

## **Questions and Answers** **November 25<sup>th</sup>, 2019 Meeting**

*The questions were taken from the comment cards provided by members of the public at the November 25<sup>th</sup> meeting. Answers are provided by the City of Ottawa.*

### **PLANNING**

1. Will the City be responsible for the management of streetlights, hydrants, underground water and other services and for street sweeping and winter plowing?

**Answer**

The City will be responsible for maintenance of all public facilities and roads.

2. Density is an issue - it is too dense? Is there a master plan for development of Kanata?

**Answer**

There are secondary plans, as well as community design plans, across Kanata North, however, there is not one specific to Kanata Lakes.

3. Is the 1,500-unit proposal set in stone? Can the City require changes to the number and mix of units?

**Answer**

The number of units can change depending on the comments provided to the applicant by the City. Should comments require the applicant to make changes based on engineering, environment, transportation, etc., there is a possibility that the number of units may be affected.

4. Can the City require a proportion of affordable housing?

**Answer**

The City's Official Plan does not contain any policies that require a development to include affordable housing.

5. A neighbourhood study is required. Why was this key step skipped?

**Answer**

A neighbourhood study was not required, as per the requirements set out in the City's Official Plan.

6. What schools are being proposed? The existing schools are beyond capacity. Schools are using temp classrooms outside the building, how are the current schools are considered to support such a huge development?

Answer

The City circulates all school boards for comment. It is up to each school board to indicate if a school site is needed.

7. Who will own the 3-metre buffer zones? Is it the City or new homeowners? And who will maintain the 3-metre buffers?

Answer

As indicated by the applicant at the November 25<sup>th</sup> meeting, the proposed buffers are to be on the lots to be created and maintained by the new homeowners. The City has concerns with the proposed 3-metre buffers and will be discussing these issues with the applicant.

8. Why doesn't the City update the sub-zoning to include cross-country skiing?

Answer

Cross-country skiing is not a use as defined in the City's Zoning By-law.

9. The planning process goes back and forth between the City and the applicant. Does the applicant need to address 100% of all bylaws and concerns?

Answer

The City provided the applicant with comments based on their submission. The applicant must address each of the comments to the City's satisfaction.

10. Does the City of Ottawa have discretion in specifying what steps the applicant should make? It would seem the City is allowing the developer to avoid key planning steps.

Answer

The City has very prescriptive steps that are established through City policies, as well as required by the Ontario *Planning Act*. All applicants are required to follow specific steps in the development application process.

11. How can you stop this rezoning?

Answer

Planning Services prepares a report to Planning Committee and City Council with a recommendation to approve or refuse the rezoning application. The recommendation of the Committee then proceeds to City Council. If Council approves the proposed amendment, it will pass a by-law, which is circulated to give interested parties the chance to appeal. A 20-day appeal period is provided for, once notice of Adoption of the By-law has been given. If no appeals are received by the end of the appeal period, the amendment is in full force and effect.

12. How are residents notified about the planning submissions by the builders?

Answer

The applications have been posted on the City's Development Application Search Tool website, as well as at [www.Ottawa.ca/KanataLakes](http://www.Ottawa.ca/KanataLakes). Each time a revised submission is received, these websites will be updated with the new submission materials.

13. Does the community have any say in the rezoning application approval/rejection process?

Answer

Members of the public are welcome to submit their comments regarding the Zoning By-law amendment application at anytime, as well as appear at the Planning Committee meeting to present their views, as it is a public meeting.

14. What are the provisions for apartment parking? At least 1 space per unit?

Answer

The City's Zoning By-law requires 1.2 spaces per dwelling unit for an apartment dwelling (low-rise or mid-high-rise).

15. When will this application go to Planning Committee?

Answer

A date has yet to be determined for the application to proceed to Planning Committee. Everyone who has provided comments will be notified 10 days prior to Planning Committee, once a date is confirmed.

16. The accommodation plan was 1502. What is the new total as a result of the City analysis?

Answer

The City does not provide a revised number of dwelling units to the applicant. Comments provided to the applicant by the City will allow the applicant to revise their application accordingly.

17. If this proposal results in approval and developed during the coming decade, could we, the original neighbours ask for a rezoning of our properties to be able to build high or medium density buildings to increase the value of our properties?

Answer

If an applicant wishes to develop a property in a manner that deviates from the current zoning provisions, they must apply for a Zoning By-law Amendment.

18. What is delegated authority? Does this mean Councillor Sudds has a veto?

Answer

Delegated authority refers to a City of Ottawa by-law, which allows City Council to delegate certain powers and responsibilities to various officers of the City to deal with administrative matters on behalf of the City.

The General Manager, Planning, Infrastructure and Economic Development, the Director, Planning Services, and the Managers of Development Review individually are authorized to approve applications under Section 51 of the *Planning Act*. Where the Ward Councillor has indicated in writing that delegated authority be removed, all authority shall rest with Planning Committee.

19. Can you outline the appeal processes should the proposal be accepted?

Answer

Members of the public are only eligible to appeal Council's decision on the Zoning By-law amendment. As per Bill 108, members of the public are no longer eligible to appeal plan of subdivisions; they are only eligible for party status.

20. Will street names change? Streets are named after Canadian Golfers.

Answer

Existing street names will not change.

21. What is the minimum size of a park?

Answer

The City has six park typologies reflecting the City's parkland structure: District Park, Community Park, Neighbourhood Park, Parkette, Urban Parkette/Plaza and Woodland Park. Each typology requires a different size:

District Park = minimum 10 hectares

Community Park = minimum 3.2 hectares

Neighbourhood Park = 1.2 ha minimum to 3.2 ha maximum

Parkette = 0.4 ha minimum to 1.2 ha maximum

Urban Parkette/Plaza = 400 square metres minimum to 4,000 square metres maximum

Woodland Park = 1.2 ha minimum to 3.2 ha maximum

22. Separate from the 40% agreement, what is the process for simple registration of the application? The description assumes it will be approved. Can't it be turned down?

Answer

The two applications are being processed as required by the *Planning Act* and city policies. The City will review the application in accordance with procedures and will provide comments to the applicant upon review of the submission materials. The

application has not been approved as the City is still in the midst of reviewing and there could be several resubmissions required.

23. Can you please give us the City of Ottawa definitions of intensification, infill and greenfields and explain the differences?

Answer

Section 2.2.2 of the Official Plan identifies “infill” as a subset of intensification and is a general term used to describe redevelopment on underutilized sites. From an Official Plan perspective, infill involves a scenario where there is an increase in the number of residential dwelling units. Outside of the Plan, the term may be used by members of the public who are referring to redevelopment that may not necessarily result in an increase in density.

Greenfield is a colloquial term. Generally, a greenfield is land that is redeveloped from a rural context into a new community.

24. Does the City have the ability to rezone? Under what circumstances?

Answer

The *Planning Act* provides the opportunity for residents and municipalities to rezone parcels of land.

25. Is the City targeting the zoned lands for intensification?

Answer

The property is designated General Urban Area in the City’s Official Plan. This designation supports intensification provided it is at an appropriate scale and function. The City’s Official Plan also sets out target areas for intensification: Central Area, Mixed Use Centres, Mainstreets, and Town Centres.

26. Will homeowners have any input into the landscaping of parks, stormwater, open space or the landscaped buffer immediately behind their property? How can this be respectfully submitted for consideration?

Answer

Members of the public are welcome to submit comments on the application at any time throughout the development application process. All types of comments are welcome including those making specific recommendations on different subject matters including engineering, the environment, parks, transportation, etc.

27. What defines a landscape buffer?

Answer

The City of Ottawa Zoning By-law defines a “landscaped buffer” as a landscaped area located inside and along the perimeter of a lot intended to screen or separate land uses either from one another or from a public street.

28. What City comments have been submitted to date highlighting issues with the submission?

Answer

The City provided the first round of circulation comments to the applicant on December 19, 2019. These comments cover disciplines including planning and urban design, the environment, forestry, parks, transportation and engineering. Comments received from technical agencies were also provided.

## **DAMAGE**

29. How close to the existing homes/golf course can blasting take place?

Answer

Blasting can occur to the extent of the property boundary, provided all City and provincial guidelines and policies are followed.

30. Does the City set their blasting limits based on the density of granite and the amount of land involved?

Answer

The City regulates the use of explosives through specific mechanisms:

- **City of Ottawa Standard Tender Documents for Unit Price Contracts** provides S.P. F-1201 for blasting-related requirements.
- **The Ontario Provincial Standard** covering the use of explosives is [OPSS 120\(link is external\)PDF opens in a new tab or window](#). There are two versions, municipal- and provincial-oriented.
- **Road Activity By-law** - Use of explosives is not specifically regulated under the [Road Activity by-law](#) but the requirements are referenced.
- **Site Plan and Subdivision agreements** (blasting on private property for projects subject to Planning Approval)
- Various aspects of the use of explosives are addressed in Federal (Explosives Act, Dangerous Goods Transportation Act) and Provincial (Pits and Quarry Act, Occupational Health and Safety Act) legislation.

31. How can inspectors determine if there is damage to basement walls if the basement is finished?

Answer

The pre-blasting survey includes full video coverage of the exterior and interior of the building, residence or structure, provided access is granted by the owner.

32. How can blasting be allowed to occur?

Answer

Blasting is an acceptable construction practice within the City of Ottawa for the purpose of removing rock. The use of explosives may be required in a variety of construction projects including the construction and/or installation of roads, sewers, water mains, utilities, foundations, tunnels, etc.

33. Why should homeowners allow the photography of their homes for pre-blasting survey?

Answer

It is to existing homeowners benefit to allow the inspection to be conducted on their properties, as it may assist with establishing the impact, if any, that construction has had at a property after work is complete.

If due to privacy concerns, one may wish to complete your own survey of pre-construction conditions on their property. The survey should include photographs.

34. Who will compensate property owners for damage occurring from blasting?

Answer

For any questions regarding the contractor's inspections or concerns about property damages, please contact the person identified in your notification letter, or if a notification letter has not been received, please contact the City at 3-1-1. Alternatively, residents may initiate a claim against the City.

## **ENVIRONMENT**

35. What defines a park versus a parkette?

Answer

A park includes a playground, sports field, botanical garden, outdoor public swimming pool or parkway, and may also include accessory buildings or structures such as a maintenance building, washroom or canteen. A parkette is smaller in area and designed for more passive and aesthetic enjoyment of green space.

36. How will the wild life be protected?

Answer

The animals found at the golf course are species generally found in suburban areas already. It is anticipated that these species would likely be able to inhabit the proposed development.

37. Where will the endangered bats live if this goes through?

Answer

An Environmental Impact Assessment has been completed by the Applicant's consultant that examines the existing species present within the site. This includes an evaluation of the potential impacts of the development on endangered species. This report is reviewed by City staff to determine if adequate mitigation measures have been proposed.

38. After years of pesticide use on golf course, is it safe for children's park and intense residential use?

Answer

A Phase 2 Environmental Site Assessment has been submitted in support of the application, which considers potential on the site as a result of heavy pesticide use. In this report, contaminated areas of the site are identified. Therefore, if approved, remediation will be required as part of the development process.

39. How will our quality of life be ensured - regarding more "ponds" which encourage mosquitos?

Answer

It is anticipated that mosquito levels at the proposed ponds will be comparable to current conditions. Please note that mosquito levels are generally lower in areas surrounding stormwater management ponds, compared to natural wetlands, as a result of the increased movement of water.

In addition, the City of Ottawa mosquito control program can be utilized to further lower mosquito levels around the stormwater management pond for the proposed developments.

40. How many tonnes of sequestered carbon will be released to the atmosphere during excavation and construction?

Answer

At this time, there are not policies in place that require developers to quantify the amount of sequestered carbon released into the atmosphere as a result of excavation and construction activities.

41. Will the ponds handle the extra rain from climate change?



Answer

The stormwater management ponds are designed to handle up to a 1:100 year storm event as per City requirements.

42. How can the trees on the land be cut down?

Answer

A Tree Permit will be required to remove any trees with a diameter at breast height of 15 cm or greater. Tree permits are issued by the City only after the applicant demonstrates that retention is not possible.

43. Who will ensure "swim holes" are safe for swimming and water quality over the years?

Answer

Swimming is not permitted in stormwater management ponds.

## **TRANSPORTATION**

44. Are any roads surrounding the development slated for widening or improvement?  
The roads cannot handle the extra traffic.

Answer

None of the surrounding roads are on the affordable plan to be widened or improved until post 2031.

## **OTHER**

45. Which assessments does the City conduct itself and which does it rely on submissions from the applicant (i.e. environmental impact statement, transportation/traffic)?

Answer

The City has qualified professionals to review the submission documents provided by the applicant. Professionals such as engineers (civil, transportation), planners (policy, environmental, parks) foresters, urban designers, amongst others, provide comments on where the City sees deficiencies and inaccuracies. There can be multiple submissions and reviews until the City is satisfied.

46. Who is responsible for compensation of premium lot cost homeowners paid?

Answer

The City is not responsible for compensation of premium lot cost homeowners paid.

47. Can you please clarify that all the people at the front of the table work for the applicant or the City?

Answer

The Panel included:

- Laurel McCreight (City)
- Peter Smith (Applicant's consultant)
- Raymon Yim (Applicant's consultant)
- Mark Jamieson (Applicant's consultant)
- Steve Pichette (Applicant's consultant)
- Jean-Francois Sabourin (Applicant's consultant)
- Dave Gilbert (Applicant's consultant)
- Mark Darcy (Applicant's consultant)
- Dr. Andrew McKinley (Applicant's consultant)
- Bernie Muncaster (Applicant's consultant)

Although not sitting at the Panel, the City had several representatives present, which included, engineers (civil, stormwater and transportation), an environmental planner, a park planner, and forester.

48. How much money was paid by the applicant to the City with the application?

Answer

The City has standard fees for each development application type, which can be found [here](#).

49. Does the e-mail that I submitted to the planning department count as a written submission as required by the Planning Act for eligibility for subsequent processes?

Answer

Any person who provided comments via email, fax or mail, will be eligible for party status should the application proceed to the Local Planning Appeal Tribunal.

50. Will our property taxes decrease during construction given the significant inconveniences?

Answer

The City understands that construction can be inconvenience, however, taxes will not decrease as a result.

51. Why is this proposal even being considered prior to a court ruling?

Answer

Under the Ontario *Planning Act*, the City is legally required to proceed with the development applications. The *Act* states that if an applicant submits an application and it is deemed complete, the municipality must circulate the application. This

means that that law requires the City to process the applications submitted by ClubLink, regardless of the legal process regarding the 40% agreement.

52. 1981 - legal agreement - how do we find out how the process is going?

Answer

Councillor Sudds has provided updates via her [website](#) regarding the court process and the status of the legal agreement.

53. What happens if the court doesn't rule within 120 days?

Answer

The applicant is eligible to appeal the City's failure to render a decision on the subdivision application within 120 days, as prescribed by the *Planning Act*.

54. Is this process lip service for the residents?

Answer

The *Planning Act* requires a municipality to hold a public meeting for each plan of subdivision application. The goal of this meeting is to present the application to the public and gain feedback regarding different aspects of the application.