

Ontario Land Tribunal

IN THE MATTER OF an appeal pursuant to Subsection 34 (11) and Subsection 51(34) of the *Planning Act*, RSO 1990, c. P. 13, as amended.

Applicant and Appellant:	Clublink Corporation ULC
Property Location:	7000 Campeau Drive
Municipality:	City of Ottawa
Municipality File No.:	D02-02-19-0123 (Zoning Amendment) D07-16-19-0026 (Plan of Subdivision)
OLT Case No.:	PL200195
OLT File No.:	PL200195, PL2001196

WITNESS STATEMENT – DENNIS JACOBS

1. I am a professional land use planner and currently employed as Principal Planner with Momentum Planning and Communications. I am a full member of the Canadian Institute of Planners, a full member of the Ontario Professional Planners Institute and a Registered Professional Planner in the Province of Ontario. I have over 45 years of professional planning experience at both the Provincial and municipal levels of the public sector with an emphasis in the areas of policy planning, non-profit housing and the environment. I have previously been qualified to provide opinion evidence in the practice area of land use planning before the Ontario Municipal Board and the Local Planning Appeal Tribunal. A copy of my curriculum vitae is attached as Appendix A. As well, an executed copy of the Tribunal's Acknowledgement of Expert's Duty is attached as Appendix B.
2. My last position prior to entering private practice in July 2007 was with the City of Ottawa as the Director of Planning, Environment and Infrastructure Policy. In this position, I was responsible for directing the development of the first Official Plan and Zoning By-law for the newly amalgamated City. Since entering private practice, I have maintained a wide range of clients, both in the private and public sector as well representation of local community organizations.

Retainer and Involvement in Development Review Process

3. I was initially approached by Neil Thomson, President, Kanata-Beaverbrook Community Association (KBCA) in January 2019 on behalf of a group of concerned residents with respect to a proposed redevelopment of 7000 Campeau Drive, the site of the Kanata Golf and Country Club (the "subject property") by Clublink Corporation ULC. This request was to provide advice on the planning process related to potential development applications and the ways a community organization could participate effectively.

4. Between January and May 2019, I was in communication with Mr. Thomson and with Barbara Ramsay and Geoff McGowan who had come forward as spokespersons for the newly formed Kanata Greenspace Steering Committee. This Steering Committee was composed of several residents with a direct interest in the redevelopment of the subject property. Following these discussions, I confirmed that I had no conflicts of interest with respect to Minto Communities, Richcraft Homes, Clublink or Morguard who I was advised, were proponents in the redevelopment project. At this stage, I was informally retained by the Steering Committee to provide preliminary advice on land use and urban planning issues in relation to the potential redevelopment of the subject property as well as guidance on the development application process.
5. On July 11, 2019, the Kanata Greenspace Steering Committee was incorporated as the Kanata Greenspace Protection Coalition.
6. On October 30, 2020, I was formally retained by the Kanata Greenspace Protection Coalition (KGPC) to provide professional planning opinion and support in responding to applications for rezoning (File No. **D02-02-19-0123**) and a plan of subdivision (File No. **D07-16-19-0026**) filed on behalf of Clublink Corporation ULC (the "subject applications").
7. In this capacity, I completed an extensive review of the following:
 - A. All documents filed in support of the applications,
 - B. Provincial Policy Statement 2014
 - C. Official Plan 2003, as amended
 - D. By-law 2008-250, as amended
 - E. Various affidavits and filings related to an Ontario Superior Court challenge by the City of Ottawa with respect to what is known as "the 40% Agreement".
8. Having completed this document review, I prepared a letter of opinion for the KGPC in response to the public circulation of the subject applications dated November 22, 2019 which was submitted to the City of Ottawa.
9. On March 6, 2020, Mark Flowers of Davie Howes filed an appeal under the *Planning Act* with respect to the subject applications based primarily on the fact the City of Ottawa had failed to make a decision within the time limits specified under the Act. At this time, I was retained by KGPC in the further capacity as a professional land use planner to provide opinion evidence in the event that a hearing before the Tribunal resulted from this appeal.
10. In response to a revised submission of the subject applications, I prepared a second letter of opinion for the KGPC dated August 31, 2020 which was submitted to the City of Ottawa.
11. On November 26, 2020, I attended a virtual meeting of the Planning Committee of the City of Ottawa at which there was a public hearing with respect to the subject applications. Staff report ACS2020-PIE-PS-0109 was heard by the Committee which approved a recommendation for refusal of the subject applications. The recommendation of Planning Committee was heard at City Council on December 9, 2020 and was carried unanimously.

12. In response to a further revision to the subject applications following Council's refusal of the previous applications, I prepared a third letter of opinion for the KGPC dated July 29, 2021 which was submitted to the City of Ottawa.
13. In the preparation of this witness statement, I have relied on the following documents:
- A. the *Planning Act, RSO 1990, c. P. 13*, as amended
 - B. the Provincial Policy Statement 2020
 - C. the Official Plan of the City of Ottawa adopted in 2003 as amended to October 2017
 - D. the Parkland Dedication By-law 2009-95
 - E. the relevant documentation related to land use planning and subdivision design filed by the applicant in support of the subject applications
 - F. Staff Report ACS2020-PIE-PS-0109 dated November 13, 2020 along with the minutes of Planning Committee dated November 26, 2020 and City Council dated December 9, 2020
14. In the preparation of my witness statement, I have also reviewed the witness statements prepared for the KGPC by:
- A. Stephen M. Quigley, P. Eng. with respect to his assessment of the Phase I and Phase II ESA Reports prepared by the Paterson Group for Clublink Corporation ULC, and
 - B. Douglas Nuttall, P. Eng. with respect to his assessment of matters relating to stormwater management both historically and with respect to reports and plans prepared for Clublink Corporation ULC.

Subject Property Context and History

15. The subject property is located in the former City of Kanata and is part of one of several master planned neighbourhoods that make up the former City. It was originally designed and developed as a golf course which formed a key design element of the Kanata Lakes neighbourhood. As a result, its physical configuration consists of four elongated and disconnected parcels of land stretching throughout and between the adjacent residentially developed lands (See Appendix C).
16. The subject property is currently occupied by the Kanata Golf and Country Club, which opened in 1990. A portion of the lands was previously occupied by a 9-hole golf course opened in 1968. In view of its existing and historic use, there are a limited number of buildings with related surface parking on the site and for the most part these are located on the southern end near Campeau Drive. The balance of the 70.89 hectare site is primarily graded, landscaped and managed for the golf fairways, driving range, tee boxes and greens. Trees, both planted as part of the golf course development as well as pre-existing natural stands, are generally located around the perimeter of the subject property and in various locations throughout. Given that the area is part of the Canadian Shield, there are also a number of rocky outcroppings evident throughout the site.
17. The subject applications went through a series of revisions and resubmissions in an effort to address the comments raised by staff, technical agencies and interested stakeholders. The following table prepared by the applicant provides a comparison of these submissions:

Table 1 – Statistical Comparison

	Original Submission (October 2019)	First Resubmission (July 2020)	Second Resubmission (April 2021)
<u>Dwelling Units</u>	<u>1,502</u>	<u>1,544</u>	<u>1,480</u>
Detached	545 (22.76 ha)	630 (24.63 ha)	654 (23.26 ha)
Front Drive Townhouses	498 (11.05 ha)	332 (7.79 ha)	247 (5.44 ha)
Back-to-Back Townhouses	88 (1.02 ha)	70 (0.79 ha)	68 (0.76 ha)
Stacked Townhouses	0 (0 ha)	76 (0.80 ha)	74 (0.78 ha)
Medium Density	371 (2.97 ha)	436 (2.91 ha)	437 (2.92 ha)
Subtotal (Residential land)	37.80 ha	36.92 ha	33.16 ha
Parks	3 (4.36 ha)	4 (5.91 ha)	4 (6.24 ha)
Stormwater Mgt. Ponds	5 (8.02 ha)	4 (7.31 ha)	4 (7.31 ha)
Additional Open Space	5.36 ha	5.19 ha	7.19 ha
Landscaped Buffers	1.70 ha	1.65 ha	2.40 ha
Subtotal (Open Space land)	19.44 ha	20.06 ha	23.14 ha
Roads	13.65 ha	13.91 ha	14.59 ha
Total Site Area	70.89 ha	70.89 ha	70.89 ha

18. Currently storm water management for the majority of the subject property is not reliant on the City of Ottawa storm system but is self-contained, based on a two-storm pond system with some surface drains/ditches, the permeable nature of the lands and generalized overland flows. The open space nature of the golf course lands have historically allowed for significant rates of natural infiltration.
19. Since the golf course was developed by the then owners of the land as an integral part of the overall neighbourhood design and development, adjacent residential lands drain directly overland without regulation onto the course, tying the management and capacity of existing off site storm water to the fact that the golf course lands continue to be maintained in a managed but soft landscaped state.
20. One example of this integration of storm water management and long term infrastructure planning for the area can be found in Report ACS2007-PTE-POL-0051 Campeau Drive Environmental Assessment dated August 15, 2007 (See Appendix D). This report was heard by Transportation Committee on September 5, 2007 and subsequently approved by City Council on September 12, 2007. The following quote from this report is indicative of the historic reliance on the subject property in the management of storm water in the general area (text underlined for emphasis):

“The Kanata Golf and Country Club drainage system and ponds will receive increased peak flows following the proposed widening of Campeau Drive. Review of the drainage plans has confirmed that the golf course drainage system was designed to accommodate runoff from a widened Campeau Drive, originally planned for up to six lanes. A four-lane widening of Campeau Drive will result in less intense storm runoff to the golf course drainage system than was originally anticipated, and no modifications to the existing system are required.”

21. A significant element in understanding the planning context for the subject property is the pre-existing development agreement that was in place prior to the acquisition of the subject property by Clublink Corporation ULC. Commonly referred to as the “40% Agreement”, it related to the overall development of the area and was the result of the discussions surrounding the approval of the overall master planning framework and required amendments to the Official Plan. The existence of this agreement is acknowledged in the applicant’s Planning Rationale dated September 2019 on page 7 in the following quote:

“The subject site, and other properties in the Marchwood Lakeside Community (now Kanata Lakes), are the subject of an agreement entered into by Campeau Corporation and the City of Kanata on May 26, 1981 and updated December 20, 1988. The agreement confirms the principle that approximately 40% of the total development area of the Marchwood Lakeside Community be left as open space for recreation and natural environmental purposes, including the golf course on the subject site, storm water management areas, natural environmental areas and lands to be dedicated for park purposes.”

While there is a legal dispute ongoing with respect to the interpretation of this agreement and its current applicability, it is an important contextual note that the 40% Agreement provides further evidence of the overall master planning effort that led to the original development of the Kanata Lakes neighbourhood. It also provides a clear sense of the key design and guiding principles that infused the original subdivision layout including the golf course lands. The principles of this agreement also exist outside of the agreement as they have been included in the current Official Plan, comprehensive zoning by-law and parkland dedication by-law which form part of the planning and regulatory framework in the City of Ottawa. As such, these principles and standards must be considered in the analysis of the subject applications notwithstanding the outcome of the legal challenge.

Summary Opinion

22. It is my opinion that the subject applications to redevelop 7000 Campeau Drive should be refused as they do not conform to the policies of the **Official Plan**, in particular **Section 2.2.2 Managing Intensification Within the Urban Area; 2.3.3 Drainage and Stormwater Management Services; Section 2.5.1 Designing Ottawa; Section 3.6.1 General Urban Area; Section 4.10 Greenspace Requirements and Section 4.11 Urban Design and Compatibility**.
23. Further, it is my opinion that these applications are premature and would permit a scale and intensity of infill development that has never been contemplated by the Official Plan or any predecessor secondary plans for the subject property so it cannot be considered orderly development. It is not, in my opinion, good planning or compatible development given the neighbourhood context and creates the potential for causing undue adverse effects on adjacent properties, the overall built community as well as the natural environment.
24. It is also my opinion that notwithstanding the outcome of the current legal challenge to the 40% Agreement, the subject applications cannot be approved without an official plan amendment to **Section 4.10 Greenspace Requirements**. The wording of said Section is

based on the wording of the Agreement but its incorporation into the Official Plan makes it a free standing policy requiring conformity outside of the Agreement. The amount of open space proposed to be dedicated in my opinion is insufficient to satisfy the requirements of this Section. Thus it is my opinion that the subject applications would not and cannot conform to this Section of the Official Plan as currently in full force.

Policy and Regulatory Framework Opinion

25. Pursuant to subsections 34 (10.4) and 51 (19.1) of the *Planning Act*, the subject applications, received by the City of Ottawa on October 8, 2019 were deemed “complete” for the purposes of the *Planning Act*, regulations to the *Planning Act*, and the City’s submission requirements on October 17, 2019.
26. All development applications filed under the *Planning Act* must be reviewed within the framework set out in the Act before a decision can be made on the merits of the application. This framework includes the relevant sections of the Act, the Provincial Policy Statement; the Official Plan and any relevant secondary planning studies; relevant Master Plan studies completed in support of the Official Plan; Design Guidelines prepared and approved by the City of Ottawa under the Official Plan; and any by-laws that have relevance such as the Parkland Dedication By-law 2009-95.
27. While the subject applications have been filed under **Section 34 Zoning By-laws** and **Section 51 Plan of Subdivision Approvals** of the Act, in my opinion the land use planning tests are very similar. To avoid repetition in this Statement, my opinions on both applications have been combined structured around the criteria (noted in ***bold italics*** in the following paragraphs) for assessing an application for a plan of subdivision found in **Section 51 (24)** of the *Planning Act R.S.O. 1990* as amended but should be taken to apply to both subject applications as appropriate.

Section 51(24) Criteria Focussed Review

“51. (24) In considering a draft plan of subdivision, regard shall be had, among other matters, to the health, safety, convenience, accessibility for persons with disabilities and welfare of the present and future inhabitants of the municipality and to,”

28. ***“(a) the effect of development of the proposed subdivision on matters of provincial interest as referred to in Section 2;”***

- A. The **Provincial Policy Statement 2014 (PPS 2014)** was in force when the subject applications were filed with the City of Ottawa. However on May 1, 2020, the **PPS 2014** was replaced by the **Provincial Policy Statement 2020 (PPS 2020)**. While there are some minor differences between the two statements as they apply to this matter, it is my understanding that the **PPS 2020** is the relevant Statement for review and determination of my opinion in this regard. In my review of the subject applications, it is my opinion that there is a failure to demonstrate the required consistency with the following sections of the PPS:

“1.1.1 Healthy, liveable and safe communities are sustained by:

c) avoiding development and land use patterns which may cause environmental or public health and safety concerns;

e) promoting the integration of land use planning, growth management, transit-supportive development, intensification and infrastructure planning to achieve cost-effective development patterns, optimization of transit investments, and standards to minimize land consumption and servicing costs;

h) promoting development and land use patterns that conserve biodiversity and

i) preparing for the regional and local impacts of a changing climate.”

- B. It is my opinion that the development of this significant area of open space which forms an integral part of the original community design for Kanata Lakes has the potential to adversely impact the storm water management network in this area through the loss of permeable areas in the watershed. In arriving at this opinion, I have been further informed and support the opinions expressed by Mr. Nuttall in his Witness Statement.

There are also potential public health issues relating to the historic use of fungicides which contained mercury along with other potentially hazardous contaminants used in the management of the golf course. The redevelopment of the golf course may result in the disturbance of these contaminants and their release into the surface water, groundwater and soil in the immediate area. In arriving at this opinion, I have been further informed and support the opinions expressed by Mr. Quigley in his Witness Statement.

Based on my experience, the length of the cul-de-sacs on Streets 9, 17 and 18 (see Appendix E) extend beyond the usual municipal norms set to ensure safe access by emergency vehicles in the event of a blockage of a portion of the street. The length of the streets also makes the provision of public transit service very inefficient.

The subject property contains both natural and managed open space areas and water features that have played a role in sustaining and encouraging local biodiversity. The subject applications propose a significant reduction in these areas and redevelopment of the balance of the lands for urban residential use. This in my opinion, will have adverse impacts on the sustainability of this biodiversity. As well, there will be a reduction in the tree cover generally which is a critical part of reducing climate change impacts.

- C. Based on my review of the **PPS 2020**, it is my professional opinion that the subject applications are not consistent with the Policy Statement and therefore do not satisfy this criterion.

29. ***“(b) whether the proposed subdivision is premature or in the public interest;”***

- A. It is my opinion that the subject applications are premature and not in the public interest in that inadequate study has been done on the community-wide implications of redeveloping the golf course lands. These lands were designed as an integral component of the broader neighbourhood. The road and pathway network along with the piped infrastructure and storm water management were designed and laid out on the understanding that these lands would remain in open space use and accessible to the community as part of the 40% Agreement and as required by the policies in **Section 4.10 Greenspace Requirements**. As noted on page 41 in the Planning Rationale dated September 2019 submitted by the applicant, even the building design guidelines for Kanata Lakes referenced the importance of the golf course lands and the intent that they remain as open space: *“With respect to the golf course, Guideline 3.1.4.1 recommends that elevations which face the golf course or other public open areas must be given the same design emphasis as the street elevation.”*
- B. It is my opinion that the subject applications cannot be viewed as a simple land use change through zoning and implemented through a plan of subdivision without consideration of this broader context. At a minimum, the consideration of this land use change would require a community design plan or similar study in accordance with **Section 2.5.6 Collaborative Community Design and Secondary Planning Processes** be undertaken to fully assess and guide any redevelopment of the subject lands. The removal of this key design element of the community and its proposed replacement with approximately 1500 new dwelling units without such guidance cannot in my opinion, be considered orderly development; good planning; or be in the public interest.
- C. In summary, it is my opinion that the subject applications are premature; are not in the public interest; and therefore, do not satisfy this criterion.

30. ***“(c) whether the plan conforms to the official plan and adjacent plans of subdivision, if any;”***

It is my opinion that the subject applications do not conform to the Official Plan and cannot be considered a logical or planned extension of the adjacent subdivisions based on my analysis of the following sections of the Plan:

- A. **Section 2.2 Managing Growth** provides overall direction on growth and its distribution in the City of Ottawa. Within the built-up areas of Ottawa, this growth will be primarily by intensification and infill and guided by the built form and neighbourhood context in which it is located. The subject property is designated as **General Urban Area** (See Appendix F) and the preamble to **Section 2.2** states the following: *“Lands designated General Urban Area will continue to mature and evolve through intensification and infill but at a scale contingent on proximity to major roads and transit, and the area’s planned function. Consideration of the character in the surrounding community is a factor in determining compatibility within a community.”* The subject property is not a designated or targeted area for intensification and in fact represents a key open space feature of an existing master planned community. The subject lands are not in proximity to rapid transit.

Therefore, it is my opinion that the proposal would not conform to the general intent of this Section of the Plan.

- B. **Section 2.2.2 Managing Intensification within the Urban Area** provides additional direction to be considered in the review of intensification in areas outside targeted areas. In this regard, it is my opinion the following policies are the most relevant:

- a. *Policy 2.2.2.22 “The City also supports compatible intensification within the urban boundary, including areas designated General Urban Area. The City will promote opportunities for intensification in areas determined by the policies in Section 3.6.1. Intensification that is compatible with the surrounding context will also be supported on: brownfield sites that have been remediated; on underdeveloped sites such as current or former parking lots; in extensive areas previously used for outside storage; sites that are no longer viable for the purpose for which they were originally used or intended; and on sites of exhausted pits and quarries in the urban area where the urban design.”*

This policy clearly indicates the need for compatibility with the adjacent neighbourhood. As well, it provides some specific examples of areas to be considered for intensification. In the applicant's submission, it is noted that the subject property should be considered under the criterion “sites that are no longer viable for the purpose for which they were originally used or intended”. In my opinion, the subject property does not qualify under this criterion nor any of the others listed in this policy. A functioning and by community standards, well used golf facility and open space that forms a key design component of the neighbourhood remains a viable and sustaining element of this neighbourhood and thus cannot be considered as “no longer viable for the purpose for which they were originally used or intended”.

- b. *Policy 2.2.2.23 The interior portions of established low-rise residential neighbourhoods will continue to be characterized by low-rise buildings (as defined in Figure 2.4). The City supports intensification in the General Urban Area where it will enhance and complement its desirable characteristics and long-term renewal. Generally, new development, including redevelopment, proposed within the interior of established neighbourhoods will be designed to complement the area's desirable character reflected in the pattern of built form and open spaces. The character of a community may be expressed in its built environment and features such as building height, massing, the setback of buildings from the property line, the use and treatment of lands abutting the front lot line, amenity area landscaped rear yards, and the location of parking and vehicular access to individual properties. The City will consider these attributes in its assessment of the compatibility of new development within the surrounding community when reviewing development applications or undertaking comprehensive zoning studies.”*

This policy provides additional guidance on what needs to be considered in determining compatibility. It is my opinion that the proposed development, which removes existing open space and replaces it with residential development that is characterized by small lot singles, street townhouses and back-to-back dwelling types, all with much reduced lot

areas and widths when compared to adjacent development, is not compatible intensification and does not conform to this policy.

- C. **Section 2.3.3 Drainage and Stormwater Management Services** provides direction on this very important element of community development. Historically sections of the Kanata community have experienced significant issues with storm water management, both localized flooding due to network capacity issues and downstream environmental impacts such as erosion of ponds and overland drains. The Witness Statement of Douglas Nuttall provides a more fulsome review and opinion on these matters.

The original design concept for this community relied upon the permeable nature of the golf course lands to act as an active element in storm water management. In fact, overland drainage from lots adjacent to the golf course was part of the overall drainage plan and is evident in the grading of these lots which allows unrestricted flow onto the golf course. Further, it is indicated in the applicant's submission that the existing golf course lands have no direct outlet to the municipally managed storm water system.

Thus, both the historic use of these lands for direct infiltration as well as the new flows that will be created through urbanization of the subject property will have a profound impact which can only be truly understood through a comprehensive review of the original subwatershed plan as required in this section. To date, there remain questions related to network capacity and downstream flow impacts on other landowners, notably the National Capital Commission, which remain unresolved and potentially cannot be resolved.

In my opinion, this does not represent good planning given the historic and ongoing issues with storm water management in the subwatershed that the subject property is tributary to. I am also of the opinion that an approval of the proposed rezoning cannot be considered even with holding provisions relating to the resolution of these over-arching stormwater issues in the review of the plan of subdivision. In arriving at this opinion, I have been further informed and support the opinions expressed by Mr. Nuttall in his Witness Statement and by the comments expressed by the staff of the City of Ottawa in their review of the subject applications.

- D. **Section 2.4 Maintaining Environmental Integrity** provides guidance on the holistic planning and management of our environmental systems. The following excerpt from the preamble to this section is relevant to the subject applications: *"The challenge in planning for the environment is to anticipate how these processes and interactions are affected by human activity and to act so that their integrity can be preserved under changing conditions."* The subject applications have not taken this holistic approach but rather have treated the subject lands as a 'greenfield' area which had always been contemplated for urban development. The focus of the subject applications is on how to redevelop the lands in that greenfield context and not on the fact that the open space nature of the lands was a key guiding principle of the original master planned neighbourhood. In my opinion, this approach is not in conformity with the overall intent of this section.
- E. **Section 2.4.5 Greenspaces** provides guidance on these important areas in our community. The following excerpts from the preamble are particularly relevant to the subject applications: *"While greenspaces and woodlands in Villages and in the urban area*

may serve natural functions, they are also valued for serving more human needs: a green retreat, a living classroom and laboratory, and a place for outdoor recreation. Greenspaces and woodlands in urban areas and Villages also help create a sense of place and provide physical boundaries, features and buffers within and between communities. They moderate climate and provide a place to grow food in community gardens.”

- a. **Policy 2.4.5.1 b)** is particularly relevant to the subject applications when it states: *“Encouraging a high quality of urban design, consistent with the objectives and principles of Section 2.5.1, where natural lands and open space and leisure areas are used as integral elements in the design”*. The subject lands were, and remain, an integral part of the overall design of this community as can be seen in the Genstar Concept Plan (Appendix H) that guided development of the area from the beginning.

The subject lands were not designated as **Major Open Space** pursuant to **Section 3.3 Open Space** as they were not in public ownership at the time. However, their continued use as open space for *“public use and enjoyment”* (**Policy 3.3.1**) was secured through the provisions of the 40% Agreement and were zoned in an open space land use designation. This zoning designation clearly recognized the role of these lands in the overall design of the community. Based on this, it is my opinion that the proposal to rezone and redevelop these lands for uses other than open space would not be in conformity with this policy.

- b. **Policy 2.4.5.2** states: *“The City will acquire land in the urban area where public ownership is required to secure land for greenspace purposes, in keeping with the acquisition policies in Section 5.2.1.”* It is my opinion that the City of Ottawa, in light of the 40% Agreement, did not see the need to acquire the subject lands at the outset of the development of the area pursuant to this policy as the long-term use for open space was ‘protected’ by that Agreement and if necessary in the future, made provision for the potential transfer of the lands into municipal ownership should the golf course cease to operate.
- c. **Policy 2.4.5.4** states: *“Privately-owned open spaces such as marinas, campgrounds and golf courses contribute to greenspaces in Ottawa. When reviewing an application to amend a zoning by-law in these locations, the City will consider opportunities to maintain the Greenspace Network through the area and otherwise reduce the impact of the loss and may consider acquisition of the land in accordance with Section 5.2.1 policy 6 of this Plan.”* In my opinion, given the important and defining community design role these lands played in the Kanata Lakes neighbourhood, this policy is implemented by the provisions of the 40% Agreement whereby the lands must be transferred to municipal ownership to maintain their role in the Greenspace Network if the golf course use ceases.

- F. **Section 2.5 Building Liveable Communities** and in particular **Section 2.5.1 Designing Ottawa** provides guidance on the important elements necessary to building sustainable and complete urban neighbourhoods and on ensuring the components of these communities benefit from urban design considerations. The following excerpts from the preamble summarize the intent of this guidance:

“Community design generally deals with patterns and locations of land use, relative densities, street networks, and the allocation of community services and facilities. Urban design is more concerned with the details relating to how buildings, landscapes and adjacent public spaces look and function together. As the City grows and changes over time, design of these elements should work together to complement or enhance the unique aspects of a community’s history, landscape and its culture. Encouraging good urban design and quality and innovative architecture can also stimulate the creation of lively community places with distinctive character that will attract people and investment to the City. The components of our communities where urban design plays a key role include:

- **Built form**, including buildings, structures, bridges, signs, fences, fountains, statues and anything else that has been constructed, added or created on a piece of land;
- **Open spaces**, including streets, parks, plazas, courtyards, front yards, woodlots, natural areas and any other natural or green open areas that relate to the structure of the city;
- **Infrastructure**, including, sidewalks, bike paths, transit corridors, hydro lines, streetlights, parking lots or any other above- or below-grade infrastructure that impacts upon the design of the public realm.”

“Introducing new development and higher densities into existing areas that have developed over a long period of time requires a sensitive approach and a respect for a community’s established characteristics. Development of large areas of undeveloped land or redevelopment of brownfield sites provides opportunity to create new communities. This Plan provides guidance on measures that will mitigate differences between existing and proposed development and help achieve compatibility of form and function. Allowing for some flexibility and variation that complements the character of existing communities is central to successful intensification.

In general terms, compatible development means development that, although it is not necessarily the same as or similar to existing buildings in the vicinity, can enhance an established community through good design and innovation and coexists with existing development without causing undue adverse impact on surrounding properties. It ‘fits well’ within its physical context and ‘works well’ with the existing and planned function. Generally speaking, the more a new development can incorporate the common characteristics of its setting in the design, the more compatible it will be. Nevertheless, a development can be designed to fit and work well in a certain existing context without being ‘the same as’ the existing development. Planned function refers to a vision for an area which is established through a community design plan or other similar Council-approved planning exercise, or the Zoning By-law. The planned function may permit development that differs from what currently physically exists; addressing compatibility will permit development to evolve toward the achievement of that vision while respecting overall community character.”

- a. **Section 2.5.1** under the subsection entitled **Design Objectives** contains seven design objectives which *“are broadly applicable, to plans and development in all land use designations, and from a city-wide to a site-specific basis.”* **Policy 2.5.1.1** is the operative part of this section and states: *“In the preparation of community design plans, the review of development applications, studies, other plans and public works undertaken by the City, the Design Objectives set out above will apply, as applicable. Proponents of new development or redevelopment will also be required to demonstrate how their proposal addresses the Design Objectives.”*

In my opinion, the subject applications and the development they would permit are not in conformity with these design objectives. The original urban design principles for the Kanata Lakes neighbourhood were premised on the open space areas contained within the subject lands. The layout of roads; the location of houses around its perimeter; the interconnecting pathways and informal accessibility of the lands; the diversity and density of the housing mix; and the management of storm water, all of these were a direct result of this overall design. Further it is my opinion that the proposed mix and density of housing, particularly where it directly backs onto existing housing, is not compatibility in lot size and setbacks. As such, it represents over development of the lands notwithstanding the overarching issue of the loss of open space as an integral part of the urban design of this neighbourhood.

- G. The subject property is designated as **General Urban Area** (See Appendix F) under **Section 3.6.1** of the Plan. This designation is quite broad and applies to many areas of the City of Ottawa and as noted in Paragraph 30 E. a. of this Statement, the subject lands were included in this designation as their continued use as open space was preserved through the 40% Agreement. The land use permissions are wide ranging but guided by the neighbourhood context. With respect to the subject lands, the General Urban designation has been implemented in the zoning by-law through the use of an open space zone to reflect the terms and conditions of the Agreement and their role as open space in the design of the community.

The following excerpt from the preamble to the Section further the supports the use of an open space zone in this context: *“Subject to the policies below, the City supports infill development and other intensification within the General Urban Area in a manner that enhances and complements the desirable characteristics and ensures the long-term vitality of the many existing communities that make up the city.”* In this regard the following policies are relevant to the review of the subject applications:

- a. **Policy 3.6.1.2** states *“The evaluation of development applications, studies, other plans and public works undertaken by the City in the General Urban Area will be in accordance with Section 2.5.1 and Section 4.11.”*
- b. **Policy 3.6.1.5** states *“The City supports intensification in the General Urban Area where it will complement the existing pattern and scale of development and planned function of the area. The predominant form of development and intensification will be semi-detached and other ground-oriented multiple unit*

housing. When considering a proposal for residential intensification through infill or redevelopment in the General Urban Area, the City will:

- a. Assess the compatibility of new development as it relates to existing community character so that it enhances and builds upon desirable established patterns of built form and open spaces;*
- b. Consider its contribution to the maintenance and achievement of a balance of housing types and tenures to provide a full range of housing for a variety of demographic profiles throughout the General Urban Area;*

It is my opinion that the subject applications do not conform to these policy directions. As previously noted, while these lands are designated as General Urban Area, the historic intent of these lands as outlined in the 40% Agreement and in the Genstar Master Concept Plan (see Appendix H), was and continues to be, open space. Any attempt to change this original design element of the neighbourhood to permit urban redevelopment as proposed cannot be considered to “*enhance or build upon the desirable established patterns of open spaces*”. In my opinion, the planned function for the subject lands is open space as currently regulated by the existing zoning.

H. **Section 4.10 Greenspace Requirements** is part of **Section 4 - Review of Development Applications** which provides direction in the review of the subject applications. Section 4.10 in particular provides policy guidance on the location and use of greenspace throughout the City. From this section, the following policies are most relevant to the subject applications:

- a. **Policy 4.10.5** states “Notwithstanding policies 2, 3 and 4 above, parkland dedication requirements for development or redevelopment on land in:*
 - b. The area of Kanata Lakes defined in the Parkland Dedication By-law: the parkland requirements for all development that is subject to the legal agreement to provide 40% greenspace, will be determined based upon that agreement.”*
- b. **Policy 4.10.9** states “The Parkland Dedication By-law will identify those uses that will be exempt from parkland dedication requirements, such as development or redevelopment by the Governments of Canada, Ontario or agencies thereof. The Parkland Dedication By-law will also identify and address all other policies listed above.”*

In my opinion, it is clear that in these policies that the subject lands and Kanata Lakes in general are given unique treatment with respect to greenspace dedication requirements and that the standards and intent of the 40% Agreement while being an agreement separate from the Official Plan have been carried forward in the Plan for the purpose of determining the necessary quantities of lands subject to dedication for parkland or open space purposes.

Notwithstanding the outcome of the legal challenge to the 40% Agreement, it is my opinion that this Section of the Official Plan ensures that the operative provisions of the Agreement

with respect to open space requirements continue as part of the Plan. In my opinion, these policies, as supported by the implementing **Parkland Dedication By-law 2009-95** (See Appendix G), can only be interpreted as requiring the subject lands to be maintained as greenspace. In view of this, the subject applications to rezone and develop the lands for urban residential purposes do not conform to Section 4.10 and would necessitate an amendment to the Plan prior to any proposal to rezone for residential development.

- I. **Section 4.11 Urban Design and Compatibility** provides specific guidance on the review of the development applications to determine whether they represent good planning. The following excerpts from the preamble provide insight into the intent of the Section:

*"It is recognized that because land use designations such as **General Urban Area**, **Mainstreets** and **Employment Area** contain broad use permissions, it will be necessary for the zoning by-law to establish more specific permitted use lists and development regulations within areas and on individual sites in a manner that achieves compatibility among proximate uses and built forms.*

At the scale of neighbourhoods or individual properties, issues such as noise, spillover of light, accommodation of parking and access, shadowing, and micro-climatic conditions are prominent considerations when assessing the relationships between new and existing development. Often, to arrive at compatibility of scale and use will demand a careful design response, one that appropriately addresses the impact generated by infill or intensification. Consequently, the issue of 'context' is a dominant theme of this Plan where it speaks to compatibility and design."

- a. **Policy 4.11.1** requires the submission of a design brief and pursuant to this policy. The applicants have submitted several iterations of a Design Brief with the final version dated June 2021. It is my opinion that the Design Brief suffers from a serious flaw which makes it an inappropriate tool for use in the review of the subject applications. This flaw in my opinion, is that the foundation for the Brief is the premise that the site context is that of a greenfield site adjacent to developed lands. It is my opinion that the subject property is actually a fundamental part of an overall master planned community that was based on a very different set of guiding principles. As such, it is my opinion that the Design Brief does not, and I would go so far as to say it cannot, address the requirements of this Section and thus is inadequate. An appropriate approach, in my opinion, would have been to start with the original master plan for Kanata Lakes and from there determine where and how much if any, new development could be added without adversely impacting the principles of the original master plan design.

b. **Policy 4.11.1 c)** states:

“A Design Brief will be required as part of a complete application, except where identified in the Design Brief Terms of Reference. The focus of this Brief will vary depending on the nature of the development. The Brief shall evaluate consistency and demonstrate that the following content is considered and/or incorporated into the development proposal with:

c) The design provisions of a community design plan or secondary plan.”

In my opinion, the original master plan was a community design plan in the context of the Official Plan and as such the submitted Design Brief has had insufficient regard to this Policy and therefore does not conform to the Plan.

- c. **Policies 4.11.5 to 8 and .19 and .20** provide more detailed design considerations relating to building types, street orientations, setbacks and outdoor amenity among other things. In my opinion, the design of the proposed development does not reflect the infill context of the subject property and therefore proposes an incompatible building form, lot size and unit mix particularly where the proposed housing abuts existing development. This is very evident when one considers the original housing was designed to open onto the golf course with large windows and walk out basements with their rear yards blending seamlessly with the golf course lands. Under the proposed development, this open vista which currently has no visual overlook impacts on privacy in outdoor amenity spaces or views into rear windows, will now be replaced by a row of new housing in close proximity separated only by a newly planted vegetative buffer and in some cases a public pathway which raises additional security risks as an unsupervised area with access into adjacent rear yards. Thus, it is my opinion the proposed development has not met the standard of design required by these policies and does not conform.

- J. In summary with respect to Section 54(24)(c) of the *Planning Act*, it is my opinion that the subject applications are not in conformity with the Official Plan and do not satisfy this criterion.

31. ***“(d) the suitability of the land for the purposes for which it is to be subdivided;”***

- A. While this provision of the *Planning Act* is often applied to the physical nature of the land, it is my opinion the intent of the Section includes the planning context within which the land is located. In this regard, the overarching response to the land’s suitability for subdivision has to be tied back to the original master plan for this community. In this master plan concept (See Appendix H), it is my opinion that the lands were not intended for any form of land use or development other than open space and recreational uses to be shared with the neighbouring residents. The golf course lands were not intended as an interim use and this commitment was addressed in the 40% Agreement whereby the lands were required to be transferred to municipal ownership should the golf course cease to exist to maintain their open space usage.

- B. Based on this reasoning, it is my opinion that the lands are not suitable for the proposed subdivision and thus do not satisfy this criterion.

32. ***“(d.1) if any affordable housing units are being proposed, the suitability of the proposed units for affordable housing;”***

- A. Affordability is addressed by the applicant and I have no opinion on this issue.

33. ***“(e) the number, width, location and proposed grades and elevations of highways, and the adequacy of them, and the highways linking the highways in the proposed subdivision with the established highway system in the vicinity and the adequacy of them;”***

- A. As can be seen in Appendix E, the proposed road network is constrained by the elongated and disconnected nature of the development parcels. As a result, there are a number of overly long cul-de-sac links proposed. In my opinion, these street links are not good planning from the perspective of emergency access/egress or the provision of efficient public transit service and do not promote interconnectivity.
- B. Based on this assessment, it is my opinion this criterion has not been satisfied.

34. ***“(f) the dimensions and shapes of the proposed lots;”***

- A. Both the Planning Rationale and the Design Brief provide considerable detail on the proposed lot and building configurations proposed. While the unit types are similar to what is found in the adjacent community, in my opinion they are not compatible given the significantly smaller lot sizes and frontages, particularly for single detached dwelling types, and will introduce a radically different streetscape character. The maximum width of the proposed lots for single detached is 43 feet while the existing lot fabric for single detached is primarily 60-to-70-foot lot widths. Similar reductions in lot widths between the proposed and existing can be found in the street townhomes.
- B. This dramatic change in both streetscape and the relationship of back yards will have adverse impacts on the overall neighbourhood character and does not in my opinion, have appropriate regard for this criterion.

35. ***“(g) the restrictions or proposed restrictions, if any, on the land proposed to be subdivided or the buildings and structures proposed to be erected on it and the restrictions, if any, on adjoining land;”***

- A. The description of the conceptual building standards found in the Design Brief is typical of new, greenfield, suburban development and does not reflect the context and performance standards of the adjacent lands. In my opinion, this results in an incompatible built form relationship between the proposed and existing communities and does not in my opinion, satisfy this criterion.

36. ***“(h) conservation of natural resources and flood control;”***

- A. As previously opined in this Statement, the entirety of the subject lands was intended to be used for open space purposes and were zoned at the time of development of this area for open space based on the Genstar Concept Plan and the 40% Agreement. Given that the intent of the subject applications is to now redevelop these lands for a residential subdivision, there is limited opportunity to conserve the natural resources and open space characteristics as originally intended. As previously noted, there are existing issues with storm water management and related flood control during storm events. Storm water management in particular, requires a more comprehensive review, possibly at the subwatershed level, to ensure this issue is adequately addressed. Currently these lands allow for significant natural infiltration and serve as an informal overland outlet for drainage from the adjacent developed lands.
- B. It is my opinion that the applicant's submissions in this regard do not satisfy the intent of this criterion. In arriving at this opinion, I have been further informed and support the opinions expressed by Mr. Nuttall in his Witness Statement.

37. ***“(i) the adequacy of utilities and municipal services;”***

- A. I am not qualified to offer an opinion on these matters.

38. ***“(k) the area of land, if any, within the proposed subdivision that, exclusive of highways, is to be conveyed or dedicated for public purposes;”***

- A. The subject applications propose to redevelop 70.89 hectares of lands currently used and zoned for open space and dedicate only 23.14 hectares for future open space use. The City of Ottawa has enshrined in both its Official Plan and its Parkland Dedication By-law 2009-95, the principles of the 40% Agreement which considered the entire subject lands as an integral and required dedication of open space. Therefore, it is my opinion that the redevelopment of the subject property for non-open space uses would have the net effect of reducing the open space lands available rather than contributing to an increase as required by this provision.
- B. Thus, it is my opinion the proposed dedication does not satisfy this criterion.

39. ***“(l) the extent to which the plan's design optimizes the available supply, means of supplying, efficient use and conservation of energy; and”***

- A. I have no opinion to offer on this provision.

40. ***“(m) the interrelationship between the design of the proposed plan of subdivision and site plan control matters relating to any development on the land, if the land is also located within a site plan control area designated under subsection 41 (2) of this Act or subsection 114 (2) of the City of Toronto Act, 2006. 1994, c. 23, s. 30; 2001, c. 32, s. 31 (2); 2006, c. 23, s. 22 (3, 4); 2016, c. 25, Sched. 4, s. 8 (2).”***

- A. I have no opinion to offer on this provision.

41. In conclusion and based on the information and opinions as outlined in this Witness Statement, it is my overall professional opinion that the subject applications do not meet the requirements of the *Planning Act*; do not conform to the Official Plan of the City of Ottawa; and do not represent good planning nor are the subject applications in the public interest and thus should be refused.

Dennis Jacobs

Dennis Jacobs MCIP, RPP
Principal Planner
Momentum Planning and Communications

Appendix

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Appendix A: Curriculum Vitae

DENNIS JACOBS, MCIP, RPP, PRINCIPAL PLANNER

MOMENTUM PLANNING & COMMUNICATIONS

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MOMENTUM

1165 Greenlawn Crescent, Ottawa, ON K2C 1Z4

PERSONAL PROFILE

A creative, senior executive with strategic vision, registered as a professional in the discipline of urban planning. A team player with a coaching management style suited to inspire positive performance.

Employed with Momentum Planning and Communications since 2007 and active as a professional planner for 45 years.

EDUCATION

Bachelor of Environmental Studies
(Honours Urban & Regional Planning)
University of Waterloo 1975

REGISTRATIONS / LICENSES

Registered Professional Planner (RPP)
Ontario Professional Planners Institute

Canadian Institute of Planners (MCIP)

CURRENT ACTIVITIES & RELEVANT EXPERIENCE

- Provide land use planning and project management services to a number of private sector development firms ranging from small residential infill projects to large multi-storey rental residential and mixed-use projects.
- Provide ongoing advice and assistance to local community associations and individuals with respect to land use planning, the planning and development process and stakeholder engagement.
- Led a consulting team in a conceptual design study of the waterfront for the Town of Arnprior in 2016-17.
- Project Planner managing a consultant team for the municipal and Federal approval processes to permit a new addition to the Fairmont Château Laurier Hotel, a designated heritage property with significant local and national interest.
- Facilitated the public engagement strategy related to the Rideau Canal Pedestrian Crossing (now called the Flora Footbridge) environmental assessment and preliminary design study from 2011 to 2013.
- Managed the consultation process on the redevelopment of the former Rockcliffe Air Base under the direction of the Canada Lands Corporation in 2012 to 2014. Successfully facilitated, and gained support from, a diverse group of residents and development interests resulting in approval without formal objection.
- Provide expert testimony at the Local Planning Appeal Tribunal (formerly the Ontario Municipal Board) representing a cross-section of community and private development interests. Most notably in support of a landmark decision regarding 335 Roosevelt Avenue in Ottawa and 233 Princess Street in Kingston.
- Championed and managed the design, marketing and construction of a 66-unit seniors housing development (\$10 million) using a life lease ownership model allowing construction without government support by leveraging on purchaser's equity.

- Supervised the design and construction of three non-profit housing projects totalling 241 residential units between 1991 and 1995 bringing the total inventory for the Nepean Housing Corporation to 374 units.
- Elected and served three years as President of Ontario Professional Planners Institute which has approximately 3,400 members across Ontario - first President elected from Eastern Ontario.

EMPLOYMENT HISTORY

July 2007 to present

Momentum – Planning & Communications

Urban Planning and Project Management Services

Responsibilities include counselling clients in the areas of urban planning, project management, facilitation and strategic policy; expert testimony as a professional planner; providing assistance with development applications and; management of the corporate affairs of the company.

October 2000 to July 2007

City of Ottawa - Planning, Transit and the Environment

Director - Planning, Environment and Infrastructure Policy Branch

Responsible for providing leadership, direction and day to day management for a team of professional staff in the fields of land use planning, engineering and environmental management including:

- Directing the preparation and management an annual operating budget of \$7.4 million
- Directing the preparation of strategic planning documents for the physical development of the City including transportation and piped infrastructure
- Responsibility for championing environmental issues and maintaining a corporate centre for environmental policy
- Recruiting, training and leading the staff complement of 76

June 2000 to October 2000

Ottawa Transition Board - Planning Services Restructuring Team

Seconded on a full-time basis to work with the Project Leader in the amalgamation and restructuring of the Development Services Department for the new City of Ottawa.

September 1989 to October 2000

City of Nepean - Planning and Development Department

Director of Policy

Responsible for directing long and short-term land use policy planning and the operations of the Nepean Housing Corporation.

May 1987 to August 1989

City of Brantford - Planning Department

Senior Planner, Policy and Program Section

April 1984 to May 1987

City of Ottawa Planning Branch

Community Planner III, Policy Planning Division

September 1978 to March 1984
 Ministry of Municipal Affairs and Housing (Ontario)
 Community Planner III

April 1975 to August 1978
 Department of Municipal Affairs (Manitoba)
 Planner II

PROFESSIONAL/COMMUNITY INVOLVEMENT

- Registered Professional Planner (RPP) Ontario
- Ontario Professional Planners Institute – President - 2000 – 03; Member of Council – 1995 - 2000
- Member of the Canadian Institute of Planners (MCIP)
- Member - Board of Directors, Nepean Housing Corporation, September 1998 - 2006
- Chair - Board of Directors, CentrepoinTE Childcare Corporation, January - December 1991
- Proud sponsor of the Wabano Centre for Aboriginal Health
- Numerous speaking engagements for the Federation of Canadian Municipalities; Canada Mortgage and Housing; Canadian Institute of Planners; Ontario Professional Planners Institute; Canadian Housing and Renewal Association; National Round Table on the Environment and the Economy as well as local associations and community groups.

Appendix B: Acknowledgement of Expert Duty



Ontario Land Tribunal
Tribunal ontarien de l'aménagement du territoire

Acknowledgment Of Expert's Duty

OLT Case Number	Municipality
PL200195	City of Ottawa

1. My name is Dennis Jacobs. I live at the City of Ottawa in the Province of Ontario.
2. I have been engaged by or on behalf of Kanata Greenspace Protection Coalition to provide evidence in relation to the above-noted Ontario Land Tribunal ('Tribunal') proceeding.
3. I acknowledge that it is my duty to provide evidence in relation to this proceeding as follows:
 - a. to provide opinion evidence that is fair, objective and non-partisan;
 - b. to provide opinion evidence that is related only to matters that are within my area of expertise;
 - c. to provide such additional assistance as the Tribunal may reasonably require, to determine a matter in issue; and
 - d. not to seek or receive assistance or communication, except technical support, while under cross examination, through any means including any electronic means, from any third party, including but not limited to legal counsel or client.
4. I acknowledge that the duty referred to above prevails over any obligation which I may owe to any party by whom or on whose behalf I am engaged.

Date...October 5, 2021

Dennis Jacobs

Signature

Appendix C: Subject Property (Page 9 - Urban Design Brief, June 2021)



Appendix D: Excerpts from Report ACS2007-PTE-POL-0051 Campeau Drive Environmental Assessment

Report to/Rapport au :

**Transportation Committee
Comité des transports**

and Council/et au Conseil

15 August 2007/le 15 août 2007

**Submitted by/Soumis par : Nancy Schepers, Deputy City Manager/Directrice municipale adjointe,
Planning, Transit and the Environment/Urbanisme, Transport en commun et Environnement**

*Contact Person/Personne ressource : Vivi Chi, Manager/Gestionnaire, Transportation and Infrastructure Planning/Planification, Transport et infrastructure
Planning Branch/Direction de l'urbanisme
(613) 580-2424 x21877, vivi.chi@ottawa.ca*

Kanata North (4)

Ref N°: ACS2007-PTE-POL-0051

**SUBJECT: CAMPEAU DRIVE (DIDSBURY ROAD TO MARCH ROAD)
ENVIRONMENTAL ASSESSMENT**

**OBJET : ÉVALUATION ENVIRONNEMENTALE DE LA PROMENADE
CAMPEAU (ENTRE LES CHEMINS DIDSBURY ET MARCH)**

REPORT RECOMMENDATION

That Transportation Committee recommend Council:

- 1. Approve the results of the Campeau Drive Environmental Assessment and its recommended plan, as shown in Document 1.**
- 2. Direct staff to prepare the Environmental Study Report for the Campeau Drive Environmental Assessment and post it for the 30-day public review period, in accordance with the *Ontario Environmental Assessment Act*.**
- 3. Direct staff to expand the Campeau Drive (Terry Fox Drive to Kanata Avenue) project (903195) in the Capital Budget Forecast 2008-2016 to include Didsbury Road to Terry Fox Drive.**

Portion of report between first page and this section not included

Drainage Requirements

Increased storm runoff due to the widening of Campeau Drive (primarily between Terry Fox Drive and March Road) has been anticipated in the planning of the area. Existing storm sewers along Campeau Drive and nearby stormwater management ponds have been sized to accommodate storm run-off from a widened Campeau Drive.

Existing and future minor flow storm runoff has been planned to flow via existing storm sewers to four outlets:

- KTC Northwest Quadrant Stormwater Management Pond (located north of Campeau Drive and west of Terry Fox Drive)
- Kanata Golf and Country Club existing drainage system and golf course ponds (in accordance with the golf course development plans)
- Kizell Drain/Beaver Pond Stormwater Management Pond
- KTC Phase 1 Stormwater Management Pond (located south of Campeau Drive and west of March Road)

Stormwater quantity and quality concerns will be addressed by these existing ponds.

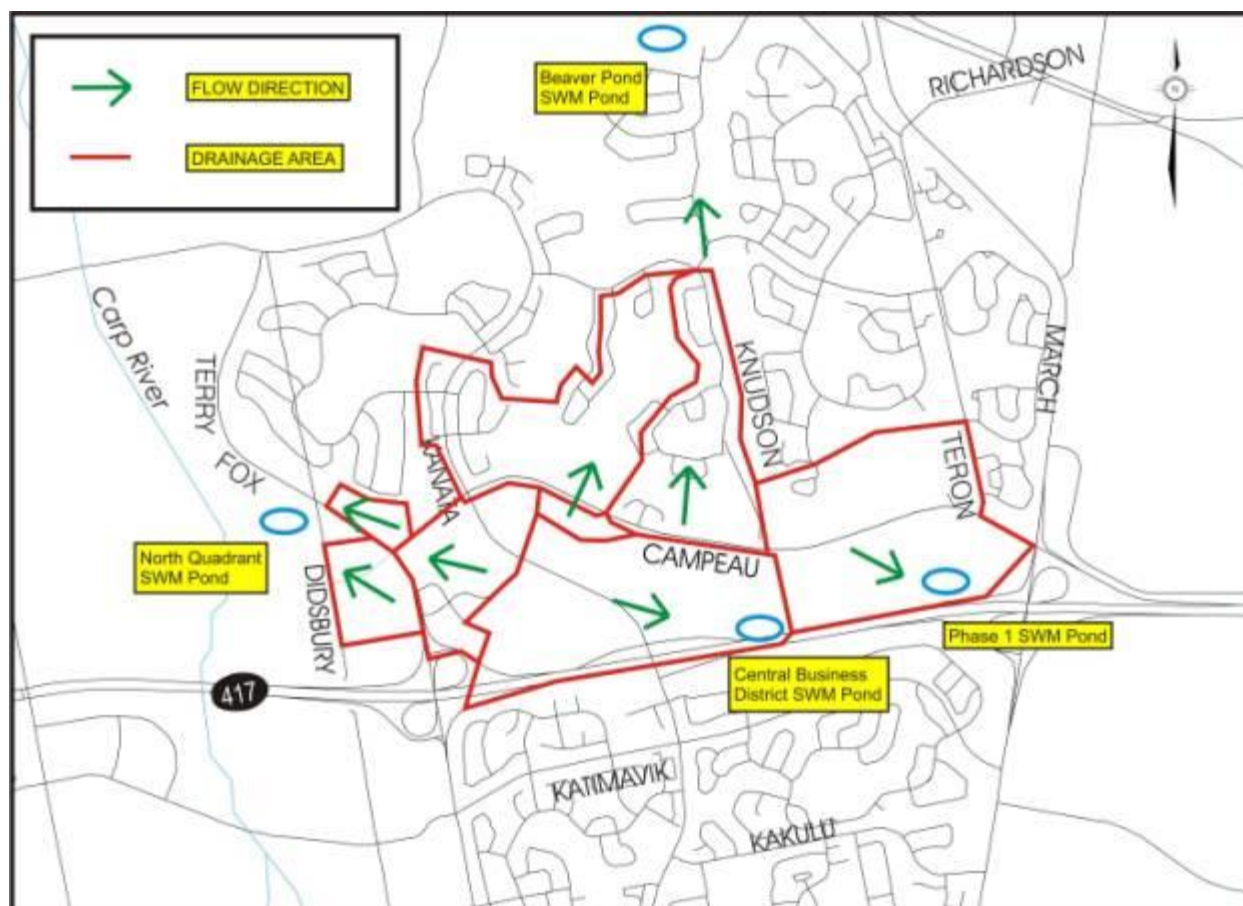


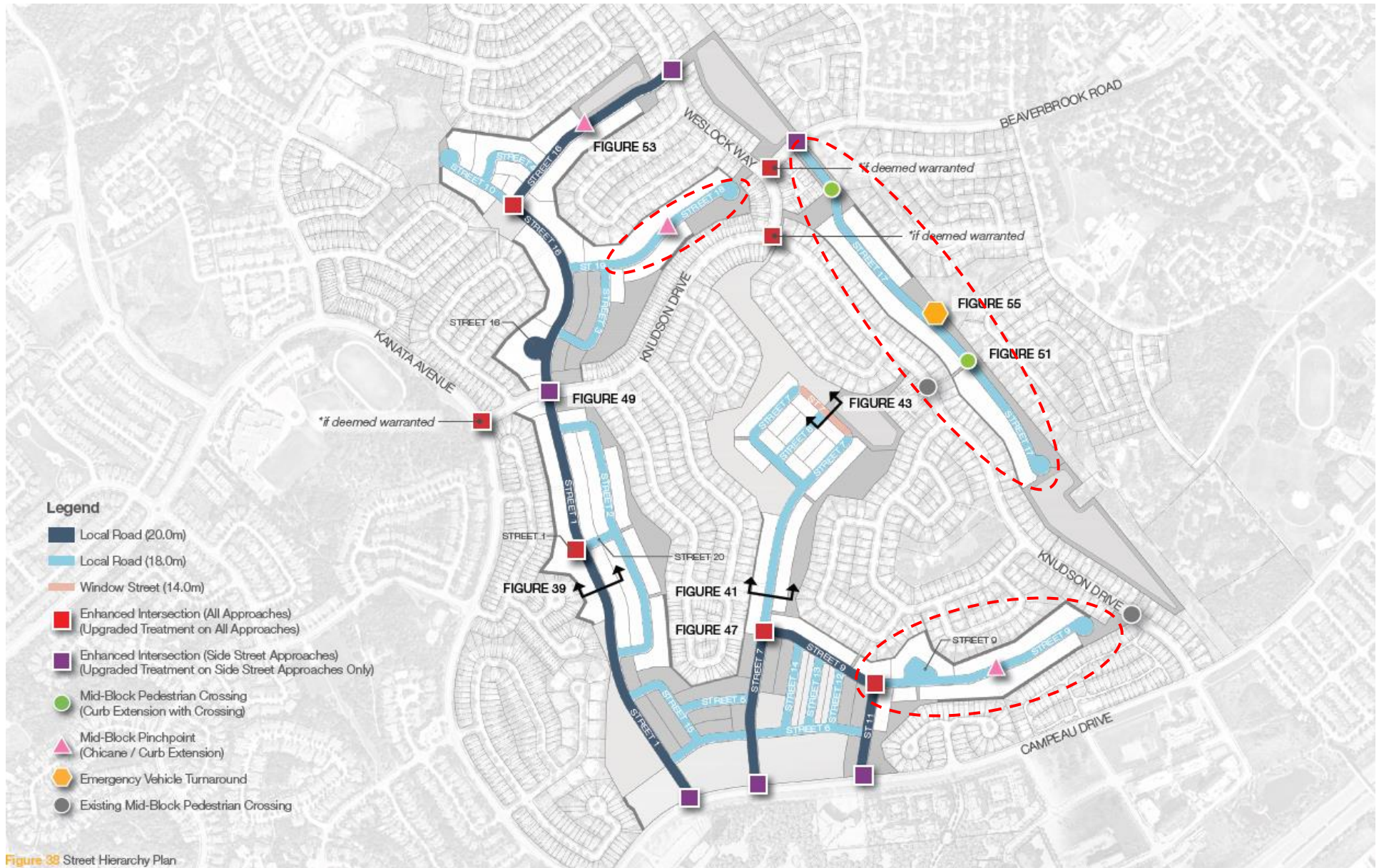
Figure 2 - Drainage Key Plan

The Kanata Golf and Country Club drainage system and ponds will receive increased peak flows following the proposed widening of Campeau Drive. Review of the drainage plans has confirmed that the golf course drainage system was designed to accommodate runoff from a widened Campeau Drive, originally planned for up to six lanes. A four-lane widening of Campeau Drive will result in less intense storm runoff to the golf course drainage system than was originally anticipated, and no modifications to the existing system are required.

Balance of report not included.

A full copy of the report is available at this link: <http://ottawa.ca/calendar/ottawa/citycouncil/trc/2007/09-05/ACS2007-PTE-POL-0051.htm>

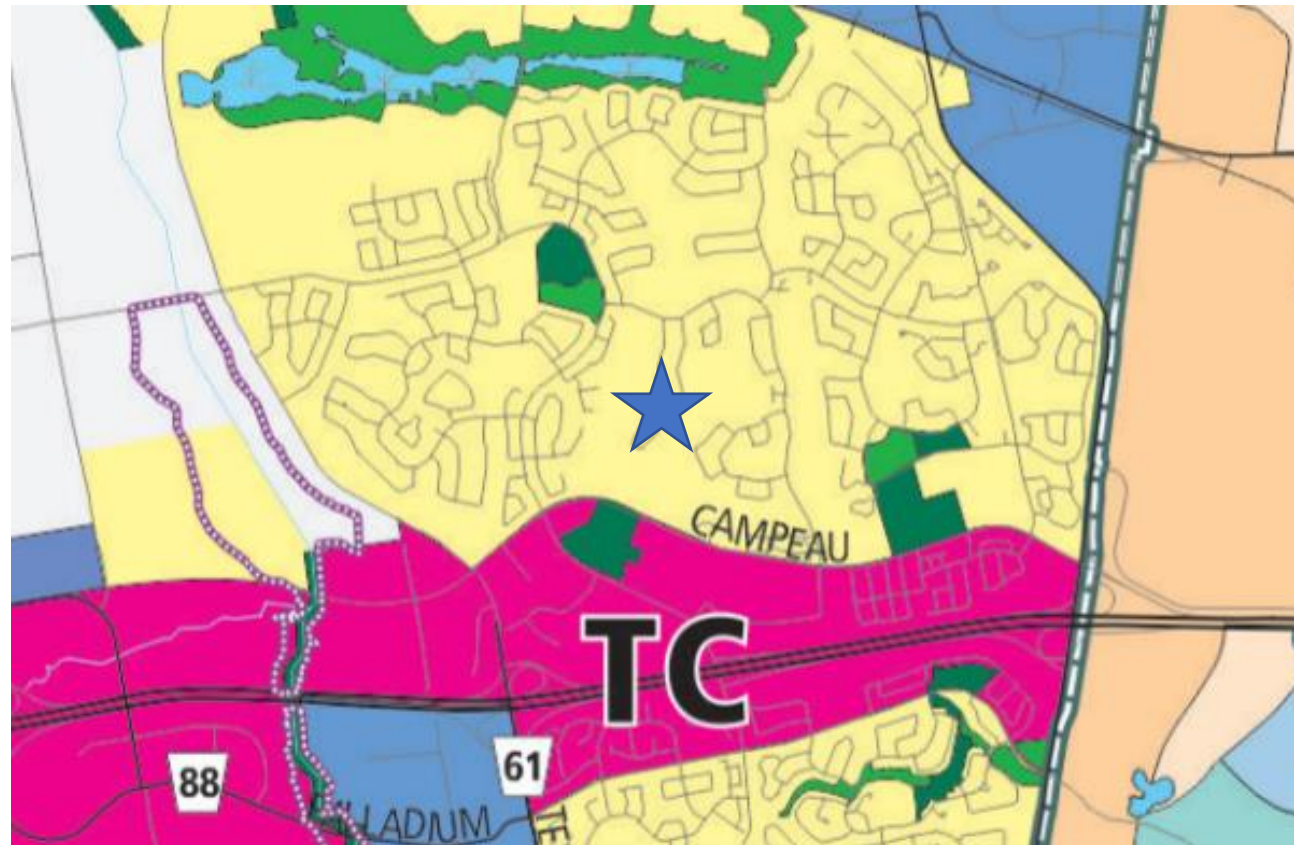
Appendix E: Proposed Street Hierarchy (Page 31 - Urban Design Brief, June 2021)



Cul-de-sacs of concern



Appendix F: Excerpt from Schedule B Urban Policy Plan



Subject Property



Appendix G: Excerpts from Parkland Dedication By-law 2009-95**BY-LAW NO. 2009 - 95**

A by-law of the City of Ottawa for the conveyance of land or the payment of money in-lieu of land for parks and public recreational purposes.

The Council of the City of Ottawa enacts as follows:

Sections 1 through 7 of By-law not included.**SPECIAL AREAS**

8. Notwithstanding section 3, the rates described in Table 1 do not apply to that area of Kanata shown on Schedule 1 of this by-law where there is an agreement between the developer and the City to provide forty percent (40%) of the total land area being developed as open space.

Sections 9 through 21 of the By-law not included.**SHORT TITLE**

22. This by-law may be referred to as the “Parkland Dedication By-law”.

ENACTED AND PASSED this 11th day of March, 2009.

Appendix H: Genstar Master Concept Plan 1987

