

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

Applicant(s)/Appellant(s):	ClubLink Corporation ULC
Subject:	Application to amend Zoning By-law No. 2008-250 - Refusal or neglect of the City of Ottawa to make a decision
Existing Zoning:	O1A (Open space, subzone A)
Proposed Zoning:	R1T (Residential First Density Zone), R3V (Residential Third Density Zone), and R5A (Residential Fifth Density Zone) as well as O1 (Parks and open spaces)
Purpose:	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
Property Address/Description	7000 Campeau Drive
Municipality:	City of Ottawa
Municipal File/Reference No:	D02-02-19-0123
LPAT Case No.:	PL200195
LPAT File No.:	PL200195
LPAT Case Name:	ClubLink Corporation ULC v. Ottawa (City)

PROCEEDING COMMENCED UNDER subsection 51(34) of the *Planning Act*, R.S.O. 1990, c. P.13, as amended

Applicant(s)/Appellant(s):	ClubLink Corporation ULC
Subject:	Proposed Plan of Subdivision - Failure of the City of Ottawa to make a decision
Purpose:	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
Property Address/Description	7000 Campeau Drive
Municipality:	City of Ottawa
Municipal File/Reference No:	D07-16-19-0026
LPAT Case No.:	PL200195
LPAT File No.:	PL200196

NOTICE OF RESPONSE TO MOTION

THE KANATA GREENSPACE PROTECTION COALITION (the "**KGPC**") hereby responds to the Ontario Land Tribunal (the "**OLT**" or "**Tribunal**") to the motion by the City of Ottawa (the "**Moving Party**" or the "**City**") dated December 29, 2021 (the "**Motion**").

THE RESPONSE TO MOTION REQUESTS

1. An Order adjourning the hearing scheduled to commence on January 17, 2022;
2. An Order requiring the parties to advise the Tribunal by April 1, 2022 if this matter is ready to be rescheduled for a hearing; and,
3. Such further and other relief as this Honourable Tribunal may deem just.

THE GROUNDS TO BE RELIED UPON IN RESPONSE TO THE MOTION ARE

1. The KGPC agrees with and supports the Motion as brought forward by the City.
2. The Applicant has made three distinct submission with respect to a stormwater management design.
3. The Parties experts have prepared their witness statement based on the third stormwater management design.
4. The Applicant's witnesses have indicated in their expert witness statement that they are no longer proceeding with the stormwater management system proposed in their third submission. The Applicant's witnesses have referred to a new stormwater management system in their reply witness statements. The reply witness statement implies site alterations in the downstream provincially significant wetlands.
5. The effect of site alteration on significant wetlands is a consideration under the Provincial Policy Statement.

6. The Applicant has not made this further submission and has not made it available to the parties.
7. In order to review the new proposed stormwater management system, the KGPC requires a complete submission with all supporting documents.

Statutory and Other Grounds

1. *Planning Act*, R.S.O. 1990, c. P. 13, as amended ss. 2, 34 and 51;
2. *Statutory Powers Procedure Act*, R.S.O. 1990, c. S. 22, ss. 16.1, 21 and 25.1;
3. *Ontario Land Tribunal Act, 2021*, SO 2021, c 4, Sch 6, s. 12; and
4. Ontario Land Tribunal *Rules of Practice and Procedure*, Rules 1.3, 17.1, 17.3, 17.4, 17.5, and 24.2.
5. This response also relies upon such further and other grounds as counsel may advise and this Honourable Tribunal may permit.

THE FOLLOWING DOCUMENTARY EVIDENCE will be used at the hearing of the motion:

6. The City's Notice of Motion dated December 29, 2021;
7. The Affidavit of Gabrielle Schaeffer, P. Eng, sworn December 24, 2021 and exhibits attached thereto
8. The Affidavit of Douglas Nuttall, P. Eng, sworn January 4, 2022 and exhibits attached thereto;
9. The Tribunal's file materials in respect of Case No. PL200195;
10. Such further evidence and documentation as counsel may advise and the Tribunal may permit.

January 4, 2022

WEIRFOULDS LLP

66 Wellington Street West, Suite 4100
P.O. Box 35, Toronto-Dominion Centre
Toronto ON M5K 1B7

Sylvain Rouleau (LSO# 58141Q)

Direct: 416-947-5016

srouleau@weirfoulds.com

Tel: 416-365-1110

Fax: 416-365-1876

Lawyers for Kanata Greenspace Protection
Coalition

TO:

Ontario Land Tribunal

655 Bay Street, Suite 1500
Toronto ON M5G 1E5

Attention: Jason C. Kwan

jason.c.kwan@ontario.ca

Tel: 416-212-6349 or 1-866-448-2248

Fax: 416-326-5370

AND TO:

City of Ottawa

110 Laurier Avenue West
Ottawa ON K1P 1J1

Timothy C. Marc

Tel: 613-589-2424 ex. 21444

timothy.marc.@ottawa.ca

Tel: 613-589-2424

Fax: 613-560-1383

Counsel for the City of Ottawa

AND TO: **Davies Howe LLP**
425 Adelaide Street West, 10th Floor
Toronto ON M5V 3C1

Mark Flowers
Direct: 416-263-4513
markf@davieshowe.com

Tel: 416-977-7088
Fax: 416-977-8931

Counsel for ClubLinks Corporation ULC

In accordance with [Rule 10](#), the Notice of Response to Motion and all supporting materials shall be served no later than 7 days before the day the motion is to be heard. An affidavit of service should be filed with the Tribunal, confirming same.