

REGIONAL MUNICIPALITY OF OTTAWA-CARLETON
MUNICIPALITÉ RÉGIONALE D'OTTAWA-CARLETON

REPORT
RAPPORT

Our File/N/Réf. 11-97-0591
Your File/V/Réf.

DATE 5 January 1998

TO/DEST. Co-ordinator, Planning and Environment Committee

FROM/EXP. Commissioner, Planning and Development Approvals

SUBJECT/OBJET **APPEALS TO MINISTER'S NOTICE OF DECISION OF 1997
REGIONAL OFFICIAL PLAN**

DEPARTMENTAL RECOMMENDATION

That the Planning and Environment Committee recommend that Council:

- 1. Sustain the appeal of the following:**
 - a) Modifications E 17 regarding refinements to boundaries of Natural Environment Areas (B),**
 - b) Modification L 7 regarding the designation of a site in the rural area of Gloucester, and**
 - c) Modifications L 16, and L 30 regarding designation of a site in Kanata as Wetland.**

- 2. Withdraw appeals of the following:**
 - a) Modification E 34 which modifies requirements for Wetlands Impact Studies for land adjacent to Provincially Significant Wetlands,**
 - b) Modification H 4 regarding farm-related severances in Sand and Gravel and Limestone Resource Areas,**
 - c) Modification H 10 regarding environmental impact study requirements for pit and quarry zoning applications,**
 - d) Modification H 11 regarding creation of a buffer between a regional road and any extraction activity on two lots designated as Limestone Resource Area in Kanata, and**
 - e) Modification L 3 and L 29 regarding designation of a site in Kanata which is part of the Carp Hills Wetland Complex.**

BACKGROUND

Information memorandums dated 17 Nov and 9 Dec 97 respectively were previously provided to Regional Councillors and included a description of the modifications proposed by the Province which staff appealed on behalf of Committee and Council and an index of the appeals filed by other parties to either the 1997 Regional Official Plan or the Minister's proposed modifications.

This report discusses the appeals made by Legal staff on Council's behalf in greater detail and provides staff's recommendations as to whether the appeals should be sustained or withdrawn. It also provides some additional information on the appeals filed by other parties and advice on next steps. In particular staff recommend that mediation be used to resolve as many appeals as possible; this is consistent with Policy 15 of Section 1.6, "Wherever possible, Council will try to resolve planning disputes through mediation."

DISCUSSION

Regional Appeals

Legal staff filed eight appeals to modifications in the Minister's Notice of Decision. In making the appeal staff provided the opportunity for Council to consider their position. The appeals are discussed below.

1. Modification E 17

"That Policy **5.4.2.2, page 81**, Natural Environment Areas (B), be modified by adding the following sentence to the end of the policy: **"Any refinements related to Significant Wetlands on the Canadian Shield, or Provincially Significant Areas of Natural and Scientific Interest shall be acceptable to the Ministry of Natural Resources."**

Appeal

In dealing with Significant Wetlands south and east of the Canadian Shield in Policy 5.5.1.3 of the Regional Official Plan, the Ministry of Municipal Affairs and Housing has accepted that, while Regional Council must consider the advice of the Minister of Natural Resources in determining the boundaries of such wetlands, it is not to be required that any such determination be "acceptable" to the Ministry. Lands designated Natural Environment Area (B) (Significant Areas of Natural and Scientific Interest and Significant Wetlands in the Canadian Shield) are given less protection from development in the Provincial Policy Statement than Significant Wetlands south and east of the Canadian Shield.

Recommendation

Staff recommend that the appeal be sustained and that the policy be modified per the wording in policy 3 of Section 5.5.1, i.e., that Regional Council should be required to seek the advice of the Ministry.

2. Modification E 34

“That Policy **5.5.2.3, page 88**, Policies for Adjacent Lands, be modified by deleting the words “for land abutting a” and by replacing them with **“involving lands within 120 metres of a”**”.

Appeal

The proposed modification changes the requirement for a full site Wetlands Impact Study for development proposals, other than a lot for a single-detached building, to include those within 120m of the boundary of a Significant Wetland south and east of the Canadian Shield as opposed to those which abut a Significant Wetland south and east of the Canadian Shield. The City of Gloucester has also appealed this modification.

This modification was appealed to reflect Council’s position developed during review of the two previous wetland amendments (Amendment 45 and Amendment 61). During consultations on the original wetland Amendment 45 (under Bill 163), significant concerns were expressed about the use of the 120m adjacent land provision which would have required a Wetland Impact Study (WIS) for any development or alteration within 120m of a Provincially Significant Wetland (PSW). In addition, the new Provincial Government repealed Bill 163 and, while maintaining an adjacent lands policy, removed the explicit reference to 120m from the Provincial Policy Statement. This led to the approach taken in Amendment 61 of requiring a WIS within 30m for a severance, and for any subdivision which “abuts” a PSW.

The Province has not objected to the use of the 30m standard for severances, but did object to the use of the abutting provision for subdivisions as it could have potentially allowed development to proceed very close to a PSW without any study requirements. They have continued to suggest that 120m is a reasonable distance, but the proposed modification only applies this standard to plans of subdivision and other development proposals (e.g. commercial or industrial uses). As a result, the 120m provision is much more focused than the broad statements related to development and land alteration proposed during discussion of Amendment 45.

Recommendation

Having examined the background, staff recommend that Council withdraw the appeal of this modification for the following reasons:

- the 120m provision will only apply to plans of subdivision and other development applications which are likely to have to provide a number of supporting studies of which a WIS would be a one component.
- given that subdivisions have more impact than a severance, it would be difficult to argue for a distance of less than 30m.
- while it is difficult to arrive at a precise number with each case being a little different, the RMOC would have to propose and defend an alternative, presumably something between 120m and 30m. Given the Province’s continued support of 120m, it can be anticipated that

significant effort and research (with an uncertain result) would be required to justify an alternative.

In conclusion, the modification would trigger the need for preparation of a WIS within 120m for development applications other than individual severances. This is considerably less onerous than the original provisions under Amendment 45 or Bill 163.

3. Modification H 4

“That Policy **8.2.3 b), page 118**, Policies for Mineral Aggregate Resources, be modified by adding the following to the end of the policy: **“provided that the lands are not licensed as a pit or quarry and technical information demonstrates that the aggregate resources on the land subject to severance are not suitable for exploitation. In addition, the technical information shall also demonstrate that the use of land for rural residential purposes will not restrict the possibility of mineral extraction from other lands designated Sand and Gravel Resource Area or Limestone Resource Area.”**

Appeal

This policy deals with retirement severances for farmers in a Sand and Gravel or Limestone Resource designation. The approach of the Region has always been that all farmers throughout Ottawa-Carleton should be treated in an equitable manner, regardless of the official plan designation in which their lands are located. This modification places additional restrictions on farm-related severances for farmers located in the Sand and Gravel and Limestone Resource Areas beyond those found in section 7.3, Farm-related Severances, of the Official Plan.

While the modification proposed by the Minister will be less “equitable” in applying the same rules to farm-related severances across Ottawa-Carleton, it is very consistent with the Provincial Policy Statement, which does not permit development which would hinder the expansion of existing or establishment of new aggregate operations or hinder access to deposits of mineral aggregates. The proposed modification does not entirely preclude all severances. It does provide a strong incentive in the case of a farm property where only part of the property is designated Sand and Gravel or Limestone Resource to locate the new lot outside of these designations.

Recommendation

Staff recommend that this appeal be withdrawn.

4. Modification H. 10

“That Policy **8.2.10 (formerly 8.2.11), page 120**, Policies for Mineral Aggregate Resources, be modified by deleting it in its entirety and by replacing it with the following: **“Require completion of an Environmental Impact Statement as per Section 5.4.4 prior to decision on any application for rezoning for a pit or quarry which may**

potentially affect the significant features or ecological functions of the Environmental Designations or Environmental Features shown on Schedule K.”.

Appeal

This modification replaces reference to an Environmental Impact Study (undefined in the Plan) with reference to an Environmental Impact Statement as defined in Section 5.4.4 of the Plan. It also limits the requirement for completion of a study to situations which the proposed pit or quarry may potentially affect the significant features or ecological functions of the Environmental Designations or Environmental Features on Schedule K. The policy as adopted by Council would have imposed the study requirement on all pit and quarry proposals and also explicitly stated that if the study revealed impacts which could not be mitigated, the rezoning cannot proceed.

The policy should be considered in context with the preceding policy 10, which makes explicit reference to studies of: noise, dust and vibration; haul routes, traffic volumes and entrance/exit design; impacts on surface and ground water; compatibility with existing land uses adjacent and nearby; agricultural rehabilitation, if applicable; and proposed afteruse and rehabilitation. Policy 11 replaced a reference in Policy 10 to “onsite and nearby environmental features, a description of anticipated impacts and proposed mitigation.”

Recommendation

Staff recommend that the objection be withdrawn. The modification proposed by the Ministry is a needed and acceptable clarification which covers the intent of the previous reference in Policy 10 which the new Policy 11 replaced. Many of the environmental features on Schedule K were also candidate mineral resource areas. The Province has accepted Council’s decision to give natural areas of high or moderate significance higher priority than mineral aggregate resources. Staff could not support a position which maintains that impacts on natural features which are not in the designations on Schedule K would be sufficient grounds to deny an application for a pit or quarry, when the Plan does not subject any other kind of development proposal to this test.

5. Modification H 11

“That Policy **8.2.13, page 121**, Policies for Mineral Aggregate Resources, be modified by deleting the words “Lots 22 and” and by replacing them with “**Lot**”.

Appeal

Policy 13 requires that a 150m buffer area be located between any extraction activity and Regional Road 9 in the lands described as Lots 22 and 23, Concession III, Kanata. The proposed modification would only require that the buffering be in Lot 23, i.e. the buffering requirement would not apply to Lot 22.

The Region is the only party to appeal this modification. No corresponding appeal was received from the City of Kanata or neighbouring landowners. Homes are located along Regional Road 9 in both Lots 22 and 23. Therefore, given that the Ministry has accepted the principle of buffering

in Lot 23, the Region could argue that the same buffering ought to be extended in Lot 22. The Ministry will argue that the owner of Lot 23 (who intends to apply for a quarry license) has met with his neighbours and they reached agreement on the 150m separation. This is consistent with the recent amendments to the *Aggregate Resources Act*, which place the onus on a license applicant to address the concerns of potential objectors. No such meeting has occurred with respect to Lot 22, therefore the Ministry may argue that it is premature to apply a separation distance in official plan policy. This does not preclude the establishment of a separation distance, when and if a license application is submitted in Lot 23. Experience with the buffer in Lot 23 may indicate that a greater or lesser buffer is required.

Recommendation

Staff recommend that this appeal be withdrawn. An appropriate separation distance is better decided at the time of license application, when more information is available.

6. Modification L 3 Modification L 29

“That **Schedule “A”** be modified by designating the area outlined in part of Lots 16 and 17, Concession I, City of Kanata, (part of the Carp Hills Wetland Complex) as “**Natural Environment Area (B)**”.

“That **Schedule “K”** be modified by changing the “Environmental Features” area shown in part of Lots 16 and 17, Concession I, City of Kanata (part of the Carp Hills Wetland Complex) as “**Environmental Designations (See Schedule “A”)** to correspond with the area shown in Modification L3”.

Appeal

These proposed modifications would redesignate the subject lands (Part Lots 16 and 17, Concession I, Kanata) from General Rural to Natural Environment Area (B) on Schedule A and amend how the lands are shown on Schedule K from Environmental Features to Environmental Designations (See Schedule A). The owner of the property, Mr. Charlebois, has filed a corresponding appeal (Appeal #19 in the Index of Appeals).

The subject lands are part of a Significant Wetland on the Canadian Shield (Carp Hills complex). Significant Wetlands on the Shield elsewhere in the Plan have been placed in a Natural Environment (B) designation. Mr. Charlebois argued that the designation of General Rural with an Environmental Features overlay on Schedule K provides a similar level of protection in that both designations would require the preparation of an Environmental Impact Study as a component of a subdivision proposal.

While staff confirmed that both approaches would require essentially the same studies and assessment during consideration of a subdivision proposal, staff also advised Committee when the draft Plan was before them that designating the area as General Rural with an Environmental Feature overlay was not consistent with the approach taken in other Significant Wetlands on the

Canadian Shield. It will be difficult to justify to the Municipal Board why an exception is being made in this case. Furthermore, Mr. Charlebois can proceed with a subdivision proposal on much the same basis in either case.

Recommendation

Staff therefore recommend that the appeal on this modification be withdrawn

7. Modification L 7

“That **Schedule “A”** be modified by designating the area outlined in Lots 28 and 29, Concession Broken Front, City of Gloucester, to **“Agricultural Resource Area”**.”

Appeal

The proposed modification would change the designation of the subject lands (owned by Booth and Keenan) on Schedule A from General Rural Area to Agricultural Resource Area. Studies submitted to the Region assert that the predominant soil classification of the property is less than Class 3 (but the study conclusions have not been accepted by OMAFRA). A predominant soil classification less than Class 3 would lead to the parcel not being within the term “prime agricultural land” as such term is defined in the Provincial Policy Statement.

The Region employed LEAR - Land Evaluation and Area Review, a methodology approved by the Ministry of Agriculture, Food and Rural Affairs, to determine which lands should be contained within the Agricultural Resource Area. With a predominant soil classification less than Class 3, the LEAR score would indicate that these lands should not be designated Agricultural Resource Area but rather General Rural.

The owners of the subject properties and the City of Gloucester have also appealed this modification (Appeals #29, #30, and #26). Fines Flowers has also appealed the Agricultural Resource designation on their property in part of Lot 27, Concession Broken Front (Appeal #5).

The appropriate designation for these properties revolves around the issue of the correct predominant soil classification. Although both these owners and Fines Flowers to the north have had soils studies done by MM Dillon, OMAFRA has indicated that the studies do not provide the information required to justify a change in soil classification. At this time, Council is in the position of having refused an application for a redesignation to General Rural for the Fines Flowers property in Lot 27 and having redesignated the Booth and Keenan properties in Lots 28 and 29 to General Rural. It would be difficult for Legal counsel to successfully argue both these inconsistent positions at the Ontario Municipal Board.

Recommendation

Staff recommend that Council sustain the appeal and request the applicants and their consultant and OMAFRA to do whatever additional investigation is required for the parties to agree on the correct predominant soil classification. When there is agreement on the soil classification for all

three properties (Fines Flowers, Booth and Keenan), staff will bring another report to Committee and Council advising on the recommended designation for all three properties.

8. Modification L 16
Modification L 30

“That **Schedule “B”** be modified by designating the area outlined in part of Lots 30 and 31, Concession VI, City of Kanata, (Stony Swamp Wetland) as **“Significant Wetlands south and east of the Canadian Shield”**.

“That **Schedule “K”** be modified by delineating the area outlined in part of Lots 30 and 31, Concession VI, City of Kanata, (Stony Swamp Wetland) as **“Environmental Designations (See Schedule “B”)** so as to correspond with the area shown as Modification L16.

Appeal

Modifications L 16 and 30 change the designation of some land in the Bridlewood portion of Kanata from General Urban Area on Schedule B to Significant Wetlands south and east of the Canadian Shield on Schedule B and Environmental Designation on Schedule K. The owner of the subject property, Urbandale, has also appealed this modification to the Schedules, as well as Section 5.5 regarding Significant Wetlands.

This property and adjacent lands are a deferred portion of a draft approved plan of subdivision by Urbandale. Urbandale was to do additional studies to address how adjacent lands to the wetland could be developed with mitigating measures for the remaining undisturbed wetland, which MNR maintained was still functionally connected to the adjoining Stony Swamp Wetland complex.

Regional planning staff have in the past argued against a wetland designation on this small property on the basis that the environmental features of the subject parcel do not warrant a determination that the lands are “Significant Wetlands” as that term is defined within the Provincial Policy Statement.

One of the conditions of the draft plan approval for Urbandale’s subdivision was that there be no alteration to the wetland. MNR staff have verified that the wetland has now been filled.

Recommendation

While staff are disappointed at the unilateral action taken by Urbandale to fill the wetland, it is recommended that, consistent with their earlier position that these lands should not be designated Significant Wetland, the appeal be maintained.

Appeals by Other Parties

Annex A discusses briefly the appeals by other parties to the Plan as adopted by Council. In some cases staff have contacted appellants, who have provided additional clarification of their appeals. Each appeal has been indexed and included in a binder available at the Councillor's reception desk, the reception area of the Planning and Development Approvals Department, and in the Ottawa-Carleton Resource Centre.

Staff will be pursuing all appeals with each appellant individually and propose to use mediation prior to any formal OMB hearings.

CONSULTATION

Many of the issues discussed in this report were the topic of submissions and discussion at Committee during the Plan adoption process. The background information on appeals to the 1997 Regional Official Plan as adopted and as proposed to be modified has been made available in binders at the reception desk of the Planning and Development Approvals Department and in the Corporate Resource Centre. Copies of the Index of Appeals were sent to all the local municipalities, and copies of specific appeals have been provided to them and other parties upon request.

No specific consultation has been undertaken on the recommendations in this report concerning sustaining or withdrawing the Region's appeals, although staff will notify all interested parties of the availability of this report and its consideration at Planning and Environment Committee.

FINANCIAL IMPLICATIONS

There will be costs associated with formal mediation of appeals, as well as with presenting Council's position at the Board for any appeals which cannot be resolved through mediation. Accompanying this report is a separate report from the Legal and Planning and Development Approvals Departments on the question of mediation and the costs associated with mediation. The costs of defending the Plan before the Ontario Municipal Board are included in the Legal Department budget for 1998.

CONCLUSION

Mediation is the preferred approach for dealing with all appeals, including those which Council has filed. Tentative agreements on appeals will be brought back to Committee and Council for their concurrence.

Approved by
N. Tunnacliffe, MCIP, RPP

Annex A - Appeals by Other Parties

General Appeals

One appellant, David McNicoll, has appealed the entire Plan, primarily with reference to its ecological implications (Appeal # 31). Staff have met with Mr. McNicoll and requested that he narrow down his appeal. He has since advised of his decision not to do so. Staff have contacted the Ontario Municipal Board to request an early prehearing of this appeal, where they will attempt to have the appeal dismissed or scoped by the Board.

In its appeal of 30 items in the Plan, the City of Ottawa has provided alternate wording for the appealed policies and has proposed mediation as a means to seek resolution (Appeal #12). The City of Nepean has supported 19 items in Ottawa's appeal and the request for mediation (Appeal #1). The City of Ottawa has appealed several policies on the basis that the City believes they are too detailed and trespass on areas of local municipal authority, such as site plan approval or zoning. For example, it has appealed all of the specific measures to implement the personal security and safety policy (Section 3.2.14) and certain policies on retail development (within Section 4.7.2.2) which it feels raise issues related to site plan approval. Other appeals seek recognition of the role of local government and other jurisdictions; for example, the City is requesting a reference to the local Official Plan in policies regarding the Central Area as a focal point (Section 3.4.2.1). Several appeals seek a softening of the language so as to provide more latitude in interpreting the policy, substituting the words "encourage" or "request" for "require", or adding the words, "where appropriate".

The City of Ottawa has also appealed aspects of the rental conversion policy (Section 3.3.2.9). In addition, it proposes to introduce objectives and policies in Section 4.1.1 which recognize the importance of cultural activities in economic development.

The City of Gloucester appealed Table 6, Key Infrastructure Projects for Phase 1 Developments and Policy 4 of Section 6.2 on allocation of central services to Greenbelt Employment, as well as Modifications E 34 and L7 discussed above and Policy 4 of Section 11.6.1 on airport noise.

Lois K. Smith appealed specific policies in many sections of the Plan, as well as all of the Plan schedules with respect to graphic quality and other matters (Appeal #4). Staff have already met with Dr. Smith in an attempt to seek a resolution of her difficulties with the Plan schedules and she has now withdrawn her appeal of Schedules C1, C2, E, F, G and H, as well as some of the specific points in regard to the other Plan schedules.

Specific Appeals

The owners of part of Lot 27, Conc. IV, City of Kanata have appealed boundary interpretation policies in Sections 1.5 and 3.7.3 of the Plan and the designation of the property as General Rural (Appeal #9). They wish the property to be included in the boundaries of the village of Dunrobin.

Four appeals (Appeal # 8, #27, #20, 28) have been filed regarding urban designations in and around Stittsville. Several of these appeals address Council's decisions on amendments to the 1988 Official Plan which were considered along with the 1997 Plan and incorporated in it.

- 867718 Ontario Ltd. (Appeal #8) have appealed a change in designation of land within Stittsville to General Urban from Extensive Employment, as adopted by Council in Amendment 51 (Relocatable Homes). They have also appealed the urban designation of about 20 ha southeast of Stittsville adopted by Council in Amendment 69, to permit development of a high school and municipal recreation facility. They have also appealed the Agricultural Resource designation of about 160 ha southeast of Stittsville. Much of this land was included in proposed Amendment 67 (Fernbank Estates) to redesignate 232 ha for urban development, an amendment refused by Council. Portions of Section 2.6 Development Phasing regarding servicing capacity for dwelling units in Stittsville and other matters relating to Stittsville have also been appealed. The appellant has been asked to clarify various matters regarding this appeal.
- The Stittsville Homeowner's Association have also appealed the urban designation of the site for the high school and recreation facility (Appeal #27). Reasons for the appeal include the following: there is sufficient land within the urban area to accommodate the proposed use without designating additional land; the proposed development does not meet Regional Official Plan policies for major community facilities; the site includes important hydrological features and habitat for rare plants.
- Del Corporation (446341 Ontario Ltd.) (Appeal #20) have appealed Sections 1.6.10 and 1.6.11, which set criteria for considering amendments to the Plan such as the need for the proposed change and its effects on Regional services. They have also appealed the Agricultural Resource designation of about 96 ha east of Stittsville and two tables in Section 2, Regional Development Strategy, regarding the number of dwelling units permitted in Stittsville. Regional Council refused to adopt Amendment 72 to the 1988 Official Plan, which sought an urban designation for the Del Corporation property. Del Corporation has also appealed that decision.
- Grace Bell and Sid Bradley (Appeal #28) have asked that their land adjacent to the southern boundary of Stittsville be included in the urban area.

Policies on Regional-Scale Retail Facilities have been appealed by firms with an interest in developing retail facilities on two sites in Ottawa-Carleton. North American Realty Acquisition Corporation (Appeal #23) have appealed Section 4.7.3 Regional-Scale Retail Facilities because they are unclear whether the policies restrict their plans to develop retail warehouse facilities in Kanata. Regional staff will be reviewing the situation with the appellant.

Canril Corporation has also appealed this section, along with Section 4.3.3.1 Town Centres and the Business Park designation of a site on the southeast corner of Highway 416 and Fallowfield Road (Appeal #24). Canril Corporation has applied to amend the Regional Official Plan to develop retail warehouses and an entertainment complex on this site, with phased development totalling 85,000 to 91,000 square metres.

Canada Post has appealed policies in Section 4.3.2 on densities of development in Primary Employment Centres at transitway stations and the transit modal split targets for Confederation Heights development levels (Appeal #25).

The Association of Rural Property Owners (ARPO) has appealed all of Section 5, Natural Environment, although their specific comments all relate to Section 5.5, Significant Wetlands south and east of the Canadian Shield (Appeal #16). Their most recent correspondence states, "The concerns represented by that group (members who wish to be part of the appeal) will determine the section being appealed. I suspect that 5.5 will be the focus but reserve the right on behalf of any member to expand that." ARPO has been requested to provide precise information on the lands owned by ARPO members and designated as Significant Wetlands, which they are appealing.

Appeals #2, 13, 17, and 18 are all site-specific appeals of the Wetlands policies and designation of specific properties as Significant Wetlands. Appeal affects part Lot 25, Conc. 3, Osgoode (Perkins). Appeals 13 and 17 affect land within the urban boundaries of Stittsville. Appeal 18 affects part of Lot 23, Conc. 5 in Kanata (Sander).

R. Copeland et al have appealed the designation of their property in Lots 4-6, Conc. 1 (Fitzroy), West Carleton, as General Rural Area on Schedule A and Environmental Feature on Schedule K and requested a Limestone Resource designation (Appeal #7).

Jean and Marcel Bisson have appealed the Agriculture Resource designation of their property in Lot 4, Conc. 11, Cumberland. They have also appealed the Bearbrook floodplain mapping and the road widening policies with respect to Mer Bleue and Tenth Line Roads (Appeal #3).

Appeals #5 (Fines Flowers), #6 (Monahan), and #21 (Kent Currie) are all appeals of Agricultural Resource designations. Appeal #5 affects part of Lot 27, Conc. Broken Front in Gloucester; Appeal #6 affects part of Lot 11, Conc. 9, Ottawa Front in Gloucester; and Appeal #21 affects Lots 31, 32 and part of Lot 33, Conc. Broken Front in Osgoode.

The Yzenbrandts have appealed the policy regarding development of land adjacent to mineral aggregates and the designation of Limestone Resource north of their property (Appeal #11). Their property is part of Lots 14 and 15, Conc. IX in Goulbourn.

There are several appeals of the Airport Noise policies, Section 11.6.1, including Ottawa-Carleton Home Builder's Association (OCHBA - Appeal #14), and City of Gloucester. The concern here is actually with transition provisions for implementing the new Provincial Policy, and a group (consisting of the Region, Ottawa, Gloucester, Nepean, the OCHBA, and the Ottawa Macdonald-Cartier International Airport Authority) is meeting to deal with this issue.

The owners of part of Lot 14, Broken Front, Rideau Front, Gloucester (Boyd) have appealed section 2.4.9 b) and c) regarding development on private services in the urban area and section 11.6.1 on airport noise (Appeal #10). The appeal corresponds to those matters dealt with in the recent Ontario Municipal Board Hearing on Regional Official Plan Amendment 35 and Gloucester

Official Plan Amendment No. 13. The Board ruled, in a decision dated 16 Nov 97, that new residential development on private services would not be permitted. In light of the recent decision, the appellants may choose to withdraw this appeal.