

To: Planning and Growth Management Department, City of Ottawa
Re: KNL Developments Ltd., Draft Plan of Subdivision (File Nol D07-16-03-0025)
300 Goulbourn Forced Road and 535 Goulbourn Forced Road
From: Kanata Beaverbrook Community Association
Date: March 21, 2005

The Kanata Beaverbrook Community Association (KBCA) hereby gives notice of an appeal of the Draft Plan of Subdivision from KNL Development Ltd. for lands described as 300 Goulbourn Forced Road and 535 Goulbourn Forced Road.

This appeal is lodged with respect to the following areas:

1) Traffic, Roads and Transit:

The KBCA's primary concern is focused on the continuing lack of a traffic study and transport plan for the 3400 units projected for this subdivision.

Specifically, although the KBCA has received written assurance from City of Ottawa staff that Beaverbrook Road will not be used as a construction route during the development phase there is no mention of this assurance in the draft conditions. Hence the KBCA requires that an additional condition be added to specify that Beaverbrook Road will not be used by any construction traffic for this plan of subdivision. The following wording is suggested as a modification to a portion of Condition 19:

"Development shall proceed relative to alternate construction route accesses which shall be either roads that are to be developed as part of new construction or temporary roads laid down only for construction access purposes. Existing Beaverbrook Road shall not be used as a construction access route. Where existing roads are used as construction access routes, the developer shall be responsible for upgrading and maintaining the road as specified in the City's subdivision agreement."

The scale of the subdivision as well as other sizeable developments in Morgan's Grant to the north of this subdivision will have a significant but unknown traffic impact on existing communities such as Beaverbrook and will negatively impact on the quality of life in our communities.

Condition # 19 with respect to a traffic study is insufficient and does not provide for any public input or review. Concern with respect to this inadequacy is shared by the Federation of Community Associations and well as the KBCA.

The KBCA is of the firm opinion that Solandt Road is required to ensure that additional cut-through traffic does not impact on our community, yet we are being denied any opportunity to even comment on a study done by the developer under his terms of reference. The subdivision plan shows a potential connection which does not even seem to line up with Solandt Road north of the railway track and which has a narrower right of way and shows development inconsistent with this type of road. We are appealing this condition on the basis that approving such a large subdivision area prior to having the traffic study completed and discussed with the community is wrong; failing to ensure that Solandt Drive is included is detrimental to the community and is not in conformity with the Official Plan of the former City of Kanata nor the new City of Ottawa Official Plan.

Condition 19 also stipulates that "the Owner shall, at its cost, be responsible *for* the construction of Solandt Road within the Draft Plan of Subdivision, subject to any applicable development charge contributions, unless the updated Traffic Study demonstrates that the connection of Solandt Road from March Road to Walden Drive is not required and the City does not require the road to provide access to Block 12, plan 4M-I075"; The conditions should indicate that the Owner shall be responsible *for* obtaining, *from* the owner of Block 12, Plan 4M-I075, written agreement that Solandt Road is not required.

Condition # 17 reads: "Where deemed applicable, the Owner shall convey to the City, at no cost, the land required to construct grade-separated crossings at Goulbourn Forced Road and Terry Fox Drive where they cross the right of way," and makes no reference to Solandt Road. We are appealing this section on the basis that the clause should also refer to Solandt Drive, which we contend is an essential road connection.

Condition 24 states that "the Owner shall dedicate all proposed streets on Plan 1 and Plan 2, in addition to any road widening blocks necessary *for* the construction of Goulbourn Forced Road, as shown on the plans as Public Highways to the City". The owner should also be required to dedicate any lands for any road modifications and/or widenings as determined by the "updated traffic study" in Condition 19.

Condition 25 states that "the Owner shall at its sole cost prepare and register any reference plans for the establishment of municipal rights of way crossings of the Arnprior Nepean Railway corridor as required by the City. Further, if required the Owner shall construct Walden Drive through the Arnprior Nepean Railway corridor and all ancillary railway-crossing requirements as established by and to the satisfaction of the City and Transport Canada". This condition is appealed as it should also apply to Solandt Road when it is extended to connect to existing Solandt

Road north of the railway line.

Condition 30 is appealed since Solandt Road has been omitted and is a Collector Road.

Conditions 26 to 29 inclusive refer to public transit. No public transit plan has been prepared *for* this development. The Transport guidelines of 1995 state that anything within one kilometer of a development must be taken into consideration when planning transit routes. Such a plan needs to be done in consultation with local adjacent communities. The KBCA considers the conditions relating to transit completely insufficient, particularly with reference to future uses of light rail.

2) Failure to Follow a Council Directive:

At the City Council meeting on June 9, 2004 Council passed the following motion (motion 14/10):

“That the Conditions of Draft Plan of Subdivision Approval be amended to add an Annex to reflect the agreed and legal land allocation by Blocks and acreage catalogue to the specific lands dedicated under the 40% agreement for all of Marchwood Lakeside. And that the following Draft Plan Condition be added: ‘That any differences between the 40% Open Space Calculations - Annex, attached hereto, and the actual parcels registered will be adjusted in the final phase of registration to the approval of the Director of Planning and Infrastructure Approvals in conjunction with the Ward Councillor.’”

The second part of this motion has been included in Condition 51 but the Annex has not been added to the Draft Conditions. Without this information it has not been possible to determine if the 40% open space agreement has been met in all aspects, something that the KBCA has been seeking for nearly two years. Condition 51 now just requests this prior to registration, which is too late since any error would result in changes to the plan of subdivision which could be significant. Hence we appeal the omission of this Annex.

3) Status at the OMB Hearing

The KBCA wishes to be given party status at OMB hearings related to the KNL development.

Steve Reynolds

President, Kanata Beaverbrook Community Association