

**Ontario Land Tribunal**  
***Tribunal ontarien de l'aménagement du territoire***

**PROCEEDING COMMENCED UNDER** Subsection 34(11) of the *Planning Act*, R.S.O. 1990, c. P.13, as amended

<b>Applicant and Appellant:</b>	Clublink Corporation ULC
<b>Subject:</b>	Application to amend Zoning By-law No. 2008-250 – Refusal or neglect of the City of Ottawa to make a decision
<b>Existing Zoning:</b>	O1A (Open Space, subzone A)
<b>Proposed Zoning:</b>	RT1 (Residential First Density Zone), R3V (Residential Third Density Zone) and R5A (Residential Fifth Density Zone) as well as O1 (Parks and open spaces).
<b>Purpose:</b>	To permit the redevelopment of the lands for residential and open space uses, including 1502 residential units which will be mixed between detached, townhouse and mid-rise apartments.
<b>Property Address/Description:</b>	7000 Campeau Drive
<b>Municipality:</b>	City of Ottawa
<b>Municipality File No.:</b>	D02-02-19-0123
<b>L.P.A.T. Case No.:</b>	PL 200195
<b>L.P.A.T. File No.:</b>	PL200195

**WITNESS STATEMENT OF  
PETER F. SMITH**

**Background and Qualifications**

1. This witness statement has been prepared by:

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2. I am a consulting land use planner and partner with Bousfields Inc., with over 40 years' experience in a wide variety of planning matters. I have a degree in Environmental Studies (Urban & Regional Planning) from the University of Waterloo and am a member of the Canadian Institute of Planners and a Registered Professional Planner. A copy of my *Curriculum Vitae* is attached hereto as **Attachment "A"**. My Acknowledgement of Expert's Duty is attached as **Attachment "B"**.
3. I have extensive experience with the processing of planning and development applications by municipalities throughout Ontario, as well as experience with land use planning matters in the City of Ottawa and its former constituent municipalities.
4. On behalf of Urbandale Corporation and Campeau Corporation, John Bousfield and I led the planning for Riverside South in the former City of Gloucester, a new community with a population of 55,000 south of the Ottawa International Airport. I was subsequently retained by the City of Ottawa in 2002-2006 to undertake the Riverside South Community Design Plan and the Riverside South Core Area Design Guidelines.

5. During the Ottawa Urban Boundary Expansion (OPA 76) Ontario Municipal Board hearings in 2011-2012, I provided evidence on behalf of Minto Properties and Urbandale Corporation during two phases of the hearing.
6. I have been the planner for a number of applications for new golf courses, residential intensification on existing golf courses and redevelopment of golf courses throughout Ontario, including Angus Glen Golf Club in the City of Markham (a new golf course), King Valley Golf Club in the Township of King and Emerald Hills Golf Club in the Town of Whitchurch-Stouffville (residential intensification on existing golf courses) and Aurora Golf and Country Club in the Town of Aurora and Glen Abbey Golf Club in the Town of Oakville (redevelopment of existing golf courses).
7. I was retained by Minto Communities on behalf of ClubLink Corporation ULC (the "Applicant") in August 2018 to provide land use planning advice with respect to the lands municipally known as 7000 Campeau Drive (the "subject site"). I co-ordinated the preparation and filing of the Applicant's application for a Zoning By-law Amendment and Plan of Subdivision which is the subject of this appeal (the "Application"), including preparation of a Planning and Urban Design Rationale report dated September 2019.
8. I also provided input into revisions to the Application and prepared Planning Rationale Addendum letters in support of the resulting resubmissions, dated July 13, 2020 and June 17, 2021.
9. I have reviewed the plans and statistics related to the Application, as well as supporting technical reports and further drawings that were submitted during the course of the application process. I have visited the subject site and area, liaised with the client and consulting team, and met with City staff throughout the course of the application process.
10. As revised, the Application will facilitate the redevelopment of the subject site for a mix of uses, including approximately 1,480 residential units and 23.14 hectares of

open space, of which 6.24 hectares will be devoted to park uses. The overall gross density will be 20.9 units per hectare, with a net density of 41.6 units per hectare.

11. The subject site has been the subject of an ongoing legal dispute between the owner and the City of Ottawa as it pertains to an agreement between the Campeau Corporation and the City of Kanata dated May 26, 1981 (as well as a related agreement dated December 20, 1988) which provided that approximately 40% of the total development area of the lands (Marchwood Lakeside Community) be left as greenspace, including the golf course lands.
12. It is my understanding that the legality and enforceability of this agreement is under dispute, and I have not considered this agreement in evaluating the planning appropriateness of the proposed development.

### **Summary Opinion**

13. In my opinion, the proposed Zoning By-law Amendment and Draft Plan of Subdivision are appropriate and desirable in land use planning and urban design terms and should be approved. The proposal will result in the residential intensification of an underutilized site where growth is contemplated and with a built form that conforms with the applicable Official Plan policies and is in keeping with the existing and planned context.
14. In my opinion, the proposal is supportive of numerous policy directions promoting intensification and infill of underutilized sites within existing built-up urban areas, particularly in locations that are well served by municipal infrastructure, including transit. Given the size of the subject site and its proximity to existing transit infrastructure, the site represents an opportunity to create new housing options in a transit-supportive manner in proximity to the Kanata Town Centre. In this regard, the subject site is located a minimum of 950 metres walking distance (665 metres radius distance) from the Terry Fox Transit Station, and is served by bus rapid transit (Route 62), other bus routes connecting to the City's downtown (Routes 265 and 268) and local bus service (Local Routes 164 and 168).

15. From a built form and public realm perspective, the proposed development will create new streets, walkways, parks, open spaces, landscaped buffers and stormwater management ponds, and will integrate the subject site into the surrounding urban fabric. The block pattern has been designed to line Campeau Drive with denser uses, with the intensity of uses generally decreasing towards the north and towards existing residential uses on adjacent properties.
16. The proposed plan of subdivision provides appropriate transition and natural features through the development of the proposed parks, street network and built form options. The proposed medium density development is located within the southerly portion of the site, in proximity to Campeau Drive. In my opinion, the proposed development conforms with the built form and massing policies of the Official Plan, and is generally in keeping with the former Secondary Plan for the Marchwood-Lakeside Communities, which is no longer in force, as well as the Design Guidelines for the Village of Kanata Lakes and the Building Better and Smarter Suburbs Study, neither of which are technically applicable but were nonetheless reviewed at the request of City staff as part of the 2019 Planning and Urban Design Rationale report.

### **Site and Surroundings**

17. As set out in Section 2.1 of our Planning and Urban Design Rationale report, the subject site is currently occupied by the Kanata Golf and Country Club and has an overall area of 70.89 hectares. The site is split into four distinct parcels, separated by the local road network. While the four parcels are not contiguous, the site's municipal address is on Campeau Drive.
18. The southerly parcel (Parcel A) is the largest of the four and is irregular in shape with three "prongs" emanating from Campeau Drive. It has an area of approximately 43.1 hectares, with 550.1 metres of frontage along Campeau Drive. The parcel also fronts Knudson Drive at four locations, including two pedestrian-only connections that are accessed from the central prong. The parcel is occupied by the golf course, along with a 2-storey club house located near its southwest corner. An accessory

building is located between the club house and the westerly lot line. An outdoor storage yard and one-storey garage are also part of the parcel and located near the easterly prong.

19. The easterly parcel (Parcel B), located on the east side of Knudson Drive, is a long narrow parcel with an overall area of 9.54 hectares. The parcel separates the Kanata Lakes neighbourhood from the Beaverbrook neighbourhood and is accessed from a narrow walkway and golf cart routes off of Knudson Drive. It also has frontage on Beaverbrook Road to the north (27.2 metres of frontage) although the frontage is heavily landscaped, with no access, and Weslock Way (45.3 metres of frontage), which provides pedestrian and golf cart access.
20. The northerly parcel (Parcel C) is the smallest in size of the four parcels, having an area of 2.36 hectares, and is located north of Beaverbrook Road and Parcel B. Access to Parcel C is from Weslock Way, which has a golf cart route within the 36.0 metre frontage. It also has a frontage of 95.0 metres on Beaverbrook Road.
21. The westerly parcel (Parcel D) is 15.98 hectares in size and has 115 metres of frontage on Knudson Drive. Parcel D's frontage on Knudson Drive is located across the street from Parcel A, the southerly parcel.
22. The subject site is primarily covered by soft landscaping, including the golf greens, fairways and tee boxes within the golf course. There are treed areas on the site, generally located along the periphery, but also dispersed throughout.
23. The subject site is located in what is commonly referred to as the Kanata Lakes or Marchwood Lakeside Neighbourhood, located north Highway No. 417, west of Beaverbrook Road, east of Terry Fox Drive and south of the section of Terry Fox Drive that is just south of Morgan's Grant neighbourhood.
24. In my oral evidence, I will describe the surrounding land uses, based generally on the description set out in Section 2.2 of our Planning and Urban Design Rationale report, highlighting the key considerations outlined in paragraphs 25-28 below.

25. The immediate surroundings of Parcel A are as follows:

- a. To the south of the easterly prong of Parcel A is a 54-unit development of 2-storey detached dwellings (Stonecroft Terrace). Between this development and Knudson Drive is a cluster of 27 1½-storey townhouse buildings, each with 3 to 4 units.
- b. Between the central and easterly prongs, Knudson Drive is primarily lined with 2-storey detached houses, with detached and semi-detached houses along the ends of the prongs (30-50 Knudson Drive and 216-260 Knudson Drive), while in the centre are primarily 2-storey detached houses along Balding Crescent, Rosenfeld Crescent, Tanner Crescent and Sherk Crescent, all of which funnel through Sherk Crescent onto Knudson Drive. In the centre of Sherk Crescent is Sue Nickerson Park, an approximate 2.0 hectare park that also fronts Knudson Drive.
- c. Nelford Court, which is at the east edge of the central prong, is comprised of 10 townhouses fronting Knudson Drive and an additional 8 semi-detached dwellings backing onto the golf course.
- d. There are additional detached houses between the prongs along Halldorson Crescent, Goulding Crescent, Shaughnessy Crescent and Windeyer Crescent.
- e. To the west of Parcel A are detached houses fronting onto Sherring Crescent while, further south, there are townhouses on a number of cul-de-sac streets including Longboat Court, Hodgson Court, Robson Court and Coulson Court.
- f. To the south of Parcel A is the Kanata Town Centre, which includes a number of mid-rise developments including a 6-storey apartment building (1088 Maritime Way), an 8-storey apartment building (1136 Maritime Way), a 5-storey retirement residence (3501 Campeau Drive), a 6-building master planned development with heights from 2 to 12 storeys (William's Court, 1145, 1175 and 1203 Maritime Way, 1025 and 1047 Canadian Shield Avenue and 985 Great Lakes Avenue), a development with two 6-storey buildings connected by a 2-storey building (a hotel at 900 Great Lakes Avenue and an apartment building at 1100 Canadian Shield Avenue), a 5-

storey hotel (1251 Maritime Way), a 7-storey retirement home (1250 Maritime Way), and a 9-storey hotel (101 Kanata Avenue).

- g. Directly south of the subject site are City-owned lands proposed to be used for park purposes as Bill Teron Park. Further west of these lands is a 5-storey retirement residence known as Forest Hill Retirement Home (6501 Campeau Drive). At the southeast corner of Kanata Avenue and Campeau Drive are three 16-storey rental apartment buildings (7303, 7305 and 7307 Campeau Drive), the former building directly opposite the subject site.
- h. The lands at 6301 and 6475 Campeau Drive are the subject of an Official Plan Amendment and rezoning application to permit stacked townhouse buildings fronting Campeau Drive (188 units), two 10-storey apartment buildings (614 units) at the back of the site and a minimum of 430 square metres of ground floor commercial space at the corner of Cordillera Street and Canadian Shield Avenue. The application was approved by Ottawa City Council on October 13, 2021 and, as of the date of this Witness Statement, the approvals are currently subject to a 20-day appeal period.

26. The immediate surroundings of Parcel B are as follows:

- a. To the west of Parcel B are one- and two-storey detached dwellings fronting onto Knudson Drive.
- b. To the east is a hydro corridor that extends from south of Campeau Drive to a transformer station abutting the north end of Hole 3. East of the hydro corridor is the Beaverbrook neighbourhood, which includes one- and two-storey detached houses fronting on Oakes Wood, Tiffany Crescent and Pentland Crescent and backing onto the golf course, as well as a 44-unit townhouse development fronting on Reaney Court. In addition, Craig Park (1.3 hectares in size) abuts Parcel B.
- c. To the north is Beaverbrook Road and immediately adjacent to it is a 2½-storey townhouse development fronting on Catherwood Court.



27. The immediate surroundings of Parcel C are as follows:

- a. To the west of Parcel C are two-storey detached dwellings fronting onto Weslock Way.
- b. To the south is Beaverbrook Road.
- c. To the east is the Beaverbrook neighbourhood, including detached dwellings fronting Borduas Court.
- d. To the north is a public playground located in Weslock Park, with pathways that lead north towards the Kanata Business Park through Kimmins Court Park.

28. The immediate surroundings of Parcel D are as follows:

- a. To the east of Parcel D are two-storey detached houses fronting on Weslock Way and Zokol Crescent.
- b. To the north are detached dwellings fronting on Slade Crescent, with Walden Park and Saint-Remi Catholic Elementary School, a soccer field and outdoor volleyball court to the northwest.
- c. To the west are detached dwellings on Witherspoon Crescent, Kennis Crescent and Langford Crescent.
- d. To the south are 3-storey townhouses fronting Knudson Drive.

29. The subject site is well served by public transit, including numerous surface transit routes such as Route 265, Route 268, Local Route 164 and Local Route 168. BRT Route 62, which includes the Terry Fox Bus Rapid Transit Station (a minimum approximately 950 metres walking distance from the subject site), runs between St. Laurent Station/Downtown and Terry Fox Station.

30. Furthermore, the City of Ottawa has completed an Environmental Assessment for the extension of Light Rail Transit (LRT) service to Kanata, with a route extending 11 kilometres from Moodie Station to the proposed Hazeldean Station. The recommended route would run along the north side of Highway 417, crossing over Highway 417 at Huntmar Drive, and continuing south adjacent to a future north-

south arterial road to Hazeldean Station. The project proposes a fully segregated LRT with 8 new transit stations including March, Kanata Town Centre, Terry Fox, Didsbury, Campeau, Palladium, Maple Grove and Hazeldean. The Terry Fox LRT Station would be located immediately south of the existing BRT station, while the Kanata Town Centre LRT Station would be located south of Robert Gray Park, within an approximate 525 metre walking distance south of the subject site (Parcel B).

### **Description of the Proposal**

31. To the extent that it has not already been covered by others, I will provide a description of the proposal, including revisions made to the concept plan and draft plan of subdivision in June 2021. I will also review the unit distribution and amenity space, parking and loading.
32. In particular, I will focus on the revisions that have been made to the proposed development plans in response to comments received from City Planning as well as other City departments and external agencies since the submission of the rezoning and Plan of Subdivision applications on October 8, 2019.
33. In particular, the applicant has revised the proposal to increase all 16.5 metre wide rights-of-way to 18 metres, introduce landscape buffers of either 3 or 6 metres in depth along all existing development, retain an additional rock outcrop on the north side of Knudson Drive in Parcel D as additional open space, remove Blocks 598-602 in Parcel B to extend the open space Block 637, provide a wide frontage along Campeau Drive and Street No. 11 by expanding the proposed open space, and combine former Blocks 412 and 733 at the end of Street No. 10 into a new Block 719.
34. As a result of these changes, the overall gross density decreased from 21.8 units per hectare to 20.9 units per hectare. Due to the increase in road right-of-way widths and the total amount of parkland, the overall net density increased from 40.0 units per hectare to 41.6 units per hectare. The number of units has been reduced from 1,502 in the original submission to 1,480 units.

### **Policy and Regulatory Context**

35. I will review the applicable policies in the 2020 Provincial Policy Statement (PPS) as set out in our July 13, 2020 Planning Rationale Addendum letter. In my opinion, the proposed Zoning By-law Amendment and Draft Plan of Subdivision are consistent with the PPS, in particular Policies 1.1.3.2, 1.1.3.3, 1.1.3.4, 1.1.3.5, 1.1.3.6, 1.1.3.7, 1.4.3, 1.5.1, 1.6.3, 1.6.7.4, 1.7.1 and 1.8.1, and the associated definitions.
  
36. I will review the applicable policies of the City of Ottawa Official Plan as set out in Section 4.4 of our Planning and Urban Design Rationale report. In my opinion, the proposed Zoning By-law Amendment and Draft Plan of Subdivision conform with the Official Plan, in particular Policies 2.2.1(1), 2.2.2(1), 2.2.2(10), 2.2.2(11), 2.2.2(22), 2.2.2(23), 2.4.1(1), 2.4.1(2), 2.4.2(3), 2.4.5(2), 2.4.5(4), 2.4.5(5), 2.5.1(1), 3.6.1(1), 3.6.1(2), 3.6.1(3), 3.6.1(4), 3.6.1(5), 4.3(1), 4.3(7), 4.7.1(1), 4.7.1(2), 4.10(5), 4.10(13), 4.11(1), 4.11(5), 4.11(6), 4.11(7), 4.11(8), 4.11(9), 4.11(12), 4.11(13), 4.11(19), 4.11(20), 5.2.1(6) and 5.4.1(2), as well as the text in Sections 2.2, 2.2.2 and 2.5.1.
  
37. The subject site is designated *General Urban Area* on Schedule B (Land Use). The *General Urban Area* designation permits many types and densities of housing, as well as employment, retail, service, industrial, cultural, leisure, greenspace, entertainment and institutional uses.
  
38. Notwithstanding Policy 3.6.1(3), which provides that building height in the *General Urban Area* will continue to be predominantly low-rise, Policy 3.6.1(4) provides that new taller buildings may be considered for sites that front an Arterial Road on Schedules E or F of the Official Plan and which are within 800 metres walking distance of a Rapid Transit Station on Schedule D, or are in an area already characterized by taller buildings or sites zoned to permit taller buildings. In this regard, the southerly portion of the subject site is located along an Arterial Road (Campeau Drive), is within approximately 950 metres walking distance of the Terry Fox Transit Station, and is in proximity to existing taller buildings.

39. Policy 3.6.1(5) sets out matters to be considered in respect of a proposal for residential intensification through infill or redevelopment in the General Urban Area, including considering 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*.

40. The introductory text in Section 2.2 (Managing Growth) states that:

*“About 90 per cent of the growth in population, jobs and housing will be accommodated within areas designated within the urban boundary in this Plan. These are areas where services are already available or can be readily provided through the logical extension of existing services. This approach makes the best use of existing facilities and services and ensures that new development can be provided with urban facilities and services in the most efficient manner possible. Concentrating growth within the designated urban area also allows for a pattern and density of development that supports walking, cycling and transit as viable and attractive alternatives to the private automobile. Altogether, this strategy has the least impact on agricultural land, mineral resources and protected environmental areas, and supports a cleaner, safer, healthier city. This is the most cost-effective pattern for the provision of municipal services and infrastructure.”*

41. The introductory text goes on to say that:

*“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.”*

42. Policy 2.2.2(10) provides that intensification may occur in a variety of built forms from low-rise to high-rise, provided urban design and compatibility objectives are met and that denser development should be located in areas that support the Rapid Transit and Transit Priority networks and in areas with a mix of uses, while low-rise intensification will be the predominant form of intensification in the *General Urban Area*.

43. If necessary, I will review the applicable policies of the former Secondary Plan for the Marchwood-Lakeside Communities as set out in Section 4.5 of our Planning and Urban Design Rationale report. It was not carried forward into the City of Ottawa Official Plan; as such, it is no longer in force.
44. I will review the applicable provisions of the City of Ottawa Zoning By-law 2008-250, as amended, as set out in Section 4.7 of our Planning and Urban Design Rationale report. By-law 2008-50 zones the majority of the site O1A, Parks and Open Space Zone, Subzone A. The parent O1 zone permits environmental preserve and educational areas, parks and urban agriculture, as well as a retail food store, limited to a farmer's market, subject to conditions. The O1A subzone permits a golf course as an additional permitted use.
45. The O1 zone permits a maximum lot coverage of 20 percent and requires minimum front, side, interior side yard and corner side yard setbacks of 7.5 metres, with a maximum height of 11 metres.

### **Response to Issues List**

46. In my evidence, I will address Issues 1-7, 9, 11, 13, 22-30, 32-38, 42 and 43, as summarized in paragraphs 47 to 109 below. I have reviewed and rely upon the Witness Statements of others where applicable.

### **City of Ottawa Issues**

#### ***Issue 1: Should the proposed subdivision be given draft approval and/or the zoning approved pending a final determination in City of Ottawa v. Clublink Corporation ULC (Court File No. 19-81809)?***

47. Yes. In my opinion, the proposed subdivision should be given draft approval and the zoning should be approved independent of a final determination in City of Ottawa v. Clublink Corporation ULC (Court File No. 19-81809). In my opinion, the subdivision and rezoning applications are planning matters that are capable of being evaluated

and decided in accordance with the applicable planning policy and regulatory framework, without regard to determination of the legal issues being litigated through the above-noted court application.

***Issue 2: Is the proposed plan of subdivision consistent with the Provincial Policy Statement, particularly policies 1.1.1 b), 1.1.3.4, 1.6.6.7, 2.2.1 i) and 2.2.2?***

48. Yes. In my opinion, the proposed plan of subdivision is consistent with the Provincial Policy Statement. See paragraph 35 above.
49. Specifically with respect to Policy 1.1.1(b), the proposed plan will provide additional housing options with a mix and range of residential types, including detached dwellings, townhouses, back-to-back townhouses, stacked townhouses and apartment units, which will help to meet long-term needs, along with recreation, park and open space use, including new public parkland.
50. With respect to Policy 1.1.3.4, the proposed plan of subdivision promotes appropriate development standards that will facilitate intensification, redevelopment and compact form, while avoiding or mitigating risks to public health and safety. Development standards in this case include the proposed lot sizes and densities and the proposed public street widths, all of which will result in an appropriate balance between making efficient use of land and infrastructure and ensuring compatibility with the existing and planned built form context. The proposed plan will provide a range of new housing options within a community that already includes a range and mix of housing types, including detached, semi-detached and townhouse dwellings, along with mid-rise and high-rise residential buildings, as well as hotel and residential care uses.

***Issue 3: Does the proposed plan of subdivision have regard for matters of provincial interest pursuant to the Planning Act, section 2, particularly clauses (h), (o), (q) and (r)?***

51. Yes. In my opinion, the proposed plan of subdivision has regard for the applicable matters of provincial interest as set out in Section 2 of the *Planning Act*.
52. In particular with respect to Clause 2(h), the proposed plan will provide for the orderly development of safe and healthy communities, through new streets, parks, open spaces, stormwater management ponds, walkways and varying residential built forms that will be integrated into the surrounding residential community.
53. With respect to Clause 2(q), the plan has been designed to be sustainable, to support public transit and to be oriented to pedestrians.
54. With respect to Clause 2(r), the plan proposes a built form that is well-designed, encourages a sense of place, and provides for public spaces that are of high quality, safe, accessible, attractive and vibrant.

***Issue 4: Does the proposed plan of subdivision conform to the Official Plan of the City of Ottawa, particularly policies 2.2.2.22, 2.2.2.23, 2.3.3.1, 2.3.3.3, 2.4.5.4, 2.5.1.1, 3.6.1.5, 4.10.5, 4.11.5, 4.11.19, and 4.11.20, and is it compatible with adjacent plans of subdivision (s. 51(24)(c))?***

55. Yes. In my opinion, the proposed plan of subdivision conforms with the Official Plan of the City of Ottawa and is compatible with adjacent plans of subdivision. See paragraphs 36-42 above.
56. In particular, the proposed plan conforms with Policies 2.2.2(22) and 2.2.2(23). It will result in compatible intensification within the urban boundary, including areas designated *General Urban Area*. Policy 2.2.2(22) promotes “opportunities for intensification in areas determined by the policies in Section 3.6.1”. In this regard, the proposed development would conform with the policies in Section 3.6.1, in particular Policy 3.6.1(5). Furthermore, Policy 2.2.2(22) explicitly states that “intensification that is compatible with the surrounding context will also be supported on ... underdeveloped sites ... (and) sites that are no longer viable for the purpose for which they were originally used or intended ...” (my emphasis).

57. With respect to Policy 2.2.2(22), the word “compatible” has a generally understood meaning from a planning perspective. Section 2.5.1 of the Official Plan indicates that, 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 co-exist with existing development without causing undue adverse impact on surrounding properties” (my emphasis).
58. In accordance with Policy 2.2.2(23), the interior portions of the proposed plan will be characterized by low-rise buildings i.e. 4 storeys or less. In my opinion, the intensification permitted by the proposed plan will enhance and complement the desirable characteristics of the *General Urban Area* and its long-term renewal by introducing new housing options in a form that is compatible with its surroundings.
59. In my opinion, the proposed plan conforms with Policy 2.4.5(4). The policy addresses circumstances in which zoning by-law amendment applications are brought forward to redevelop privately-owned open spaces, specifically including golf courses. In such circumstances, it requires that the City consider opportunities to maintain the Greenspace Network through the area and otherwise reduce the impact of the loss and provides that the City “may consider” acquisition of the land.
60. Failing a decision by the City to acquire the lands, it is my opinion that the policy framework requires the City to consider the proposed plan on its land use planning merits. In this respect, Policy 2.4.5(5) recognizes that open space and leisure land where access is restricted, such as school grounds, private golf courses or other facilities, are not included in the Greenspace Master Plan target of 4.0 hectares per 1000 population. Furthermore, the Greenspace Master Plan explicitly recognizes that the economic feasibility of maintaining some privately owned but accessible open spaces, such as marinas, campgrounds and golf courses, may be reduced “to the point where redevelopment is a viable option”.
61. In such cases, the Greenspace Master Plan states that the City needs to “consider the open space function of the site to see whether a greenspace function can be retained even as the land redevelops”. In this regard, the proposed development



would include 23.14 hectares (32.6% of the site area) for various parks and open space uses (4 new public parks, as well as stormwater management ponds, open spaces and landscaped buffers). As compared with the existing private golf course use, which is not publicly accessible, the proposed development will include 6.24 hectares of new public parkland, as well as providing for public access through the site through the introduction of public streets and pedestrian trails.

62. With respect to Policy 2.5.1(1), it is my opinion that the proposed plan satisfies the Design Objectives set out in Section 2.5.1. A detailed analysis of the proposal with respect to the Design Objectives is included in Section 5.5 of our Planning and Urban Design Rationale report.
63. In my opinion, the proposed plan conforms with Policy 3.6.1(5). The policy is clear that the City “supports” intensification in the *General Urban Area* where it is complementary; i.e. intensification is not merely permitted, but supported. The predominant form of housing proposed by the subdivision plan will be detached, semi-detached and other ground-oriented multiple unit housing (1,043 of 1,480 units, or 70.5%). In particular, the proposed development will be compatible with the existing community character by enhancing and building upon established patterns of built form and open spaces, while contributing 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”.
64. With respect to Policy 4.10(5), the parkland requirement pursuant to the “legal agreement to provide 40% greenspace” will be determined, in part, through the ongoing litigation regarding that agreement. See Issue 1 above.
65. The effect of Policy 4.10(5) is that Policies 4.10(2), 4.10(3) and 4.10(4) do not apply and that, instead, parkland requirements are “to be determined” based upon that agreement. In this regard, Section 4(4) of the 1981 agreement states that “the lands to be dedicated for parks purposes will be determined at the time of the development applications in accordance with the Planning Act”. In my opinion, the policy does not prohibit redevelopment of the subject site.

66. In my opinion, the proposed plan conforms with Policies 4.11(5), 4.11(19) and 4.11(20). A detailed analysis of the proposal with respect to these policies is included in Section 5.5 of our Planning and Urban Design Rationale report.
67. In my opinion, the proposed plan of subdivision appropriately addresses the criterion in Section 51(24)(c) of the *Planning Act*, and is compatible with adjacent plans of subdivision. In this regard, see the Official Plan definition of “compatible” above.

***Issue 5: Is the subdivision premature (s. 51(24)(b))?***

68. No. In my opinion, the subdivision is not premature. Approval of the plan of subdivision would be timely, in that it would provide for new housing options, while resulting in a more efficient use of land and infrastructure. There are no apparent physical constraints to redevelopment, subject to approval and satisfaction of draft plan conditions.

***Issue 6: Is the lotting pattern appropriate (s. 51(24)(f))?***

69. Yes. In my opinion, the proposed lotting pattern is appropriate.
70. As set out in our June 17, 2021 letter, the detailed lotting layout requested by City staff and provided as part of the first resubmission was further refined, with detailed lot frontages included in the draft plan of subdivision. While the lot frontages are still conceptual and are subject to revisions, they reflect a potential lotting pattern based on the detached housing products identified in the updated NAK Design Strategies Urban Design Brief (dated June 2021), which include 30, 31, 35, 36, 43 and 44 foot wide lots. This flexibility is necessary and appropriate in order to respond to future housing market trends and in recognition that lot dimensions may be refined as a result of detailed engineering design.

***Issue 7: Are the lots compatible with the surrounding community/adjacent plans of subdivision (s. 51(24)(c))?***

71. Yes. In my opinion, the lots are compatible with the surrounding community/adjacent plans of subdivision. I have already addressed this issue in paragraph 67.

***Issue 9: Are conditions of draft approval necessary to ensure the long term viability of the landscape buffers?***

72. In my opinion, although such conditions may not be “necessary”, it may be appropriate to include conditions of draft plan approval that could be secured through the Subdivision Agreement to ensure the long term viability of the landscape buffers.

***Issue 11: Is the proposed amount of open space and mid-block connections appropriate?***

73. Yes. In my opinion, the proposed amount of open space and mid-block connections is appropriate.
74. Through the resubmission process, the proposed open space areas have increased to a total of 23.14 hectares, which represents approximately 32.6 percent of the overall site. The open space areas will preserve existing natural heritage features, including Significant Woodlots. Appropriate mid-block connections are provided throughout Parcels A, B and D, both for vehicles and active transportation.

***Issue 13: Is any modification to the draft plan of subdivision necessary if permission to modify existing easements is refused?***

75. Yes. In accordance with that hypothetical, such modification could occur through revisions to the draft plan.

***Issue 22: Are the proposed three metre front and corner yard setbacks and the proposed six metre rear yard setbacks appropriate and compatible with the surrounding community?***

76. Yes. In my opinion, the proposed three metre front and corner yard setbacks and the proposed six metre rear yard setbacks are appropriate and compatible with the surrounding community.
77. As set out in our July 13, 2020 Planning Addendum letter, the revised concept plan and draft plan of subdivision submitted at that time included revisions to set back all homes (including porches) a minimum of 3 metres from the street to better accommodate tree planting.
78. In our June 17, 2021 Planning Addendum letter, the proposed zoning categories provide for minimum 6 metre rear yard setbacks measured to the landscaped buffer. An exception will apply for lots backing onto existing houses, prohibiting permanent accessory uses, buildings and structures in a 3 or 6 metre “buffer area” abutting those existing lots, and specifying that the rear yard setback is to be measured from the buffer as opposed to from the rear lot line.

***Issue 23: Is the proposed zoning consistent with the Provincial Policy Statement, particularly policies 1.1.1 b), 1.1.3.4, 1.6.6.7, 2.2.1 i) and 2.2.2 ?***

79. Yes. In my opinion, the proposed zoning is consistent with the Provincial Policy Statement, for the same reasons as set out in paragraphs 48 to 50 above regarding the proposed draft plan of subdivision.

***Issue 24. Does the proposed zoning have regard for matters of provincial interest pursuant to the Planning Act, section 2, particularly clauses (h), (o), (q) and (r)?***

80. Yes. In my opinion, the proposed zoning has regard for the applicable matters of provincial interest as set out in Section 2 of the *Planning Act*, for the same reasons as set out in paragraphs 51 to 54 above regarding the proposed draft plan of subdivision.

***Issue 25: Does the proposed zoning conform to the Official Plan of the City of Ottawa, particularly policies 2.2.2.22, 2.2.2.23, 2.3.3.1, 2.3.3.3, 2.4.5.4, 2.5.1.1, 3.6.1.5, 4.10.5, 4.11.5, 4.11.19 and 4.11.20?***

81. Yes. In my opinion, the proposed zoning conforms with the Official Plan of the City of Ottawa, for the same reasons as set out in paragraphs 55 to 66 above regarding the proposed draft plan of subdivision.

***Issue 26. Are provisions in the zoning by-law sufficient to ensure the long term viability of the landscape buffers?***

82. As set out in Appendix B to our June 17, 2021 Planning Rationale Addendum letter, it would be desirable to include provisions in the zoning by-law to ensure the long term viability of the landscape buffers.
83. While those provisions may be “sufficient”, it is my opinion that it may also be appropriate to include conditions of draft plan approval that could be secured through the Subdivision Agreement to ensure the long term viability of the landscape buffers. See my response to Issue 9 above.

**Kanata Greenspace Protection Coalition Issues**

***Issue 27. Does the proposed zoning amendment have appropriate regard to Section 2 with particular reference to Subsections (a), (h), (i), (o), (p) and (r)?***

84. Yes. In my opinion, the proposed zoning amendment has appropriate regard for the applicable matters of provincial interest as set out in Section 2 of the *Planning Act*. See paragraphs 51 to 54 and 80 above.
85. In addition to the subsections that have been addressed in the paragraphs above, the proposal has regard to Subsection 2(i) with respect to the adequate provision and distribution of educational, health, social, cultural and recreational facilities. The

subject site is located within the midst of a mature urban community that has a wide range and mix of community services and facilities.

86. With respect to existing school capacity, the applications were circulated to the local school boards for review as part of the City of Ottawa approval process. In the staff report, staff indicated that no school board indicated the need for a school site. With respect to recreation, the proposed development would introduce four new public parks to the neighbourhood, along with a variety of other publicly-accessible open spaces.
87. All on-site and nearby off-site destinations have been highlighted in the Urban Design Brief; these include parks, open spaces, schools, community centres, and the Kanata Entertainment Centrum. Furthermore, multi-use and trail connections have been proposed where appropriate to improve overall connectivity and provide residents easy access to all destinations.

***Issue 28. Does the proposed zoning amendment have appropriate regard to Section 3(5) with respect to the proposed by-law being consistent with the Provincial Policy Statement 2020 as approved under this Section?***

88. Yes. In my opinion, the proposed zoning amendment has appropriate regard to Section 3(5) with respect to the proposed by-law being consistent with the Provincial Policy Statement 2020 as approved under that Section. See my response to Issue 23 (and Issue 2).

***Issue 29. Does the approval of a zoning amendment or a draft plan of subdivision with related public works have appropriate regard to Section 24?***

89. Yes. In my opinion, approval of a zoning amendment or a draft plan of subdivision with related public works has appropriate regard to Section 24.
90. Section 24 of the *Planning Act* requires that public works and zoning by-laws are to conform with the Official Plan. As set out above in response to Issues 4 and 25, the proposed zoning amendment and draft plan of subdivision conform with the Official

Plan of the City of Ottawa. It would generally follow that any related public works would also conform.

***Issue 30. Does the proposed plan of subdivision have appropriate regard to the provisions of Section 51(24) with reference to Subsections (a), (b), (c), (d), (e), (f), (g), (h) and (k)?***

91. Yes. In my opinion, the proposed plan of subdivision has appropriate regard to the provisions of Section 51(24).
92. I have addressed Subsections (b), (c) and (f) above in response to Issues 4, 5, 6 and 7.
93. With reference to Subsection (a), the proposed subdivision has regard for matters of provincial interest as referred to in section 2. See my response to Issue 3 above.
94. With reference to Subsection (d), it is my opinion that the land is suitable for the purposes for which it is to be subdivided i.e. residential uses, roads and parks and open space. It is noted that those purposes are consistent with the general land uses on adjacent lands.
95. With reference to Subsection (g), it is my opinion that the proposed subdivision has appropriate regard for 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.

***Issue 32: Is the proposed zoning amendment and plan of subdivision consistent with the PPS 2020 with particular reference to Section 1.1.1 b) and c); 1.1.3.4; 1.6.6.7; 2.2.1 a) and i); 2.2.2; and 3.2.2?***

96. Yes. In my opinion, the proposed zoning amendment and plan of subdivision are consistent with the PPS 2020. See my response to Issues 2 and 23 above.
97. In addition to the policies that I have previously addressed, it is my opinion that the proposal is consistent with Policy 1.1.1(c) in that it avoids development and land use

patterns which may cause environmental or public health and safety concerns. In this regard, there is no apparent reason that the proposed development would give rise to such concerns.

***Issue 33: Would development of the subject lands render it impossible for the City of Ottawa to achieve the parkland dedication requirements of Section 4.10 Subsection 5? If so, is an official plan amendment required to alter the requirements?***

98. No. Development of the subject lands would not render it impossible for the City of Ottawa to achieve the parkland dedication requirements of Section 4.10 Subsection 5. See paragraphs 64 and 65 above. The lands to be dedicated for parks purposes are to be determined at the time of the development applications in accordance with the Planning Act.
99. Accordingly, an official plan amendment is not required to alter the requirements. Through the pre-application consultation process with the City, no need for an official plan amendment was identified. The City subsequently confirmed that the zoning and subdivision applications were “complete”, without an official plan amendment application.

***Issue 34: Is the proposed zoning amendment and plan of subdivision in general conformity with the Official Plan with particular reference to the following sections:***

- a) ***2.2 / 2.2.2 – Managing Growth within the Urban Area/ Managing Intensification within the Urban Area***
- b) ***2.3.3 - Drainage and Stormwater Management Services***
- c) ***2.4 / 2.4.5 – Maintaining Environmental Integrity / Greenspaces***
- d) ***2.5 / 2.5.1 – Building Liveable Communities / Designing Ottawa***
- e) ***3.6.1 – General Urban Area***
- f) ***3.6.3 – Mainstreets***
- g) ***4.10 – Greenspace Requirements***
- h) ***4.11 – Urban Design and Compatibility?***



100. Yes. In my opinion, the proposed zoning amendment and plan of subdivision conform with the Official Plan. See my response to Issues 4 and 25 above.

101. I have previously addressed the applicable policies in the sections listed in paragraphs (a) through (h) above, with the exception of paragraph (f) i.e. 3.6.3 – Mainstreets). In my opinion, Section 3.6.3 is not applicable to the subject site because it is not located along a Mainstreet as per Schedule B of the Official Plan.

***Issue 35. Is the property an appropriate site for intensification given that these lands are part of an area specific land dedication as required by Section 4.10 of the Official Plan?***

102. Yes. In my opinion, the subject site is an appropriate site for intensification. Furthermore, it is my opinion that the subject site is not part of “an area specific land dedication as required by Section 4.10 of the Official Plan”.

103. Policy 4.10(5) is not a land dedication and is not specific to the subject site. See paragraphs 64 and 65 above.

***Issue 36. Does the redevelopment of the existing golf course and related natural areas represent good planning and is it in the public interest?***

104. Yes. In my opinion, the redevelopment of the existing golf course represents good planning and it is in the public interest. The related natural areas identified for protection by Andrew McKinley and Bernie Muncaster are not proposed to be redeveloped.

105. Redevelopment of the existing golf course would result in the creation of new housing options within the built-up urban area and would result in the efficient use of land and infrastructure. In my opinion, such an outcome is in the broad public interest. Similarly, the creation of new public parkland and publicly accessible active

transportation and vehicular connections through what are now privately owned lands not accessible to the general public is also in the broad public interest.

***Issue 37. Does the proposed development have the potential to cause undue adverse impacts on adjacent properties due the scale and density of the proposal?***

106. No. In my opinion, the proposed development will not cause undue adverse impacts on adjacent properties. The scale and density of the proposal has been carefully considered to locate the most intense forms of development in proximity to Campeau Drive and the existing and planned apartment developments toward the south edge of the site, while locating less intensive forms of development in proximity to existing detached dwellings in a manner that is compatible and would result in no unacceptable built form impacts.

***Issue 38. Would the approval by the Tribunal of the applications to develop the subject property be premature given the ongoing Superior Court challenge with respect to the 40% Agreement?***

107. No. See my response to Issue 1 above.

***Issue 42. If a zoning by-law amendment is to be approved, what is the appropriate form and content of the amendment?***

108. Appendix B to our June 17, 2021 Planning Rationale Addendum letter sets out our proposed list of zoning regulations for the proposed zones within the subject site. While those regulations are appropriate in my opinion, I would be pleased to work with City staff to fine-tune those regulations if desired in order to properly implement the proposed redevelopment.

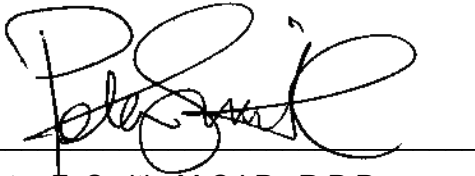
***Issue 43. If a draft plan of subdivision is to be approved, what are the appropriate conditions of approval?***

109. No draft plan conditions have yet been provided by the City. As noted in paragraph 72 above, it may be appropriate to include conditions of draft plan approval that could be secured through the Subdivision Agreement to ensure the long term viability of the landscape buffers. If draft plan conditions are provided by the City, I would be pleased to respond to them through my reply witness statement.

### **Conclusions**

110. For all of the foregoing reasons, I recommend approval of the Zoning By-law Amendment and the Draft Plan of Subdivision.

All of which is respectfully submitted,

A handwritten signature in black ink, appearing to read 'Peter F. Smith', written over a horizontal line.

Peter F. Smith, M.C.I.P., R.P.P.

November 12, 2021

List of Documents to be Referred To

1. *Planning Act*, R.S.O. 1990, c. P. 13
2. Provincial Policy Statement (2020)
3. City of Ottawa Official Plan
4. Former Secondary Plan for the Marchwood-Lakeside Communities
5. City of Ottawa Zoning By-law 2008-250
6. City of Ottawa Greenspace Master Plan (August 2006)
7. Design Guidelines for the Village of Kanata Lakes (May 1990)
8. Building Better and Smarter Suburbs Study (2014)
9. Planning and Urban Design Rationale report (September 2019)
10. Planning Rationale Addendum letter (July 13, 2020)
11. Planning Rationale Addendum letter #2 (June 17, 2021)
12. Letter deeming applications complete (as of October 8, 2019)
13. Circulation Comments on Original Submission (December 19, 2019)
14. Supplementary Comments on Original Submission (May 25, 2020)
15. Comment Matrix with Responses to Circulation Comments #1 (July 14, 2020)
16. Staff Report (November 13, 2020)
17. Circulation Comments on 1<sup>st</sup> Resubmission (October 9, 2020)
18. Comment Matrix with Responses to Circulation Comments #2 (June 17, 2021)
19. Circulation Comments on 2<sup>nd</sup> Resubmission (October 18, 2021)
20. Staff Reports and by-laws in relation to development applications/approvals that are referred to in this Witness Statement

**Peter F. Smith** MCIP, RPP

Director

**CURRICULUM VITAE**

Peter joined Bousfields in 1987, becoming a partner in 1990. Managing complex and demanding projects for both the public and private sector, he possesses a particular talent for integrating sound public policy based planning with both greenfield development and urban intensification. He has over 35 years experience in the land use planning field, having worked previously for a law firm, a market consultant and the City of North York.

**PROFESSIONAL HISTORY**

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<b>Director, Bousfields Inc.</b>	<b>1990-Present</b>
<b>Senior Planner, John Bousfield Associates Limited</b>	<b>1987-90</b>
<b>Planner III, City of North York</b>	<b>1987</b>
<b>Planner, Weir &amp; Foulds, Barristers &amp; Solicitors</b>	<b>1982-87</b>
<b>Planner, Paterson Planning &amp; Research Limited</b>	<b>1979-82</b>

**EDUCATION, PROFESSIONAL AFFILIATIONS & MEMBERSHIPS**

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- B.E.S. (Hon. Urban & Regional Planning), University of Waterloo, 1979
- Member, Canadian Institute of Planners

**Peter F. Smith** continued

## **RELEVANT PROJECT EXPERIENCE**

### **Official Plans, Secondary Plans And Reviews**

- Churchville Heritage Conservation District Plan (for City of Brampton)
- Prince Edward County Growth & Settlement/Service Strategy
- Nobleton Community Plan (for Township of King)
- South Urban Community Secondary Plan (for former City of Gloucester)
- East Terrace Neighbourhood Plan, Grimsby
- York Mills Office Centre Secondary Plan Review, North York
- Highway 7/Highway 400 Land Use and Density Study (for City of Vaughan)

### **Community Design Plans**

- Riverside South Community, Ottawa, 55,000 population and business park (for City of Ottawa)
- Georgetown South, Halton Hills, 2,500 residential units (for Halton Hills Village Homes Inc.)
- Port of Newcastle, Clarington, 1,000 residential units (for Kaitlin Group)

### **Residential/Mixed-Use Developments**

- 90 Harbour Street, Toronto (for Menkes)
- Ordnance Triangle, Toronto (for DiamondCorp & Build Toronto)
- 1 Yonge Street (for Pinnacle International)
- Bridlewood Mall Redevelopment, Scarborough (for Malibu)
- 5 St. Joseph Street, Toronto (for MOD/Graywood)
- Pier 27, Toronto Waterfront (for Cityzen/Fernbrook)
- Theatre Park, Toronto (for Lamb Developments)
- Cinema Tower, Toronto (for Daniels Corp.)

- New Four Seasons Hotel, Toronto (for Menkes)
- Gooderham and Clear Spirit Towers Distillery District, Toronto (for Cityscape)
- West Queen West Triangle, Toronto (for Verdiroc)
- London on the Esplanade, Toronto (for Cityzen)
- Uptown Residences, Yonge/Bloor, Toronto (for Pemberton)
- 18 Yonge Street, Toronto (for H & R)
- Herons Hill, North York (for Monarch)
- Atria IV Redevelopment, North York (for Tridel/Dorsay)
- N. Y. Towers, North York (for Daniels Corp.)
- World Trade Centre (now Pinnacle Centre), Toronto (for Camrost)
- McGuinness Redevelopment, Etobicoke (for Camrost)
- Hilton Hotel Expansion, Niagara Falls
- Sharkey's Site, Oakville (for Daniels Corp.)
- Bridgehome 2000, North York
- Lakeshore Village, Etobicoke (for Daniels Corp.)
- Inn-on-the-Park, North York, 420 residential units (for Eisen Corp.)
- Village-by-the-Grange Expansion, Toronto (for Tridel)
- Esplanade/Scott Street, Toronto
- 520 Kingston Road, Toronto (for Cityhome)
- 186 Redpath, Toronto (for Plazacorp)
- Front/Jarvis, Toronto (for Camrost)

### **Retail Developments**

- Laird Drive Commercial Development, Toronto (for First Capital Realty)
- Chartwell Commercial Development, Scarborough (for First Capital Realty)
- New Format Commercial Development Major Mackenzie/Weston Rd., Vaughan (for SmartCentres)

**Peter F. Smith** continued

- New Format Commercial Development, Hurontario/Steeles (for City of Brampton)
- Harmony/Taunton Centre, Oshawa, 750,000 sq. ft. (for First Pro)
- Metro East Trade Centre Commercial Expansion, Pickering, 430,000 sq. ft. (for Gentra Inc.)
- New Format Retail Developments, Airport/Highway 7, Brampton, 650,000 sq. ft. (for First Pro)
- Commercial/Industrial Development, Airport/Bovaird, Brampton, 480,000 sq. ft. (for First Pro)
- Crossroads Centre, Weston Road/Highway 401, North York, 350,000 sq. ft. (for First Pro)

**Infill Residential**

- WorkLofts/Flatiron Lofts (for Lamb Development)
- Burnhamthorpe Road Townhouse Development, Mississauga (for Dunpar)
- Waterstone Court, Oakville
- St. Jude Community Homes, Toronto
- St. Paul's Dovercourt, Toronto
- Little Brothers of the Good Shepherd, Toronto
- Avenue Homes, Unionville
- 117 Eglinton Avenue East, Toronto
- St. Clair/Walmer Road Townhouses, Toronto

**Institutional**

- Ryerson Student Residence, Jarvis Street
- West Park Healthcare Centre Expansion, Toronto
- Regent Park Community Health Centre, Toronto
- Learning Centre for Children with Autism, North York
- St. Stephen's Community House, Toronto

**Residential Subdivisions**

- Royal Park, Woodbridge Highlands, Vaughan
- Kipling South, Woodbridge, Vaughan
- Halton Hills Village Homes, Georgetown South, Halton Hills
- Kaitlin, Lake Wilcox, Richmond Hill
- City View, Barrie
- Jofian, Kleinburg

**Recreational/Residential developments**

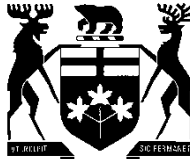
- Angus Glen Golf Club, Markham
- King Valley Residences (60 units) and ClubLink Corporate Offices, King Township
- Emerald Hills Golf Course Expansion and Residences (80 units), Whitchurch-Stouffville (for ClubLink)
- Maple Downs Golf Course Expansion

**Waterfront Planning**

- Orillia Central Waterfront (for City of Orillia)
- Oshawa Harbour Plan (for Oshawa Harbour Commission)
- Oakville Waterfront Plan, OPA 10 (for Baillie/Dorion)

**Reports/Policy Review**

- Development Permit Demonstration Project, March 2000 (for Ministry of Municipal Affairs and Housing)
- Provincial Policy Statement Five Year Review Stakeholder Consultation, December 2001 (for Ministry of Municipal Affairs and Housing)
- Submission on 1989 Housing Policy Statement (for Urban Development Institute)
- Submission on 1996 Provincial Policy Statement (for Urban Development Institute)



Ontario  
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.....Peter Smith.....(name)  
I live at the .....City of Stratford.....(municipality)  
in the .....Province of Ontario.....(province)
2. I have been engaged by or on behalf of ClubLink Corporation ULC 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...November 12, 2021...

Signature