAWA
(PPD)**
65. The Owner agrees that the base flow in Shirley's Brook is not to be diminished during subdivision works or after works are completed. This shall be to the satisfaction of the City and the MVC. **MVC**
66. The Owner agrees that the lot layout is to include a river meander in the re-aligned Shirley's Brook within a 30 metre setback. The final setback from Shirley's Brook is to be to the satisfaction of the approved fluvial geomorphologist and, with meander setback, may be greater than 30 metres. **MVC**
67. The Owner acknowledges that the lot layout may change depending on the review of streams shown on the plan of subdivision that may be fish habitat and therefore require a 30-metre setback. Any modifications required to the subdivision design and/or layout will be at the sole expense of the developer. **MVC**
68. The Owner acknowledges that a formal Ontario Regulation 159/90 (Fill, Construction, and Alteration to Waterways) Permit will be required for the proposed re-alignment of Shirley' Brook. **MVC**
69. The Owner acknowledges that a Lakes and Rivers Improvement Act authorization may be required for the proposed re-alignment of Shirley's Brook, and any other realigned fish habitat streams, from the Ontario Ministry of Natural Resources. **MNR**

Municipal Services

70. That the Owner agrees that the design of all services shall be of sufficient depth, size and location to service the lands within the subdivision and lands outside the subdivision which in the opinion of the City, may require an outlet through the subdivision in accordance with the Infrastructure Servicing Report for the subdivision as approved by the City. **OTTAWA (PPD)**
71. The Owner shall prepare, at its sole 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 City of Ottawa for review and approval as part of the water plant design submission. **OTTAWA (PPD)**
72. The Owner agrees to install, at its sole cost, municipal water service to the lot line of the properties that have existing dwellings at 605 and 560 Goulbourn Forced Road, in existence as of June 9, 2004, once such service reaches a point along the frontage of the subject lots.

Utilities

73. 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. **HYDRO OTTAWA, ENBRIDGE, CABLE, BELL**
74. 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. **HYDRO OTTAWA, ENBRIDGE, CABLE, BELL**
75. 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. **OTTAWA (PPD)**

Geotechnical

76. The Owner shall submit a detailed Geotechnical report prepared by a qualified Geotechnical Engineer, licensed in the Province of Ontario to identify, but not limited to, the existing sub-surface silts, ground water conditions, slope stability and erosion protection, in addition to any building construction requirements adjacent to any unstable slope. The report shall provide recommendations to address any of the latter situations to the satisfaction of the City. **OTTAWA (PPD)**
77. The Owner shall conduct a pre-blast survey prior to the commencement of construction and shall conduct monitoring during construction including the monitoring for any impacts on existing dwellings located at 605 and 560 Goulbourn Forced Road.

Noise Attenuation

78. The Owner shall:

**OTTAWA
(PPD)**

1. have a noise and vibration study prepared and certified by a Professional Engineer with expertise in the subject of acoustics/vibration related to land use planning. The study shall be to the satisfaction of the City of Ottawa and shall comply with MOEE LU-131, Noise Assessment Criteria in Land Use Planning, the City of Ottawa 's Standards for Noise Barriers and Noise Control Guidelines, and be in accordance with the current version of the APEO Guidelines, for Professional Engineers providing Acoustical Engineering Services in Land Use Planning;
2. implement the specific noise control and vibration control measures recommended in the approved noise study and any other measures recommended by the City of Ottawa including, as applicable, the City of Ottawa's "Standards for Noise Barriers" as may be amended;
3. prior to the construction of any noise control and vibration control measures, provide certification to the City of Ottawa through a Professional Engineer that the design of the control features will implement the recommendations of the approved study;
2. prior to final building inspection, provide certification to the City of Ottawa, through a Professional Engineer, that the noise control and vibration control measures have been implemented in accordance with the approved study;

Purchase and Sale Agreements and Covenants on Title

79. That the Owner agrees that all Purchase and Sale Agreements for the whole or any part of a Lot/Block on the Plan of Subdivision shall contain the following clauses: **OTTAWA (PPD)**
1. The Purchaser further acknowledges the sensitive environmental nature of the Trillium Woods, Beaver Pond and Kizell Pond natural areas, the importance of good stewardship practices to ensure the health and sustainability of these natural features and that it is the City's intent to protect these woodlands and wetlands and leave them in a natural state for the long term.
 2. The Purchaser undertakes and agrees that gates shall not be introduced into the rear yard fencing where the lots abut Blocks 479 on Plan 1, 481 on Plan 1, 464 on Plan 1, 486 on Plan 1, Block 721 Plan 2, the rail right of way, Block 747 Plan 2, 720, Plan 2, 667 Plan 2, 674 Plan 2, 675 Plan 2, 668 Plan 2, 735 Plan 2, and the unopened road allowance between concessions 1 and 2.
 3. The Purchaser acknowledges that a noise wall may be required for any lot abutting Goulbourn Forced Road or Terry Fox Drive.
80. The Owner agrees that all Purchase and Sale Agreements shall include noise and/or vibration warning clauses, as required by the Noise and Vibration Study. **OTTAWA (PPD)**

81. Where a lot abuts the rail line, the following notice shall be placed on title and in all agreements of purchase and sale: **OTTAWA (PPD)**
1. "The Owner is advised that the rail line is operational, and is protected by the City for potential future use as a transit corridor and utility corridor."
 2. "That any purchaser of a lot abutting the Arnprior Nepean rail line be advised that a noise wall may be erected at the edge of the right-of-way when transit or other traffic along the rail line increases to a level where noise attenuation measures are required."
82. In recognition that Shirley's Brook running across the property is fish habitat, prior to registration of the plan of subdivision, the City of Ottawa shall be satisfied that wording has been included in the subdivision agreement and in all offers of purchase and sale: **OTTAWA (PPD)**
1. Informing the Owners of all lots abutting the Open Space lands containing Shirley's Brook of the need for the protection of fish habitat and that the natural vegetation within the open space setback be retained.
 2. Informing Owners that any unauthorized destruction or alteration to a watercourse or an area of fish habitat is prohibited. Any proposed alteration (such as a driveway crossing) must be reviewed in detail by the Conservation Authority and may require authorization pursuant to the provisions of the Federal Fisheries Act.

Development Charges

83. That the Owner acknowledges that some of the works of the subdivision are eligible for financial contributions from the City's Development Charge Reserve Fund pursuant to the Development Charge By-law. Such contributions are to be determined and agreed to by the City prior to the commencement of the associated works or as agreed to by the City. The Owner agrees to enter into any agreements that may be required pursuant to the Development Charge By-law. **OTTAWA (LEGAL)**

84. That the Owner shall after registration of the Plan of Subdivision, inform the purchaser 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*.

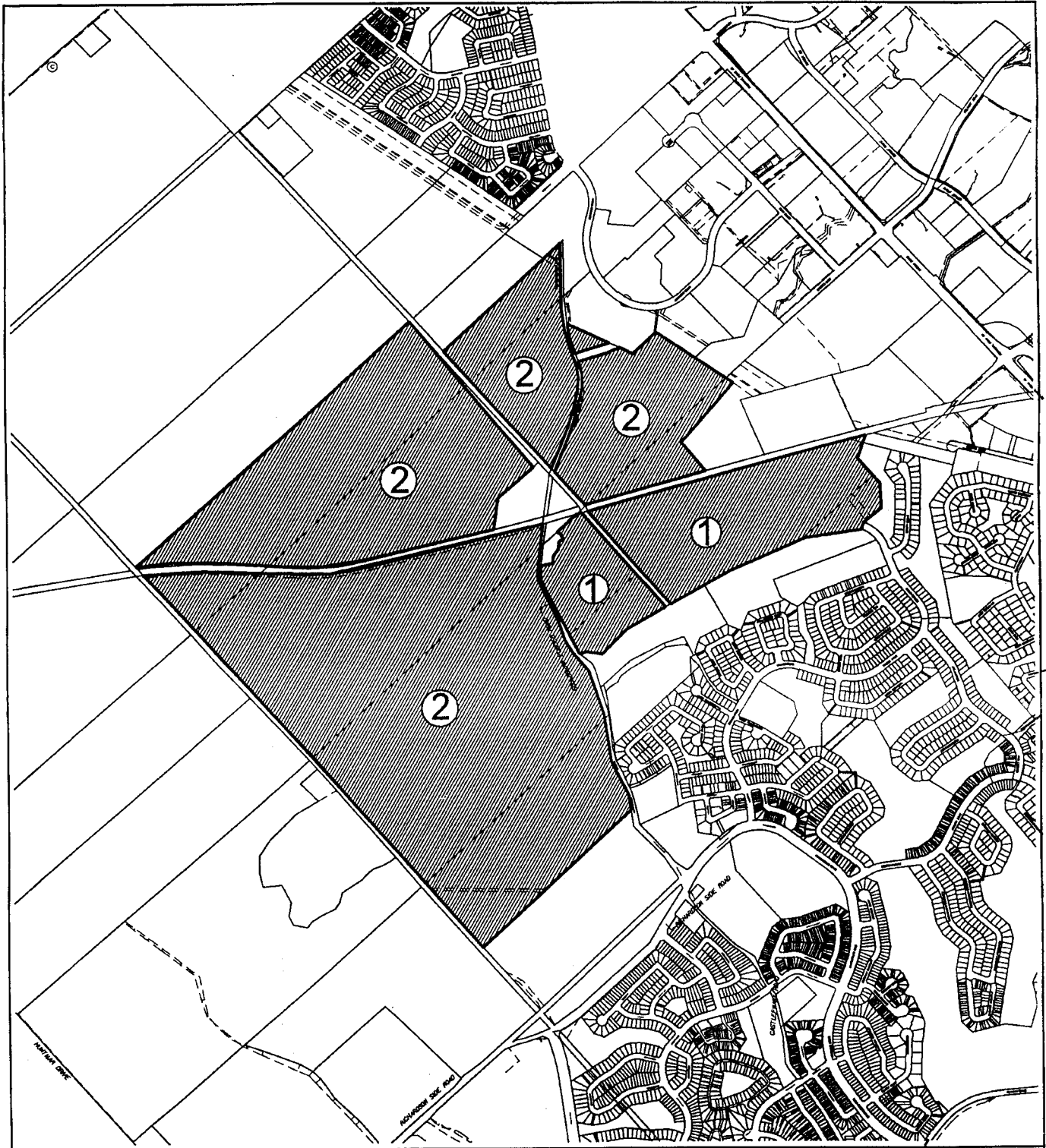
**OTTAWA
(LEGAL)**

Survey Requirements

85. The plan of subdivision shall be referenced, where possible, to the Horizontal Control Network, in accordance with the City requirements and guidelines for referencing legal surveys. **OTTAWA (SURV)**

Closing Conditions

86. At any time prior to final approval of this plan for registration, the City of Ottawa may, in accordance with Section 51 (44) 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. **OTTAWA (PPD)**
87. The City of Ottawa Subdivision Agreement shall state that the conditions run with the land and are binding on the Owner's, heirs, successors and assigns. **OTTAWA (LEGAL)**
88. Prior to registration of any phase of the plan of subdivision, the City of Ottawa is to be satisfied that Conditions 1 through 87 have been fulfilled. **OTTAWA (PPD)**
89. If the plan of subdivision has not been registered by *(a date three years after the date of draft approval will be inserted later)*, 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. **OTTAWA (PPD)**



Produced by Planning and Development Department
 Produit par le Service de l'urbanisme et de l'aménagement

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FEB. 22, 2005

REVISION DATE DE RÉVISION



LOCATION MAP / *Plan de révision*
 PLAN OF SUBDIVISION / *Plan de lotissement*
 (1) 300 GOULBOURN FORCED ROAD
 (2) 535 GOULBOURN FORCED ROAD

ÉCHELLE
 N.T.S.
 MÈTRES



SCALE
 N.T.S.
 METRES

1:50,000
1:50,000
1:50,000

ADDITIONAL INFORMATION REQUIRED UNDER
ARTICLE 17 OF THE PLANNING ACT

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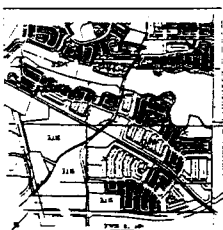
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