

City of Ottawa

General

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)?

Subdivision

2. Is the proposed plan of subdivision consistent with the Provincial Policy Statement? [ClubLink requests greater specificity]
3. Does the proposed plan of subdivision have regard for matters of provincial interest pursuant to the *Planning Act*, section 2? [ClubLink requests greater specificity]
4. Does the proposed plan of subdivision conform to the Official Plan of the City of Ottawa and is it compatible with adjacent plans of subdivision (s.51(24)(c))? [ClubLink requests greater specificity in relation to conformity with the Official Plan]
5. Is the subdivision premature (s.51(24)(b))?
6. Is the lotting pattern appropriate (s.51(24)(f))?
7. Are the lots compatible with the surrounding community / adjacent plans of subdivision (s.51(24)(c))?
8. Is the proposed right-of-way width of 16.5 metres appropriate (s.51(24)(e))?
9. Are conditions of draft approval necessary to ensure the long term viability of the landscape buffers?
10. Are the grading and drainage, and tree preservation plans consistent with one another? Will they provide effective protection for the trees in the landscape buffer and will they maintain positive drainage routes?
11. Is the proposed amount of open space and mid-block connections appropriate?
12. Does the plan of subdivision have a legal outlet for stormwater from the proposed development (s.51(24)(h) and (i))?
13. Is any modification to the draft plan of subdivision necessary if permission to modify existing easements is refused?
14. Is it appropriate to grant draft approval before the means by which stormwater for both the proposed plan of subdivision in this matter and that for KNL Phases 7 and 8 (City File D07-16-03-0025) have been determined?
15. Has the major overland flow from the proposed draft plan of subdivision lands, and connecting existing residential lands, into the Beaver Pond been accounted for?
16. Are draft conditions of approval necessary to address repair or replacement of existing stormwater infrastructure?
17. Does the technique for low impact development means of dealing with stormwater need to be determined prior to draft approval?
18. Is the proposed use and number of oil and grit separators appropriate?
19. What is the appropriate number and location of stormwater ponds and should they be for both quality and quantity control?
20. Are sump pumps proposed as briefly mentioned in the JFSA report? If so, sump pump related draft plan conditions are to be included.
21. Is a monitored surcharging/preloading program anticipated and timelines accounted for in order to achieve the grade raise exceedances?
22. Zoning
23. 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?

24. Is the proposed zoning consistent with the Provincial Policy Statement? [ClubLink requests greater specificity]
25. Does the proposed zoning have regard for matters of provincial interest pursuant to the *Planning Act*, section 2? [ClubLink requests greater specificity]
26. Does the proposed zoning conform to the Official Plan of the City of Ottawa? [ClubLink requests greater specificity]
27. Are provisions in the zoning by-law sufficient to ensure the long term viability of the landscape buffers?

Kanata Greenspace Protection Coalition

KANATA GREENSPACE PROTECTION COALITION ISSUES LIST – OCTOBER 7/20

Issue 1: Conformity with the Planning Act

1. Does the proposed zoning amendment have appropriate regard to Section 2 with particular reference to Subsections (a), (h), (i), (o), (p) and (r)?
2. 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?
3. Does the approval of a zoning amendment or a draft plan of subdivision with related public works have appropriate regard to Section 24?
4. 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)?
5. Further to Section 51(24) Subsections (d) and (h), is it appropriate to consider the development of lands that will drain both overland and through piped infrastructure passing through a watershed with potential risk of flooding, erosion damage to tributaries and adverse impacts on natural wildlife given the unresolved pre-existing conditions as noted under Comments numbered 136, 140, 170, 171, 177, 178, 180, 181 and 191 in the City of Ottawa's letter dated December 19, 2019 in that watershed?

Issue 2. Consistency with the Provincial Policy Statement 2020

1. 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?

Issue 3: Conformity with the Official Plan

1. 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?
2. 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

Issue 4: Appropriateness for Development

1. 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?
2. Does the redevelopment of the existing golf course and related natural areas represent good planning and is it in the public interest?
3. Does the proposed development have the potential to cause undue adverse impacts on adjacent properties due the scale and density of the proposal?

Issue 5: Premature Development

1. 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?

Issue 6: Public Health

1. Do the Phase 1 and 2 Environmental Site Assessments have sufficient scope in testing and analysis to adequately review and consider the historical land use impacts on the subject lands to have had appropriate regard to Planning Act with particular reference to Section 2 (a), (h) and (o)?
2. Do the Phase 1 and 2 Environmental Site Assessments have sufficient scope in testing and analysis to adequately review and consider the potential adverse impacts on the proposed use of the subject lands and on adjacent land uses to be consistent with the Provincial Policy Statement 2020 with particular reference to Section 3.2.2?
3. Is it appropriate to develop land that has been identified in the Phase 2 ESA as containing levels of mercury that exceed MECP Table 7 and Table 3 levels in shallow pockets in various locations when said development will require significant disturbance of this potentially harmful material through regrading and preparation of the subject lands for development?

ClubLink Corporation ULC

- X. If a zoning by-law amendment is to be approved, what is the appropriate form and content of the amendment?
- X. If a draft plan of subdivision is to be approved, what are the appropriate conditions of approval?

Note: The identification of an issue on this list does not mean that all parties agree that such an issue, or the manner in which it is expressed, is appropriate or relevant for the proper determination of the appeals. The extent of the appropriateness and/or relevance of the issue may be a matter of evidence and/or argument at the hearing.