



# **Proposed Maintenance Facility Miller Waste Services**

**3145 Conroy Road**

**Application for Minor Rezoning**

**Planning Rationale**

**August 2025**

# **Proposed Maintenance Facility Miller Waste Services Applications for Minor Rezoning Planning Rationale**

**3145 Conroy Road,  
Ottawa, ON**

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AUGUST 2025

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## 1.0 INTRODUCTION

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

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



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

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

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

- Environmental Site Assessment, prepared by Terrapex, dated July 25, 2025
- Phase 2 Environmental Site Assessment, prepared by Terrapex, dated July 25, 2025
- Rail Proximity Study, prepared by Parsons Inc, dated August 2025,
- Land Use Compatibility Study, prepared by Parsons Inc, dated August 2025.
- Zoning Compliance Confirmation Report, dated August 2025
- Environmental Impact Statement and Tree Conservation Report, prepared by Parsons, dated August 2025
- Transportation Impact Assessment, prepared by Parsons Inc, dated August 2025
- Preliminary Geotechnical Investigation – Proposed Commercial Development, prepared by Pinchin, dated September 25, 2024,
- Engineering Drawing Package, prepared by EGIS, dated July 2025.
- Site Servicing and Stormwater Management Report, prepared by EGIS, dated August 2025,
- Noise Study, prepared by Gradient Wind, dated August 2025.

## 2.0 SITE AND CONTEXT

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

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

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



The site is located along Conroy Road between Walkley Road and Hunt Club Road and approximately three kilometres to the west of Highway 417. Highway access to the site is conveniently provided via both Walkley Road and Hunt Club Road **Figure 2-2**.



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



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



### 3.0 DEVELOPMENT PROPOSAL

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

- Site clearing and grading (removal of infrastructure remnants and vegetation).
- Construction of a two-storey servicing and office space with a total Gross Floor Area of approximately 3,962 square metres.
- Construction of a new surface parking lots providing 257 standard spaces, 8 barrier-free spaces, 12 motorcycle spaces and 10 bicycle parking spaces, and 135 fleet parking and refuelling spaces to the rear of the building
- Installation of a 1.5-meter sidewalk to provide direct and safe pedestrian access to the main building from Conroy Road and through the staff parking area.
- Landscaping buffers surrounding the property.
- Installation of CNG Compressor Station.
- 135 fleet parking spaces in the rear
- Storage of roll-off and front-end waste bins.
- Installation of one-storey tarp building for storage.

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

**Table 3-1. Site Development Statistics**

Use	Proposed Development
Site Area	48,611.80 m <sup>2</sup>
Main Building Footprint	3,020.77 m <sup>2</sup>
Main Building Gross Floor Area	3,962.09m <sup>2</sup>
Main Building Height	6.7 m
Storage Building Footprint (Not GFA)	221.51 m <sup>2</sup>
Storage Building Height	8.08 m
Standard Vehicle Spaces	257
Accessible Parking Spaces	8
Total Parking Spaces	265
Bicycle Parking Spaces	10
Motorcycle Spaces	12



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

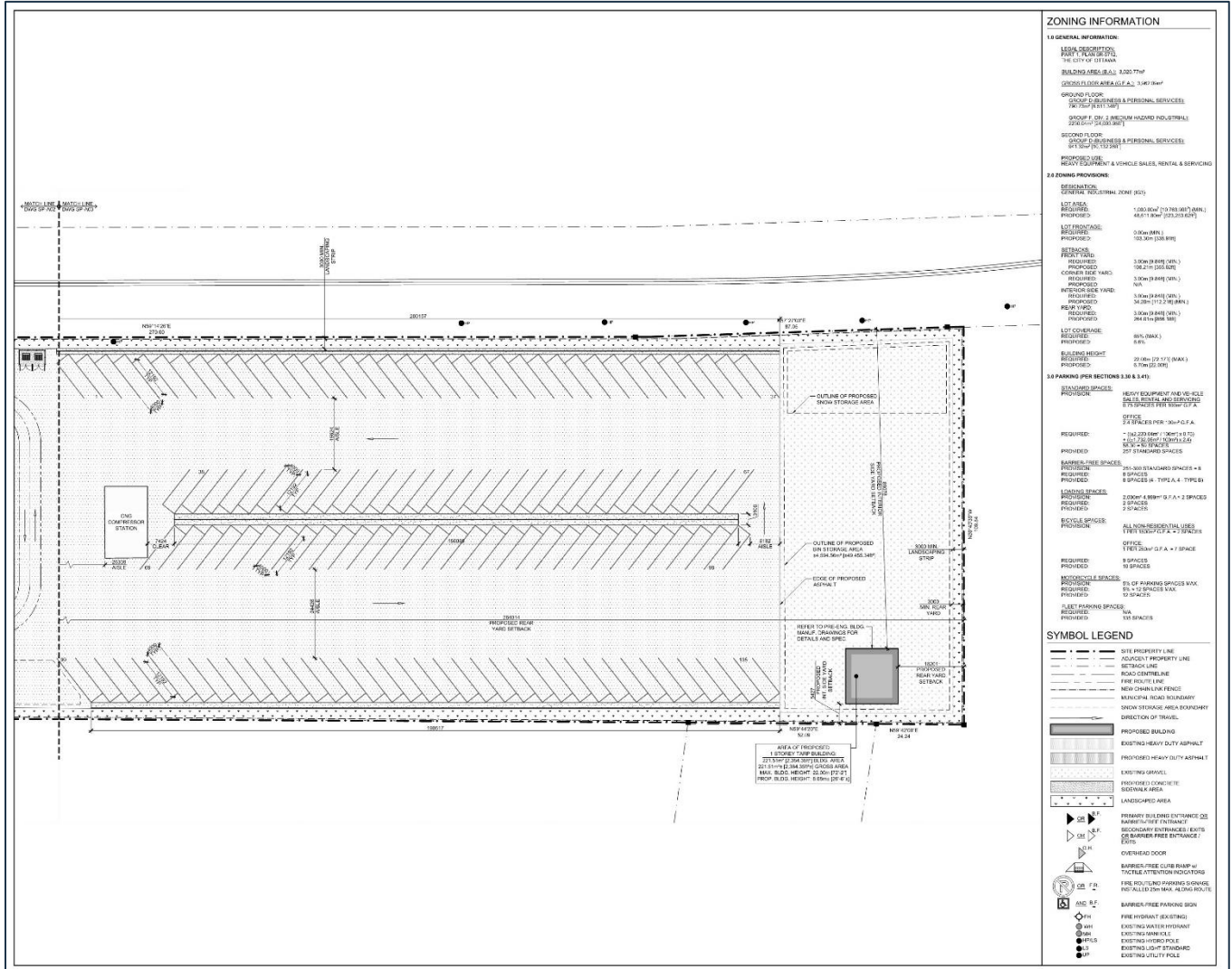


Figure 3-3: Proposed Elevation Plans, East, West, North, and South Elevations Plan (Excerpt)







range of employment and addressing land use compatibility to provide appropriate transition for sensitive lands. Planning authorities need to protect employment areas that are located to major goods movement facilities and corridors including facilities and corridors identified in provincial transportation plans.

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

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

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

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

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

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

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

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

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

## 4.2 City of Ottawa Official Plan

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

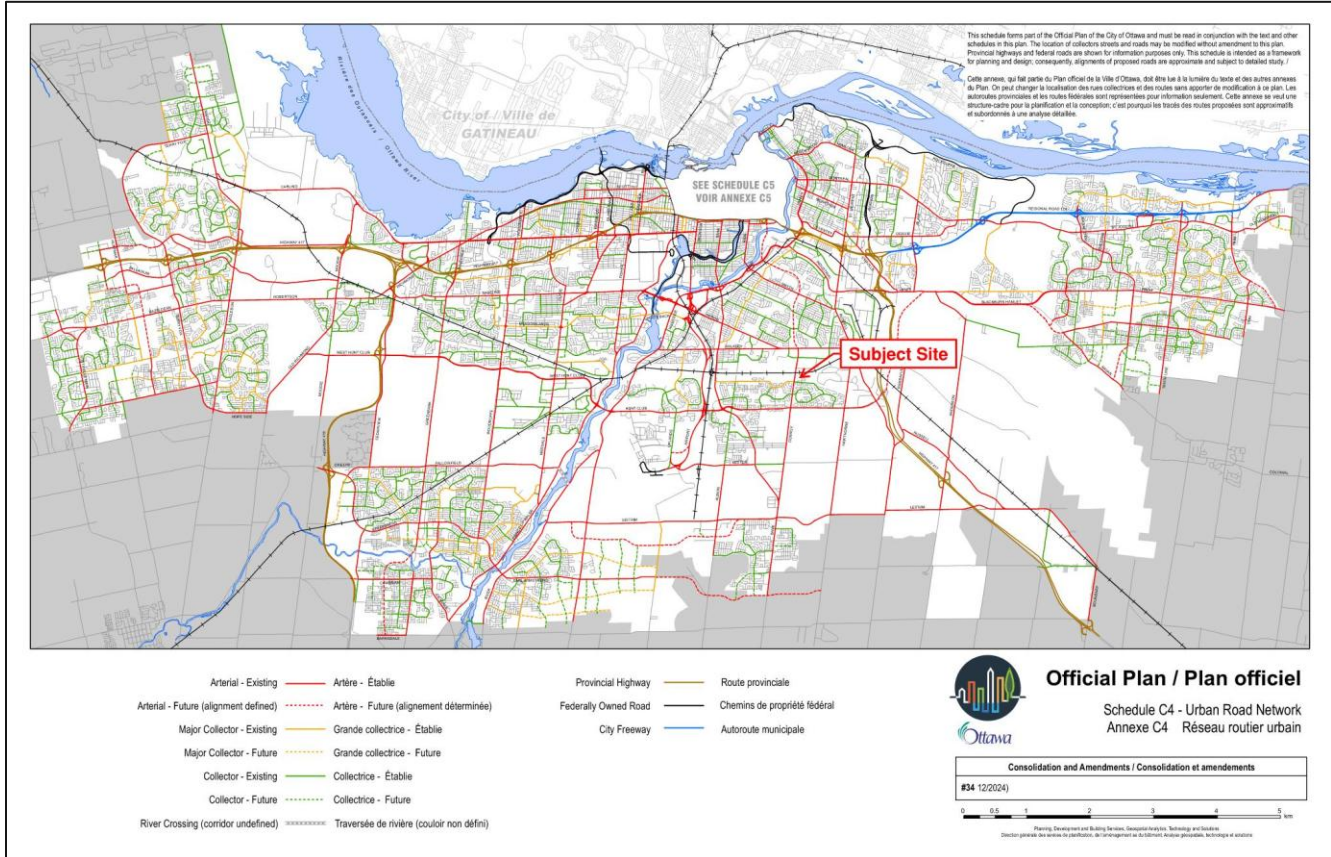
- Schedule A – Transect Policy Areas
- Schedule B3 – Outer Urban Transect
- Schedule C2 – Transit Network – Ultimate
- Schedule C4 – Urban Road Network
- Schedule C16 – Road Classifications and Right-of-Way Protection

**Section 4 – City-Wide Policies:** This section of the Official Plan includes directions for supporting efficiency in the city for topics such as sustainable modes of transportation, healthy growth, investment into right-of-way, and overall resiliency

of the city. This section is broken up into eleven topics, the relevant sections as it relates to this minor rezoning application are as follows:

**Subsection 4.1 – Mobility:** This section also supports growth management and resiliency for the movement of goods and services, access to properties, and contribute to the overall quality of the urban environment. Located on a flow street, Conroy Road, “plays a structural role in the overall street grid by virtue of its length and its ability to link several areas of the City...” (4.1.1.3) One of the objectives of the City is to protect rights-of-way for the street and road network as show on Schedule C4 – Urban Road Network) (**Figure 4-1**) (4.1.7.2) and Schedule C2 – Transit Network, Ultimate (**Figure 4-2**) (4.1.7.3). The City has the ability to acquire lands through planning applications in order to realize the transportation objectives for the City.

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





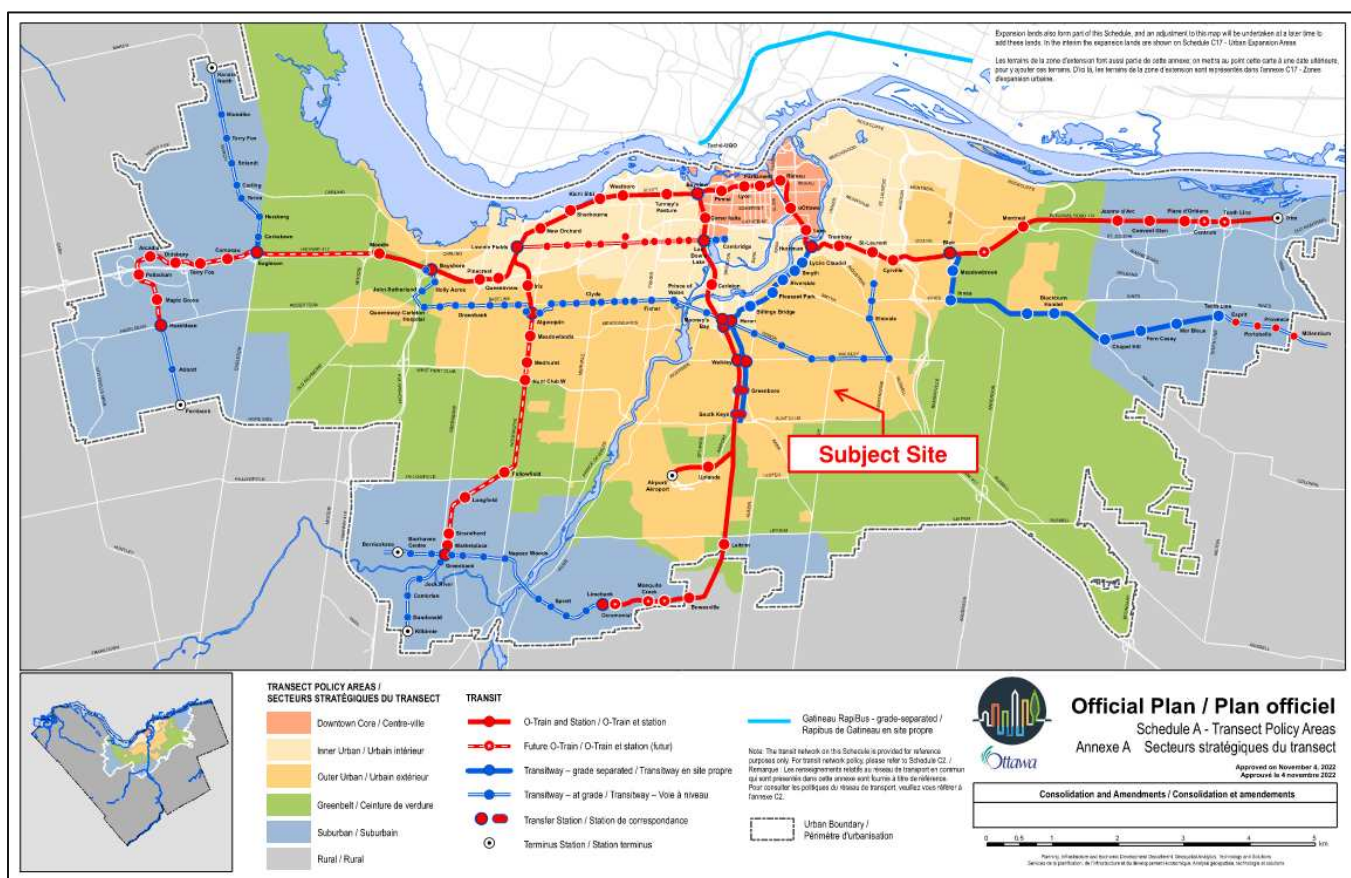
**Planning Response:** The proposed development is consistent with the Official Plan’s direction for developing and protected the City’s urban road network in that the proposed Miller Waste Maintenance Facility is located within the Conroy Road corridor, that is a designated Arterial Road and Transit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

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

**Section 5 – Transects:** Section 5 of the OP identifies the organization of the city into six concentric policy areas called transects, which represent different gradation in the type of evolution of the built environment and planned function of lands within the city. Referenced in Schedule A – Transect Policy Areas (**Figure 4-4**), the site is located within the *Outer Urban Transect*. This designation comprises of neighbourhoods inside the Greenbelt and represents the classic suburban model, characterized by the separation of land uses, stand-alone buildings, generous setbacks, and low-rise building forms. The intention of the *Outer Urban Transect* include:

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

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



**Section 6 – Urban Designations:** Section 6 of the OP outlines policies for urban designations within the city. The site is designated *Industrial and Logistics* on Schedule B3 - of the Official Plan (**Figure 4-5**).

*Industrial and Logistics* are areas that correspond to the Provincial Planning Statement for manufacturing and warehousing activities within employment areas, to be preserved and to cluster economic activities relating to manufacturing, logistics, storage, and other related uses. These areas are characterized by traditional industrial land uses such as warehousing, distribution, construction, light and heavy industrial, trades, outdoor storage, and other uses.

*Industrial and Logistics* policies that correspond to the proposed development are provided below (underlined italics added by Parsons):

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

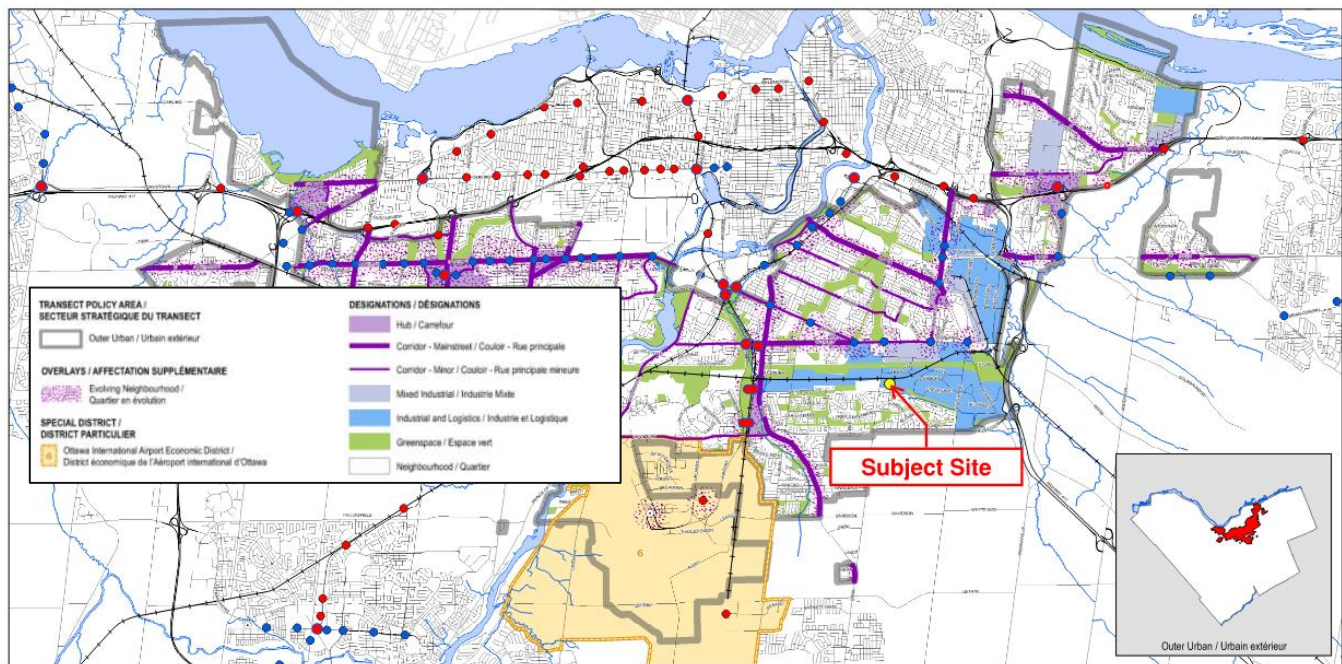
b) *Uses that store most products outdoors and require large land areas devoted to external storage, sale, or service of goods*

c) *Auto service and body shops, heavy equipment and vehicle sales and service.*

f) *Offices that are accessory to a primary use.*

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

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



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

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

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

### 4.3 City of Ottawa Zoning By-law 2008-250

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

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



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

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

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

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

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

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

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

Section 199 (1)	
Garden nursery	Service and repair shop
<b>Heavy equipment and vehicle sales, rental and servicing</b>	<b>Storage yard</b>
Kennel	Technology industry
Leaf and yard waste composting facility	Training centre
Light-industrial uses	Truck transport terminal
Medical facility	Warehouse
	Waste processing and transfer facility (non-putrescible)
<b>Conditional permitted uses:</b>	
a) The provisions of subsection 199(3) to (5).	
b) The cumulative total gross floor area for these uses not exceeding 2,999 m <sup>2</sup> , and;	
c) each use not exceeding 300 square metres of gross floor area;	
Car wash	Convenience store
Automobile service station	Gas bar
Bank	Instructional facility
Restaurant	Personal service business
Animal care establishment	Automobile dealership
Bank	Automobile rental establishment
Bank Machine	Post Office
Bar	Recreational and athletic facility
Car Wash	

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

A Zoning Confirmation Report is included in the complete application package. **Table 4-2** summarizes the performance standards for the IG3 Zone compared to the proposed development. The Site has been designed to meet all of the zone specific and also general performance standards that would apply including minimum parking standards as outlined in **Table 4-3** Error! Reference source not found. (following page).

**Table 4-2. Zoning Compliance Table**

PROVISION	REQUIRED	PROPOSED	COMPLIANCE
Lot Area (minimum)	1,000 sqm	48,611.80m <sup>2</sup>	Y
Lot Width (minimum)	No minimum	N/A	Y
Maximum Lot Coverage	65%	6%	Y
Interior Side Yard Width (minimum)	3 m	34.20m	Y
Minimum Rear Yard	3 m	272.44m	Y
Maximum Floor Space Index	2	8.6%	Y
Maximum Building Height	22m	6.7 m	Y
Minimum Width of Landscaped Area	3 m	3 m	Y
Driveway Aisle Width Minimum (m)	6.7 m	8.4 m	Y
Minimum Parking Dimensions (m)	2.6 x 5.2 m minimum 3.1 m wide maximum	2.75 x 6	Y
Loading Space Dimensions	3.5 m	3.7 m	Y

**Table 4-3. Vehicle and Bicycle Parking and Loading Spaces (Section 101 and 111)**

		REQUIRED PARKING RATIO OF GFA SCHEDULE 1A - MINIMUM PARKING REQUIREMENT AREAS	NUMBER OF SPACES REQUIRED	PROVIDED
Standard Vehicle Parking	Heavy equipment and Vehicle Sales, Rental and Servicing – 2,230 m <sup>2</sup> GFA	0.75 per 100 m <sup>2</sup>	17	257
	Office Use – 1,732 m <sup>2</sup>	2.4 per 100 m <sup>2</sup>	42	
Barrier Free Parking		167-250 Standard Spaces	7	8
Bicycle Parking	Heavy equipment and Vehicle Sales, Rental and Servicing: 2,230 m <sup>2</sup> GFA	1 per 1,500m <sup>2</sup>	2	10
	Office Use: 1,732 m <sup>2</sup>	1 per 250 m <sup>2</sup>	7	
Motorcycle Spaces		Maximum 5% of Parking Spaces	12	12
Loading Spaces		1 Space: 2,000m <sup>2</sup> – 4,999m <sup>2</sup> GFA	2	2

**Section 59 – Frontage on a Public Street**

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

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

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

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

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

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

The intent of the general provision for frontage on a public street is to ensure safe and convenient access for emergency services, residents or customers, and deliveries, while also managing traffic flow, promoting public safety, and preventing isolated land parcels that could be difficult to develop or access properly. The proposed development currently has historical access to the public street through the city-owned parcel that is reserved for transportation use in the future.

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

## 5.0 CONCLUSION

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

### IT IS CONSISTENT WITH THE PROVINCIAL PLANNING STATEMENT

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

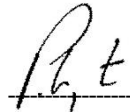
### IS IN GENERAL CONFORMANCE WITH THE OFFICIAL PLAN AND ZONING BY-LAW

The proposed development demonstrates general conformance with the Official Plan and Zoning By-law as the development includes permitted uses in the Industrial and Logistics Designation and General Industrial Zone and complies with the general and site-specific provisions of the Zoning By-law save for the requirement to have direct access to a public street with its historical access being through a city-owned property reserved for future transportation-related uses.

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

Respectfully Submitted,

Parsons Inc.



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



\_\_\_\_\_  
Samuel Farkas  
Assistant Planner – Parsons Ottawa



## Appendix A - ROW/Easement agreement

NS132532

DATED: May 22, 1981.

PROPERTY OF THE  
**LAND REGISTRY OFFICE**

BETWEEN:

PTNELAND AMUSEMENTS LTD.

AND:

THE CORPORATION OF THE CITY OF OTTAWA

NS132532

LAND REGISTRY OFFICE  
OF OTTAWA (L.R.O.)  
I CERTIFY THAT THIS INSTRUMENT  
IS REGISTERED

'81 OCT -2 AM 29

IN THE LAND REGISTRY OFFICE  
OTTAWA, ONTARIO  
LAND REGISTRY

AGREEMENT

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

LEGAL DEPARTMENT  
City Hall, Ottawa.

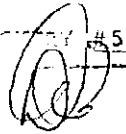
BDS:dm  
(SPA-729)

Box 215

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009100 5575 7960 116-700

LAND REGISTRY #5

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

BETWEEN:

PINELAND AMUSEMENTS LTD.,

hereinafter called the "Developer/Operator",

OF THE FIRST PART,

AND:

THE CORPORATION OF THE CITY OF OTTAWA,

hereinafter called the "Corporation",

OF THE SECOND PART.

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

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

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

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

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

1. This Agreement shall apply to the Developer/Operator's lands, which are described in Schedule "A" and to the development or redevelopment of the land described in Schedule "A" to this Agreement.

2. The Developer/Operator covenants and agrees that no building permit will be issued until all plans and drawings have been approved by the Corporation and this Agreement has been signed and until this Agreement is registered on title.

3. The Developer/Operator covenants and agrees that each and every covenant herein contained shall be binding upon the lessee of the property and upon each and every successor.

4. The Developer/Operator covenants and agrees to provide the Corporation with a signed copy of its lease with the National Capital Commission, prior to the issuance of the building permit.

5. The Developer/Operator hereby grants to the Corporation, its servants, agents and contractors, the license to enter the land described in Schedule "A" for the purpose of inspection of the works and to perform such work as may be required as a result of a default.

6. The Developer/Operator covenants and agrees to supply the Building Inspector with a survey of the building, as sited up to the first floor, within thirty (30) days of the pouring of the foundations.

7. LANDSCAPING

(a) The Developer/Operator covenants and agrees that it will install and plant all landscaping, in accordance with the Plan approved by the Corporation to the satisfaction of the Commissioner of Community Development and maintain the said landscaping in the condition it was at

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

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

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

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

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

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

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

11. COVENANTS OF THE DEVELOPER/OPERATOR

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

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

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

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

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

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

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

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

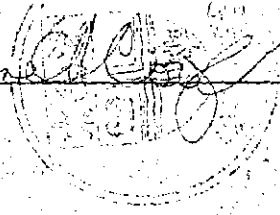
14. In every clause of this Agreement, unless the contrary intention appears, words importing the singular number or the masculine gender only include more persons, parties or things of the same kind than one, and females as well as males and the converse, and a word interpreted in the singular number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

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

SIGNED, SEALED and DELIVERED )

PINELAND AMUSEMENTS LIMITED )  
 )  
 ) *[Signature]* )  
 ) \_\_\_\_\_ )  
 ) \_\_\_\_\_ )  
 ) \_\_\_\_\_ )

THE CORPORATION OF THE CITY OF OTTAWA )  
 )  
 ) *[Signature]* )  
 ) Mayor )  
 ) *[Signature]* )  
 ) Clerk )



SCHEDULE "A"

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

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

SCHEDULE			
PART	LOT	CON.	AREA
1	PT. OF 2	SUR.F	4.83 m <sup>2</sup>
2	PT. OF 2	SUR.F	5,489.01 m <sup>2</sup>
3	PT. OF 2	SUR.F	866.95 m <sup>2</sup>

I REQUIRE THIS PLAN TO BE DEPOSITED UNDER THE REGISTRY ACT.

PLAN 5R-5712  
 RECEIVED & DEPOSITED  
 20/11/2019  
 Wm. J. Webster O.L.S.  
 THE REGISTRY DIVISION  
 OTTAWA-CARLETON NO. 3

PLAN OF SURVEY OF  
 PART OF LOT 2  
 CONCESSION 5 (RIDEAU FRONT)  
 TOWNSHIP OF GLOUCESTER (Now in the City of Ottawa)  
 REGIONAL MUNICIPALITY OF OTTAWA-CARLETON  
 SURVEYED BY WM. J. WEBSTER O.L.S. 1991  
 SCALE 1:500

METRIC  
 DISTANCES SHOWN ON THIS PLAN ARE IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048.

SURVEYOR'S CERTIFICATE  
 I HEREBY CERTIFY THAT  
 1) THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEYS ACT AND THE REGISTRY ACT AND THE REGULATIONS MADE THEREUNDER.  
 2) THIS SURVEY WAS COMPLETED ON THE 27th day of July 1991.

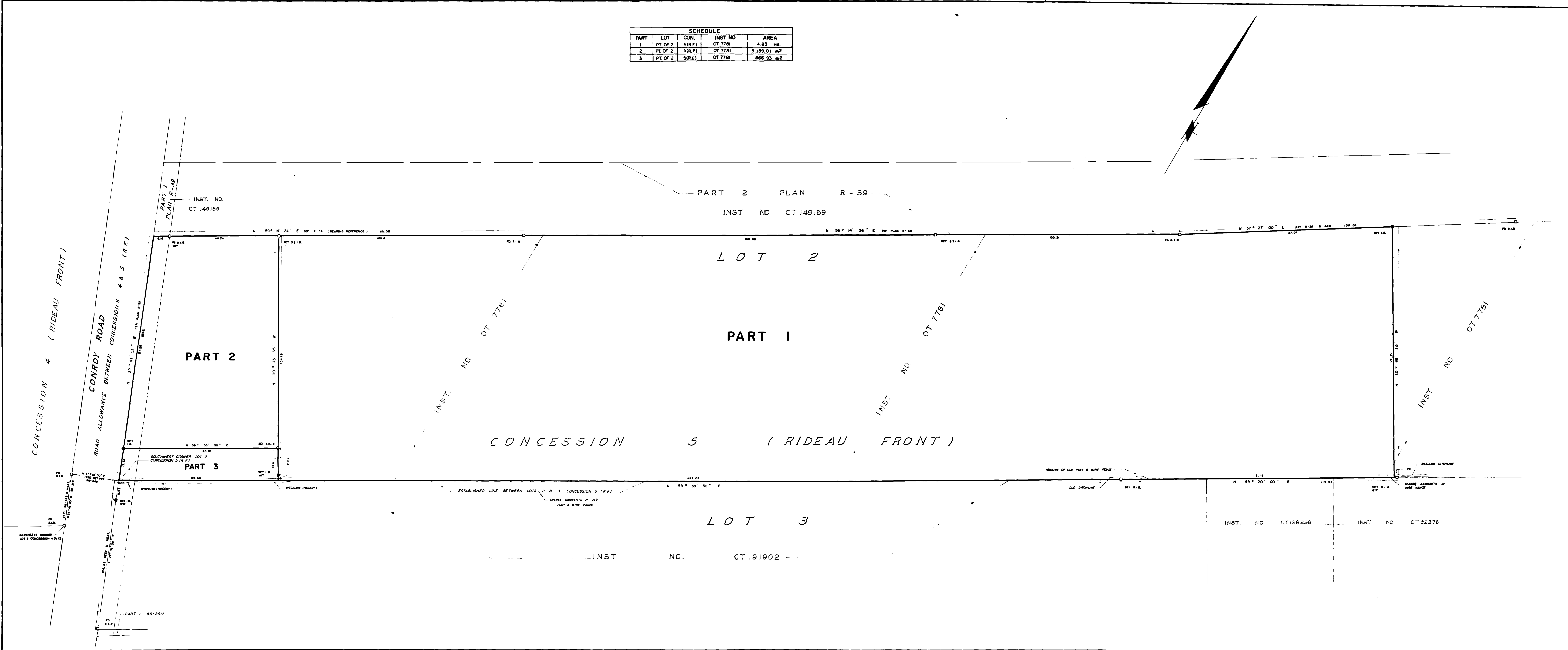
Wm. J. Webster O.L.S.  
 WM. J. WEBSTER O.L.S. DATE

LEGEND  
 □ □ □ DENOTES SHORT STANDARD IRON BARS  
 □ □ □ DENOTES STANDARD IRON BARS  
 ○ ○ ○ DENOTES ROUND IRON BARS  
 ■ ■ ■ DENOTES IRON BARS  
 WIT DENOTES WITNESS  
 ACC DENOTES ACCEPTED  
 ACT DENOTES ACTUAL  
 PL DENOTES PLAN  
 MEAS DENOTES MEASURED  
 FD DENOTES FOUND

NOTES  
 BEARINGS ARE ASTRONOMIC AND ARE REFERRED TO THE SOUTHERLY LIMIT OF PART 2 PLAN R-39 BETWEEN CO-ORDINATES 42 & 44 THE BEARING SHOWN AS S. 59° 14' 24" W.

CAUTION  
 THIS PLAN IS NOT A PLAN OF SUBDIVISION WITHIN THE MEANING OF THE PLANNING ACT.

FROM THE OFFICE OF  
**WM. J. WEBSTER LTD.**  
 Ontario Land Surveyor  
 OTTAWA, ONTARIO



36x