

MINUTES

PLANNING AND ENVIRONMENT COMMITTEE

REGIONAL MUNICIPALITY OF OTTAWA-CARLETON

CHAMPLAIN ROOM

13 JUNE 2000

3:00 P.M.

PRESENT:

Chair: G. Hunter

Members: D. Beamish, , M. Bellemare, B. Hill, P. Hume, J. Legendre, A. Munter,
R. van den Ham and W. Stewart

CONFIRMATION OF MINUTES

That the Planning and Environment Committee confirm the Minutes of the Meeting of 23 May 2000.

CARRIED

PLANNING ITEMS

1. PUBLIC MEETING TO CONSIDER DRAFT REGIONAL OFFICIAL PLAN AMENDMENT 7 ~ HOUSEKEEPING AMENDMENT
 - Planning and Development Approvals Commissioner's report dated 28 May 2000
 - Schedules 1 to 25 of Annex A issued separately

At the outset, Committee Chair Hunter read a statement required under the Planning Act, wherein he advised that anyone, whose intention it was to appeal Regional Official Plan Amendment 7 to the Ontario Municipal Board (OMB), must either voice their objections at the public meeting or submit their comments in writing prior to Amendment 7 being adopted by Regional Council. Failure to do so could result in refusal/dismissal of the appeal by the OMB.

- Notes:
1. Underlining indicates a new or amended recommendation approved by Committee.
 2. Reports requiring Council consideration will be presented to Council on 28 June in Planning and Environment Committee Report Number 59.

Judy Flavin, Senior Project Manager, Planning and Development Approvals Department, provided an overview of the staff report.

Councillor van den Ham had questions concerning the insertion of village boundaries into the Schedules. He noted it was his recollection that the Regional Official Plan outlines the general proximity of village boundaries but the actual village limits are subject to local official plans. He asked if this changed this fact in any way. Ms. Flavin confirmed it did not.

The Councillor then sought an explanation as to why it was necessary on Schedules D1 and J, to delete Carlsbad Springs, South Gloucester and Woodlawn. Ms. Flavin explained that Carlsbad Springs, Woodlawn and South Gloucester are not designated villages and did not appear on all of the schedules of the Plan as adopted. Staff felt it would be more helpful in terms of interpretation of the Plan, if only the communities that were designated villages appeared consistently on these Schedules. Nick Tunnacliffe, Commissioner, Planning and Development Approvals added the policy intent of Council as to what is a village and what is not a village, is expressed on Schedule A and those three villages are not identified on Schedule A. He said for convenience of interpretation purposes, they were put on some of the other schedules such as Schedule J, but this was causing confusion and so staff felt they should be consistent with Schedule A.

Councillor Legendre referred to Schedule 14 and asked staff to explain the notation "Delete Entry Route". Ms. Flavin and Commissioner Tunnacliffe explained the original entry route was applied in error to Schedule I - Regional Open Space Network. The alignment shown in fact runs through privately owned land, where a subdivision has been approved. The correction shifts the location of the entry route (i.e. about 200 metres) on this Schedule to reflect the correct location of the route as is shown on Schedule C1 (Future Urban Regional Roads).

The Councillor then referred to Schedule 13 (Schedule I - Regional Open Space Network) and the arrow pointing to a location in Rockcliffe Park, with the notation "Change from Urban Open Space to Other Open Space". He asked for an explanation of "Other Open Space". Ms. Flavin noted there are different Open Space designations on Schedules A and B, including Waterfront Open Space and Greenbelt Areas. In addition to those spaces that are designated, there are additional open spaces on Schedule I that are called Urban Open Spaces. These spaces are not designated on other schedules in the Plan but are shown on Schedule I to present a better picture of the open space network throughout Ottawa-Carleton. If an open space is designated on Schedules A or B, it already has a designation in the Plan and are shown on Schedule I as Other Open Space. Miss Flavin went on to note that a few areas (including the one referred to by the Councillor) were in fact designated as Waterfront Open Space on Schedule B and were incorrectly shown as Urban Open Space on Schedule I. This amendment

corrects this to show them as Other Open Space (i.e. indicating the piece of land is already designated on Schedules A and B). She confirmed there was no actual change in the designation of this property.

Responding to further questions from Councillor Legendre, Ms. Flavin confirmed, with respect to the reference on Schedule 5 to the portion of Montreal Road where it speaks of deleting the 26 metre right of way, that this was in fact something that was approved at the time of the Official Plan. For some reason the maps did not reflect this change and this amendment simply corrects this.

Councillor Stewart had questions concerning the change to the Waterfront Open Space policies. She asked if the proposed change would facilitate the approval of a land use, such as a windmill. Ms. Flavin explained staff were referring to a marina or a use that required access to a natural water body. The intent was not to change the development permissions or policy permitting that kind of use but rather to create more flexibility to consider a proposal on its own merits. She noted with respect to a windmill, there would be other policy interpretations that would have to be considered.

Councillor Stewart pointed out a windmill has to be on water because it pumps water and therefore meets the requirement to be on a natural water body. She indicated she was concerned to think that a large scale use, such a windmill, would be permitted. Ms. Flavin stated in her opinion, she would question whether a windmill was indeed a recreational use. The proposed policy f) suggests uses of a recreational nature such as marinas, boat launches, beaches and their ancillary uses. Referring to the Official Plan Policy on Waterfront Open Space, Ms. Flavin stated the intent of policy 6.5.3 {on page 91 of the Plan} was that the primary uses would be: open air recreation; uses that conserve, interpret and restore the natural and cultural heritage of the waterways; uses that promote the conservation of natural values of the lands; and, uses involved in the scientific or educational study of the area. Those were to be the primary uses and then policy e) speaks to small-scale recreational uses or ancillary uses to any of the aforementioned uses (e.g. snack bar or interpretive centre). In the case of the windmill, Ms. Flavin stated it would need to meet any of the tests set out in policies a), b), c) or d) before it would be permitted. The proposed policy f) is fairly specific in setting out it is for marinas, boat launching facilities or beaches, and their ancillary uses. She said the intent is not to permit a windmill.

Councillor Stewart stated she was not clear on why staff were recommending that the words “not require or result in landform modifications” not be used in the proposed policy. Ms. Flavin stated the intent of the Waterfront Open Space Designation was always to preserve the natural environment. When staff were looking at the specific area of a marina, their thinking was there could be a need for some work along the shoreline for example a beach or grading for a safe

boat launch or a safe facility for boats. Staff were not certain if the wording “require or result in landform modifications” would be too restrictive and would prevent the development of a marina facility. Therefore, they felt it better to rely on the test that it not adversely affect the natural environment.

Councillor van den Ham asked if the settlements reached between the Region and some of those that had appealed to the Ontario Municipal Board (OMB) were reflected in this amendment. He indicated he was referring specifically to Mr. Bisson in Cumberland (i.e. a change in land designation from agricultural to general rural). Tim Marc, Manager, Planning and Environment Law advised those policies were under appeal to the OMB and would have been affected through the Board Order resulting from that hearing. Mr. Manning confirmed the change in designation of Mr. Bisson’s land was reflected in Schedule A.

Lois K. Smith advised she had previously submitted most of her comments on this Amendment to staff in writing. However, she had a concern with Policy 4.4.1 (page 13/14 of the Agenda), dealing with Business Parks. She said the intent given in the paragraph preceding the proposed policy, was not carried through in the policy itself and she felt that “sad things” could happen in the residential areas surrounding a business park. In the paragraph it states “within the park” but in the proposed policy this wording is left out. She offered if you have collector roads going through a residential area, to a main road it means the business park can empty through the residential area into the arterial rather than have the business park abut the road. Miss Smith asked that the Committee consider adding the words “within the park” to the policy to make it absolutely clear.

Committee Chair Hunter noted that items c) and d) both state “direct access by local or collector road” and he felt this meant directly from the park. At the Chair’s request, Ms. Flavin stated when business parks are being developed, staff review the site plans or subdivisions for the development and, one of the things that is considered is the routing of traffic. The planning would be done on the basis that the business traffic would not be permitted to route its way through a residential area. She said although she could appreciate what Miss Smith was saying in theory could happen, part of the development review process is ensuring a separation of the traffic flows.

Miss Smith then noted that some of the maps included in the annex to the report were in fact enlarged portions of Schedules to the Official Plan. However, these are labeled “Schedule” and, this being an amendment, she wondered if a person could misinterpret this to believe they had the whole of the Schedule. Chair Hunter did not share Miss Smith’s concern, as he noted at the top of the Schedules, it clearly states they are Schedules to Amendment 7.

Councillor Legendre indicated he was willing to move that the words “within the park” to the policy. He asked for staff comment on this. Ms. Flavin felt this could cause problems in some business parks and suggested instead it would be better to delete the proposed staff amendment, namely “by local and collector roads”.

Councillor Bellemare expressed concern about the addition of the words “within the park”, noting a business park in his ward (Canotek Business Park) would fail to qualify as a business park if these words were added, as it does not have direct access to a Regional road.

Councillor Legendre then indicated he would not be putting forward a motion to this effect.

The Committee then considered the staff recommendation.

That, having held a public meeting, the Planning and Environment Committee recommend that Council enact a bylaw to adopt draft Regional Official Plan Amendment 7 to the 1997 Regional Official Plan, attached as Annex A to this report.

CARRIED

2. **PUBLIC MEETING TO CONSIDER DRAFT REGIONAL OFFICIAL PLAN AMENDMENT 10 ~ CONTAMINATED SITES**

- Planning & Development Approvals Commissioner’s report
dated 25 May 2000

Committee Chair Hunter read a statement required under the Planning Act, wherein he advised that anyone, whose intention it was to appeal Regional Official Plan Amendment 10 to the Ontario Municipal Board (OMB), must either voice their objections at the public meeting or submit their comments in writing prior to Amendment 10 being adopted by Regional Council. Failure to do so could result in refusal/dismissal of the appeal by the OMB.

Scott Manning, Planner, Planning and Development Approvals Department provided an overview of the staff report.

Councillor Legendre referred to the comments attributed to the Environmental Health Advisory Group (EHAG) on page 31 of the Agenda and noted that although he felt the response from staff was appropriate, he did not feel it was complete. Mr. Manning noted the situation referred to by EHAG was hypothetical and therefore difficult to respond to.

The Councillor also had questions concerning the former Dominion Bridge site in Vanier, asking what the hold-up on this project was. Mr. Manning advised the problem was financial in nature. He noted staff had looked into the possibility of exempting the project from Regional Development Charges. However, the Legal Department has advised that the Municipal Act prohibits an exemption for commercial enterprises. He went on to say it is staff's opinion that the best approach would be an approved Community Improvement Plan. This would enable a local municipality (not an upper tier municipality such as the Region) to provide incentive grants and/or loans to property owners for identified community improvement projects.

Councillor van den Ham stated although he was supportive of the Historical Land Use Inventory (HLUI) and its role in safeguarding human health, he expressed concern about labeling a property as contaminated when it could be of a minor nature. He also sought confirmation that the Ottawa-Carleton Homebuilders' Association (OCHBA) would be involved in the "fine tuning" of the procedural guidelines. In response, Mr. Manning noted the HLUI is not a confirmation of contamination, rather it is a list of previous uses of properties and an indication of when a property should be investigated. He confirmed that OCHBA would be a welcome participant in developing the guidelines.

Lois K. Smith expressed concern that the data base could be incomplete, noting in particular a number of small private dumps may have been missed. She worried that the developer and/or his environmental consultant would be relying only on the information in this data base. Committee Chair Hunter noted the data base is only one tool the developer will use. He pointed out all developers will have to prove that their site is not contaminated before they can develop it. Mr. Manning confirmed this and noted for a subdivision, at least a Phase 1 Environmental Site Assessment (ESA) would be required and an affidavit would be used to confirm the results of the ESA. With respect to the Historical Land Use Study, the bulk of the information available was for older urban areas, however, the consultants did their best to supplement that with information on the rural areas. He noted there were separate listings of known landfill sites and he said he was certain the landfill site cited as an example by Miss Smith had been picked up. In addition to the directories used, the consultants also visited the MOE offices to obtain their records. Mr. Manning felt therefore that the data base was fairly comprehensive.

Miss Smith also drew to the Committee's attention a potential problem with sites that have archeological value but are also considered contaminated (e.g. a former crockery site). Chair Hunter pointed out the Region also has mapping for archaeological resources.

The Committee then approved the staff recommendation.

That, having held a public meeting, the Planning and Environment Committee recommend that Council enact a by-law to adopt Regional Official Plan Amendment 10 to the 1997 Regional Official Plan, attached as Annex A to this report.

CARRIED

ENVIRONMENTAL SERVICES ITEM

3. REGIONAL REGULATORY CODE
2000 RATE ADJUSTMENTS AND TERMINOLOGY CHANGES
- Environment and Transportation Commissioner's report
dated 30 May 2000

Mike Sheflin, Commissioner, Environment and Transportation Department noted this is an annual review of the various services provided by the Department and is based on an analysis of the costs each year.

Councillor van den Ham noted on the last page of the agenda, it talks of farm waste being free of charge, clean fill at \$5 per tonne and transient waste being double the above rates. He asked then if transient farm waste would be two times nothing. Mr. Sheflin confirmed clarification was required.

Councillor van den Ham then went on to note that farm waste is free, yet elsewhere in the report it speaks of such things as stumps and tires at a certain price per tonne. He asked if a farmer came in with 4 old wagon tires, would he pay the price per tonne or is it considered farm waste and therefore free. Mr. McNally referred to the definition of farm waste set out on page 51 of the agenda. He said it is primarily defined as normal by-products from the farming operation, with some exclusions e.g. construction and demolition material, compostable material, etc.. Mr. McNally confirmed tires and tree stumps would not be considered farm waste and the applicable fee would be applied.

Committee Chair Hunter referred to page 72, item (11) and pointed out that it said bundles of carpets, wood and like material were not to exceed 0.76 centimetres in width. Mr. McNally confirmed this should read 0.76 metres and advised this would be corrected.

Councillor Hill had questions concerning the hauled liquid waste disposal fees and the proposed annual permit fee of \$180, increased from \$140. She noted that all the other rates appear to be unchanged or have very little change. She asked if this increase represented the actual cost of issuing a permit. Mr. Sheflin stated this area (hauled liquid waste) is one area that does not reflect the actual cost and represents only about 10% of the actual cost. He noted staff had reviewed whether or not there would be some value to the community of not charging the full costs in this area (i.e. keep it at 10% of the actual cost). He felt this should be addressed by the new City and noted if less than the cost is charged it may encourage more people to clean out their tanks and therefore protect the groundwater.

Councillor Hill then stated it is a long way to haul waste from her area to the R.O. Pickard Centre and she asked why haulers would not be allowed to dump in a manhole in the west end. France Jacovella, Manager, Wastewater Collection Branch advised the Hauled Waste Policy considers many things, including fees, monitoring and safety. By having the haulers discharge at the Pickard Centre, staff can better monitor the discharges and she pointed out as well, there can be odours with the discharges. Ms. Jacovella also noted staff have mentioned in the report they would like to conduct a review of the hauled waste policy, including the issue of remote disposal because this has been raised by haulers in the past during public consultation. She felt this should be considered by the new City.

With respect to the annual permit fee, Ms. Jacovella noted the cost includes a review of whether the haulers vehicles are licensed and have a Certificate of Approval. As well, it includes the code tag (and their replacement) that gives the haulers access to the Pickard Centre. She said staff have looked at the cost of these code tags on an annual basis, the number of times they are damaged and need to be replaced for the 30 haulers and the cost works out to \$180.00. Mr. Sheflin added the \$180 works out to approximately thirty cents per day for the haulers, which is a very modest cost for something that allows them to be in business.

Councillor Hill stated she still did not think it was fair to have such an increase.

Councillor Stewart said it was her recollection the Committee and Council recognized the actual cost at \$180 and agreed to phase in up to that over a period of two years, in order to accommodate those people in the rural areas. She noted the cost went from \$100 to \$140 and now as agreed, this is the phased-in increase to the actual cost of \$180. Ms. Jacovella confirmed this.

Councillor van den Ham said he had found in the last couple of years some of the haulers have increased their prices for pumping out tanks and are blaming the Region saying it is because they have to pay fifty-one cents per thousand litres. Mr. Sheflin pointed out, because Council decided to charge about 15% of the cost, the Region is subsidizing people with septic tanks to

the tune of 85%. The Commissioner suggested it might be necessary to do a bit of education in this regard, for the people in the rural area that because of Regional Council's decision they are only paying 15% of the actual cost.

Lois K. Smith indicated she had several concerns with this report. First, she related an incident she witnessed where a liquid waste hauler was discharging his load into a ditch along side a country road near Ashton. With respect to leaf and yard waste (page 72), Miss Smith noted there were specification set out for trees and shrubs where they could not exceed 10 centimetres in diameter and tied bundles are not to exceed .61 metres in diameter. She asked how flexible the waste haulers will be in this regard. Miss Smith went on to recount a number of other concerns, namely, people depositing garbage into other peoples garbage (i.e. one has no control over what they put into it); there are stipulations in the by-law regarding dog and cat feces but nothing on bird feces; there is a potential problem with seniors and the way they sometimes forget to tie their bags up the way they are suppose to; the problems that physically challenged people face in terms of accessing apartment receptacles; and, what should be done with domestic pathological waste (i.e. band aids).

Pat McNally, Director, Solid Waste Division, advised there would be a common sense approach to this and he said what the Region is trying to avoid are large violations of the by-laws and hence the Regulatory Code. Mr. McNally then addressed Miss Smith's concerns. With respect to pathological waste, household bandages can go in the garbage. With respect to animal waste, there is generally some leniency to allow some of this material to go in the waste stream collection but it is to a large degree based on a common sense approach and that is the way it will be handled. On the issue of accessibility of containers in apartment and seniors buildings, Mr. McNally said this would be the responsibility of the building owner. Some of these buildings would in fact be exempt from the Regulatory Code because they use private haulers (e.g. larger health care facilities) and would have to have in place their own systems to facilitate appropriate waste management. With respect to Miss Smith's concern about leaf and yard waste, Mr. McNally noted the waste collection trucks cannot handle trees and shrubs larger than 10 centimetres in diameter. The size of the bundles (i.e. 0.61 metres) is a reasonable size that a man could get his arms around.

The Committee then approved the staff recommendation.

That the Planning and Environment Committee recommend that Council approve:

- 1. The adjusted rates and charges recommended in this report;**
- 2. The amended terminology and administrative changes;**
- 3. The new rates and charges recommended in this report; and**

- 4. That the Regional Regulatory Code be amended to reflect the changes through an amending by-law.**

CARRIED

ADJOURNMENT

The meeting adjourned at 4:35 p.m.

Original signed by

COMMITTEE COORDINATOR

Original signed by

COMMITTEE CHAIR