

**Report to/Rapport au Planning and Environment Committee
Comité de l'urbanisme et de l'environnement and Council / et au Conseil**

13 April 2004 / le 13 avril 2004

**Submitted by/Soumis par : Ned Lathrop, General Manager/Directeur général, Development
Services/Services d'aménagement**

*Contact Person/Personne ressource : Grant Lindsay, Manager / Gestionnaire Development Approvals
/Approbation des demandes d'aménagement (613) 580-2424 x13242, Grant.Lindsay@ottawa.ca*

Kanata (4)

Ref N°: ACS2004-DEV-APR-0054

**SUBJECT: OFFICIAL PLAN, ZONING AND DRAFT PLAN OF SUBDIVISION - 300 GOULBOURN
FORCED ROAD AND 535 GOULBOURN FORCED ROAD**

**OBJET : PLAN OFFICIEL, ZONAGE ET PLAN DE LOTISSEMENT PRÉLIMINAIRE - 300 ET 535,
CHEMIN GOULBOURN FORCED**

REPORT RECOMMENDATIONS

That the Planning and Environment Committee:

1. Recommend Council approve an amendment to the former City of Kanata Official Plan to shift boundaries of current land-use designations of 300 Goulbourn Forced Road and 535 Goulbourn Forced Road, as shown in Document 3.
2. Recommend Council approve an amendment to remove the land at 300 Goulbourn Forced Road and 535 Goulbourn Forced Road from the former March Township Zoning By-law No. 552 and amend former City of Kanata Zoning By-law 167-93 to zone the land "Residential Type 3A-7", "Residential Type 3A-8", "Residential Type 6A-1 ", "General Commercial-1 ", "Institutional-1" and Open Space-1" as detailed in Document 4.
3. Authorise the Director of Planning and Infrastructure Approvals to grant draft plan approval to the proposed Draft Plan of Subdivision shown in Document 5, and subject to the Draft Plan Conditions detailed in Document 7.

RECOMMANDATIONS DU RAPPORT

Que le Comité de l'urbanisme et de l'environnement

- 1. recommande au Conseil d'approuver une modification au Plan officiel de l'ancienne Ville de Kanata de manière à déplacer les limites des utilisations du sol actuelles au 300 et au 535, chemin Goulbourn Forced, comme l'illustre le document 3.**
- 2. recommande au Conseil d'approuver une modification qui soustrairait les terres situées au 300 et au 535, chemin Goulbourn Forced du Règlement de zonage 552 de l'ancien Canton de March, modifierait le Règlement de zonage 167_93 de l'ancienne Ville de Kanata et attribuerait aux terres visées les désignations zone résidentielle type 3A_7, zone résidentielle type 3A_8, zone résidentielle type 6A_1, zone commerciale générale_1, zone institutionnelle_1, zone d'espace libre_1, comme l'explique en détail le document 4.**
- 3. autorise le directeur, Approbation des demandes d'urbanisme et d'infrastructure, à approuver le projet de plan de lotissement préliminaire présenté au document 5, dont le détail est expliqué au document 7, sous réserve des conditions applicables audit plan préliminaire.**

EXECUTIVE SUMMARY

Assumptions and Analysis:

The applications propose the layout of the remaining undeveloped land within the Marchwood - Lakeside Community, covering an area of approximately 269 hectares. The lands were designated for urban development by order of the Ontario Municipal Board in January, 1983. The current proposal includes a wide range of land uses, including a mix of residential densities, institutional uses, open space, commercial uses and natural environment areas (referred to as "Environmental Protection Area" by the former Kanata Official Plan). This subdivision proposal is atypical of most such applications due to the legal requirement for 40% of the land area to be designated for "open space" purposes.

Existing residential development abuts the subject lands to the south, east and north. Residents of these communities and elsewhere have enjoyed use of the subject lands as a natural recreational area for more than twenty years. The lands form part of the Canadian Shield, are largely forested, and contain wetland pockets and rock outcrops. Well-used recreational trails cover most of the subject land.

The currently proposed subdivision would replace much of the forested area with residential development. Consequently, the community has expressed a great deal of opposition to the subdivision layout as it was submitted and proposed in June, 2003. The magnitude of community concern became evident at the Community Information Session, held in September 2003, at which approximately 600 people, expressed their wish to maintain the forests and pathways in their current state. Due to the magnitude of community concern, review of the proposal became a highly interactive process between staff, the applicant, community representatives and the Ward Councillor.

The primary matter of discussion has been the 40% agreement, and identification of the lands to be dedicated as "open space" under the definitions contained within the agreement. The plan has been modified from its original submission through Plans "A", "B", and "C". Version "D" was proposed by the community and finally, Plan "H", is supported by staff and contained in Document S (Plans A and B) as the final proposed Draft Plan of Subdivision. The proposed draft plan is of a size that necessitates two separate plans.

Public Consultation/Input:

Since its submission in June, 2003, the plans) has been presented and discussed with community associations and the public in numerous venues. Various forms of formal public meetings and focus group sessions were held in September and December 2003, as well as February and April, 2004.

Generally, the public view is to preserve as much of the land north of the Beaver Pond as possible. Community groups have put forth suggestions that much of these lands, which are currently designated for residential development by the former Kanata Official Plan, be traded for other lands which are either currently designated as "Open Space", or proposed to be designated as "Open Space" under Plan 'H'. The community suggests that locally significant wetlands, fish habitat, active recreational space (soccer pitches), the clear-cut lands for which compensation land has been offered, and other natural environment areas and buffers be developed as a trade-off for preserving more of the lands located north of the Beaver Pond. Planning staff has investigated the community's recommendations with a view to balancing the desire of the existing adjacent communities with the needs of the future community, and the acceptance of such changes to the landowner. The landowner currently enjoys the right to develop the land by virtue of its current Official Plan designation. To suggest alternatives that would significantly increase their cost of development may result in the owner appealing the

applications to the Ontario Municipal Board, where their current development rights would likely be maintained.

The matter of "Open Space" allocation is further complicated by a relative shortfall in the area that can be designated as open space. The boundaries of the "Environmental Protection Area" contained within the three Official Plans are now compromised and reduced in area as a result of the implementation of the 40% agreement. The shortfall is the result of an over-dedication of approximately 7.3 hectares of 40% open space through registration of earlier subdivisions. In addition, new environmental areas now qualify for allocation under the 40% agreement. For example, the requirement to protect fish habitat pre-dates the 40% agreement. However, as a natural feature, Shirley's Brook, which contains fish habitat, must now be protected and dedicated under the 40% agreement.

Staff are recommending approval of Plan 'H', which designates a larger area of open space north of the Beaver Pond than was proposed by the 1990 concept plan and is currently designated by the three applicable Official Plans. The area that is most compromised by Plan 'H' is a section of Kizell Pond, known as the "west block", consisting of a mature beech forest. Due to the net shortfall in 40% open space area, approximately two-thirds of this beech forest (west block) will be re-designated from "Environmental Protection Area" to "Low" and "Medium-Density Residential" land use designations.

RÉSUMÉ HYPOTHÈSES ET ANALYSE

Les demandes visent à fixer la disposition des terres non aménagées, d'une superficie d'environ 269 hectares, de la communauté de Marchwood-Lakeside. L'aménagement urbain des terres visées est prévu par une ordonnance rendue par la Commission des affaires municipales de l'Ontario en janvier 1983. La proposition actuelle prévoit un large éventail d'utilisations du sol, notamment un assortiment d'utilisations résidentielles de densités variées, des utilisations institutionnelles, des espaces libres, des utilisations commerciales et des aires environnementales naturelles (appelées « sires de protection environnementale » dans le Plan officiel de l'ancienne ville de Kanata). La présente demande de lotissement a ceci de particulier qu'elle est soumise à une exigence légale selon laquelle 40 % de la superficie des terres doit être désigné « espace libre ».

Des aménagements résidentiels sont contigus aux terres visées, au sud, à l'est et au nord. Les résidents de ces quartiers et d'ailleurs profitent des terres visées en tant qu'aires récréatives naturelles depuis plus de 20 ans. Les terres en question font partie du Bouclier canadien, sont en grande partie boisées et comportent des enclaves de terres humides et des affleurements rocheux. Des sentiers récréatifs achalandés fortement fréquentés les sillonnent.

La demande de lotissement aurait pour effet l'aménagement résidentiel d'une part importante des terres boisées. Par conséquent, la collectivité s'est opposée fortement au plan de lotissement présenté en juin 2003. L'ampleur des préoccupations de la population est devenue évidente à l'occasion de la séance d'information communautaire tenue en septembre 2003, auquel moment environ 600 personnes ont dit vouloir préserver les forêts et les sentiers. L'importance des préoccupations exprimées par la collectivité a fait du processus d'examen de la demande une démarche fortement interactive à laquelle ont participé le personnel, le requérant, des représentants de la collectivité et le conseiller du quartier.

Les discussions ont porté principalement sur l'accord éventuel prévoyant le maintien de 40 % d'espace libre et la détermination des terres à désigner ainsi aux termes des définitions contenues dans ledit accord. Le plan a été modifié plusieurs fois, et des versions A, B et C ont été présentées. La version D a été proposée à la collectivité, et, finalement, le personnel a accordé son appui à la version H, contenue dans le document 5 (plans A et B), qui représente le projet final de plan de lotissement préliminaire. Le projet de plan préliminaire est illustré par deux schémas distincts en raison de sa grande taille.

Consultation publique/commentaires

Depuis leur présentation en juin 2003, les plans ont été soumis à l'examen d'associations communautaires et du public et discutés avec eux à de nombreux endroits. Divers types de réunions publiques officielles et de séances de groupes de ciblage ont eu lieu en septembre et décembre 2003, aussi bien qu'en février et avril 2004.

Le public souhaite généralement préserver la plus grande superficie possible au nord de l'étang de castors. Des groupes communautaires ont proposé qu'une part importante des terres visées que le Plan officiel de l'ancienne Ville de Kanata destine à l'aménagement résidentiel soient échangées contre d'autres qui sont déjà désignées espace libre ou dont la désignation comme tel est proposée en vertu du plan H. La communauté a proposé que des terres humides d'importance locale, des habitats de poissons, des aires récréatives à usage actif (terrains de soccer), des terres coupées à blanc pour lesquelles des terres de substitution ont été offertes, d'autres aires environnementales naturelles et des zones tampons soient aménagés en échange de la préservation d'une superficie accrue des terres situées au nord de l'étang de castors.

Les urbanistes ont fait enquête sur les recommandations du public en vue de concilier les vœux des collectivités contiguës et les besoins de la future collectivité, aussi bien que de maximiser les chances que les changements proposés soient acceptés par le propriétaire. Ce dernier est actuellement autorisé à aménager les terres visées en vertu de leur désignation dans le Plan officiel. Si les solutions de recharge proposées devaient augmenter de manière appréciable le coût de l'aménagement, le propriétaire pourrait en appeler des décisions rendues en ce sens à la Commission des affaires municipales de l'Ontario, qui, vraisemblablement, reconnaîtrait les droits d'aménagement en vigueur.

La détermination de la part des terres à désigner espace libre est compliquée par l'insuffisance relative de la superficie susceptible d'être désignée comme tel. Les limites de faire de protection environnementale prévues dans les trois plans officiels sont désormais compromises, et la superficie de faire est réduite à cause du principe de l'attribution de la désignation espace libre à une part de 40 % des terres dont l'aménagement est proposé. En effet, l'insuffisance s'explique par la désignation excessive de 7,3 hectares à titre de part de 40 % d'espace libre par suite de l'enregistrement de plans de lotissement antérieurs. De plus, de nouvelles sires environnementales sont désormais susceptibles d'être désignées aux termes d'accords dits « de 40 % ». À titre d'exemple, l'obligation de protéger les habitats de poissons est antérieure aux accords de 40 %. Cependant, comme il s'agit d'une caractéristique naturelle, le ruisseau Shirley, qui renferme des habitats de poissons, doit désormais être protégé et désigné en vertu de l'accord de 40 %.

Le personnel recommande l'approbation du plan H, qui désigne une superficie d'espace libre au nord de l'étang de castors supérieure à ce qui avait été proposé dans le plan conceptuel de 1990, laquelle superficie est actuellement désignée comme tel par les trois plans officiels pertinents. Le secteur menacé le plus par le plan H est une partie du secteur de l'étang Kizell, appelée « bloc de l'ouest », qui consiste en une forêt de hêtres adultes. À cause de l'insuffisance nette de la superficie de 40% d'espace libre, la désignation sire de protection environnementale des deux tiers environ de la forêt de hêtres (bloc de l'ouest) sera remplacée par les désignations zone résidentielle de faible densité et zone résidentielle de densité moyenne.

BACKGROUND

The Applications:

The City has received three development applications relating to a 269-hectare parcel of land. The application to amend the former Kanata Official Plan proposes to modify the boundaries of specific land use designations that were adopted in 1990. The Zoning By-law Amendment will implement the proposed Official Plan designations, as the lands are currently not zoned for urban development. The City has also received an application for Draft Plan of Subdivision approval. The Ward Councillor has exercised the discretion to remove delegated authority from staff.

The lands subject to the applications are located to the north of existing development in the Marchwood-Lakeside Community (also known as Kanata Lakes). The subject land straddles the Kizell Pond and runs north of the Beaver Pond where it meets the Morgan's Grant Community and the future Terry Fox Drive extension. The western limit is the unopened First Line Road allowance and the eastern limit abuts the Kanata North Business Park. The lands are currently undeveloped and are covered by forest, Canadian Shield rock outcropping and locally significant wetlands. Goulbourn Forced Road, currently constructed to a rural standard, bisects the land. For planning purposes, the Marchwood-Lakeside Community is made up of Marchwood, which is planned to contain four neighbourhoods, and Lakeside, which is planned to contain three neighbourhoods. A Location Map is shown as Document 1.

In 1981, the City of Kanata entered into a legal agreement with the landowner of the time which required 40% of the total land area (566.5 hectares at that time) to be designated as "Open Space". In return, the City would support the landowner's application to designate the land for urban development. The decision to designate the land for urban development was rendered in 1983 by the Ontario Municipal Board, and the 40% Agreement continues to remain registered on title. Based on a total land area of 566.5 hectares, the 40% agreement requires that a total of 226.6 hectares be allocated as "Open Space".

The 1981 40% agreement, amended in 1988, defines the applicable 40% lands as including the 18-hole golf course, stormwater management areas, natural environment areas and land to be used for park purposes. To date, a Surveyor's Certificate certifies that 119.08 hectares of land have already been provided under the 40% agreement through registration of previous subdivisions, leaving 107.55 hectares to be dedicated and designated through the current applications.

As a condition of the development approvals granted in 1983, the landowner was required to submit a concept plan of the entire development. This concept plan formed the basis of the current Kanata Official Plan designations, which were adopted in 1990. The concept plan, shown at Document 2, reflects the form and

location of development that is presently permitted by the applicable Official Plans. The current proposal represents a relatively minor deviation from the 1988 concept plan.

DISCUSSION

Council Approved Official Plan

The Growth Management strategies of the new Official Plan provide that growth will occur by directing it to the urban area. Environmental integrity will be maintained by conserving provincially and locally significant wetlands, maintaining ecosystems functions and protecting greenspaces. The subject applications are consistent with this strategic direction.

Within the Plan, Section 3 -"Plan Designations and Land Use" contains policies pertaining to the natural environment and the "Urban Natural Features" designation that applies to Trillium Woods, Kizell Pond and Beaver Pond. The Official Plan policies apply this designation to woodlands, wetlands, watercourses, and ravines and describe the permitted uses as including open air recreation, scientific, educational or conservation uses.

The proposed Kanata Official Plan amendment and Zoning By-law amendment comply with the policies contained in Section 4.7 of the Plan, "Environmental Objectives". The objective to increase forest cover is met by maintaining as much of the most environmentally valuable land as possible. Also consistent with the objective of protecting and improving the habitat for fish and wildlife in stream corridors, Shirley's Brook and a 30 metre buffer will be protected by applying an "Open Space" designation under the Draft Kanata Official Plan amendment.

The Plan designates the land as "General Urban Area" and "Urban Natural Feature". The latter designation applies to Trillium Woods, Kizell Pond and Beaver Pond. The minor boundary change to the "Urban Natural Feature" area proposed does not necessitate an Official Plan Amendment to the City of Ottawa Official Plan. The applicable policy states "the boundaries of land designated Urban Natural Features are based on a variety of detailed mapping sources.....However, when more detailed environmental studies are completed, this additional information may require minor adjustments in the definition of features and functions and the interpretation of the boundary. It is not intended that these minor adjustments will require amendment to this Plan".

The City of Ottawa Official Plan is currently under appeal. Therefore, the applications are subject to the policies of the Regional Official Plan and Kanata Official Plan.

Former Regional Official Plan (ROP) Designation

The subject lands are designated "General Urban Area" and "Natural Environment Area-A" by the former Regional Official Plan. The "General Urban Area" designation permits residential uses, as well as community facilities, retail uses and service commercial uses.

The areas that form part of the Trillium Woods, as well as Kizell Pond and Beaver Pond are designated "Natural Environment Area-A". The "Natural Environment Area" designation is intended to protect significant natural areas. However, the Plan recognises that the boundaries of this designation may be interpreted differently without amending the plan, based on more detailed studies.

The proposed Draft Plan of Subdivision therefore conforms with both the "General Urban Area" and "Natural Environment Area-A" designations of the Regional Official Plan. An amendment to the Plan is not required.

Former Kanata Official Plan Amendment

The current Official Plan policies that apply to all of the Marchwood-Lakeside Community, including the subject lands, require that a total population of 23000 people be accommodated within the overall community at full build-out. The targets are set at achieving a population of 14000 in Marchwood and 9000 people in Lakeside. The current population is approximately 9700.

The subject proposal provides for 3248 dwelling units, with 332 of these completing the Marchwood Community and 2916 units to be developed within the three planned neighbourhoods of the Lakeside Community. It is therefore anticipated that population targets will come close to those set within the existing Kanata Official Plan policies, providing for approximately 13000 people in Marchwood and 8000 in Lakeside.

In order to implement the proposed plan of subdivision, changes to the Kanata Official Plan are proposed which affect the policies, as well as the land use designations shown on Schedule 'B' "Urban Land Use Designations". The Draft Official Plan amendment is contained in Document 3.

Schedule changes will adjust the boundaries of residential designations, move school, park and commercial sites and re-align certain collector streets. Policy amendments are also proposed, reducing the minimum lot size for the commercial use and de-centralising the location of schools and parks. The proposed Draft Plan of Subdivision would result in a slightly lower housing yield and population than what is currently targeted within

the Kanata Official Plan for the Marchwood and Lakeside Communities. The OPA will therefore encourage densities to be increased wherever possible by assigning a dual "Low Density/Medium Density" designation where lotting for singles is proposed by the Draft Plan, and will increase the maximum permitted density within the "Residential High Density" designation.

The amendment will provide for the deletion the Walden Drive connection to Terry Fox Drive, through the Special Study Area lands. It will also provide for the potential deletion of the connection of Solandt Road between the lands north of the Beaver Pond and the Kanata North Business Park, subject to approval of an acceptable Transportation Impact Study and provision of alternate access to development lands in the Kanata North Business Park. This requirement will also be included as a condition of Draft Plan of Subdivision approval. Similarly, Official Plan policies regarding the phasing of road construction are deleted. Such requirements are more appropriately implemented through conditions of draft plan approval, and are listed in the conditions provided in Document 7.

The amendment to Schedule 'B' - "Urban Land Use Designations" will alter the boundary of the current "EPA" lands. The boundary of the "Environmental Protection Area" (EPA) north of the Beaver Pond remains relatively unchanged, with the exception of the loss of a small amount of open space west of Kimmins Court and the addition of a 40 metre wide corridor connecting the Beaver Pond forested area to Trillium Woods to the north. Also, Shirley's Brook, along with its required 30 metre buffer and a small active park providing a mini soccer pitch and tot lot are added at the southeast intersection of Goulbourn Forced road and the rail right-of way. The "EPA" lands on the west side of Goulbourn Forced Road at Kizell Pond/west block are decreased along the northern edge where this boundary has been shifted to the south. This is the area of greatest change between the current "EPA" boundary and the proposed new boundary, compromising some of the west block/beechn forest. The designation of Trillium Woods as "EPA" remains unchanged.

Zoning By-law Amendment

The land has been designated for urban development since 1983. However, an implementing zoning by-law amendment has not yet been passed. The subject lands are currently not zoned for urban development and are zoned "Rural" by an old March Township Zoning By-Law No. 552. The proposed zone provisions prescribe development standards for single-detached, semidetached, townhouse and apartment development. These are similar in nature to the most current forms of residential development, using reduced, less land-consumptive standards. The typical front and exterior side yard setbacks for Marchwood Development have been 4.5 metres, with a 7.5 metre rear yards. The proposed Zoning By-law employs 4.5 metres setbacks for garages, reduced to 3.0 metres for the dwelling. This can provide for a more pleasing streetscape of recessed garages. Rear yards will be reduced to 6.0 metres for one-storey dwellings, but increased to 1 S metres where a yard abuts the rail right-of way. Overall building coverage is increased from 40% to 55% for single-storey and 50% for two-storey units. This is consistent with Zoning By-laws in various growth areas of the city. Zone provisions for commercial and institutional uses have also been adjusted to be consistent with those standards currently used throughout the City. Despite the draft plan showing single-lots, the applicable zoning will also permit semi-detached and townhouse dwellings. This will allow the development densities to be increased more easily and facilitate meeting population targets for the Marchwood-Lakeside Community. Document 4 contains a table outlining the proposed zone provisions, as well as a Zoning By-law Schedule.

Rationale: Planning Policy Context and Conformity

Currently, the three relevant Official Plans, being Kanata, the Region and the new City of Ottawa Plan, designate Trillium Woods, Beaver Pond and Kizell Pond, as well as forested area north of Kizell Pond (west block) as "Environmental Protection Area" (EPA), "Natural Environment Area - A" (NEA-A) and "Urban Natural Feature" (UNF), respectively. All designations generally have the intention of protecting the environmental value and integrity of the natural area. The three Official Plans also acknowledge that the boundary of the natural area may be further defined through the plan of subdivision process, field studies or other further study. The current applications and Draft Kanata OPA define the final natural area boundary. It is important to note that the three natural features within the subject lands (Trillium Woods, Beaver Pond and Kizell Pond/west block) constitute all of the "Urban Natural Features" designation within the former City of Kanata. This natural environment area is therefore intended to serve the whole Kanata community, and not just the immediate and adjacent neighbourhoods.

The proposed Draft Plan, attached as Document 5 (A and B) has been modified numerous times since its submission as an application in June, 2003. Staff is recommending approval of this plan (called plan/Alternative 'H') and its associated Draft Official Plan amendment and Zoning Bylaw amendment.

Ratio of low, medium, high residential

The subdivision plan proposes the development of over 3200 dwellings. Of these, nearly 54% represent medium density townhouse development. High density residential development represents 11 % of the dwellings proposes, while low-density single-detached development makes up the remaining 35%. The new Official Plan encourages higher density development such as this, as well as the use of alternative development standards to assist in providing more affordable housing. The proposed Zoning By-law amendment implements reduced setbacks and the use of some alternative development standards.

School Blocks

The proposed draft plan of subdivision contains one separate elementary school site within the final (4th) Marchwood neighbourhood. Within the three Lakeside neighbourhoods, two elementary schools and one high school site are proposed to be grouped together north of Kizell Pond, along the west side of Goulbourn Forced Road, opposite Trillium Park. The schools are also in proximity to the 5.4-hectare active City park, planned to provide four full size soccer pitches. The school boards have provided their concurrence on the proposed sites. These sites are designated and zoned "Institutional" in the draft OPA and Zoning By-law Amendment.

City Parks

The Planning Act permits the municipality to take up to 5% of the total land area as parkland dedication. With a total land area of 269 hectares, 13.45 hectares could be dedicated for parkland purposes through a typical subdivision approval process. However, based on the provisions of the 40% Agreement, more than 107 hectares will be dedicated as open space through the subdivision development. The areas of active parkland will be designated as "Open Space" and Zoned "Open Space-1", while the natural environment areas are designated "Environmental Protection Area" (EPA) by the Kanata Official Plan and also zoned "OS-1".

The proposed draft plan provides approximately 8.5 hectares of active parkland, including a 5.4 hectare community park, providing four playing fields. A Park Facilities Program Update: Kanata Lakes North Neighbourhood (November, 2002) indicates a need for soccer fields due to the growth in popularity of the sport, and a lack of playing fields in the vicinity. Additionally, each of the three Lakeside neighbourhoods are provided with a neighbourhood park, each having an area ranging from 0.48 hectares to 1.2 hectares. The remaining 5 hectares of parkland that would normally be dedicated under the Planning Act are essentially transferred to the "EPA" designation.

Servicing

Servicing of the proposed subdivision will be developed in four phases, the first phase being immediately north of Kanata Avenue, and west of Goulbourn Forced Road. Development of this neighbourhood will complete development within the Marchwood Community. The second phase of development will extend the sanitary sewer from the hydro corridor at the north end of Kimmins Court, and trunk watermain from the northeast end of the Beaver Pond. Generally, stormwater is channelled to Beaver Pond for development on the east side of Goulbourn Forced Road, and to Kizell Pond for development on the west side of Goulbourn Forced Road. The realigned Shirley's Brook will also receive stormwater runoff. The third phase of development consists of the neighbourhood located between Kizell Pond and the Rail line. The last phase is located north of the rail line, west of Goulbourn Forced Road and south of Terry Fox Drive. Capacity is not a concern as the proposed draft plan of subdivision contains densities and land uses similar to those proposed in the original concept plan. When the existing trunk sewers and watermains that will service this development were designed through previous subdivision development, capacity was provided for the subject lands.

Transportation

In 1985, the landowner of the time completed a Transportation Study for the Marchwood - Lakeside Community which was based on the concept plan shown as Document 2. The 1985 study was based on a unit count of more than 3700 dwellings and was approved by Kanata City Council. As part of the current planning submissions, the applicant has provided a revised Transportation Impact Study to update the earlier study and to address the minor changes between the transportation network of the original concept plan and the currently proposed Draft Plan of Subdivision, containing approximately 3200 dwellings.

Two of the more considerable changes proposed to the transportation network since 1985 are the deletion of the Walden Drive connection to future Terry Fox Drive to the west, and the deletion of the Solandt Road connection between the Beaver Pond north neighbourhood and the Kanata North Business Park.

The proposed amendment to the Kanata Official Plan will allow for the possible deletion of the Solandt Road connection from Walden Drive north of Beaver Pond to the Kanata North Business Park. Deletion of this connection will be conditional upon the City's acceptance and approval of a further Transportation Impact Study. The City will also need to consider the provision of an alternate means of access to development lands

that would have been served by the Solandt Road extension. These requirements are contained within the subdivision conditions of Draft Plan Approval.

In addition, the Kanata Official Plan and the new Official Plan show the Walden Drive collector as extending westerly, through the Special Study Area (lands between the future Terry Fox Drive and the unopened First Line Road allowance) and connecting to future Terry Fox Drive. The Draft Official Plan Amendment deletes this connection in order to maintain the environmental integrity of the Special Study/Natural Environment Area lands.

Rail Right-of Way

The former CN Railway line runs diagonally through the proposed subdivision. The right-of way is owned by the City, and was originally purchased by the former Region of Ottawa – Carleton as part of its initiative to protect abandoned rail rights-of way for future commuter rail service. The City currently leases use of the right-of way to a manufacturer in Arnprior who makes one or more round trips per week on the line, employing trains operated by Ottawa Central Railway (OCR).

Consistent with policies of the new City of Ottawa Official Plan, the rail line will remain protected for use as a future transportation corridor. Section 2 - Strategic Directions, states that the City will purchase surplus railway rights-of way corridors for use as future transportation and utility corridors. When such rights-of way are acquired, recreational and agricultural uses may be permitted as interim uses. The Plan further states that future use as a transportation or utility corridor will have priority over any interim use.

In this case, the line remains active; therefore the right-of way is not proposed to be used for recreational purposes through the subdivision approval process. Because it is not proposed to be used as a recreational corridor, it will not be designated as Open Space. The zoning by-law will require deeper 15 metre setbacks for yards where residential lots abut the rail right-of way. The developer is required to install 1.2 metre high black vinyl-coated chain link fence along the rail right-of way for safety purposes. Noise abatement will be implemented when necessary through the construction of noise walls. At the current usage of one train per week, noise walls are not necessary. Under a light-rail scenario, they would likely be required. The draft plan conditions include a notice on title to all purchasers of the potential for light rail along this corridor, in addition to the standard noise warning clauses.

Shirley's Brook

An emerging environmental issue that was not addressed in the 1990 Kanata Official Plan is the presence of Shirley's Brook west of Goulbourn Forced Road. The Council approved Shirley's Brook, Watt's Creek Subwatershed Study (September, 1999) requires the protection of Shirley's Brook, using a 30 metre wide buffer. The brook is situated within the development area north of the Kizell Pond EPA. Shirley's Brook has been identified as fish habitat along its entire length within the subdivision area. Under the Federal Fisheries Act, Shirley's Brook must be protected. Since Shirley's Brook is an environmental feature, the area required to protect this natural resource is included within the "open space" definition of the 40% agreement and is designated as "Open Space" by the draft OPA.

Pedestrian pathway linkages have been added along the length of Shirley's Brook inside the buffer area to create continuous connections between the larger EPA areas of Trillium Woods, Beaver Pond and Kizell Pond and the extension of the South March Highlands in the Special Study Area, west of First Line Road.

Environmental Protection Area, Green Linkages and the 40% Agreement

Earlier subdivision approvals and excess 40% land dedication from the original land holding has left the balance of 40% lands somewhat short in comparison with what is currently designated by the existing Official Plans. That is, the lands shown as "EPA", "NEA-A" and "UNF" will be reduced in scale through the final subdivision approval because the remaining 107.25 hectares of open space must be divided among stormwater management, active parks, stream protection and buffers, wetlands, woodlands, greenspace linkages and pathways, and Trillium Woods. Some of these areas were not included in the existing "EPA" designations of the current Official Plans. In addition, approximately 7 hectares of excess Open Space (40% land) has been dedicated through the registration of previous subdivisions. The proposed plan of subdivision results in a net shortfall of open space mainly in the Kizell Pond/West Block area of approximately 7.29 hectares compared to what is currently designated by the three Official Plans.

The boundaries of the natural environment area (EPA) have been defined through the subdivision approval process. Green linkages have also been added as "EPA" to create a pedestrian-oriented recreational pathway system that links the various natural areas (Beaver Pond, Kizell Pond, Trillium Woods, South March Highlands). This exercise, and approval of the draft plan of subdivision complete the allocation of the remaining 107.25 hectares of open space lands required under the 40% agreement.

Document 8 is a comparative table that provides a break down of land areas designated as "open space". The comparison shows the land area based on the 1990 concept plan, which was the basis for the current Official Plan designation, versus the proposed Draft Plan shown in Document 5. The table indicates that the "Open Space" lands north of the Beaver Pond will increase in size, while the Kizell Pond and west block area will be decreased from what is currently designated for protection. The Environmental Implications section of this report describes the methodology and consultation process whereby the fulfilment of the open space agreement as shown on the draft plan was determined.

Conclusions

In conclusion, staff support the approval of the Draft Plan of Subdivision and implementing Zoning and Official Plan designations as detailed in this report. The proposed draft plan balances existing and future community needs and respects the principles of the original open space agreement and existing land use designations.

ENVIRONMENTAL IMPLICATIONS

The "NEA" and "EPA" designations conceptually defined on Schedule B of the former Regional and Kanata Official Plans was the starting point for the definition of the natural area boundaries. In 2002, the City and landowner jointly commissioned ESG International Consulting Services to determine the boundaries of the conceptually defined Natural Environment Areas (NEA's) and the Shirley's Brook watercourse within the Kanata Lakes development. Trillium Woods was excluded from this exercise as the boundaries are defined by development to the east, Terry Fox Drive to the north, the railway corridor to the south and the future alignment of Goulbourn Forced Road to the west. The exact northern boundary will be determined through the detailed design of Terry Fox Drive.

- The boundary delineation of the Kizell Pond and Beaver Pond natural areas needed to consider:
- Environmental criteria;
 - Stormwater Management requirements; • Recreational Requirements; and,
 - The 40% Open Space Agreement.

Policy 5.3.5.1 of the former Kanata Official Plan states, "The Natural Environment Area includes sites where landforms, vegetation or topography poses a high environmental value, are ecologically sensitive or have some other special characteristics that require protection from urban development." This policy helped to derive the following environmental criteria used to initially define the "EPA" boundaries:

Representation of diverse natural features

- Marsh and swamp wetlands
- Coniferous, mixed and deciduous forests • Bedrock knolls
- Protection of the sensitive natural features
- Suitable development setback from the wetland habitat and edges of the forests • Topography
- Locate boundaries beyond greater slopes

ESG International conducted field investigations in the summer of 2002 in order to accurately apply the boundary criteria. In November 2002, a report was prepared by ESG proposing boundary lines for the "EPA's" and supporting environmental rationale. The proposed "EPA's" included the wetlands and open water associated with Kizell Pond and the Beaver Pond, and suitable adjacent lands to protect the wetland. Large tracts of deciduous and mixed forest were incorporated within the "EPA" boundaries north of Kizell Pond, and smaller cedar and deciduous forests were included on the south side of Kizell Pond. The "EPA" boundary on the north side of Kizell Pond was designed to be large enough to include a core protected forest area of a minimum of 10 hectares for area sensitive breeding birds. A buffer of 10 to 15 metres was included around the perimeter of Kizell Pond to protect the wetland from the impact of adjacent development. Some of this buffer, particularly along the south side of Kizell Pond, has been compromised in an effort to accommodate the community's desire to preserve more of the lands north of the Beaver Pond.

The "EPA" boundaries include provision for stormwater management, some existing trails and the space required for new trail alignments on both sides of Kizell Pond and on the north side of Beaver Pond. The south side of Beaver Pond is already developed and contains a pedestrian pathway. The new recreational trail alignment was designed to protect the more sensitive environmental features while providing the desired social experiences that could be achieved within the "EPA".

A primary consideration for the allocation of 40% land is the environmental value of the land. Consequently, throughout the review process, staff have been recommending that as much of the "upland habitat forest"

known as the "west block" be maintained as possible as it is considered to have the highest environmental value, second to Trillium Woods, of all lands currently designated for environmental protection. This "west block", or "Beech forest" area represents a mature sugar maple forest with good representation of American beech and yellow birch forests. It is quite pristine and forms contiguous habitat with the South March Highlands area to the west. A 1992 study commissioned by the City of Kanata, identified and prioritized areas for preservation within the Marchwood-Lakeside Community. In order of priority, these were, Trillium Woods, north of Kizell Pond and thirdly, north of Beaver Pond. Despite the environmental significance of the west block at Kizell Pond, the community desire to preserve Beaver Pond lands has resulted in a final draft plan of subdivision wherein the majority of the 7 + hectares of previously over-dedicated open space throughout Marchwood has ultimately come out of the west block "EPA" lands.

The current Kanata Official Plan designation shows a green linkage designated as "EPA" between Beaver Pond and Trillium Woods situated at the east end of Beaver Pond, north of Kimmins Court. The study undertaken by ESG examined this area and found it to have a high level of disturbance due to the presence of the hydro line corridor and formal and informal trails. The forested portion of this area is immature and very fragmented with extensive areas without a closed canopy of woody vegetation. The most significant feature is Kizell Drain situated within the existing open space lands adjacent to Kimmins Court. Kizell Drain and its associated buffer immediately west of Kimmins Court has already been dedicated to the City under the 40% agreement and will remain protected as "EPA". The adjacent hydro corridor will be taken under the 40% agreement as "open space" as it will be developed with a pedestrian pathway that will link to the only existing pedestrian crossing over the rail line, connecting to pathways in Trillium Woods. A portion of the rock knoll, located immediately west of the Kizell Drain open space buffer will remain undeveloped and continue to be designated as "EPA", while part of it will be developed in order to connect to the existing sanitary sewer at the north end of Kimmins Court. The creation of a recreational linkage to Trillium Woods from Beaver Pond is considered to be an important component of the open space system that does not exist under the 1990 Kanata Official Plan. A 40-metre wide corridor is now proposed and is shown on the proposed subdivision plan. The community has requested a wider linkage. However, such an "ecological" corridor between the two "EPA's" is discouraged given the extent of existing and proposed development. A natural ecological corridor between Beaver Pond and Trillium Woods would serve as a trap for wildlife within the residential development. This would have a negative impact on the wildlife as well as the homeowner.

The treed buffer to be preserved along the northern perimeter of the Beaver Pond has been widened and increased in size with respect to its current boundary under the Kanata OP. This has been done primarily at the request of the community. The existing community has expressed significant interest and desire to preserve as much of this area as possible from development. Currently, wetland habitat, especially open water marshes, are under-represented in the Ottawa urban landscape based on the initial findings of the City's Urban Natural Features Study. Maintenance of the Beaver Pond and particularly Kizell Pond as "Environmental Protection Areas" is consistent with the direction of the new Official Plan. The forested area associated with the "EPA's" will help to achieve the City's forest cover target. These urban natural features are ecologically connected to the South March Highlands area to the north and west of the subject land. The connection with this significant environmental area improves the environmental values of the urban features.

The preservation and protection of the "Environmental Protection Areas" assists in achieving the new Official Plan goal for a green and environmentally sensitive City. Urban natural features provide a number of ecological and social benefits. Wetlands and woodlands provide a valuable contribution to biodiversity and wildlife habitat. The preservation and integration of the natural features within the community provides both an ecological and social richness. The natural features will serve as a focal point for the immediate and broader community. It will provide a sense of nature within an urban area allowing for educational and passive recreational benefits by all users.

The proposed plan is an attempt to achieve the best balance possible between the community's wishes, the landowner's existing right to develop the land, and the desire to preserve the more environmentally valuable area in the west block.

CONSULTATION

Notice of the applications was carried out in accordance with the City's Public Notification and Consultation Policy. Information signs were posted on-site indicating the nature of the applications. The Ward Councillor is aware of the applications and the staff recommendation, and has been actively involved in City-initiated focus group meetings and in trying to achieve a consensus among community groups.

A Community Information Session was held in the community on September 18, 2003. Signatures of those in attendance numbered approximately 400, and the local newspaper estimated attendance at approximately 600

people. The primary matter of concern to the community was the desire to prohibit development on the forested land north of the Beaver Pond, south of the rail line and Trillium Woods.

In an effort to obtain community input in an effective and efficient manner, Staff coordinated a facilitated focus group. Invitees included representatives from the three most affected Community Associations (KLCA, Beaverbrook Community Association, and Morgan's Grant/Briarbrook Community Association) as well as organized groups that had previously provided input and written comments about the applications. These groups included the Kanata Survey Group, the Trails Advisory Committee, The Ottawa Forest and Greenspace Advisory Committee and the Environmental Advisory Committee.

Several formal meetings have been held between focus group members, staff and the Ward Councillor. Meetings were held on December 17, 2003, February 3, 2004 and April 1, 2004. The subdivision public meeting required by the Planning Act was held on February 16, 2004 and drew approximately 150 attendees.

The basis of the discussions has focused on the question of which lands should be taken as protected as "Environmental Protection Area" under the 40% agreement. Details of the discussions and a list of questions raised by residents and focus group members, with staff responses is provided within Document 6 – "Consultation Details".

APPLICATION PROCESS TIMELINE STATUS

This application was not processed within the timeframe established for the processing of Official Plan Amendments due to the complexity of the issue, the level and type of public consultation undertaken, and the interconnection of the OPA and Zoning-By-law Amendment applications with the Draft Plan of Subdivision approval process.

FINANCIAL IMPLICATIONS

N/A

SUPPORTING DOCUMENTATION

Document 1 - Location Map

Document 2 - Concept Plan (1988)

Document 3 - Draft Official Plan Amendment

Document 4 - Details of Proposed Zoning By-law Amendment

Document 5 - Proposed Draft Plan of Subdivision A and B (2004) (Plan 'H')

Document 6 - Consultation Details; Questions and Answers

Document 7 - Conditions of Draft Plan of Subdivision Approval

Document 8 - Table of 40% Land Area Calculations - 1990 OP Designation vs. Current Proposal

DISPOSITION

Department of Corporate Services, Secretariat Services to notify the owner (KNL Development Corporation, 2193 Arch Street, Ottawa, ON K1G 2H5), applicant (D.W. Kennedy Consulting Ltd., 604 Courtenay Avenue, Ottawa, ON K2A 3B5), All Signs, 8692 Russell Road, Navan, ON K4B 1J1, and the Program Manager, Assessment, Department of Corporate Services of City Council's decision.

Planning and Development Department to prepare the implementing by-laws and forward to Legal Services Branch, and undertake the statutory notification amendment to the Zoning by-law (167-93) of the former City of Kanata.

Department of Corporate Services, Legal Services Branch to forward the implementing by-law to City Council.