



Proposed Maintenance Facility Miller Waste Services

3145 Conroy Road

Application for Minor Rezoning

Planning Rationale

November 2025

Proposed Maintenance Facility

Miller Waste Services

Applications for Minor Rezoning

Planning Rationale

3145 Conroy Road,

Ottawa, ON

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1.0 INTRODUCTION

This Planning Rationale has been prepared by Parsons Inc. (Parsons) on behalf of WO MW Realty Limited (White Owl) in support of a Minor Rezoning Application for the property located at 3145 Conroy Road in the City of Ottawa (Figure 1-1). The proposed planning application seeks to permit the development of a Miller Waste Maintenance Facility that includes office space, fleet vehicle refueling, servicing, and outdoor storage. Access to the proposed development will be provided, as it does today, through a city-owned property that has direct access to a Public Street. The site is approximately 4.86 hectares on a rectangular parcel, with a depth of approximately 375 metres. This site is located in Ward 10 (Gloucester-Southgate) between Walkley Road and Hunt Club Road and adjacent to a CN Rail Corridor. The site is currently vacant, with remnants of the former land use that included a go-karting track and a mini-golf course.

Figure 1-1: Site Location (GeoOttawa, 2024)



A pre-consultation meeting was held with City staff on August 12, 2024, which resulted in preliminary comments from staff, list of technical review agencies, and identified the required plans and studies that would be required for a complete application for Site Plan Control approval.

An application for Site Plan Control for the site was submitted to the City on July 31, 2025. A Minor Rezoning is required due to the parcel configuration in which a parcel owned by the City of Ottawa is located between the site and the City of Ottawa Right-of-Way of Conroy Road. Access to the subject site is currently through this City-owned parcel. As such, a Minor Rezoning is required to Section 59, Frontage on Public Street, in order to implement the proposed development. This Planning Rationale has been prepared as a supporting document to the Minor Rezoning application and is intended to assist the City of Ottawa in evaluating the proposal in the context of applicable Provincial and Municipal land use policies.

In addition to this Planning Rationale, the following plans and studies have also been included in support of application for Site Plan Control and inform the application for Rezoning:

- Environmental Site Assessment, prepared by Terrapex.
- Phase 2 Environmental Site Assessment, prepared by Terrapex.
- Rail Proximity Study, prepared by Parsons Inc.
- Land Use Compatibility Study, prepared by Parsons Inc.
- Zoning Compliance Confirmation Report, prepared by Parsons Inc.
- Environmental Impact Statement and Tree Conservation Report, prepared by Parsons Inc.
- Transportation Impact Assessment, prepared by Parsons Inc.
- Preliminary Geotechnical Investigation – Proposed Commercial Development, prepared by Pinchin.
- Engineering Drawing Package, prepared by EGIS.
- Site Servicing and Stormwater Management Report, prepared by EGIS,
- Noise Study, prepared by Gradient Wind.

2.0 SITE AND CONTEXT

The site is located at 3145 Conroy Road in the City of Ottawa on a parcel of land of approximately 4.86 hectares (48,600 square metres) in size. The site is located to the east of Conroy Road and south of the CN Rail Corridor (**Figure 2-1**). The property is located behind and has current access to Conroy Road through a City of Ottawa owned parcel of approximately 0.6 hectares, and that does not form part of the City Right-of-Way. The site is within an area referred to as the Ottawa Business Park and is surrounded by industrial and commercial uses. The surrounding uses are as follows:

- **North** – CN Railway Corridor and further north, light-industrial/business park uses along Thurston Drive. Northwest of the site exists a City of Ottawa Public Works Yard.
- **South** – Vacant primarily vegetated City of Ottawa parcel zoned industrial use.
- **East** – Industrial facilities including City of Ottawa Public Works Garage.
- **West** – Vacant City of Ottawa lands zoned for industrial use, and a recreational skatepark.

Figure 2-1: Site Context and Surrounding Uses (GeoOttawa, July 2025).



The site is located along Conroy Road between Walkley Road and Hunt Club Road and approximately three kilometres to the west of Highway 417. Highway access to the site is conveniently provided via both Walkley Road and Hunt Club Road.

Figure 2-2. Highway access and proximity from site (GeoOttawa, April 2024).



The Conroy Road right-of-way includes a sidewalk on the east side of the road and a multi-use pathway on the west side of the roadway. The road cross-section also includes a grassed boulevard separating north and southbound lanes. Overhead hydro wires are located within the municipal right-of-way on the east side and streetlights are located on both sides of the roadway within the boulevard.

At the site's north property line is an existing at-grade railway crossing as shown in **Photo 2-1**. The CN rail corridor crosses Conroy Road at-grade with associated signage, lights, and vehicle barrier arms. The photo also shows a number of existing low-value trees on the property.

Photo 2-2 illustrates the cross-section described above and shows the existing driveway access to the site from Conroy Road.

Photo 2-1. Google Streetview view looking North on Conroy Road, with the site to the east.



Photo 2-2. View angled southeast, overlooking the rail corridor and intersection towards the site



3.0 DEVELOPMENT PROPOSAL

The proposed development seeks to enable construction of a new Miller Waste Maintenance Facility that includes fleet vehicle refueling and parking, employee parking, vehicle service facilities and accessory office and outdoor storage. Site modifications associated with the proposed development are as follows:

- Site clearing and grading (removal of infrastructure remnants and vegetation).
- Construction of a two-storey servicing and office space with a total Gross Floor Area of approximately 3,962 square metres.
- Construction of a new surface parking lots providing 259 standard spaces, 8 barrier-free spaces, 12 motorcycle spaces and 10 bicycle parking spaces, and 135 fleet parking and refuelling spaces to the rear of the building.
- Installation of 8 electric vehicle charging stations
- Installation of a 1.5-meter sidewalk to provide direct and safe pedestrian access to the main building from Conroy Road and through the staff parking area.
- Landscaping buffers surrounding the property and parking area.
- Installation of CNG Compressor Station.
- Storage of roll-off and front-end waste bins.
- Installation of one-storey tarp building for storage of curbside recycling boxes.

Site Development Statistics are included below in **Table 3-1**:

Table 3-1. Site Development Statistics

Use	Proposed Development
Site Area	48,611.80 m ²
Main Building Gross Floor Area	3,962.09m ²
Main Building Height	9.64 m
Storage Building Gross Floor Area	221.51 m ²
Storage Building Height	8.08 m
Standard Vehicle Spaces	259
Accessible Parking Spaces	8
Total Parking Spaces	267
Bicycle Parking Spaces	10
Motorcycle Spaces	12

3.1 Proposed Site Plan, Elevations and Landscape Plan

The Site Plan and Elevations prepared by Deimling Architecture and Interior Design for the proposed development are shown in Error! Reference source not found., **Figure 3-2**, and **Figure 3-3**. The Landscape Plan prepared by Studio Red, is shown in **Figure 3-4**.

Figure 3-1: Proposed Site Plan Front Half with Staff Parking area and Main Building (Excerpt)

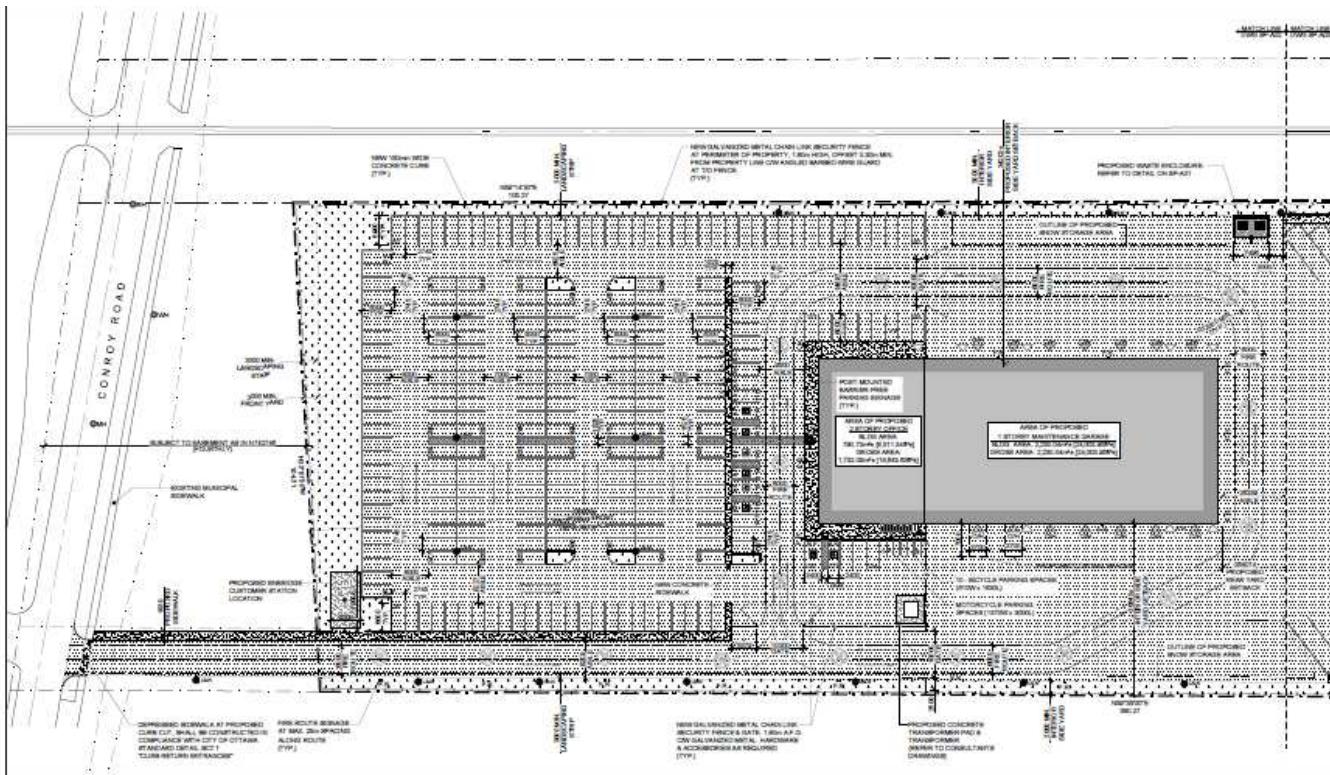


Figure 3-2. Proposed Site Plan Rear Half with Fleet Parking, CNG Vehicle Refueling, and Outdoor Storage (Excerpt)

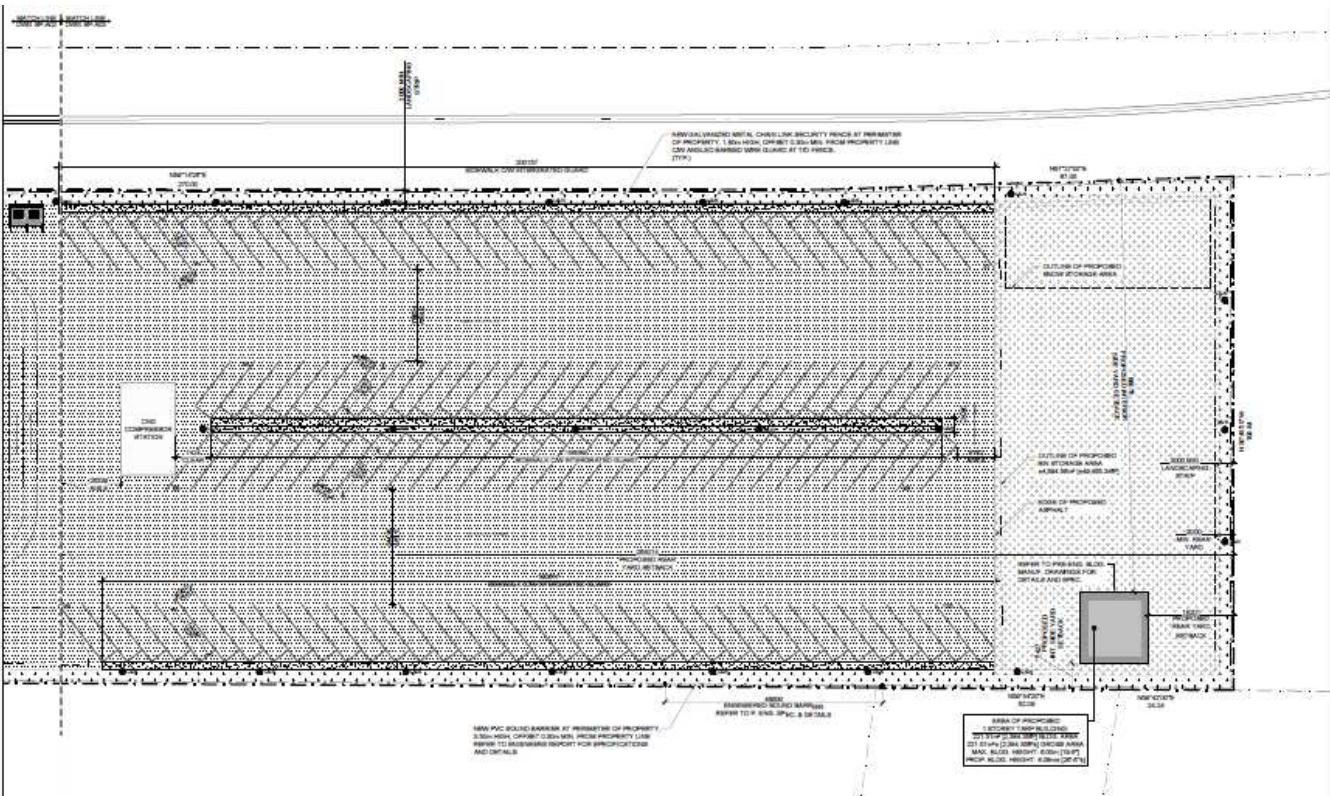


Figure 3-3: Proposed Elevation Plans, East, West, North, and South Elevation Plan (Excerpt)



Figure 3-4. Proposed Landscape Plan Front Half with Staff Parking area and Main Building (Excerpt)

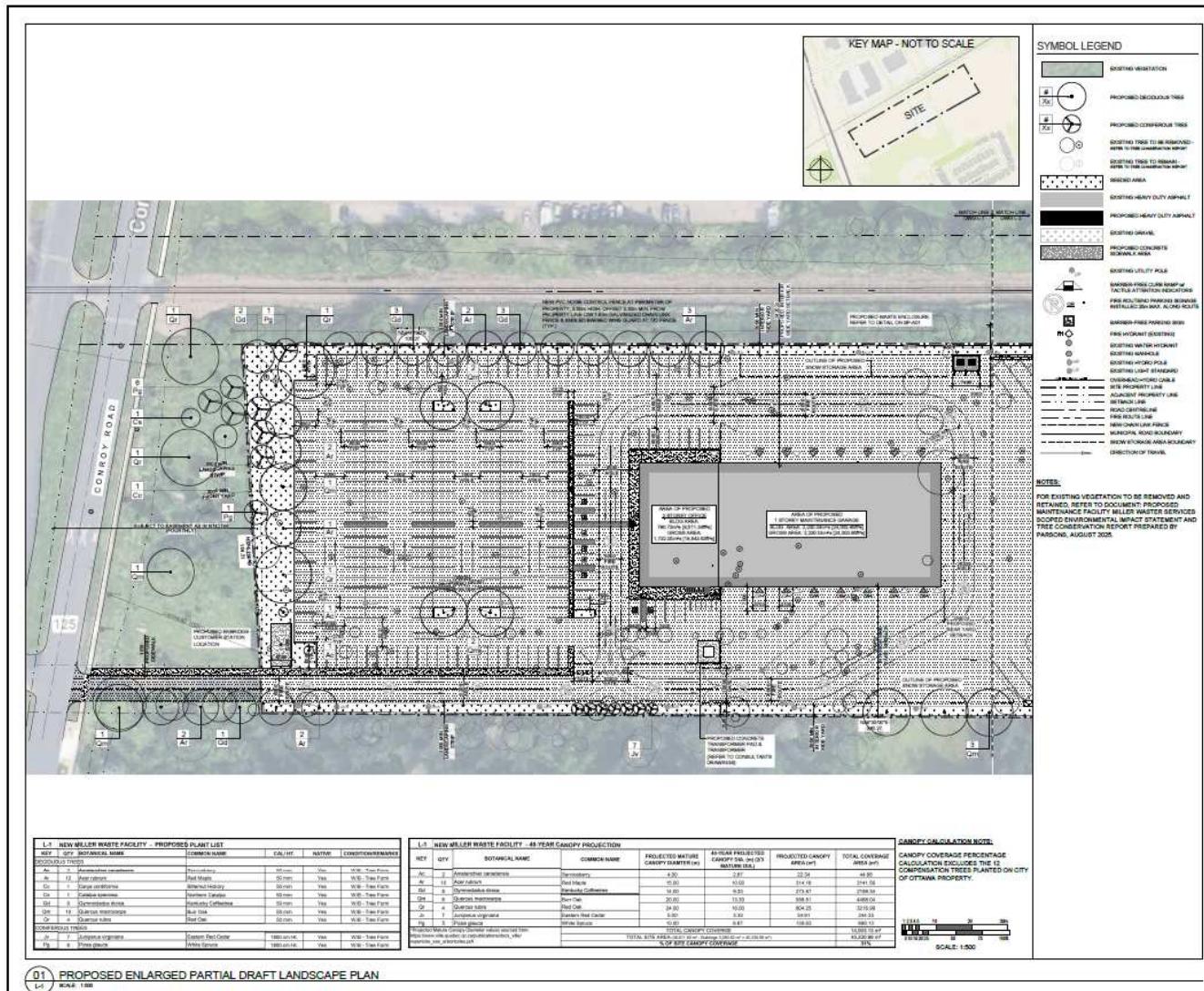
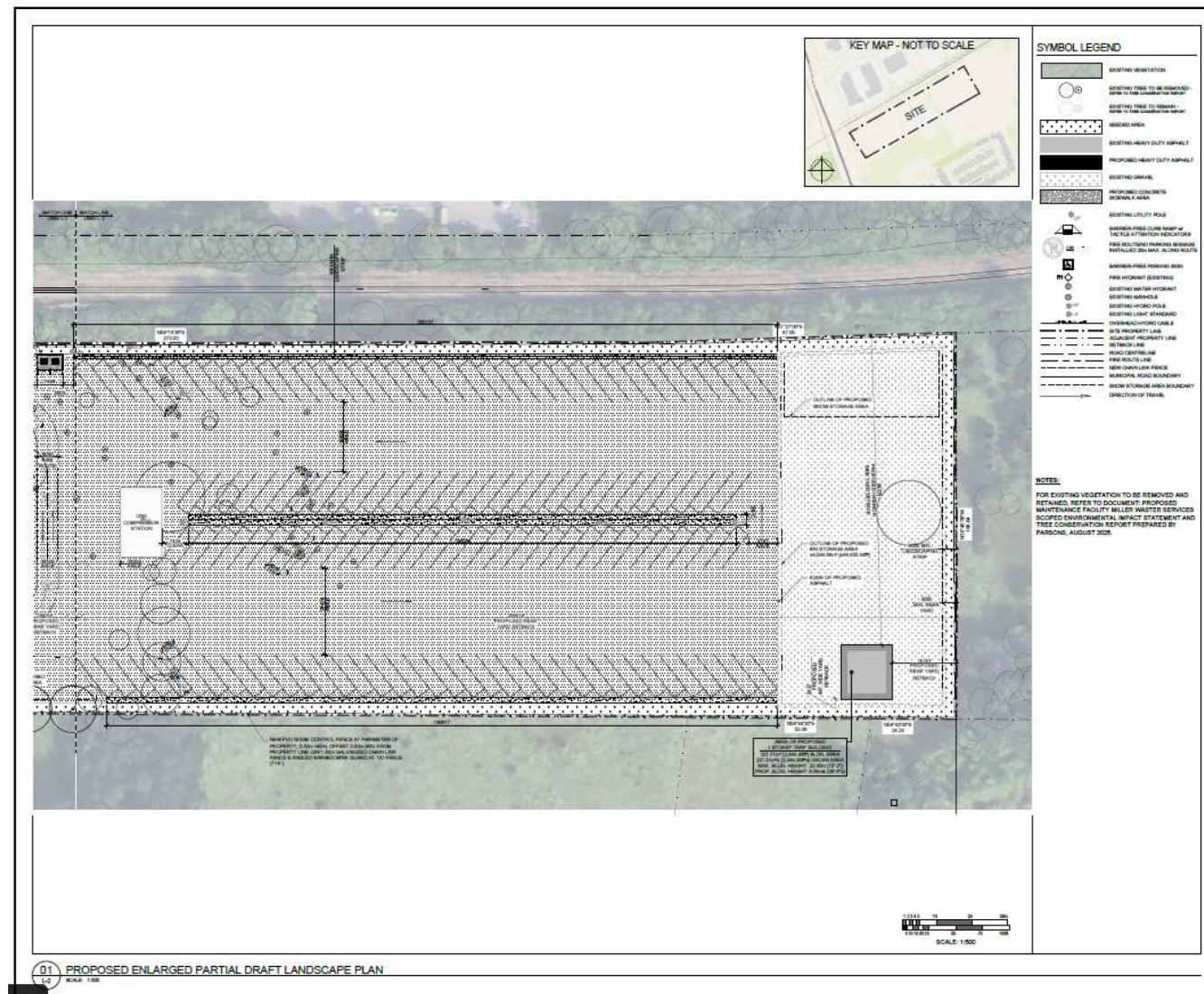


Figure 3-5. Proposed Landscape Plan Rear Half with Fleet Parking, CNG Vehicle Refueling, and Outdoor Storage (Excerpt)



4.0 PLANNING RATIONALE

This Planning Rationale has been prepared to review the provincial and municipal land use planning policies that guide development on the site. It provides our professional land use planning opinion on consistency and conformance with applicable policies and is intended to be of helpful assistance to the City in reviewing this application.

4.1 Provincial Planning Statement

The Provincial Planning Statement (PPS), issued under Section 3 of the Planning Act (revised October 2024), provides policy direction on matters of Provincial interests, and sets the rules for land use planning in Ontario. It includes policies on managing growth, use and management of natural resources, protecting the environment, and public health and safety. The Planning Act requires that decisions affecting planning matters “shall be consistent with policy statements.” The policies in the PPS relevant to the proposed development are as follows:

Section 2.8 – Employment: Section 2.8 of Chapter 2 of the PPS provides guidance for employment areas to have planning authorities promote economic development and competitiveness by providing an appropriate mix and range of employment and addressing land use compatibility to provide appropriate transition for sensitive lands. Planning authorities need to protect employment areas that are located to major goods movement facilities and corridors including facilities and corridors identified in provincial transportation plans.

Section 3.3 - Transportation and Infrastructure Corridors: Planning authorities shall plan for and protect corridors and right-of-way for infrastructure including transportation and shall be protected for the long term. New development proposed on adjacent lands to existing or planned corridors and transportation facilities should be compatible with, and supportive of, the long-term purposes of the corridor and should be designed to avoid or where avoidance is not possible, minimize and mitigate negative impacts.

Section 3.4 - Airport, Rail and Marine Facilities: Planning for land uses in the vicinity of airports, rail facilities and marine facilities shall be undertaken so that their long-term operation and economic role is protected.

Section 3.1 – General Policies for Infrastructure and Public Service Facilities: Before consideration is given to developing new infrastructure (that includes sewage and water systems) and public service facilities, the use of existing infrastructure and public service facilities should be optimized.

Section 4.1 – Natural Heritage: Natural features and areas shall be protected for the long term. Development and site alterations shall not be permitted on adjacent lands to the natural heritage features unless the ecological function of the adjacent lands has been evaluated and it has been demonstrated that there will be no negative impacts on the natural features or on their ecological functions.

Planning Response: The proposed development responds to the policies that direct development, such as the proposed Miller Waste Maintenance Facility to areas the municipalities have identified for light-industrial, logistics, and employment. The site is located within the Public Service Area of the City where municipal water and sewer systems can be connected. offers an efficient, cost-effective pattern of growth, capitalizing on the proximity to the area transportation network that is essential to its delivery.

The accompanying Rail Proximity Study demonstrates that the proposed development will not impact the current operations of the CN rail corridor or any future conversion to high-order-transit, further supporting objectives for land use compatibility.

The accompanying Environmental Impact Statement confirms that no sensitive natural features exist on or adjacent to the site and will not result in negative impacts on the natural features or on their ecological functions.

The accompanying Noise Study and D-6 Land Use Compatibility Study demonstrates that the proposed development is located beyond the recommended minimum separation distance of 70 metres for a Class 2 facility from sensitive land uses and is compatible with the surrounding developments within the industrial area. The Noise Study further recommends a small extent of noise wall to further mitigate possible noise impacts that has been incorporated into the proposal.

It is our opinion that the development proposal is consistent with the Provincial Planning Statement.

4.2 City of Ottawa Official Plan

The City of Ottawa Official Plan (OP) (2022, as amended) provides goals, objectives and policies and outlines a comprehensive land use policy framework that guides the growth and development within the City to the year 2046. The following OP Schedules include associated policies that apply to the site as reviewed below:

- Schedule A – Transect Policy Areas
- Schedule B3 – Outer Urban Transect
- Schedule C2 – Transit Network – Ultimate
- Schedule C4 – Urban Road Network
- Schedule C16 – Road Classifications and Right-of-Way Protection

Section 4 – City-Wide Policies: This section of the Official Plan includes directions for supporting efficiency in the city for topics such as sustainable modes of transportation, healthy growth, investment into right-of-way, and overall resiliency of the city. This section is broken up into eleven topics, the relevant sections as it relates to this minor rezoning application are as follows:

Subsection 4.1 – Mobility: This section also supports growth management and resiliency for the movement of goods and services, access to properties, and contribute to the overall quality of the urban environment. Located on a flow street, Conroy Road, “plays a structural role in the overall street grid by virtue of its length and its ability to link several areas of the City...” (4.1.1.3) One of the objectives of the City is to protect rights-of-way for the street and road network as shown on Schedule C4 – Urban Road Network (Figure 4) (4.1.7.2) and Schedule C2 – Transit Network, Ultimate (Figure 4-2) (4.1.7.3). The City has the ability to acquire lands through planning applications in order to realize the transportation objectives for the City.

Figure 4-4-1. City of Ottawa Official Plan, Schedule C4 - Urban Road Network

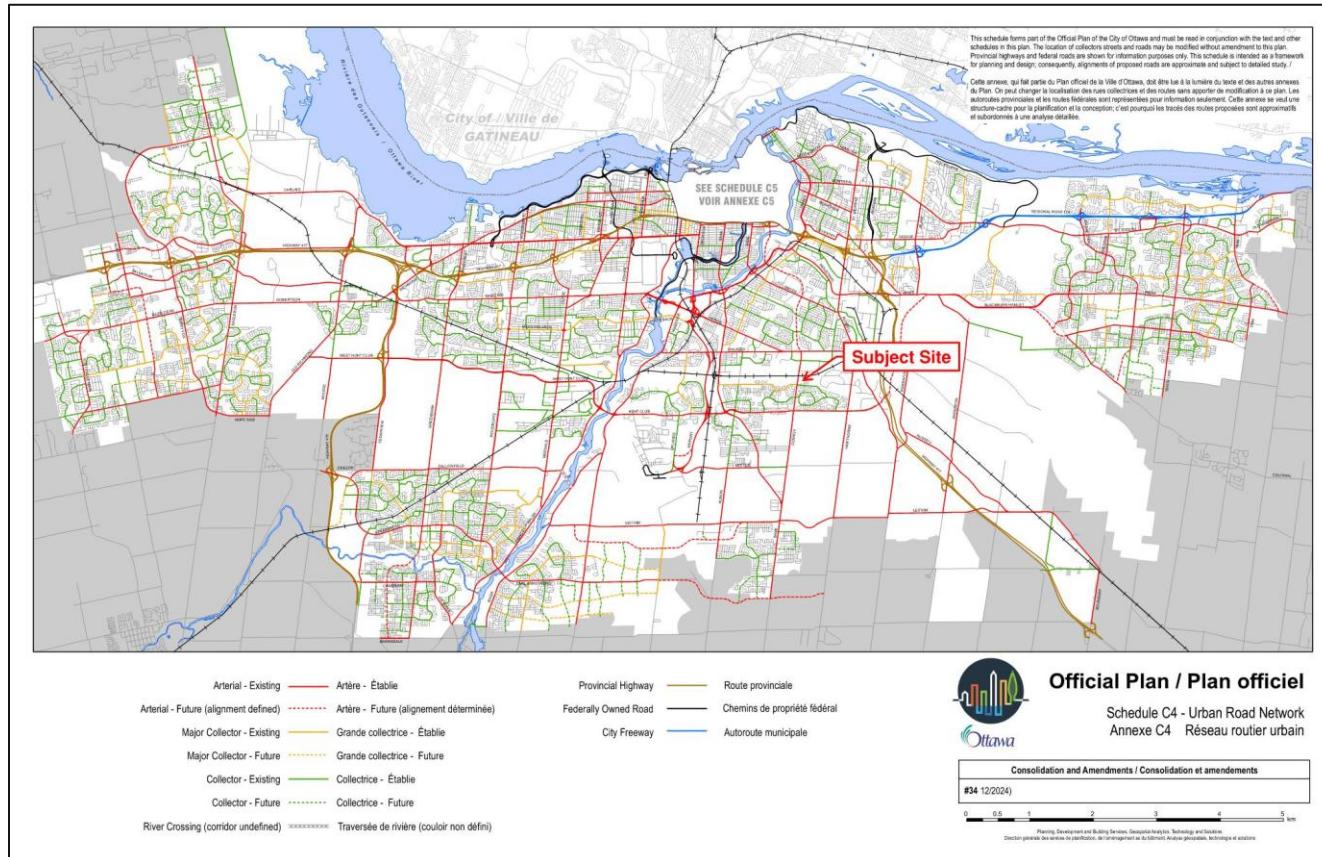
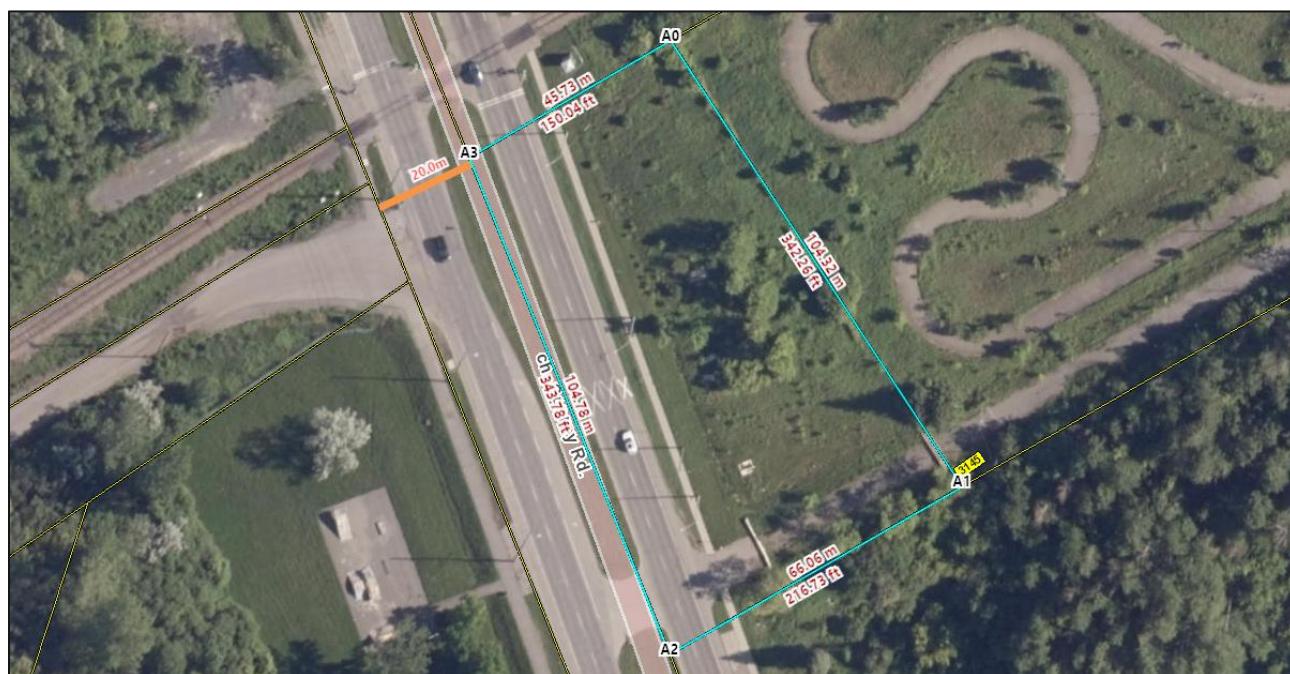


Figure 4-4-2: City of Ottawa Official Plan, Schedule C2 - Transit Network, Ultimate



Conroy Road has a right-of-way protection of 44.5 m (Schedule C16 – Roadway Classification and Right-of-Way Protection). As seen in Error! Reference source not found.-3 below, the current right-of-way in front of the site is approximately 20 m. From the property fabric indicated in GeoOttawa, it appears as though the municipally owned property that fronts Conroy Road abutting the site, should be included as part of the City's right-of-way, as, the north bound lanes are located within this same property. Further, an Environmental Assessment Study completed by the City identified the need for the municipally owned property to be protected to facilitate a future rail-grade separation of the roadway and rail corridor. Accordingly, the parcel should form part of the City's Right-of-Way and if this were the case, the site would have approximately 104 m of frontage on Conroy Road, an arterial road and public street.

Figure 4-3: Conroy Road Right-of-Way:



Planning Response: The proposed development is consistent with the Official Plan's direction for developing and protected the City's urban road network in that the proposed Miller Waste Maintenance Facility is located within the Conroy Road corridor, that is a designated Arterial Road and Transit Priority Corridor in which the transportation objective is to link several areas of the City as well as protect arterials to meet the transportation objectives of the City. The City further facilities multi-model access to the Site through the provision of a direct sidewalk connection from the municipal sidewalk to the main building and bicycle parking spaces at the main building.

The City's ROW protection policies identify a 44.5 metre ROW for Conroy Road. The north bound lanes of Conroy Road are currently contained with the municipally owned parcel that abuts the site. This municipally owned parcel, identified for a future transportation use, should be opened as a public right-of-way, and that would negate the requirement for the requested amended to the Zoning By-law requiring a lot to have frontage on a public street.

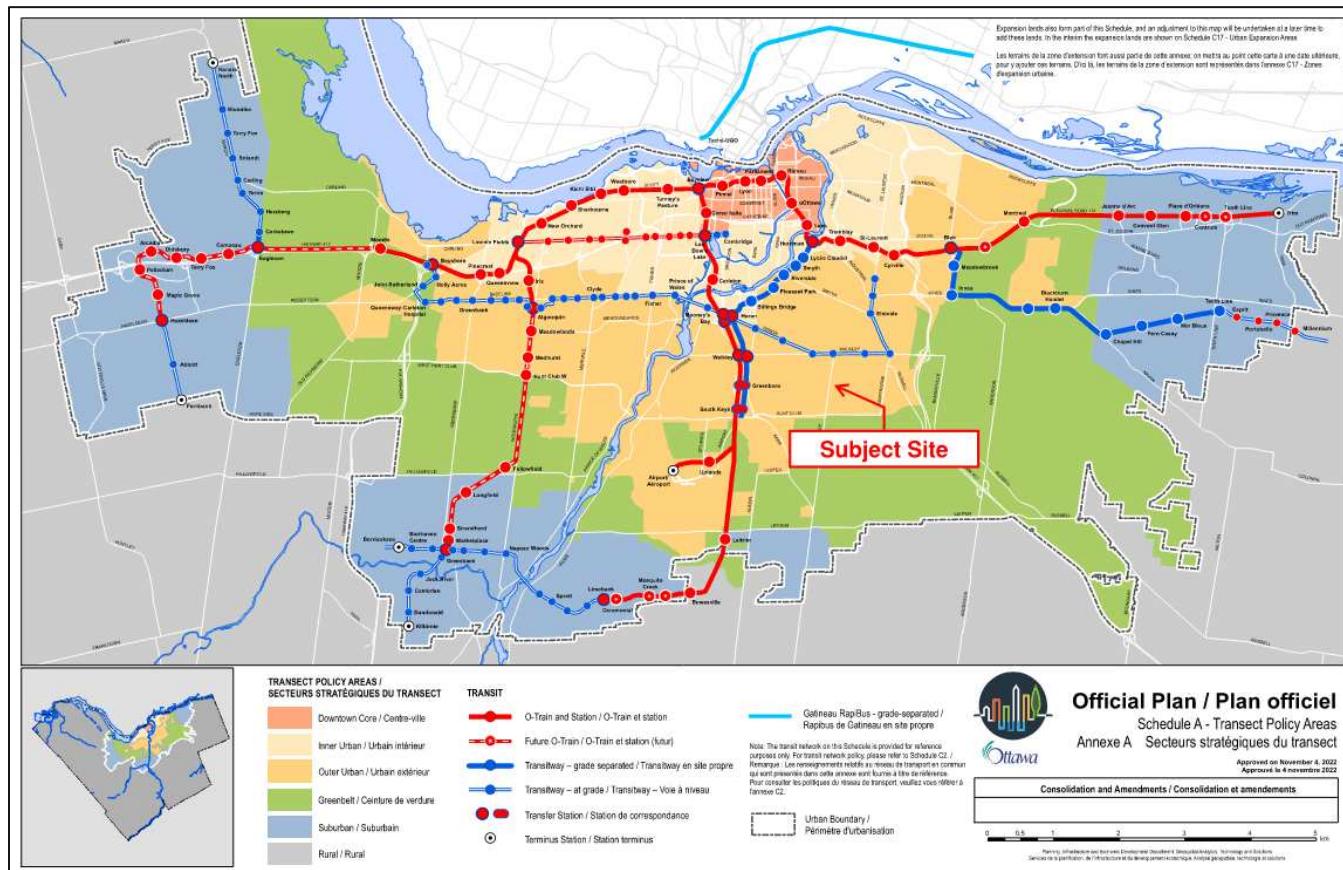
It is our opinion that the development proposal is consistent with these City-wide mobility (transportation) objectives.

Section 5 – Transects: Section 5 of the OP identifies the organization of the city into six concentric policy areas called transects, which represent different gradation in the type of evolution of the built environment and planned function of lands within the city. Referenced in Schedule A – Transect Policy Areas (Error! Reference source not found.-4), the site is located within the *Outer Urban Transect*. This designation comprises of neighbourhoods inside the Greenbelt and represents the classic suburban model, characterized by the separation of land uses, stand-alone buildings, generous setbacks, and low-rise building forms. The intention of the *Outer Urban Transect* include:

- Recognizing a suburban pattern of built form and site design.
- Enhancing mobility options and street connectivity in the Outer Urban Transect.
- Providing direction to the Hubs and Corridors located within the Outer Urban Transect.

Providing direction to Neighbourhoods located within the Outer Urban Transect.

Figure 4-4: City of Ottawa Official Plan, Schedule A - Transect Policy Areas



Section 6 – Urban Designations: Section 6 of the OP outlines policies for urban designations within the city. The site is designated *Industrial and Logistics* on Schedule B3 - of the Official Plan (Error! Reference source not found.-5).

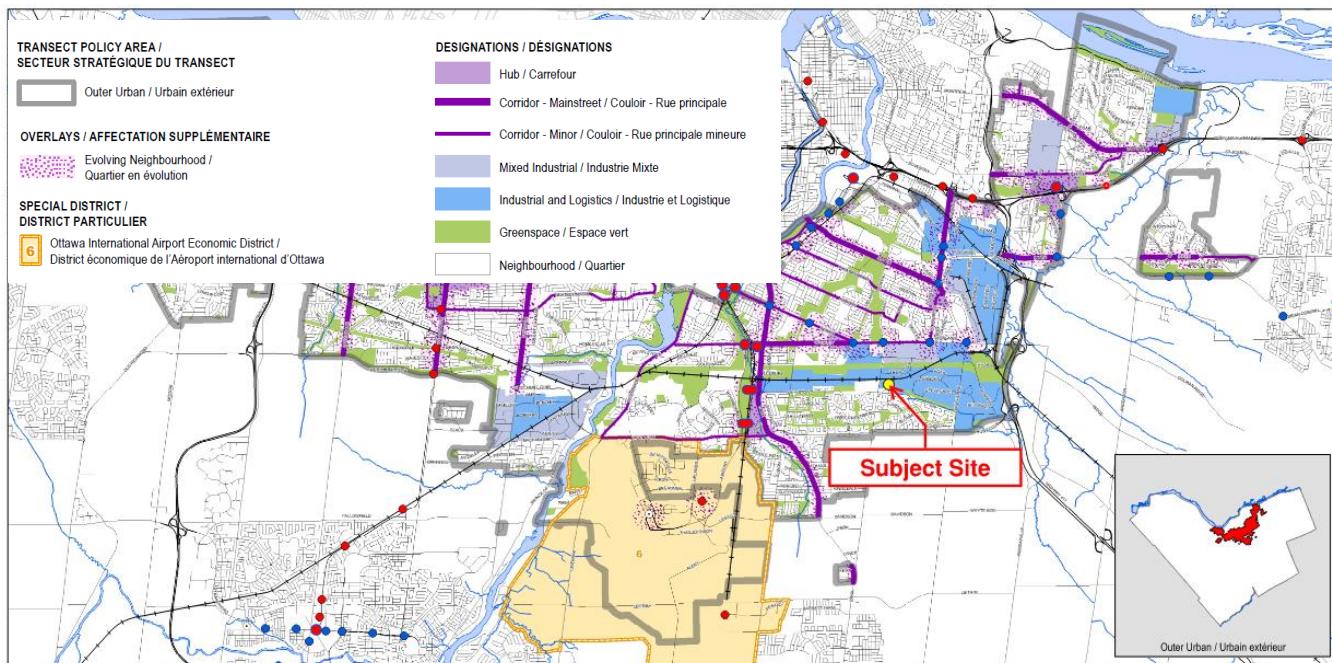
Industrial and Logistics are areas that correspond to the Provincial Planning Statement for manufacturing and warehousing activities within employment areas, to be preserved and to cluster economic activities relating to manufacturing, logistics, storage, and other related uses. These areas are characterized by traditional industrial land uses such as warehousing, distribution, construction, light and heavy industrial, trades, outdoor storage, and other uses. *Industrial and Logistics* policies that correspond to the proposed development are provided below (underlined italics added by Parsons):

6.4.1.2) *The following uses are permitted in the Industrial and Logistics designation as shown on Schedules B1 through to B8)*

- b) Uses that store most products outdoors and require large land areas devoted to external storage, sale, or service of goods*
- c) Auto service and body shops, heavy equipment and vehicle sales and service.*
- f) Offices that are accessory to a primary use.*

6.4.2.2) *Where permitted uses are in proximity to and potentially have adverse impacts on sensitive uses either within the same designation or an adjacent designation...., Site plan control shall consider the siting of structures and/or outdoor operations to minimize potential adverse impacts to sensitive use(s).*

Figure 4-5: City of Ottawa Official Plan, Schedule B3 – Outer Urban Transect (Excerpt)



Planning Response: The proposed development is consistent with the policies of the Outer Urban Transect and a permitted use in the *Industrial and Logistics* designation. The proposed development will support the existing employment area objectives of the designation and the site design in keeping with the outer urban transect built form.

Further, the accompanying Noise Study and Land Use Compatibility Study demonstrates there are no adverse impacts on adjacent sensitive uses and that the current distance from the nearby residences and a small extent of 3.5 m tall noise screen has been included in the proposed development, to ensure no adverse impacts on adjacent sensitive uses.

It is our opinion that the proposed development is in conformance with the land use objectives of the *Industrial and Logistics* designation of the Official Plan.

4.3 City of Ottawa Zoning By-law 2008-250

The City of Ottawa's Zoning By-law 2008-250 (as amended) implements the policies and direction of the Official Plan. The site is currently zoned *General Industrial Zone, Subzone 3 (IG3)* with the Urban Exception 1751 as illustrated in Figure 4-6.

Figure 4-4-6: City of Ottawa Comprehensive Zoning By-law (2008-250, as amended)



The purpose of the IG Zone (Part 11 Section 199-200) as it applies to this application is to:

- Permit a wide range of low to moderate impact, light-industrial uses in accordance with the Employment Area designation of the Official Plan; and
- Provide development standards that would ensure that the industrial uses would not impact on the adjacent nonindustrial areas.

The Urban Exception 1751 includes the following additional permissions. None of the provisions of the exception zones apply to the proposed development.

- a) A recreational and athletic facility is permitted.
- b) A sports arena is an additional permitted use.
- c) The maximum cumulative total gross floor area for the conditionally permitted uses in Section 199(2) is raised to 6,100 m².

Section 199 of the By-law lists the range of permitted land uses within the General Industrial Zone which are listed in Table 4-1 Land uses associated with the proposed development and indicated with **bold** text:

Table 4-1. Permitted Land Uses within the IG3 Zone

Section 199 (1)	
Animal care establishment	Office
Animal hospital	Park
Automobile body shop	Parking garage
Broadcasting studio	Parking lot
Cannabis Production Facility*	Personal brewing facility
Catering establishment	Place of assembly
Crematorium	Printing plant
Drive-through facility	Production studio
Emergency service	Research and development centre

Section 199 (1)

Garden nursery	Service and repair shop
Heavy equipment and vehicle sales, rental and servicing	Storage yard
Kennel	Technology industry
Leaf and yard waste composting facility	Training centre
Light-industrial uses	Truck transport terminal
Medical facility	Warehouse
	Waste processing and transfer facility (non-putrescible)

Conditional permitted uses:

- a) The provisions of subsection 199(3) to (5).
- b) The cumulative total gross floor area for these uses not exceeding 2,999 m², and;
- c) each use not exceeding 300 square metres of gross floor area;

Car wash	Convenience store
Automobile service station	Gas bar
Bank	Instructional facility
Restaurant	Personal service business
Animal care establishment	Automobile dealership
Bank	Automobile rental establishment
Bank Machine	Post Office
Bar	Recreational and athletic facility
Car Wash	

Section 54 of the Zoning By-law provides definitions for terms used in the by-law and some permitted land uses. The proposed development can best be identified as a combination of Office, Heavy Equipment and Vehicle Sales, Rental and Servicing and Storage Yard. The proposed development also includes refueling of the fleet that is an accessory use to the other noted main uses.

A Zoning Confirmation Report is included in the complete application package. **Table 4-2** summarizes the performance standards for the IG3 Zone compared to the proposed development. For the purposes of the zoning provision review, the western property boundary was considered the front lot line. The Site has been designed to meet all of the zone specific and also general performance standards that would apply including minimum parking standards as outlined in **Table 4-3**.

Table 4-2. Zoning Compliance Table

PROVISION	REQUIRED	PROPOSED	COMPLIANCE
Lot Area (minimum)	1,000 m ²	48,611.80 m ²	Y
Lot Width (minimum)	No minimum	N/A	Y
Maximum Lot Coverage	65%	6.6%	Y
Minimum Front Yard Main Building Accessory (Tarp) Building	3 m	Main Building: 108.21 m Tarp Building: N/A	Y
Minimum Interior Side Yard Accessory (Tarp) Building	3 m 0 m	Main Building: 34.2 m and 36.6 m Tarp Building: 5.4 m	Y
Minimum Rear Yard Accessory (Tarp) Building	3 m 0 m	Main Building: 264.01 m Tarp Building: 18.2 m	Y
Maximum Floor Space Index	2	0.086	
Maximum Permitted Size (Accessory Building)	No Restriction	N/A	Y
Maximum Building Height Main Building Accessory (Tarp) Building	22 m 6 m	9.64 m 8.08 m	Y N
Minimum Width of Landscaped Area	3 m	3 m	Y
Driveway Aisle Width Minimum (m)	6.7 m	7 m varies	Y
Minimum Parking Dimensions (m)	2.6 x 5.2 m minimum 3.1 m wide maximum	2.75 x 6 m	Y
Loading Space Dimensions	3.5 m	3.7 m	Y

Table 4-3. Vehicle and Bicycle Parking and Loading Spaces

		REQUIRED PARKING RATIO OF GFA SCHEDULE 1A – MINIMUM PARKING REQUIREMENT AREAS	NUMBER OF SPACES REQUIRED	PROVIDED
Standard Vehicle Parking		Heavy equipment and Vehicle Sales, Rental and Servicing – 2,230 m ² GFA	0.75 per 100 m ²	17
		Office Use – 1,732 m ² GFA	2.4 per 100 m ²	42
		Warehouse (storage) – 221.5 m ² GFA	0.80 per 100 m ²	2
			Total	61
Barrier Free Parking		251-300 Standard Spaces	8	8
Electric Vehicle Parking Spaces		No requirement	-	8
Bicycle Parking		Heavy equipment and Vehicle Sales, Rental and Servicing: 2,230 m ² GFA	1 per 1,500m ²	3
		Office Use: 1,732 m ² GFA	1 per 250 m ²	7
		Warehouse: 221.5 m ² GFA ²	1 per 2,000 m	0
			Total	10
Motorcycle Spaces	Maximum 5% of Parking Spaces	Not included in standard parking space count	-	12
Loading Spaces		1 Space: 2,000 m ² – 4,999m ² GFA	2	2

Section 59 – Frontage on a Public Street

Section 59 Zoning By-law requires all development to have frontage on a public street:

no person shall develop or otherwise use any lot unless that land abuts an improved public street for a distance of at least 3.0 metres.

The proposed minor rezoning seeks to accommodate access to the property through a city-owned parcel, which separates the site from a public street as it functions today. The City has indicated that the city-owned property abutting the Site is protected for a future grade-separation of the road and railway and reserved for transportation use.

The Site is designated and zoned to permit industrial land uses as part of an employment area. As a Maintenance Facility, the proposed use requires access to the arterial road and nearby highway network. Access to the Site through the city-owned property is required as the property is otherwise land-locked. Alternatively, access would need to be provided to the site by surrounding land uses which include a rail corridor to the north, developed industrial parcel to the west, or through city-owned lands to the south that would provide access adjacent to a residential community.

Access via Conroy Road is the most appropriate location based on the site location and surrounding land uses. Further, the access is located at the southern boundary of the Site to maintain the remainder of the city-owned lands for a future land use or to be assumed as part of the right-of-way.

Planning Response: The intent and purpose of the Zoning By-law is to function as an implementation tool to guide growth and development within the City of Ottawa in alignment with the Official Plan and provide a detailed guidance of appropriate land uses and land use compatibility in its general and site-specific provisions. The intent of the General Industrial Zone (IG3) is to promote light-industrial and employment growth. The proposed development includes a Miller Waste Maintenance Facility, a permitted land use in the Industrial and Logistics designation of the Official Plan and conforms to the site-specific and general site design provisions of the Zoning By-law. Accompanying studies, including a Land Use Compatibility Assessment demonstrate that the proposed development is appropriately located and will not result in negative impacts on sensitive land uses in the area.

The maximum permitted building height for an accessory building is 6.0 m, where the proposed tarp building is 8.08 m. The accessory building is located to the rear of the property that is located more than 400 metres from the west property line and more than 90 metres from the residential properties to the south. The scale of this building will be imperceptible

from the Conroy Road as well as the residential properties to the south. The location of the building exceeds the setback requirements from the rear and closest interior lot line.

The intent of the general provision for frontage on a public street is to ensure safe and convenient access for emergency services, residents or customers, and deliveries, while also managing traffic flow, promoting public safety, and preventing isolated land parcels that could be difficult to develop or access properly. The proposed development requires relief from provisions relating to frontage on a public street to reflect the historical access to the public street through the city-owned parcel that is reserved for transportation use in the future. Given this property geometry, it is also requested that the western property boundary be considered the front lot line as it is the closest to Conroy Road.

On this basis, it is our opinion that the requested minor rezoning is keeping with the general purpose and intent of the Zoning By-law.

5.0 CONCLUSION

This Planning Rationale has been prepared on behalf of WO MW Realty Limited (“White Owl”) in support of Minor Rezoning Application for the property at 3145 Conroy Road in the City of Ottawa. The proposed Minor Rezoning includes relief from the requirement that the lot have direct access to a public street. Approval of the requested minor rezoning is recommended on the following basis:

IT IS CONSISTENT WITH THE PROVINCIAL PLANNING STATEMENT

The proposed development is consistent with the broad goals and objectives of the PPS through promoting the efficient use of existing lands in an Industrial and Logistics area with access to full municipal services to provide economic opportunity. Supporting studies completed highlight measures taken by the proposed development to limit impact to the surrounding properties, land uses, and the natural environment.

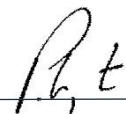
IS IN GENERAL CONFORMANCE WITH THE OFFICIAL PLAN AND ZONING BY-LAW

The proposed development demonstrates general conformance with the Official Plan and Zoning By-law as the development includes permitted uses in the Industrial and Logistics Designation and General Industrial Zone and complies with the general and site-specific provisions of the Zoning By-law save for the requirement to have direct access to a public street with its historical access being through a city-owned property reserved for future transportation-related uses and the height of the accessory building which is minimized by the location of the building to rear of the site and generous separation from the street and also to the closest residential land use to the south.

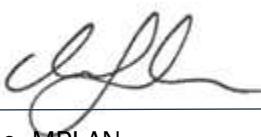
On this basis, it is our professional opinion that approval of the Minor Rezoning will result in good land use planning and is recommended for approval.

Respectfully Submitted,

Parsons Inc.



Pamela Whyte, MCIP, RPP
Manager of Planning – Parsons Ottawa



Ivan Ho, MPLAN
Planner – Parsons Ottawa



Appendix A - ROW/Easement agreement

NS132532

DATED: May 22, 1981.

PROPERTY OF THE
LAND REGISTRY OFFICE

BETWEEN:

PTNELAND AMUSEMENTS LTD.

AND:

NS132532

LAND REGISTRY OFFICE
OF OTTAWA, ONTARIO, CANADA
1 CENTURY LAND & S.N.C. LTD.
IS REGISTERED
IN THE LAND REGISTRY OFFICE
OF OTTAWA, ONTARIO
LAND REG.

'81 001-2 M1229

AGREEMENT

Re: East side of Conroy Road south
of the Canadian National Railway
tracks

LEGAL DEPARTMENT
City Hall, Ottawa.

BDS:dm
(SPA-729)

Box 215

009100 8500 1400 1267 1268

LAND REGISTRY OFFICE	1 CENTURY LAND & S.N.C. LTD.
1 CENTURY LAND & S.N.C. LTD.	IS REGISTERED
IN THE LAND REGISTRY OFFICE	OF OTTAWA, ONTARIO
LAND REG.	
81 001-2 M1229	
Bk. A.20	
pg. 293	

THIS AGREEMENT made in triplicate this 22nd day of May, 1981.

BETWEEN:

PINELAND AMUSEMENTS LTD.,

hereinafter called the "Developer/Operator",

OF THE FIRST PART,

AND:

THE CORPORATION OF THE CITY OF OTTAWA,

hereinafter called the "Corporation",

OF THE SECOND PART.

WHEREAS The Corporation of the City of Ottawa has enacted Site Plan Control Provisions pursuant to the provisions of Section 35a of The Planning Act, R.S.O. 1970, Chapter 349, as amended;

AND WHEREAS the Developer/Operator is the lessee and National Capital Commission is the owner of the lands, more particularly described in the Schedule hereto annexed and marked "A" and which are hereinafter referred to as the "Developer/Operator's lands";

AND WHEREAS the Developer/Operator has applied to the Corporation for approval of its "Site Development Plan", Drawing L-2, prepared by Gruenwoldt-Copeland Associates Ltd., dated February 9, 1981, dated as received by the Planning Branch, Department of Community Development on March 4, 1981, and the Corporation has approved of said Plan on April 28, 1981 and May 19, 1981, subject to the Developer/Operator entering into an Agreement with, the Corporation.

NOW THEREFORE THIS AGREEMENT WITNESSETH that in consideration of the approval of the Plan for the development on the subject parcel of land by the Corporation and any implementations of the conditions in the Site Plan Control by-law and the sum of One (\$1.00) Dollar of lawful money of Canada paid by the Corporation to the Developer/Operator (the receipt whereof is

hereby by the Developer/Operator acknowledged), the Developer/Operator and the Corporation agree as follows:

1. This Agreement shall apply to the Developer/Operator's lands, which are described in Schedule "A" and to the development or redevelopment of the land described in Schedule "A" to this Agreement.
2. The Developer/Operator covenants and agrees that no building permit will be issued until all plans and drawings have been approved by the Corporation and this Agreement has been signed and until this Agreement is registered on title.
3. The Developer/Operator covenants and agrees that each and every covenant herein contained shall be binding upon the lessors of the property and upon each and every successor.
4. The Developer/Operator covenants and agrees to provide the Corporation with a signed copy of its lease with the National Capital Commission, prior to the issuance of the building permit.
5. The Developer/Operator hereby grants to the Corporation, its servants, agents and contractors, the license to enter the land described in Schedule "A" for the purpose of inspection of the works and to perform such work as may be required as a result of a default.
6. The Developer/Operator covenants and agrees to supply the Building Inspector with a survey of the building, as sited up to the first floor, within thirty (30) days of the pouring of the foundations.
7. LANDSCAPING
 - (a) The Developer/Operator covenants and agrees that it will install and plant all landscaping, in accordance with the Plan approved by the Corporation to the satisfaction of the Commissioner of Community Development and maintain the said landscaping in the condition it was at

the time the Commissioner of Community Development gave written approval for the installation and planting. The landscaping shall include, but not be limited to all vegetation and topographic treatment, walls, fences, hard and soft surface materials, lighting, site furniture, free standing ground supported signs, steps, ramps, play equipment, information kiosks, bulletin boards and other ground cover.

(b) The Developer/Operator covenants and agrees to provide a detailed itemized estimate of the total value of on-site development and provide the Corporation with the detailed itemized estimate. The Developer/Operator agrees to post financial security in the amount of 100% of the value of said total on-site development, which shall be retained in the custody of the Commissioner of Finance, for the duration of the use of the Site as a Golf and Go-Kart Recreation Centre. For the purposes of this condition Financial Security means cash, certified cheque, or subject to the approval of the Commissioner of Finance, bearer bonds of the Dominion of Canada (except savings Bonds), Provincial bonds or provincial guaranteed bonds, or other municipal bonds, provided that the interest coupons are attached to all bonds, or letters of credit issued by a chartered bank.

(c) The parties covenant and agree that the site shall not be subject to further Site Plan Control Approval where additional plant materials have been provided by the Developer/Operator.

8. The Developer/Operator covenants and agrees that the grade of any driveway shall not exceed two (2) percent within 9.1 metres of the street line.

9. In addition to any of the requirements of this Agreement, the Developer/Operator will develop its land in accordance with the aforementioned Site Development Plan, Drawing

1-2, prepared by Gruenwoldt-Copeland Associates Ltd., dated February 9, 1981, and shall provide the services, works, facilities and matters referred to in the said plan, and this Agreement, within one (1) year of the date of occupancy of the building as indicated by the Buildings Branch issuance of the final occupancy Permit, and shall maintain same at the Developer/Operator's sole risk and expense to the satisfaction of the Corporation and in default thereof the Corporation will cash the financial security posted and carry out the necessary work.

10. In the event that the Developer/Operator fails to sign the required Agreement within six (6) months of the approval by the Corporation, or, where a Building Permit is not issued within two (2) years of the signing of this Agreement, or, should any issued Permit be terminated at any time this Agreement and the approval by the Corporation shall lapse.

11. COVENANTS OF THE DEVELOPER/OPERATOR

The Developer/Operator for itself, its successors and assigns, covenants and agrees with the Corporation, its successors and assigns, that:

- (a) The Developer/Operator will complete the installation of all services, works and facilities as shown on the said Plan, at its own expense, to the satisfaction of the Commissioner of Community Development and the Commissioner of Physical Environment of the Corporation.
- (b) The Developer/Operator will indemnify the Corporation and each of its officers, servants and agents from all loss, damage, damages, costs, expenses, claims, demands, actions, suits or other proceedings of every nature and kind, arising from or in consequence of the execution, non-execution or imperfect execution of any of the work hereinbefore mentioned or of the supply or non-supply of materials therefor, whether such loss, damage, damages, costs, expenses, claims, demands, actions, suits or

other proceedings arise by reason of negligence or without negligence on the part of the Developer/Operator or its contractors, officers, servants or agents, or whether such loss, damage, damages, costs, expenses, claims, demands, actions, suits or other proceedings are occasioned to or made or brought against the Developer/Operator or its contractors, officers, servants or agents or the Corporation, its officers, servants or agents.

- (c) In the event of the Commissioner of Community Development of the Corporation ascertaining that imperfections exist in the landscaping, or imperfections exist in the materials used in any of the said landscaping, the Developer/Operator shall reinstate any part of the said defective landscaping to the satisfaction of the Commissioner of Community Development of the Corporation within a reasonable time, in no case more than six (6) months after the receipt by the Developer/Operator of a notice in writing requiring it to make good such imperfections.
- (d) In the event of the Commissioner of Physical Environment ascertaining that imperfections exist in any of the works, services and facilities or imperfections exist in the materials used in any of the works hereinbefore mentioned, the Developer/Operator shall reinstate any part of the said defective works, services, facilities and materials to the satisfaction of the Commissioner of Physical Environment of the Corporation within two (2) weeks from the receipt by the Developer/Operator of a notice in writing requiring it to make good such imperfections.
- (e) In the event of the Developer/Operator failing to comply with the directions of the Commissioner of Physical Environment or the Commissioner of Community Development of the Corporation, as the case may be, the Commissioner

of Physical Environment or the Commissioner of Community Development shall have the said landscaping, works services or facilities reinstated to his satisfaction and the cost thereof shall be charged and collected in the same way as any other amounts incurred by the Developer/Operator under this Agreement.

(f) The Developer/Operator will pay the Corporation the cost of registration of this Agreement.

12. In this Agreement, where it states the Developer/Operator shall or the Developer/Operator will, it shall mean at the Developer/Operator's expense, unless otherwise stated.

13. This agreement shall enure to the benefit of and be binding upon the parties herein, their respective successors and assigns.

14. In every clause of this Agreement, unless the contrary intention appears, words importing the singular number or the masculine gender only include more persons, parties or things of the same kind than one, and females as well as males and the converse, and a word interpreted in the singular number has a corresponding meaning when used in the plural.

IN WITNESS WHEREOF the Developer/Operator has hereunto affixed its corporate seal under the hands of its proper signing officers authorized in that behalf and the Corporation has hereunto affixed its corporate seal under the hands of its Mayor and Clerk.

SIGNED, SEALED and DELIVERED)

PINELAND AMUSEMENTS LIMITED

T. J. Gandy, Cr.

) THE CORPORATION OF THE CITY OF OTTAWA

) Marion Davies
Mayor

) Edmund O'Leary
Clerk

SCHEDULE "A"

ALL AND SINGULAR that certain parcel or tract of land and premises situate, lying and being in the City of Ottawa, in the Regional Municipality of Ottawa-Carleton and BEING COMPOSED OF Part of Lot 2, Concession 5, Rideau Front, Gloucester Township, designated as Part 1 on a Plan of Survey received and deposited in the Land Registry Office for Ottawa-Carleton No. 5 as No. 5R-5712.

TOGETHER WITH A RIGHT-OF-WAY over that Part of said Lot 2, Concession 5, Rideau Front, Gloucester Township, designated as Part 3 on said Reference Plan 5R-5712.

