

**ONTARIO MUNICIPAL BOARD  
COMMISSION DES AFFAIRES MUNICIPALES DE L'ONTARIO**

**IN THE MATTER OF** subsection 17 (36) of the *Planning Act*, R.S.O. 1990, c.P.13, as amended

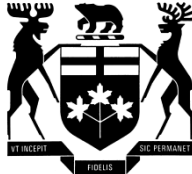
**Appellants:** Greater Ottawa Homebuilders Association, Zbigniew Hauderowicz, Karson Holdings Inc., Ken McRae; and others  
**Subject:** Proposed Official Plan Amendment No. OPA #76  
**Property Location:** All lands within the City of Ottawa  
**Municipality:** City of Ottawa  
**OMB Case No.:** PL100206  
**OMB File NO.:** PL100206

**WITNESS STATEMENT OF LLOYD PHILLIPS**

Prepared for:  
**Metcalfe Realty Company Ltd.**

Prepared by:  
Lloyd Phillips, MCIP RPP  
Lloyd Phillips & Associates Ltd.  
1827 Woodward Drive, Suite 109  
Ottawa, Ontario

December 9, 2011



Ontario  
Ontario Municipal Board  
Commission des affaires municipales de l'Ontario

**ACKNOWLEDGMENT OF EXPERT'S DUTY**

<b>Case Number</b>	<b>Municipality</b>
<b>PL100206</b>	<b>City of Ottawa</b>

1. My name is ...**Lloyd Phillips**.....(name)  
I live at the .....**City of Ottawa**.....(municipality)  
in the.....(county or region)  
in the .....**Province of Ontario**.....(province)
2. I have been engaged by or on behalf of...**Metcalf Realty Company Limited**...  
(name of party/parties) to provide evidence in relation to the above-noted Board proceeding.
3. I acknowledge that it is my duty to provide evidence in relation to this proceeding as follows:
  - a. to provide opinion evidence that is fair, objective and non-partisan;
  - b. to provide opinion evidence that is related only to matters that are within my area of expertise; and
  - c. to provide such additional assistance as the Board may reasonably require, to determine a matter in issue.
4. I acknowledge that the duty referred to above prevails over any obligation which I may owe to any party by whom or on whose behalf I am engaged.

Date...**December 9, 2011**.....

Signature

## **QUALIFICATIONS**

1. I am a land use planner who has been practicing for the past 37 years. I am the Principal of Lloyd Phillips & Associates Ltd. and have been consulting since 1987, following employment with the City of Ottawa. In the course of my practice, I have been involved in a variety of planning assignments for both municipal and private clients, including the former Regional Municipality of Ottawa Carleton, the City of Ottawa, and many private sector clients. I have on numerous occasions, been qualified to give expert land use planning evidence before the Ontario Municipal Board.
2. I received a Bachelor of Arts from Carleton University in 1974 and I have been a full member of the Canadian Institute of Planners and the Ontario Professional Planning Institute since 1992. Attached hereto as Attachment '1' is my *curriculum vitae*, which provides details of my academic and professional work history.

## **RETAINER**

3. My firm, Lloyd Phillips & Associates Ltd., was retained by Metcalfe Realty Company Ltd. ("Metcalfe") in 2008. The purpose of the retainer was to provide land use planning consulting services with regards to the Review of the City of Ottawa Official Plan.
4. I am providing an independent opinion to the Board by maintaining professional objectivity and providing impartial evidence on matters that are within my area of expertise.

## **SUMMARY OPINION**

5. The methodology used by the City is consistent with the Provincial Policy Statement ("PPS") and conforms to the policies of the Official Plan for the City of Ottawa (the "Official Plan").

## **ISSUES RAISED**

6. The issues addressed in this witness statement are appended as Attachment 2 to this witness statement.

## **FINAL CRITERIA FOR PARCEL EVALUATION**

7. The final criteria used to evaluate the parcels relative to one another in order to select parcels totalling 850 hectares for expansion of the City's urban area is found at Attachment 3 to this witness statement.

## **INTENT OF THIS OFFICIAL PLAN REVIEW**

8. The criteria used by the City must be put into the context of the Official Plan Review.

9. The January 28, 2009 Staff Report, which initialized the urban expansion evaluation process, it states:

*It is intended that this addition be more of a rationalization of the urban boundary and not the creation of a new community. This particular work is looking for the location that makes the most efficient use of existing infrastructure and services.*

*The intent is to add small amounts of urban lands to the boundary in a number of locations and thereby use the residual capacity in existing infrastructure and provide the highest probability of integration with the existing community.*

10. The May 24, 2009 Staff Report echoes this objective of the Official Plan review:

*The objective of the evaluation was to identify locations that represent a logical extension of an existing community that can take advantage of existing infrastructure and services.*

11. The City intends to complete a comprehensive review of the Official Plan in 2014 at which time the outcome of the LEAR study, the completion of Sustainability Principles and the Mineral Aggregates studies will be included.

#### **EVOLUTION OF THE EVALUATION CRITERIA**

12. At the outset, to establish the evaluation criteria reproduced in paragraph 7 above, it is understood that the City staff reviewed various sources, including the Provincial Policy Statement, 2005 (PPS).

13. From this review Staff concluded that the PPS provides the most appropriate framework:

*The Provincial Policy Statement provides a comprehensive but high-level framework for selecting criteria. It was reviewed to identify those factors that could be used to compare areas since the objective is to identify the “relative” merit of expanding the urban boundary in different areas. Other factors would apply equally to any land-use scenario and show up in policy. (May 4, 2009 Staff Report, Page 27)*

14. By January 2009, Staff had developed the following five assumptions to guide the identification of candidate areas:

- a. *The parcels must be a logical extension of the existing urban area;*
- b. *No lands in an Agricultural Resource Area designation were considered (with the exception of areas 5a and 10f).*

- c. *No lands in a Natural Environment Area designation were considered;*
  - d. *Some Mineral Aggregate Resource lands were included in the candidate areas, on the assumption that the resources would be depleted within the planning period;*
  - e. *Virtually all lands in a General Rural Area designation abutting the existing Urban Area were included. The only exceptions were General Rural Area lands that had no residential potential due to aircraft noise or proximity to the Trail Road solid waste disposal site.*
15. Once the candidate areas were identified using the five assumptions above, they were screened for Natural Heritage System components, which were discounted from the gross developable area of each parcel.
16. Sixteen evaluation criteria were developed.
- ...the overall objective is to select areas that make the best use of existing available infrastructure capacity and community resources. These parcels should be developable within a reasonable period of time such as the in the next 5 to 10 years. The Official Plan is reviewed every five years and the conditions of City infrastructure is monitored continuously. Lands that score lower today may very well be good candidates later.*
17. In addition to the Residential Urban Land review the City of Ottawa also completed a comprehensive review of Employment Lands.
18. Other aspects of the Official Plan that remain under review are:
- a. LEAR Study of Agricultural Resource Area
  - b. Completion of Sustainability Principles
  - c. Review of Mineral Aggregate Resource Areas
19. This sectoral approach to the Official plan review confirms the overall basis and intent of the review and subsequently, the assumptions that were made for the matters that were reviewed.
20. The City of Ottawa commenced the Official Plan review process in 2007, and consulted with the public throughout 2008.
21. In November 2008, City staff reported on the results of this consultation process and began the process for an Official Plan Amendment. This was considered and approved by the Planning and Environmental Committee and Agricultural and Rural Affairs Committee (the Joint Committee). At this time, the initial criteria for land parcel selection were used to identify 850 ha of a total of 1935 ha.

22. The initial findings and criteria were presented in the City staff report. This report concluded that approximately 850 ha were needed to meet the future residential land requirements and to enable the Official Plan to be consistent with the Provincial Policy Statement 2005.
23. The proposed Official Plan Amendment was presented to the Joint Committee in February 2009. This was released for public consultation and discussion.
24. The proposed Official Plan Amendment was considered at the Public Meeting that took place on March 31 - April 1, 2009. The Public Meeting was not closed to enable further submissions and consultation.
25. Between March 31, 2009 and May 2009, the criteria were revised in response to the submissions. In summary form these changes were:
  - a. Total weighted scores for:
    - i. Engineering increased from 24 to 26
    - ii. Community facilities (18) Potential Conflicts (4), and Physical Characteristics (5) were reorganized into eight criteria under the heading of Integration with the Community, and this had a total weighted score of 30. The previous system had a total weighted score of 27.
26. On May 26, 2009, the Joint Committee completed the Public Hearing and considered the City staff report on May 11, 2009. This included the criteria that were developed between March 2009 and May 2009.
27. On June 24, 2009, City Council adopted Official Plan Amendment #76. This proposed the addition of 230.0 ha in parcels generally located between Kanata and Stittsville.
28. On June 3, 2011, the Ontario Municipal Board issued its Decision regarding Phase One of the Hearing for OPA # 76. In summary form, the Board approved an urban expansion of 850.0 ha.
29. Following this, City planning staff requested appellants and other interested parties to make submissions regarding the recommendations for the specific land parcels and the scoring of the land parcels against the criteria. The intention was to gather any new information that could be applied to the criteria.
30. The criteria were the same as those used in the May 11, 2009 report and there were no changes made to the criteria in the potential scoring or weighting.

31. The only change in the land allocation resulting from this process was the inclusion of Area 1(b)(e) and the exclusion of all of Area 1c. Both properties are located adjacent to the northern urban area of Kanata. Area 1(b)(e) is owned by Metcalfe.

The chart below sets out the Potential Evaluation Scores (weighted) by category as set out in the May 4, 2011 City staff report.

Category	Criterion	Weighted Score	% of Total
Engineering	Water	8	9
	Wastewater	8	9
	Stormwater	8	9
	Depth to Bedrock	2	2
Total for Engineering		26	30%
Transportation	Capacity	6	7
	Accessibility	8	9
	Distance to Rapid Transit	10	11
Total for Transportation		24	27%
Integration with Community	Distance to Mixed-use Centre (MUC) or Mainstreet	5	6
	Ability to work in community	3	3
	Distance to Major Recreational Facility	5	6
	Distance to Emergency Services	5	6
	Conflicting Land Uses	4	5
	Connectivity	4	5
	Local Bus Service	2	2
	Agricultural Conflict	2	2
Total for Integration		30	34%
Land Absorption	Approximate Years Supply	8	9%
<b>TOTAL</b>		<b>88</b>	<b>100%</b>

*(May 4, 2009 staff report, Document 6)*

## **REVIEW OF CRITERIA AGAINST THE PROVINCIAL POLICY STATEMENT 2005**

32. The criteria for selecting lands are based on various policies in the Provincial Policy Statement 2005 (the PPS).

33. Section 1.1.3 - Settlement Areas provides guidance on growth in Settlement Areas, and the basis for land use patterns in settlement areas. The policies address efficiency of land use, infrastructure and resources.
34. Policy 1.1.3.7 requires that new development in *Designated Growth Areas* should occur adjacent to the existing built up area and have a compact form, mix of uses and densities that allow for the efficient use of land [infrastructure] and public service facilities.
35. Section 1.1.3.9 addresses the matters to be considered when a *Settlement Area* boundary is expanded, and this must only be at the time of a comprehensive review.
  - a. Sufficient opportunities for growth of the required type of development not available in the *Designated Growth Area* in the identified planning horizon.
  - b. *Infrastructure and Public Service Facilities* are planned or available to service the expansion.
  - c. In *Prime Agricultural Areas*:
    - i. lands are not specifically crop areas
    - ii. no reasonable alternatives to avoid the prime agricultural areas.
    - iii. No reasonable alternatives on lower priority agricultural lands
  - d. Impacts from new or expanding settlement areas on agricultural operations which are adjacent or close to the settlement area are mitigated.
36. Section 2.0 addresses the protection of natural heritage, water, agricultural, mineral and cultural heritage and archaeological resources.
37. The City of Ottawa criteria screened out most of these resources at a large scale and then addressed the issue by the weighing system in the criteria that considered the presence or absence of Environmental Management Plans and Subwatershed Plans, Proximity to Agricultural Area designated lands and Mineral Resource Areas. The Official Plan already has policies regarding the protection of cultural heritage and archaeological resources. As well, the City's web site provides mapping of areas of archaeological potential. This is applied on an individual site basis.
38. The criteria used by the City of Ottawa to select land parcels are consistent with the PPS.

### **OPINION REGARDING THE ISSUES**

The following provides my opinion regarding the matters as set out in the Issues List (Attachment 2)



## GREENSPACE ALLIANCE ISSUES

39. Are the criteria and weighting employed by the City consistent with the Provincial Policy Statement policies regarding watershed planning and protection of linkages between natural areas?

This criteria and the weighting are consistent with the PPS because the overall methodology screened out Natural Heritage System Components. The scoring and weighting system gave higher scores to areas with an up-to-date Environmental Management / Subwatershed Plan.

40. Are the criteria and weighting employed by the City respectful of Official Plan policies regarding watershed planning and protection of linkages between natural areas?

The criteria and weighting are consistent with Official Plan policies, notably Section 2.4.2 Natural Features and Functions, Section 2.4.3 Watershed and Subwatershed Plans and Section 4.7 Environmental Protection. As well, the screening process used to identify candidate lands was based on the Natural Heritage System Components even before the criteria were applied.

41. Was appropriate consideration given to subwatershed studies?

Subwatershed studies and their status were used as a method of scoring during the evaluation of a property within the criteria #3 - Serviceability - Stormwater.

42. Does the methodology to determine gross developable hectares take in account appropriate constraints under the Official Plan and Greenspace Master Plan?

The methodology used the Natural Heritage System Components to screen out lands. If a candidate parcel passed the screening and becomes part of the urban area it will be subject to the policies of the Official Plan, notably Section 4.7 - Environmental Protection.

## MATTAMY

43. Should lands designated Agriculture Resource Area be considered as candidate areas for inclusion in the City's Urban Boundary?

Lands designated Agricultural Resource Areas can be considered provided the proposal is consistent with the Provincial Policy Statement. The City approach to expansion was to balance the following considerations:

- The availability of land in a non-agricultural designation
- The expected absorption rate in various areas
- The relative merit of each parcel based on a number of evaluation criteria

44. Were there reasonable alternatives, within the meaning of the Provincial Policy Statement, such that further designation of prime agricultural lands for urban purposes was not appropriate?

The screening process gave higher priority to lands that did not have Agricultural Area designations, such as General Rural Area. This provided a reasonable alternative to Agricultural Resource Areas.

45. Was the exclusion of parcels of prime agricultural land as candidates for urban expansion consistent with the objectives of the Provincial Policy Statement?

The exclusion of prime agricultural land generally is consistent with the PPS.

#### JAMES MAXWELL

46. Where the stated methodology for evaluation criteria clearly states the basis for identifying lands having no residential potential due to i.e. "aircraft noise and proximity to the Trail Road disposal site, is it within the scope of the study to disqualify other lands for other not previously identified reasons?

If a land parcel is excluded for a reason that was not explicitly listed then it was done in the public interest and for good land use planning reasons.

47. Where one of the named criteria for evaluation is as #13, Potential Conflicting Land Uses, which assigns a weighted score, is it within the scope of the study to completely disqualify a parcel because one abutting owner claims a conflict?

If the activity that is being undertaken by the owner that claims a land use conflict would be limited or possibly removed by the introduction of a new land use that creates a conflict then it is in the public interest and demonstrates good land use planning to prevent such conflicts.

48. Where there is an intention to summarily disqualify a particular property even before the scoring evaluation takes place is it in conformity with "fair hearing" requirement under the Planning Act to do so without affording the owner the opportunity to address in a fulsome manner the basis for the disqualification?

The process that led up to OPA # 76 started in 2007 culminating in the statutory Public Meetings held in 2009 allowed for many opportunities for all concerned parties to state their views.

#### 4840 BANK STREET LIMITED

49. Does the City's methodology provide appropriate consideration of the planned function of Urban Areas and/or communities?

The City's methodology and the approach used was to meet a future having need for low density housing in the suburban areas outside of the Greenbelt. The planned function of

these communities is thereby maintained. As well, there are criteria under the category, Integration with the Community, that collectively emphasize that urban expansions should be logical extensions of existing urban areas. The rankings of the communities due to the presence or absence; or proximity to the attributes of the individual criteria reflect planned function of the community. The planned function of the various urban and rural components of the City of Ottawa is expressed in Section 2.0 - Strategic Directions of the Official Plan.

50. Does the City's methodology provide appropriate consideration of applicable Community Design Plans?

The City's methodology does not need to provide consideration of Community Design Plans (CDPs) because CDP's are Secondary Plans that are done after an urban area is established. The presence or absence of a CDP in an urban area is not a relevant determinant of an urban expansion.

51. Should there be criteria and weighting assigned to lands that can be developed in the next 5 years? (Also raised by Jim Maxwell)

This was recognized in Criteria #16 - Land Absorption, which provided an approximate years land supply in the various suburban areas.

52. Should there have been a criteria and weighting for the question of adjacency to the existing Urban Area?

This was recognized generally in many of the criteria and specifically in Criteria # 11 - Connectivity to the Community.

53. Is the description of Accessibility - Transit applied by the City the appropriate description for this criterion?

The descriptions in this criteria and the others attempt to convey a complex meaning within a small space in a large matrix. The specific description conveys the meaning that the greater the distance from the rapid transit facilities (existing or planned) or to a park and ride facility, the lower the score conveys this adequately.

54. Is the description of Accessibility to existing or planned retail /commercial area applied by the City the appropriate description for this criterion?

The criteria refers to a retail commercial focus, and the designation refers to Mainstreets or Mixed Use Centres. Smaller scale commercial areas like these have been excluded because they form part of the General Urban Area.

55. Is the description of Accessibility-Arterial and Collector Roads appropriate or should the test be one of sufficient access?

No comment, this is best answered by a transportation expert.

56. Is the definition of Major Recreational Facility appropriate as it has been applied by the City?

Major Recreation Facilities are not defined in the Official Plan or Zoning By-law. Section 3.6.7 of the Official Plan contains policies for Major Urban Facilities. Other recreational facilities that do not meet the descriptions in this policy are permitted in General Urban Areas. Criterion # 9 - Accessibility to Community Facilities deals with these.

57. Why does the City's methodology include depth of bedrock as a measurement tool when this forms part of the landowners cost of development?

It is correct that typically the developer bears the cost of installing the services and that this is not a cost to the City, so this criterion is not relevant in the short term. Consideration of depth to bedrock could be relevant in the future when the City has to maintain or replace infrastructure that was originally provided by the developer and this could result in extra cost to the City.

58. Was the City's application of historical land absorption rate an appropriate means for applying this criterion?

Criterion #16 is appropriate and important because it provides a guide for the phasing of development based on land supply. One of the purposes of the Official Plan review was to determine future residential housing needs and land requirements. The areas with the largest land supplies indicate lower needs and get lower scores.

#### **DOCUMENTS TO BE RELIED UPON**

59. Provincial Policy Statement
60. City of Ottawa Staff Report, January 28, 2009
61. City of Ottawa Staff Report, March 20, 2009
62. City of Ottawa Staff Report, May 4, 2009
63. City of Ottawa Official Plan

December 9, 2011



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Lloyd Phillips MCIP RPP

ATTACHMENT 1 - CV OF LLOYD PHILLIPS

**RESUME**

**LLOYD PHILLIPS MCIP RPP**

**EDUCATION:** Carleton University, Ottawa  
Bachelor of Arts, 1974

**PROFESSIONAL AFFILIATIONS:** Full Member Canadian Institute of Planners  
Registered Professional Planner  
Ontario Professional Planners Institute

**SKILLS AND EXPERIENCE:**

Urban, rural and regional planning  
Community and neighborhood planning  
Master planning, plans of development site planning and urban design  
Municipal official plans and zoning by-laws and amendments to these documents  
Land use planning policy development and implementation  
Project management and development strategy  
Public consultation and communications  
Development approvals at federal, regional and municipal levels  
Development approval process analysis and design  
Public sector and private sector real property research, analysis and strategic management  
Expert witness at Ontario Municipal Board and other tribunals

**EXPERIENCE:**

**Lloyd Phillips & Associates Ltd.                      September 1995 to present**

Principal of own land use planning consulting firm based in Ottawa, with professional staff associates and others as required, on a project basis. Provide land use planning, urban design, research, and land development consulting services to public sector and private sector clients in the Ottawa area, eastern Ontario, north-east Ontario, and the St. Lawrence Seaway. Examples of major projects:

- Detailed analysis and review of Ottawa Official Plan and Zoning By-law
- Mixed use residential and commercial developments in Ottawa
- Residential redevelopment and intensification projects in Ottawa
- Delegation of the Ismaili Imamat and Global Centre for Pluralism
- Development approvals for Palladium Auto Park, Place des Gouverneurs and 140 ac. Residential /Commercial development in Stittsville.
- Study of Porter's Island for the City of Ottawa
- Study of Development Opportunities at Transit way Stations
- Study of Land, Office and Laboratory Accommodation at the Central Experimental Farm, Ottawa
- Community plans for Areas 8, 9, and 10, South Nepean
- Community plan for South March (Kanata North Expansion)
- Land use planner in consulting team for Carp River watershed study
- Detailed analysis of new Ottawa Official Plan and appeals for private clients
- Study and OMB hearing of re-alignment of Strandherd Drive in South Nepean

- Community plan for Manotick
- Studies of retail uses in employment areas and town centre in the City of Kanata
- Plan of development for the Scott-Wellington area
- Retail policy reviews in the City of Cumberland and the City of Brockville
- Crossroads center master plan and individual developments at Hunt Club Road and Merivale Road, City of Nepean
- Village of Rockcliffe Park Official Plan and Zoning By-law
- City of Kanata development approvals business process review
- City of Ottawa development approval process review
- OMB hearings in Elizabethtown- Kitley for Lily Bay Subdivision and Minor Variances on Hillcrest Road

**Essiambre Phillips Desjardins Ltd.**

**June 1990 to September 1995**

Principal and co-owner of land use planning consulting firm. Examples of major projects:

- Plans of development for the Carling-Churchill area, the Woodward-Laperriere area, Ottawa Life Sciences Research Park
- Community Improvement Plan for King Edward Avenue
- Concept plans for residential, business park and town center of the Riverside community in the City of Gloucester
- Development plans for Shopper's City West in Nepean and Billings Bridge Plaza in Ottawa
- Kanata business park zoning by-law
- Development analysis of Place de Ville Phase Three
- Prepared inventory of office locations in the National Capital Region for PWGSC
- Development analysis of the former Woolworth's store on Rideau Street

**Cumming Cockburn Limited**

**1987 to 1990**

Senior planning consultant in the Ottawa office of a multi-disciplinary consulting firm. Provided consulting services to public-sector and private-sector clients in Ottawa Carleton and eastern Ontario.

**City of Ottawa**

**1978 to 1987**

Senior planner in the zoning division of the Planning branch, supervisor of professional staff, prepared and monitored work program, prepared reports and studies, attended OMB hearings as City expert witness. Intermediate planner, responsible for a wide range of rezoning, subdivision and various other development approvals, co-author of comprehensive zoning by-law.

**Township (now the City) of Gloucester**

**1975 to 1978**

Junior planner responsible for site plan approvals, rezonings, special studies, and prepared secondary official plan for Blossom Park area.

**CONTACT:**

**Lloyd Phillips & Associates Ltd.**

**1827 Woodward Drive, Suite 109 | Ottawa, ON | K2C 0P9**  
**613-236-5373 office / 613-236-5776 fax / lloyd@lloydphillips.com**

ATTACHMENT 2 - ISSUES LIST



## ATTACHMENT 2

### ISSUES LIST

#### GREENSPACE ALLIANCE ISSUES

1. Are the criteria and weighting employed by the City consistent with the Provincial Policy Statement policies regarding watershed planning and protection of linkages between natural areas?
2. Are the criteria and weighting employed by the City respectful of Official Plan policies regarding watershed planning and protection of linkages between natural areas?
3. Was appropriate consideration given to subwatershed studies?
4. Does the methodology to determine gross developable hectares take in account appropriate constraints under the Official Plan and Greenspace Master Plan?

#### MATTAMY

5. Should lands designated Agriculture Resource Area be considered as candidate areas for inclusion in the City's Urban Boundary?
6. Were there reasonable alternatives, within the meaning of the Provincial Policy Statement, such that further designation of prime agricultural lands for urban purposes was not appropriate?
7. Was the exclusion of parcels of prime agricultural land as candidates for urban expansion consistent with the objectives of the Provincial Policy Statement?

#### JAMES MAXWELL

8. Where the stated methodology for evaluation criteria clearly states the basis for identifying lands having no residential potential due to i.e. "aircraft noise and proximity to the Trail Road disposal site, is it within the scope of the study to disqualify other lands for other not previously identified reasons?
9. Where one of the named criteria for evaluation is as #13, Potential Conflicting Land Uses, which assigns a weighted score, is it within the scope of the study to completely disqualify a parcel because one abutting owner claims a conflict?
10. Where there is an intention to summarily disqualify a particular property even before the scoring evaluation takes place is it in conformity with "fair hearing" requirement under the Planning Act to do so without affording the owner the opportunity to address in a fulsome manner the basis for the disqualification?

4840 BANK STREET LIMITED

11. Does the City's methodology provide appropriate consideration of the planned function of Urban Areas and/or communities?
12. Does the City's methodology provide appropriate consideration of applicable Community Design Plans?
13. Should there be criteria and weighting assigned to lands that can be developed in the next 5 years? (Also raised by Jim Maxwell)
14. Should there have been a criteria and weighting for the question of adjacency to the existing Urban Area?
15. Is the description of Accessibility - Transit applied by the City the appropriate description for this criterion?
16. Is the description of Accessibility to existing or planned retail /commercial area applied by the City the appropriate description for this criterion?
17. Is the description of Accessibility-Arterial and Collector Roads appropriate or should the test be one of sufficient access?
18. Is the definition of Major Recreational Facility appropriate as it has been applied by the City?
19. Why does the City's methodology include depth of bedrock as a measurement tool when this forms part of the landowners cost of development?
20. Was the City's application of historical land absorption rate an appropriate means for applying this criterion?

ATTACHMENT 3 - CRITERIA

Category	Criterion	Weighted Score	% of total
Engineering	Water	8	9
	Wastewater	8	9
	Stormwater	8	9
	Depth to Bedrock	2	2
Total for Engineering		26	30%
Transportation	Capacity	6	7
	Accessibility	8	9
	Distance to Rapid Transit	10	11
Total for Transportation		24	27%
Integration with Community	Distance to Mixed-use Centre (MUC) or Mainstreet	5	6
	Ability to work in community	3	3
	Distance to Major Recreational Facility	5	6
	Distance to Emergency Services	5	6
	Conflicting Land Uses	4	5
	Connectivity	4	5
	Local Bus Service	2	2
	Agriculture Conflict	2	2
Total for Integration		30	34%
Land Absorption	Approximate Years Supply	8	9%
<b>TOTAL</b>		<b>88</b>	<b>100%</b>

The purpose of the evaluation is to assess the *relative* merits of the various candidate areas. Each candidate area was evaluated against the criteria in Table 2. All distances are measured from the centroid of the parcel to the facility or service being assessed. The possible scores are distributed as follows and then weighted.

Table 2 – Evaluation Criteria and Scores

Criteria	Description	Scores	Possible Score
1. Servicability – Water	Scores for each site ranged from 0 to 4 based on consideration of the factors in the next column	0 – major upgrade / expansion of pump station and/or distribution system required to service development area; 2 – good integration with existing network but requires moderate upgrades to existing facilities; 4 – residual capacity available in pressure zone to service development area with no or minimal investment in existing distribution system.	4 weighted by 2 = 8

Criteria	Description	Scores	Possible Score
2. Servicing – Wastewater	Scores for each site ranged from 0 to 4 based on consideration of the factors in the next column	0 – no gravity outlet; may require new local pump station and force main due to topographic conditions; capacity upgrades required in external trunk sewers and / or pump station; 2 – access to gravity sewers but requires moderate upgrades to existing facilities; 4 – existing trunk sewers and / or pump stations have residual capacity to service development area with no or minimal investment.	4 weighted by 2 = 8
3. Servicing – Stormwater	Scores for each site ranged from 0 to 4 based on consideration of the factors in the next column	0 - existing servicing constraints; flood hazard constraints; no Environmental Management / Subwatershed Plan available to guide development area; 2 - no flood hazard constraints; Environmental Management / Subwatershed Plan available to guide development, but requires update to consider cumulative impact of additional growth area; 4 - up-to-date Environmental Management / Subwatershed Plan available to guide development; drainage system and stormwater management systems approved and ready to accommodate future development.	4 weighted by 2 = 8
4. Capacity - Roads	Examined the existing/ planned road infrastructure to determine if capacity can accommodate demand	See table below	3 weighted by 2 = 6

Level of Service (LoS)	Volume to Capacity Ratio (V/C)	Point scoring based on worst of two screenlines measured
A	0 to 0.60	not scored, none in this range
B	0.61 to 0.70	not scored, none in this range
C	0.71 to 0.80	3 (weighted by 2 = 6)
D	0.81 to 0.90	1.5 (weighted by 2 = 3)
E	0.91 to 1.00	0
F	> 1.00	0

**Note: The Transportation Master Plan seeks to provide a sufficient peak hour directional capacity to achieve a Level of Service "D" for screenlines outside of the City's inner core.**

Criteria	Description	Scores	Possible Score
5. Accessibility – Arterial and Collector Roads	<ul style="list-style-type: none"> <li>• Direct access to existing or planned arterial and collector roads</li> </ul>	<ul style="list-style-type: none"> <li>• 0 – No direct access</li> <li>• 1 – Direct access to one or more collector roads</li> <li>• 2 – Direct access to one arterial road</li> <li>• 3 – Direct access to 1 arterial and 1 or more collectors</li> <li>• 4 – Direct access to two or more arterials and any number of collectors</li> </ul>	<p>4                      weighted by 2                      = 8</p>
6. Accessibility – Transit	<ul style="list-style-type: none"> <li>• Distance to existing or planned rapid transit network or to park and ride. The average is 2.9 km (revised from 2.8; <u>new information</u>). The points measure up to 25% more or less and 50% more or less.</li> </ul>	<ul style="list-style-type: none"> <li>• 0 points – more than 4.4 km</li> <li>• 1 points – 3.7 to 4.3</li> <li>• 2 points – 3.0 to 3.6</li> <li>• 3 points – 2.3 to 2.9</li> <li>• 4 points – 1.5 to 2.2</li> <li>• 5 points – 0 to 1.4 (revised based on new information)</li> </ul>	<p>5                      weighted by 2                      = 10</p>
7. Accessibility to existing or planned retail/commercial focus	<ul style="list-style-type: none"> <li>• Distance to a Mainstreet or Mixed-Use Centre. The average is 4.8 km (revised from 4.4; <u>new information</u>)</li> </ul>	<ul style="list-style-type: none"> <li>• 0 points – more than 7.4 km</li> <li>• 1 points – 6.1 to 7.3</li> <li>• 2 points – 4.9 to 6.0</li> <li>• 3 points – 3.7 to 4.8</li> <li>• 4 points – 2.5 to 3.6</li> <li>• 5 points – 0 to 2.4 (revised based on new information)</li> </ul>	<p>5</p>
8. Ability to work in community	<ul style="list-style-type: none"> <li>• Jobs/Housing Balance. This is cumulative, starting at the parcel nearest the urban boundary</li> </ul>	<ul style="list-style-type: none"> <li>• 0 – &lt;1.10</li> <li>• 1 – 1.1 to 1.19</li> <li>• 2 – 1.2 to 1.24</li> <li>• 3 – equal to or over 1.25</li> </ul>	<p>3</p>
9. Accessibility to community facilities	<ul style="list-style-type: none"> <li>• Distance to a Major Recreational Facility. The average is 4.0 km (revised from 3.6; <u>new information</u>)</li> </ul>	<ul style="list-style-type: none"> <li>• 0 points – more than 6.1 km</li> <li>• 1 points – 5.1 to 6.0</li> <li>• 2 points – 4.1 to 5.0</li> <li>• 3 points – 3.1 to 4.0</li> <li>• 4 points – 2.1 to 3.0</li> <li>• 5 points – 0 to 2.0 (revised based on new information)</li> </ul>	<p>5</p>
10. Availability of existing or planned emergency services	<ul style="list-style-type: none"> <li>• Distance to emergency services – fire, ambulance and police (total /3). The average is 5.0 km (revised from 4.9; <u>new information</u>)</li> </ul>	<ul style="list-style-type: none"> <li>• 0 points – more than 7.6 km</li> <li>• 1 points – 6.4 to 7.5</li> <li>• 2 points – 5.1 to 6.3</li> <li>• 3 points – 3.9 to 5.0</li> <li>• 4 points – 2.6 to 3.8</li> <li>• 5 points – 0 to 2.5 (revised based on new information)</li> </ul>	<p>5</p>

Criteria	Description	Scores	Possible Score
11. Connectivity to the Community	The ability to connect is available or can be planned	<ul style="list-style-type: none"> <li>• 4 points – good – totally unobstructed in all directions;</li> <li>• 3 points – less than good – partial obstruction in one direction;</li> <li>• 2 points – medium – unable to connect in one direction;</li> <li>• 0 points – poor – obstructions in 2 or more directions.</li> </ul>	4
12. Existing Bus Service	Local bus service exists today at the parcel ( <u>new information used</u> )	<ul style="list-style-type: none"> <li>• 2 points – all day service exists</li> <li>• 1 point – peak period service exists</li> <li>• 0 points – service does not exist</li> </ul>	2
13. Potential Conflicting Land Uses	<ul style="list-style-type: none"> <li>• Agricultural Resource Area within 500 metres</li> </ul>	<ul style="list-style-type: none"> <li>• 0 – yes</li> <li>• 2 – no</li> </ul>	2
14. Potential Conflicting Land Uses	<ul style="list-style-type: none"> <li>• Adjacent rural development (Country Lot or Village) or adjacent landfill constraint</li> </ul>	<ul style="list-style-type: none"> <li>• 0 – yes</li> <li>• 2 – no</li> </ul>	2 weighted by 2 = 4
15. Depth to Bedrock		<ul style="list-style-type: none"> <li>• 0 is 0-2 metres</li> <li>• 1 is 2 to 5 metres</li> <li>• 2 is 5 or more metres</li> </ul>	2
16. Land Absorption	<ul style="list-style-type: none"> <li>• Approximate years supply in 2009 (<u>new information</u>)</li> </ul>	<ul style="list-style-type: none"> <li>• 0 – &gt;19 (Leitrim, Riverside South)</li> <li>• 1 – 18 to 19</li> <li>• 2 – 16 to 17 (Kanata-Stittsville)</li> <li>• 3 – 14 to 15</li> <li>• 4 – &lt;14 (South Nepean, Orleans)</li> </ul> (revised based on new information)	4 weighted by 2 = 8
Total			88