

Summary of Written and Oral Submissions

Plan of Subdivision and Zoning By-law Amendment – 7000 Campeau Drive (ACS2020-PIE-PS-0109)

Note: This is a draft Summary of the Written and Oral Submissions received in respect of Plan of Subdivision and Zoning By-law Amendment – 7000 Campeau Drive (ACS2020-PIE-PS-0109), prior to City Council's consideration of the matter on December 9, 2020. The final Summary will be presented to Council for approval at its meeting of January 27, 2021, in the report titled 'Summary of Oral and Written Public Submissions for Items Subject to the *Planning Act* 'Explanation Requirements' at the City Council Meeting of December 9, 2020'. Please refer to the 'Bulk Consent' section of the Council Agenda of January 27, 2021 to access this item.

In addition to those outlined in the Consultation Details section of the report, the following outlines the written and oral submissions received between the publication of the report and prior to City Council's consideration:

Number of delegations/submissions

Number of delegations at Committee: 16

Number of written submissions received by Planning Committee between November 16 (the date the report was published to the City's website with the agenda for this meeting) and November 26, 2020 (committee meeting date): 13

Primary concerns (concerns about the application / i.e. in support of the staff recommendations), by individual

The following 10 persons spoke as individuals and as representatives of the **Kanata Greenspace Protection Coalition (KGPC)**: **Des Adam; Chris Teron; James Brockbank; Cyril Leeder; Terry Matthews; Denis A. Bourque; Dr. Heather McNairn; Dr. Meg Sears; Neil Thomson; Barbara Ramsay, Chair, KGPC** (oral and written submissions). The main points of their oral and written submissions were:

Des Adams (oral submission)

- greenspace was very important to the development of Kanata to create a community where people could live, work and play and to attract people who work in the high-tech sector
- the 40 Percent Agreement, offered by Campeau to the city of Kanata, which requires that 40% of the subject site lands remain green, was registered on Title to these

lands and has been acknowledged and upheld by the successive landowners until now

- Richcraft, who originally charged purchasers of their homes backing onto the golf course a premium, is partnering with ClubLink in this venture, believes the Agreement applies only north of Beaver Pond and not south side of the pond where the golf course is located
- ClubLink has requested to develop the lands in Kanata Lakes that comprise the Kanata Golf Club because they can make more money if the lands were developed into residential housing but developing these lands would rip the heart out of this community, make a mockery of any future long-term municipal planning, render useless all of the years and the countless hours of good municipal planning that went into the building of this community and it would make residents cynical that any future planning could or would be enforced

Chris Teron (oral submission)

- spoke to his father, Bill Teron's vision and principles in building this part of Kanata
 - ❖ he set out to plan Kanata as a garden city complete with employment centers, residential neighbourhoods, shopping regions, schools, cultural recreational facilities and open space; he called it 'a city in the country for people wishing to live closer to nature'
 - ❖ within the residential areas and all his planning he made sure there was a wide variety of housing types; he did plan for the quiet, family-oriented neighbourhood but he also planned for vibrant, high density high-rise communities; this mix of housing types and its increased density within many of the residential zones was counter balanced by having parks and open spaces between each cluster of houses
 - ❖ he planned the forty percent open space model, which others later documented and implemented in the 40% Agreement; his prime objective for the golf course lands was the natural environment and the open space, for the benefit of the community and to attract and serve the plans he had for Kanata's high-tech sector and its knowledge-based community; he would have been horrified by the current proposal to fill in the open space with more housing as it defies all his good planning principles and the reason people choose to live there
- suggested that even were the proponents willing and able to revise their plan and fix the many technical issues identified by staff and the Kanata Greenspace Protection Coalition (by fixing the grading, solving the stormwater, improving the street layouts

and etcetera), it would still violate all of the planning principles of Kanata and destroy the essential features of the community that the residents cherish and rely on

James Brockbank (oral submission)

- impact on residents who live in that community
 - ❖ residents here make extensive year-round use of the greenspace it will be even more appreciated this winter with current Covid19 restrictions; it is the heart of the community
 - ❖ concerns by residents about the proposed build of 1500+ new properties are not surprising and include concern about compatibility with the existing neighbourhood; impact on property values; traffic congestion; demand on local schools and other infrastructure; noise; drainage and stormwater management; terracing and landscaping; risk to existing homes and foundations due to extensive blasting of the bedrock; and, most importantly, the loss of essential greenspace
 - ❖ for decades, property owners there have relied on the validity and perpetual viability of the 40% agreement and ClubLink's attempt to unilaterally terminate it is an outright repudiation of their commitment to the Kanata Lakes community
- impact on future economic and social wellbeing
 - ❖ Kanata's future prosperity, wealth and wellbeing will be driven by, among others, its global competitiveness and success in climbing the economy, a key driver which is its ability to innovate in the digital space, create new intellectual property and support creation of new global champions
 - ❖ Kanata is home to the technology park and this idea goes back many years and has been a driving force in the economic and social development of our community; this sector has relied on attracting talent from all over Canada and the world, who come here to work and live, enjoying life in Kanata and specifically the lifestyle it offers; competition for talent is fierce and talent is the most coveted element in this highly competitive and critical industry, so lifestyle, including healthcare, post-secondary education and greenspace are key elements in attraction and retention of talent

Cyril Leeder (oral and written submission)

- the paths, open spaces and golf course are integral parts of the community that make it what it is and have attracted thousands of residents to the area, many of whom have made important life decisions and investments based on the 40% Agreement and the previously made commitment to public access to the greenspace in

perpetuity

- if the golf course is developed, it will materially alter and impair the community of Kanata Lakes (and Beaverbrook); open space and green spaces were central to Bill Teron's original vision for Kanata and specifically the Beaverbrook Community; the Kanata Lakes community was approved as an adjacent community to Beaverbrook on the basis that it would maintain, or even enhance, Mr. Teron's vision for Kanata and Beaverbrook and the commitment from the Kanata Lakes developers was to develop the new community while maintaining 40% greenspace; ClubLink purchased the land, knowing about and accepting the Agreement, which specifies residents can use the space as a park in the winter time; it has no legal, planning or moral basis to renege on it and the only reason for this application is greed in its purest form without any regard for consequence and they have been doing this throughout the country

Terry Matthews, Kanata Greenspace Protection Coalition (oral submission)

- annoyed and bothered by the lack of integrity shown by the applicant in making this proposal
- this area is unique, having several leading high-tech companies located in the same community area, all of whom have a global mandate for greenspace protection
- the 40% Agreement and the assurance of protecting this existing greenspace is vital to the economic upside of the city and to attraction and retention of global tech leaders, which, in turn, gives Kanata to the potential to become the leader in the 5G global area of new technology

Denis A. Bourque, Kanata Greenspace Protection Coalition (oral submission)

- several areas of the recent Provincial Policy Statement (PPS) mandated that decisions affecting planning must address our changing climate; in particular, the plans must reduce the risks to public health and safety and also ensure that infrastructure is viable over the long term; ClubLink has deliberately ignored climate change requirements by undertaking a surgically selective interpretation of the PPS; development of the golf course property will negatively affect both public health and infrastructure in the city
- a report commissioned by the City in partnership with the National Capital Commission, titled Climate Projections for the National Capital Region, projected there will be more heat waves in Ottawa in the future, as the number of hot days could rise from 11 per summer to more than 70 by the 2080s, which means more heat emergencies - public health hazards; science has shown that urban green spaces reduce urban heat, which is known as the urban green space cooling effect; paving the golf course will destroy this cooling effect forever

- the Climate Projections report points out that the 1/100-yr daily precipitation amounts could nearly double by the 2080s, meaning our future climate will therefore include increased risks of flooding and sewer overflows, including in current built neighbourhoods such as Kanata Lakes and Beaverbrook; ClubLink's development will overtax the existing infrastructure, making matters worse
- the City has a mandate under section 3 of the *Planning Act* to prepare for the impacts of a changing climate; the City should consider ClubLink's application with the same commitment it showed for the future health and safety of Ottawa when it declared a climate emergency, adopted its Climate Change Master Plan, and endorsed the Energy Evolution Strategy

Dr. Heather McNairn, Kanata Greenspace Protection Coalition (oral submission)

- a critical part of a design process is proper sampling because it ensures accurate completeness and integrity of the data that's collected and without that integrity, the results that fall from those studies can be biased, misleading, incomplete or simply wrong and as such reliance on flawed research leads to bad decisions
- there are inconsistencies and missing information in the transportation, geotechnical, environmental and servicing studies provided by ClubLink, specifically concerning the examination for contaminants such as mercury
- the conclusion of the ClubLink studies, that mercury contamination on the golf course is present in pockets and is not an obstacle to development, is flawed for numerous reasons and cannot be relied on for good decision-making
 - ❖ the studies did not carry out an adequate review of the historical use of the golf course site and in particular the historical use of pesticides
 - ❖ the studies did not consider or apply readily discoverable and highly relevant scientific studies, some of which were conducted by Canadian scientists on Canadian golf courses, which found that the highest concentrations of mercury contamination on golf courses are found on the greens and tee-off points in the top few centimeters of the soil; in addition these studies have proven that heavy metals such as mercury can migrate into ground and surface water if the soil is disturbed
 - ❖ the ClubLink's studies were fatally flawed because the vast majority of greens and tees were not sampled for mercury or other heavy metal contamination, and on the contrary, most samples were taken away from greens and tees at the direction of ClubLink; furthermore, the depth at which the soil samples were taken tended to dilute the concentrations of heavy metal contamination assessed during lab analysis

- ❖ the studies were also highly flawed because they failed to sample water bodies on and near the golf course site, and we know from the scientific literature that that's where contaminants accumulate
- ❖ the studies glossed over the high risk of contaminating the ground water by disturbing mercury and other heavy metals present on the golf course where the depth of ground water is highly variable, and in some cases on the golf course lands the sampling has found that ground water is only a few centimeters from the surface of the soil
- ❖ mercury and heavy metal contamination is a risk to environmental and human health if it is disturbed; given the presence of mercury, the safe and acceptable uses of the golf course lands are those that do not disturb the soil, and that would include operating as a golf course or as open green space; consequently the golf course property is not suitable for residential development, in particular because the site is integrated into a fully developed community

Dr. Meg Sears, Kanata Greenspace Protection Coalition (oral submission)

- mercury has been found on the golf course site in significantly high levels, and it should not be there naturally in this area
- historically, arsenic, mercury, cadmium and lead were used in high quantities as fungicides on golf courses, so the fact that mercury is present there and that the concentration was higher closer to a green than further away means that there's mercury associated with the green there, and if there's mercury, there's also cadmium, arsenic and lead; these are among the most toxic high volume chemicals on the planet; while they are no longer used in fungicides, they are elements and they don't degrade and go away unless they go downstream or are blown away in dust
- the presence of these toxic heavy metals must be added to the environmental concerns associated with the application; while they tend to be stable and not particularly mobile if not inundated with water all the time or dug up, in other areas in Ottawa there have been huge problems with contamination of neighbouring lands from dust during construction when toxic sites were dug up
- this area of Kanata is well known for having idiosyncratic Radon, meaning one house may have high levels of it and the next may not, but since it comes from bedrock and that will be disturbed with blasting, it may change where the Radon is going, meaning homes that were tested for radon and were fine may no longer be so
- the golf course would be best left as is because the toxic metals there are best left undisturbed

Neil Thomson, Kanata Beaverbrook Community Association / Kanata Greenspace Protection Coalition (oral submission)

- ClubLink claims that the existing density of Kanata Lakes and Beaverbrook is comparable so the application should go ahead, but the reality is that their application is 2.5 times the density of Beaverbrook; the lot area for single detached homes in the proposal for ClubLink is 40% less than existing, frontage is half, green area and rear yard space is a quarter
- in terms of scale, their typical unit is in the range of 3000 to 4300 square feet, which is comparable, but setbacks are dramatically less on all sides than for existing homes; staff noted that the proposed level of miss-match on property widths and rear setbacks is incompatible with existing
- in terms of impact of inadequate setback on trees and tree canopy, staff have noted that it is not permitted to plant any substantial bush, hedge or tree within 1.5m of a utility trench and that trees need to be planted at least 7m from the home, so it would not be possible to plant them in the front or rear yards with the setbacks as proposed in this application; further, a lot of these communities with very short back yards don't plant trees
- there is an impact on parking because the front setbacks are so short that an SUV or pickup truck would overhang the sidewalk, and there's insufficient space even a small car to legally park on the street in many of these areas because of the narrow lot sizes and driveway space
- the proposed development is not a 15-minute walking neighbourhood, unlike Beaverbrook; it has limited access to the existing community by foot, bicycle or car; there is a long walk to get from 7000 Campeau home locations to Bus transit in existing community locations and no bus routes are planned within the site; dead ends complicate on-street parking, ease of vehicle entering or leaving community; streets that are incompatible with standard school busses means parents will likely drive students

Barbara Ramsay, Chair, Kanata Greenspace Protection Coalition (oral and written submissions, including an opinion letter by Dennis Jacobs, Momentum Planning)

- the Coalition supports the protection and extension of accessible greenspace because science shows it drives community health, quality of life and resiliency, and also supports the protection of this greenspace property because 1775 property owners have a titled right to its shared access
- the 175 acres of permeable land on the golf course are both functional and recreational and serve as a purpose-built critical permanent component to the

stormwater management infrastructure servicing the community; they are sustainable and not intended to be disturbed

- provided a video overview of the site, noting concerns about destruction of bedrock formations, concerns about loss of trees and public greenspace; concerns about transportation, stormwater management and migration of mercury contaminate
- given present experience with the Covid-19 pandemic, the value of minimally restricted, proximal access to the outdoors is now top of mind and is being affirmed as essential; this proposed destruction of 70.9 hectares of accessible undeveloped urban open space now becomes an even more appalling idea
- the proposal is entirely inconsistent with current community accessibility planning concepts (e.g.: open space access within 15 Minute Neighbourhoods) and leaves the community less resilient looking forward
- the community has not supported any aspect of the original application or this resubmission; the single focus of the proposal remains maximization of housing units, and it does so without an assessment of identified community need, the site's broader environmental and recreational role and value as part of a mature master planned community, site specific limitations, or future livability within the proposed community and the existing communities - all for the sake of their profit and at the direct expense of the area's neighbourhoods and residents, as well as all Ottawa taxpayers generally
- ClubLink/Minto/Richcraft and its representatives have not legitimately engaged the community on what they knew would be an unwelcome project and have made no effort at consultation with the KGPC or other community groups in regards to this resubmission
- there is a general lack of confirmatory detail in the proposal and ongoing worry about approval of the application without adequately addressing the residents' important and irreversible ground zero concerns; the proponent's repeated assertions that the detail 'remains to be worked out' in the technical discussions will ultimately occur after the approval has been given, such as has been the case at the nearby KNL land site, where new development was approved without the necessary details and agreement as to what defined an appropriate drainage system for the Kizell watershed and ultimately led to wasteful destruction and significant environmental loss despite community opposition
- there are many issues upon which staff should recommend dismissal of this development including:
 - significant conflicts with Provincial Policy Statement 51

- ❖ the premise that assumes this entire 70.9 hectare site of planned open recreational urban space is “underutilized” and “a unique opportunity for redevelopment” because the site is uninhabited and undeveloped ignores both the history of the master plan for the site and overall area as well as the PPS and is entirely inconsistent with the Strategic Directions of the OP, which include but are not limited to managing growth; maintaining environmental integrity; building livable communities
- absence of an identified need for the development today or in the foreseeable future
 - ❖ there are more than 9,000 homes approved in Kanata North and nearby West Carleton, which are projected to meet the housing needs for the next decade essential to meet the identified future needs of Kanata North for the next decade, but there is no direction in the Official Plan or its policies for the 1544 homes in this proposal
 - ❖ the housing market in Kanata is robust and the stock is specifically appreciated by the companies in the Kanata North Technology Park, who appreciate neighbourhoods where quality housing co-exists with accessibility to green, open recreational spaces, where municipal management is efficient and sensible, and social responsibility is valued, because these characteristics are in turn valued by the international workforce they wish to attract
 - ❖ this proposal is antithetical to the award winning ‘garden community’ concept design created by Bill Teron decades ago and will destroy the central open space essential to attract the essential human resources the Kanata North Technology Park needs
- significant conflicts with the City of Ottawa Official Plan including and most importantly a profound inconsistency with existing neighbourhoods
 - ❖ a 1544-unit development is beyond the scale of ‘completion’ of the community, as suggested, and is clearly a community in its own right and, in this case, is also wholly incompatible with the existing surrounding neighbourhoods; the proponents chose to embrace the undeveloped nature of the 70.9 hectare site property and opportunistically labelled it a greenfield site while choosing to ignore its intended design and ongoing use as a recreational site shared with the existing community; staff should recommend dismissal of the application as inappropriate site design and use
 - ❖ there are neighbourhood compatibility concerns; this proposal is an entirely incompatible design based on density, with increases of 177% over

neighbouring Beaverbrook and 132% over the density in Kanata Lakes today; peninsular shapes do not support clustered or linked neighbourhoods which are central to the existing master planned community

- ❖ the proposed three meter privately owned buffer abutting the rear property line of the new properties will not allow for growth of sizable mature trees (10 meter tall) as part of a replacement canopy, is not accessible open space, and will not support open vistas; small buffers will not address the disparate land height along many of the abutting property lines as compared to the more flexible and effective 10 meter buffer zones and there is no detail offered to address the retaining walls and loss of open vista that will result due to this very negative design complication; there are no details regarding the maintenance or the protection of trees on private property and no details to indicate how property restrictions meant to prevent permanent structures in rear yards would prevent things such as trampolines
- incomplete site contamination assessment and identification of public health risk issues
 - ❖ it is questionable whether the land can be developed safely; the Environmental Site Assessment (ESA) confirms widespread mercury contamination of an undisclosed form; work completed to date indicate the levels of mercury found point to contamination across the site at up to 10 times acceptable residential levels
 - ❖ there has been no identified testing in the pond sediment at depth or in the various woodlands in this proposal, which may affect conclusions on groundwater safety; there is a concern that other heavy metals (e.g.: arsenic) which have also been used extensively and historically on golf courses up to 2008 could be present in dangerous quantities
 - ❖ there is no assessment that provides that the site is safely remediable, as suggested by Paterson Group, given its embedded location within a fully developed community
 - ❖ for the protection of public safety, the KGPC requests that in advance of any application approval recommendation by staff, a fully transparent sampling, testing and assessment process be commenced consistent with MECP Brownfield Guidelines that includes public participation and consultation with an intent to identify not only the risks to community safety by soil disturbance secondary to site development but also the risks and impacts of soil remediation

- ❖ there is concern residents will be exposed to radon contamination secondary to structural damage; the Paterson group acknowledges in its Geotechnology Investigation report that vibration on this site secondary to the amount of blasting and other soil, rock and sediment manipulation is expected to be high and should be avoided
- ❖ there is a uniform and extremely high level of concern in the community around blasting, given the many hundreds of homes within tens of meters and which could suffer physical property damage, untenable noise and vibration and leave the residents with health repercussions
- ❖ a broad community consultation and risk assessment program, monitoring, mediation and reparation program should form a necessary part of any approval recommendation of this proposal
- a profound negative impact on climate change
 - ❖ the environmental impact (cost) of this proposed development to the community and City has not been identified
 - ❖ the project is both large and permanent and, as a result, requires assessment by qualified professionals given the City of Ottawa's April 2019 acknowledgement of a Climate Change Crisis and its subsequent development of a Climate Change Master Plan; the Plan identifies a necessity to address Ottawa's need to become both resilient and renewable by reducing GHG and adapting to climate change by protecting people and property and enhancing the natural environment
 - ❖ staff should recommend dismissal of this application as counterproductive to this important city plan
- insufficient address of existing site stormwater management issues and complication of unresolved issues within the Kizell Drain
 - ❖ the site property contains an important naturalized stormwater management infrastructure including 70.9 acres of penetrable land with two ponds to drain the site and the Kanata Lakes and Beaverbrook neighbourhoods, in addition to an manmade underground stormwater management system connected to the Kizell Drain; the infrastructure is required to address extensive surface groundwater issues and flooding risk in Beaverbrook
 - ❖ as there are deficiencies in the Kizell system that require resolution, loss of permeable land to new residential developments within the watershed is a driving concern

- ❖ application approval that would allow for the destruction of the KGC lands should not be given until this larger and historic issue of the Kizell Drain is resolved
- ❖ the documentation is unclear that the assessors have well considered the overland drainage and runoff from Beaverbrook into the flow volumes for the system and there is an absence of details to allow nearby property owners to understand the proposed systems or their impact on their properties, including a propensity to overrun in large storms and the entrapment of small animals and amphibians; the community lacks confidence that the appropriate assessment and broad party expert solution to the stormwater management issue across the Kizell Drain area is near solution, and the number of existing stormwater management issues in both minor and major systems in the neighbourhoods of Kanata Lakes and Beaverbrook suggest a more holistic assessment is required before assuming the existing infrastructure can be seamlessly built upon
- ❖ approval for the sale and ultimate destruction of this singular space should not be considered until appropriate resolution of the issues with this critical infrastructure are resolved
- a risk inducing site design creating unsafe exposure to stormwater management systems and transportation intersections
 - ❖ the Urban Design Brief changes the name of the purpose-built stormwater management lagoons and maps them as a 'Proposed Pond', which is disingenuous and dangerous and allows a misrepresentation of these areas which are not intended to provide any residential use but yet are included in the calculated area as part of accessible open areas
 - ❖ the four proposed stormwater management lagoons are immediately adjacent to or within 6 meters of almost 100 homes, open areas and walkways but there is no detail about fencing, lighting or other security, water aeration to reduce contamination by algae, mosquito breeding treatment for public safety or lifesaving equipment to assist the child, animal or adult that ventures too far
 - ❖ a residential site that requires over 10% of its property dedicated to unprotected surface stormwater management does not meet the criteria of a safe community, especially for young families with children and for that reason, the proposal should not be recommended for approval
- profound environmental loss of woodland, species at risk and wildlife

- ❖ the development fails to protect the existing woodlots and there is no complete and comprehensive inventory of the jeopardized tree canopy
 - ❖ there is no inventory of trees at risk of critical root system damage secondary to the proposed development on adjacent land at the perimeter of the site both on private property and in parks such as Walden Park
 - ❖ there are no reports of consultation with the neighbouring owners to inventory, assess value and create a protection plan for the critical root zones of these trees to promote retention or, to provide a mitigation plan in the event of loss
 - ❖ this proposal should not be recommended for approval without an independent assessment and sufficiently detailed plan to address how the development will mitigate the loss and damage to the tree canopy on the site and on nearby public and private lands
 - ❖ this application does not respect the protection plans required for species at risk; all situations involving species at risk across the proposal should be fully re-examined to ensure all policies and guidelines are being met
 - ❖ the loss of this expansive space will also decimate the wildlife that live in the community and, as a result, it will be forever changed
 - ❖ the McKinley Environmental Services report is yet another example of the biased and simplistic approach to sampling and data gathering that permeates this application and resubmission; staff should recommend dismissal of the application until an independent environmental impact analysis is available
- a structurally incompatible site design including a loss of transportation access and linkages and loss of open space
- ❖ the development denies residents access to expansive naturalized open and green space that is essential for a healthy lifestyle, existing shared use lands are central to the planned trails, walkways and multi-use pathways for this community and other area neighbourhoods
 - ❖ the proposal offers two patchwork pieces of unlinked parkettes and a park that total 11.1 hectares and represent but 15% open space in the proposed community, a pittance of open space, and woodland trails will exist in a forest parcel that is a few hectares in size but that would provide no more than a minute exposure in a walk by

- ❖ staff should recommend dismissal of an application that diminishes the benefits to healthy living and resident health and its lack of support for an active community lifestyle for all ages
- ❖ this site is not appropriate for a residential neighbourhood because it is not conducive to safe roadway layout
- ❖ the problematic shape of the four parcels of the site and the subsequent prevention of a cluster design with buffer zones prevents the use of these open spaces for both transit linkages and recreational use; foot and bike travel will not survive the profound inaccessibility created by these peninsular cul-de-sacs and specifically for the hundreds of existing lots which will become fully land-locked; it will lead to increased pedestrian and cycling risk while also decreasing the attractiveness of these healthy forms of travel; it will take the form of increased collisions and injury, vehicular noise and emissions, all of which bode poorly for healthy and safe communities
- a failure to plan for and accommodate essential community services for residents
 - ❖ the proposal fails to allocate any land use space for basic community services that 5000 new residents will require and assumes that these thousands of residents will be seamlessly absorbed into the delivery stream of the education, health, transportation, protection, retail and other important community services that exist in adjoining mature neighbourhoods
- a failure to improve resident quality of life while creating health and financial hardship
 - ❖ seemingly all residents are expressing fear at the potential impacts on their physical and mental health due to the loss of open space, about health safety risks associated with heavy metal migration, and about physical property damage to their homes during construction
 - ❖ the community should have the benefit of a health risk and mediation assessment study due to the scale of the project and its proximity to thousands of occupied residential homes, which should also assess the risk of heavy metal remediation and radon gas

Kathy Black (oral and written submission)

- greenspace has been given the most protection possible by both planning and legal mechanisms since the 1980s
 - the 40% Agreement has been continuously transferred, conveyed and registered in the Registry Office since its inception in 1981, and that the Plan of Subdivision

and the 40% Agreement, which describe when the golf course will operate and the access to it, are registered on Title against 1775 individual properties, of which over 550 are abutting the golf course lands

➤ section 50 of the *Planning Act* references the 40% Agreement, meaning it has both legal and planning protections

- the golf course lands are utilized year round
- a premium was paid by homeowners for lots abutting the golf course and assurances were given that the land would never be developed
- the development application does not meet the City's Official Plan policies, and the application is not compatible with the surrounding community
- if the Official Plan was amended to remove the 40% Agreement, it could affect how other subdivisions have been and will be developed in future
- meaningful community engagement and input would be needed in a community design process if development should be allowed to proceed

Stewart Morris (oral and written submission)

- the golf course and country club are not under-utilized space, as suggested by ClubLink, and are utilized as a key community resource year-round for various seasonal activities and general access to open space, a usage that is guaranteed under the 40% agreement and captured in the Ottawa Official Plan
- preserving the golf course is a matter of preserving public health; with climate change, the experience of the Covid-19 pandemic, open accessible green space is more and more valuable to the community and studies support that access to greenspace is beneficial in lowering Covid-19 transmission rates as well as being beneficial for physical and mental well-being
- the golf course remains a successful and viable business, even this year with Covid-19 impacts, with a long history, dating from its formation of Beaverbrook in 1968; many of the past and current members are drawn from the surrounding community and many active adult lifestyle communities and streets, attractive to retirees, surround the golf course, providing a natural stable community of potential members)

Diane Waloff (oral and written submission)

- several fairways present a large variation in grade within the fairway and in relation to neighbouring homes and there are many high ridges on and beside the golf course that drain down to the course; the ClubLink plan would remove 75+% of the permeable landscape that currently plays a key role in water absorption and assists

with drainage for the golf course and existing homes that neighbor it; this will precipitate greatly increased surface water sheet flow

- the Hole 9 Pond, the Hole 18 drainage ditch feeding it, and the Hole 8 Pond will also be removed, and the new ponds to be built would be a long way from where the current ones are located; land drainage behaviour would be altered by infill and significant cuts, and the new delta will cause drainage problems for several homes in the area; changing grade so close to homes shouldn't be permitted
- the new lot line will be very close to her house and the higher grade will be cutting off views from her back yard, and if it needs to be held up by a rock wall it will block sunlight; the new delta will cause drainage and potential flooding problems for several homes
- the proposed lot sizes are not compatible with the much bigger existing townhome lot sizes on Windeyer; an estimated 29-35 townhouse units will be placed behind the current 12 units at the tip of Windeyer; other streets that have large homes of differing styles and models will now face lots that are significantly smaller with cookie cutter housing; the proposed lots do not seem to offer sufficient space for parking, snow clearing, trees and gardens
- there is extensive winter usage of the golf course lands, which be lost by the community if the development proceeds
- the development would impact quality of life and enjoyment of the well-planned community for existing homeowners

David Fisher (oral and written submission)

- a good part of the golf course is covered in trees and rocky outcrops; it features natural swales home to frogs, birds and wetland plants, and a pathway, visible from the adjacent housing and this providing safe recreational use, that is very well used by the public throughout the day; about 25% of the total area of the golf course retains natural areas of rocks and trees and the greenspace in between provides open access, enabling them to be seen by the public walking on the golf course from November to April, just as in any landscaped park
- if developed for housing, many features of the landscape and these well-used public greenspace and walking paths in between them, would for the most part be destroyed, and all wildlife and plants would immediately become rare in the area due to lack of habitat
- the area is currently occupied by 1500 existing homes, for which the golf course is the main recreational area, and without the course, the current area of parks is just 3%; in total, after development, with no new greenspace proposed by the developer, the

area would have just 6% by area for parks and greenspace, which is inadequate and well short of the City's targets (in practice, 30-40 hectares of greenspace would be appropriate to meet Ottawa targets for the combined residential population after the development)

- of the 14 hectares of 'open space' listed in the developer's proposal, over half comprises stormwater ponds that are very large and not child-safe, occupying six times the area to existing lakes, and the remaining open space comprises areas that would become difficult or impossible to access and are of little recreational value; landscaped buffers are required setbacks within new property boundaries and incorrectly included in the open-space land
- the golf course is a well-used 71ha park with public access for half of the year and no other parks within reasonable walking distance offer comparable recreation and features; removing it would be counter to the interests of public health, as supported by studies
- Ottawa developers have many areas for potential housing development that would not significantly impact existing communities, and there is no justification for allowing the destruction of well-used recreational greenspace

Nancy Brown (oral and written submission)

- the traffic report commissioned by ClubLink has significant factual errors and assumptions that have led to unfounded conclusions
- there are five collector roads affected in the neighbourhood, four of which have homes on both sides of the street, and four new access points are proposed from the ClubLink development onto these collectors
- the City's guidelines for collectors have a desired limit of 2500 vehicles per day and Kanata Lakes was a planned community with these guidelines in mind; the development would have an impact on these collectors
- the vehicle trips per day numbers have been minimized in the traffic report
 - to determine existing volumes/ vehicle trips, the consultants did peak hour studies in November 18, 2018 for two parts of Knudson Drive, whereas the City of Ottawa typically performs 24 hour studies, usually over a number of days, to determine volume; when you compare the two methods you get different vehicle per day numbers on the same street at the same location
 - in another study they did to project the additional vehicles per day based on the new development determined 7000 vehicles per day based on certain mode share targets, whereas an alternative formula based on house type that is used

by the Institute of Transportation Engineers shows a volume of 13, 800, which is almost twice as much; the consultant indicated that if the mode share targets are not made it could negatively impact safety, especially for the children walking to school, but no mention was ever made in the report for the safety of the existing community

- considering that several roads in the study area already operate with daily traffic volumes in excess of the City's desired targets of 2500 vehicles per day, some of the collectors might see close to 8000 vehicles per day, moving them into the category of an arterial road, just like Campeau, which would worsen existing traffic issues and increase risk to pedestrians, including children walking to school
- the Transportation Master Plan speaks to safety requirements and protecting neighbourhoods from excessive traffic volumes; the price of intensification cannot be risk to the community's safety
- a more accurate and complete traffic study needs to be conducted to get a more accurate picture of volumes

Marianne Wilkinson (oral submission)

- the landowner has completely avoided dealing with the community and has broken their own commitment when they bought the land to uphold the legal 40% Agreement by trying to put something in place that very clearly does not fit or work in many different ways
- keeping this open space is important not only for this particular case but also for future high priority environmental lands that were to be protected under that Agreement but have not yet been deeded to the City
- in terms of density, Kanata North has 12 high-rise apartment buildings, which is not found anywhere else outside the greenbelt, because they are located in the places near transit, which this development is not
- the ClubLink application has ignored issues surrounding the presence of radon and mercury contamination
- urged the City to include all of the community's submissions and research in their presentation to the Local Planning Appeal Tribunal
- should the legal agreement be overturned, it would be essential to conduct a major community design planning process that involves the residents, the City and the developer, to ensure any development on the site would fit into the community

Dan Durocher (written submission)

- the 40% agreement was made in good faith to protect the community and must be respected
- this green space is essential to the health of the community
- building houses on the golf course may bring an instant monetary gain in the short term, but will cost the City much more in the long run

Marc Labreche (written submission)

- the golf course must be rezoned for anything other than greenspace, as per the original negotiated agreement, which the existing community understood would be upheld in perpetuity
- intensification must absolutely be done logically (along arterial roads and transit stations), respectfully of the existing residents in the surrounding area (i.e., similar density, height, setbacks, type and general architectural style of the surrounding homes), and without invading or intruding on existing residents' privacy; this proposed redevelopment does not meet any of those criteria, and would destroy the signature feature around which the community was built

Primary reasons for support (of the application / i.e. in opposition to the staff recommendations), by individual

Rob Chambers (written submission)

- there are residents in Kanata who do not oppose the development of the golf course lands, who don't have fundraisers and put up lawn signs, so their voices might not be as loud as those who oppose the proposed development
- from a political perspective, this may mean their views will not be represented during any of these discussions, which introduces a bias into the process, as claiming that residents support or oppose the proposed development based on this anything but random sample would be erroneous

Mark R. Flowers, Professional Corporation, Davies Howe LLP, on behalf of ClubLink Corporation ULC (written submission)

- the Staff Report fails to provide sufficient justification for its recommendations, includes errors and omits relevant information, and identifies a number of outstanding issues that ClubLink believes can be resolved through ongoing dialogue and/or appropriate draft plan conditions; accordingly, they requested that the Committee reject the recommendations in the Staff Report and to confirm its support for the Tribunal to approve the Draft Plan of Subdivision and related Zoning By-law

Amendment; alternatively, they requested that the Committee direct City staff to continue to work cooperatively with ClubLink and its consultants with a view to resolving all outstanding issues, including participating in Tribunal-assisted mediation

- with respect to the Provincial Policy Statement (“PPS”), the Staff Report asserts that the redevelopment proposal is not consistent with the PPS, but offers no analysis or reference to any policies, whereas ClubLink’s planning consultant, Bousfields Inc., has provided a detailed and comprehensive analysis demonstrating that the proposed redevelopment is consistent with the PPS and would implement a number of its policies
- with respect to the City’s Official Plan, the Staff Report cites a number of policies that refer to “compatibility” between new development and existing communities, but offers little or no analysis as to why the proposed redevelopment would not be compatible with the existing surrounding residential neighbourhoods
 - compatibility does not mean that new development needs to replicate existing development
 - it is noteworthy that the existing residential neighbourhoods that surround the Lands are not homogenous; similar to what is proposed on the Lands, the existing residential neighbourhoods consist of a range of building types (detached, semi-detached and townhouse) and include a variety of lot frontages and sizes
 - in order to enhance compatibility, the configuration of the proposed redevelopment of the Lands has been carefully planned to ensure that higher density elements are located close to Campeau Drive and physically separated from the surrounding low-density residential development; likewise, where new townhouses are proposed to be located adjacent to existing residential development, they have been located adjacent to existing townhouses only
 - in addition, any potential interface concerns between new and existing development are proposed to be addressed through a combination of adjacent parks and open space as well as landscape buffers
 - accordingly, the proposed redevelopment is “compatible” with the surrounding community
- with respect to parkland, the Staff Report cites Section 4.10.5(b) of the Official Plan, but misquotes the policy
 - if, by its comment, City staff is suggesting that the parkland requirement for the Lands is “40 per cent greenspace”, this is an erroneous statement; Section 4.10.5(b) states that the parkland requirements for development in this area will

be determined based on the so-called “40 Percent Agreement”

- putting aside the issue of the validity and/or enforceability of the 40 Percent Agreement, which is currently before the Ontario Superior Court of Justice, it is noteworthy that subsection 4(4) of the 1981 40 Percent Agreement states that “[t]he lands to be dedicated for park purposes will be determined at the time of the development applications in accordance with The Planning Act”; the *Planning Act* currently limits the maximum parkland requirement that may be imposed by the municipality to 5% of the land to be developed for residential purposes or, as an alternative, up to 1 hectare for each 300 dwelling units proposed
- in either case, with nearly 6 hectares of public parkland proposed, the current Draft Plan of Subdivision for the Lands provides more parkland than could otherwise be required by the City
- the Staff Report includes a number of comments regarding stormwater management and drainage from the Lands
 - in this regard, discussions are continuing between ClubLink’s engineers, City staff and other agencies, and they remain confident that any outstanding issues can be resolved through further dialogue and information exchanges, which ClubLink intends to continue
 - in some instances, outstanding issues can likely be addressed through minor revisions to plans and/or studies; where detailed engineering design is concerned, they anticipate that other issues could properly be addressed through the clearance of draft plan conditions
 - in some cases, the Staff Report either misstates facts or is potentially misleading as to the status of ClubLink’s engineering submissions; for example, the Staff Report asserts that “the major overland flow from the subject development, and connecting existing residential lands, into the Beaver Pond has not been accounted for.”, but ClubLink’s engineers have advised that this statement is not correct and, in fact, that the proposed stormwater management approach for the Lands has reviewed/incorporated major overland flows where required and the flows up to the 100-year event are retained on the Lands through the proposed stormwater management facilities
 - similarly, the Staff Report claims that “stormwater management has not been determined for the plan of subdivision”; although there are ongoing discussions with City staff, ClubLink’s engineers have submitted a detailed stormwater management proposal for the entire development area as well as extensive supporting documentation

- ClubLink takes exception to the statement of the Ward Councillor referenced in the Staff Report in which she alleges that ClubLink acted in “bad faith” in appealing its applications to the Tribunal
 - in fact, ClubLink exercised its statutory right to appeal the applications to the Tribunal based on the City’s failure to make a decision on the applications within the timeframes set out in the *Planning Act*
 - ClubLink’s appeal of the applications to the Tribunal is not surprising, particularly given public comments made by the local Councillor in which she has repeatedly expressed her opposition to any redevelopment of the Lands
 - despite the appeals, ClubLink has continued to work cooperatively and in good faith with City staff and various commenting agencies to attempt to resolve outstanding issues, and intends to continue along this path
 - ClubLink has also publicly confirmed its desire to engage in mediation and continues to support efforts to resolving all remaining issues in a collaborative and non-adversarial manner; to that end, they encourage the Committee to direct City staff to continue to work cooperatively with ClubLink and its consultants with a view to resolving all outstanding issues, including participating in Tribunal-assisted mediation if that opportunity is available

Effect of Submissions on Planning Committee Decision: Debate: The Committee spent two hours and 27 minutes in consideration of the item.

Vote: The committee considered all submissions in making its decision and carried the report recommendations as presented.

Ottawa City Council

Number of additional written submissions received by Council between November 26 (Planning Committee consideration date) and December 9, 2020 (Council consideration date): 0

Effect of Submissions on Council Decision:

Council considered all submissions in making its decision and carried the report recommendations without amendment.