

MINUTES

PLANNING AND ENVIRONMENT COMMITTEE

REGIONAL MUNICIPALITY OF OTTAWA-CARLETON

CHAMPLAIN ROOM

08 OCTOBER 1996

3:00 P.M.

PRESENT:

Chair: G. Hunter

Members: D. Beamish, A. Cullen, B. Hill, A. Munter, and R. van den Ham

REGRETS: P. Hume, J. Legendre and W. Stewart

CONFIRMATION OF MINUTES

That the Planning and Environment Committee confirm the Minutes of the meeting of 10 September 1996.

CARRIED

ENVIRONMENTAL SERVICES ITEMS

1. CONDITIONS OF CONSENT - HUNEAULT WASTE MANAGEMENT LTD. - WASTE PROCESSING FACILITY
- Director, Solid Waste Division, Environment and
Transportation Department report dated 23 September 1996

That the Planning and Environment Committee recommend Council approve the granting of a consent to Huneault Waste Management Ltd. for the operation of its waste processing facility located at 3354 Navan Road, Navan, Ontario, on terms and conditions attached as Annex A to this report.

CARRIED

- Notes:
1. Underlining indicates a new or amended recommendation.
 2. Reports requiring Council consideration will be presented to Council on 23 Oct 96 in Planning and Environment Committee Report Number 43.

2. CONDITIONS OF CONSENT - HUNEAULT WASTE MANAGEMENT LTD. - COMPOSTING FACILITY
- Director, Solid Waste Division, Environment and Transportation Department report dated 23 September 1996

That the Planning and Environment Committee recommend Council approve the granting of a consent to Huneault Waste Management Ltd. for the operation of its composting facility located 3354 Navan Road, Navan, Ontario, on terms and conditions attached as Annex A to this report.

CARRIED

3. CONDITIONS OF CONSENT - OSGOODE RECYCLING CENTRE
- Director, Solid Waste Division, Environment and Transportation Department report dated 04 September 1996

That the Planning and Environment Committee recommend Council approve the granting of a consent to Osgoode Recycling Centre for the operation of its waste processing facility located at 1831 Highway 31, Metcalfe, Ontario, on terms and conditions attached as Annex A to this report.

CARRIED

4. CONDITIONS OF CONSENT - WCI WASTE CONVERSION INC.
- Director, Solid Waste Division, Environment and Transportation Department report dated 04 September 1996

That the Planning and Environment Committee recommend Council approve the granting of a consent to WCI Waste Conversion Inc. for the operation of its waste processing facility located at 3200 Rideau Road, Gloucester, Ontario, on terms and conditions attached as Annex A to this report.

CARRIED

5. RESORPTION CANADA LTD. -
APPLICATION FOR A CERTIFICATE OF APPROVAL
FOR A DISPOSAL AND PROCESSING FACILITY
2610 DEL ZOTTO AVENUE, GLOUCESTER
- Director, Solid Waste Division, Environment and
Transportation Department report dated 05 September 1996

1. **That the Planning and Environment Committee on behalf of and acting in its delegated authority from Regional Council, decline to object to the application for a Certificate of Approval by Resorption Canada Ltd. with respect to its Waste Disposal and Processing Facility located at 2610 Del Zotto Avenue, in the City of Gloucester, provided that the Certificate of Approval issued by the Ministry of Environment and Energy (MOEE) is in accordance with the written information provided to the Regional Municipality of Ottawa-Carleton;**
2. **That the Planning and Environment Committee confirm that recommendation number one of this report is contingent up on the support for the facility of the located municipality in which it is located.**

CARRIED

6. RESPONSE TO P&EC INQUIRY NO. 20 -
WASTE COLLECTION - EXEL ENVIRONMENTAL
- Environment and Transportation Commissioner's report
dated 30 September, 1996

That the Planning and Environment Committee receive this report for information.

RECEIVED

PLANNING ITEMS

7. TOWNSHIP OF GOULBOURN NEW COMPREHENSIVE OFFICIAL PLAN
OMB REFERRAL REQUEST -AMBERLAKES DEVELOPMENT CORPORATION
- Planning and Development Approvals Commissioner's report dated 25 September 1996

Andrew Hope, Manager, Development Approvals Division, provided a brief overview of the staff report. He noted at a pre-hearing of the Ontario Municipal Board (OMB) on 26 August, the Board directed Amberlakes to request that the Region refer Deferral No. 19

to the OMB so that all matters pertaining to the Amberlakes application could be heard simultaneously at the hearing scheduled for early January 1997. The Deferral had originally been included in the package of deferrals and modifications considered by Committee and Council in conjunction with the Township of Goulbourn's Comprehensive Official Plan. He said the present report merely makes a recommendation to act on Amberlakes' request that Deferral No. 19 be lifted (replaced by Referral No. 1) and referred to the OMB.

Mr. Bill Burrows, a Lawyer representing the Amberlakes Development Corporation, voiced his support for the recommendation.

The Committee then considered the staff recommendation.

That the Planning and Environment Committee recommend Council refer Deferral No. 19 to the Township of Goulbourn's new Comprehensive Official Plan to the Ontario Municipal Board pursuant to the request of Amberlakes Development Corporation as outlined on the addendum Approval Page appended as Annex I.

CARRIED

8. FOLLOW-UP TO COMMITTEE MOTION WITH RESPECT TO
THE REPORT ON "THE IMPACT ON OTTAWA-CARLETON FROM
THE DEVELOPMENT OF ADJACENT ONTARIO MUNICIPALITIES"
- Planning and Development Approvals Commissioner's report
dated 20 September 1996

Mr. Pierre Mercier, Director of Planning, United Counties of Prescott & Russell, stated the staff report generally concurred with the views of Prescott and Russell. He asked the Committee to encourage the Regional staff to work with County staff in the development of Official Plans, and to resolve any concerns brought about in the initial report (Planning and Environment Committee meeting of 14 May 96).

Committee Chair Hunter observed the rate of population growth within rural OMATOC areas will surge ahead of the Region due to the Development Strategy, which proposes to keep development down to a traditional percentage. Mr. Mercier said Prescott-Russell recognized this as a concern for the Region. He pointed out the Counties are proceeding with a planning program, had adopted a Strategic Plan, and were working on a Comprehensive Official Plan and Servicing Strategies. He said he hoped the Region and the Counties of Prescott and Russell could work together as these plans progressed.

Councillor Munter asked whether the Region was reducing development in the rural part of Ottawa-Carleton. Nick Tunnacliffe, Commissioner, Planning and Development Approvals Department, replied the Official Plan being developed is based on a continuing rural population growth and growth of dwelling units in approximately the same proportion that exists now. He said the assumption was that the rate of increase will keep pace with the rate of population growth in the Region as a whole. Councillor Munter noted the Ottawa-Carleton rural townships expressed concerns about some parts of the development strategy, but said he did not recall any concern about unit allocations for residential development. Mr. Tunnacliffe said he believed this to be correct.

The Committee then considered the staff recommendation.

That the Planning and Environment Committee and Council receive this report for information.

RECEIVED

9. SUMMARY OF ASSIGNED FUNCTIONS - OFFICIAL PLAN AMENDMENTS, SUBDIVISIONS, CONDOMINIUMS, PART LOT CONTROL BY-LAWS, ZONING BY-LAWS AND SEVERANCES
- Planning and Development Approvals Commissioner's report dated 18 September 1996

Dan Botti, Planner, Development Approvals Division, Planning and Development Approvals Department, gave an overview of the staff report. Mr. Botti spoke specifically of Annex V of the report, which pertained to a site-specific zoning by-law amendment (Part of Lot 13, Conc. 1 (RF) - Vinette Property) approved by Gloucester City Council, which staff recommend be appealed.

Responding to questions from Councillor Beamish, Mr. Botti replied the subject property was one of the last remaining sites that provides public access to the water. The property has a lower grade to the water's edge and development has occurred all along the shore elsewhere. Referring to a map provided by staff, the Councillor asked about the undeveloped, publicly-owned NCC parcel of land north of the specified shoreline. Mr. Botti advised the one-third acre site's future potential use was unknown at this time.

Councillor Cullen noted Transport Canada's guidelines regarding aircraft noise contours of 35 NEF/NEP, and inquired whether the Region's Official Plan (ROP) has policies regarding noise. Mr. Botti answered the ROP had environmental constraints regarding noise levels. He said there was a concern where levels were above 28 NEF/NEP, and that residential uses were forbidden in zones with noise levels above 35 NEF/NEP.

Councillor van den Ham asked staff for information on another house that was built a year or two earlier, in the vicinity of the subject property. Mr. Botti advised this house was built by way of zoning bylaw. He noted staff recommended appeal in that instance as well, but Council did not support this position. Responding to further questions from the Councillor, Mr. Botti advised all other houses in the area are on private services. However, he pointed out it is the Region's policy to require connection to the central services in the Urban Area; an Official Plan Amendment would be required to exempt the property from this servicing policy.

Mr. Tunnacliffe confirmed at Councillor Munter's request, the current zoning does not allow for development.

Councillor Beamish put forward a motion to withdraw the appeal. He advised this lot was not created by severance, rather it is a lot of record and when it was created, it was assumed development would be allowed. The Councillor criticized the Region's servicing policy saying it was unfair that people could not build unless they connect to the central services when there is no reasonable expectation of sewer and water lines for at least fifteen to twenty years. Speaking to the issue of noise, Councillor Beamish pointed out the Official Plan states if there are natural mitigating factors, noise is not a concern. He noted houses can be designed to mitigate noise far better than any natural factor. The Councillor urged the Committee to support his motion.

Moved by D. Beamish

That Planning and Environment Committee recommend to Council that the RMOC withdraw its appeal to the Ontario Municipal Board concerning the Zoning By-law amendment for part of lot 13, Concession 1, Rideau Front.

LOST

NAYS: A. Cullen, G. Hunter and A. Munter....3
YEAS: D. Beamish, B. Hill and R. van den Ham....3

The Committee then approved the staff recommendation.

That the Planning and Environment Committee recommend that Council receive this report for information purposes and confirm the Planning and Development Approvals Department's appeal of one zoning by-law as noted in Annex V.

CARRIED

10. PLANNING: AMBERLAKES SUBDIVISION
- Regional Solicitor's report dated 2 October 1996

Tim Marc, Solicitor, Regional Legal Department provided a brief history of this matter. He noted at a pre-hearing in August 1996, he presented to the Ontario Municipal Board (OMB), as directed by Council, the Region's position that only 131 units (Phase I of Amberlakes' Subdivision) were before the Board. The Board however, ruled that the entire plan, Phases I and II (260 units), were to be considered by them. In light of this ruling, staff are now seeking further instructions from Committee and Council. He suggested the alternatives are: 1) to present conditions of Draft Plan approval and take no position on the balance of the matters or 2) attempt to arrive at a recommendation and position consistent with the previous position of Council (Oct 94 and Jul 96). Mr. Marc noted the staff recommendation would be consistent with previous decisions of Council.

Mr. Marc counseled it would be best to go in-camera if the Committee wished to discuss matters contained in the confidential report.

Moved by B. Hill

That Agenda Item 10 be considered by The Planning and Environment Committee In Camera Pursuant to Subsection 11(1) (e) (litigation or potential litigation affecting the Regional Corporation, including matters before administrative tribunals), of the Procedures By-law.

CARRIED

Moved by B. Hill

That the Planning and Environment Committee move out of Camera and resume in open session.

CARRIED

Bill Burrows, Solicitor for Amberlakes Development, opined that in 1994, Council clearly accepted Amberlakes lands as being within the 6,000 dwelling unit cap placed on Stittsville. He noted the Committee dealt with this same issue at its 9 July 1996 meeting and pointed out the staff report, prepared by the Planning Development Approvals Department, stated staff were of the opinion the OMB was seized with all matters pertaining to the subdivision and therefore referral of Phase II was unnecessary. Mr. Burrows gave notice that, if the OMB chooses to deal with this issue at the hearing, he will be forced to call Mr. Hope and Mr. Tunnacliffe as witnesses in this regard.

Referring to the recommendation contained in the staff report, Mr. Burrows felt the Region would find itself in a very embarrassing situation should it choose to approve that staff now oppose the subdivision. He noted the Region is already on record with the OMB stating it has no objection with respect to the applicable Local Official Plan Amendment (LOPA) or zoning by-law, which means these are in conformity with the Regional Official Plan. Mr. Burrows pointed out the Region does not have the authority to approve subdivisions; once the designation and zoning is in place, then the owner as-of-right can subdivide. The Region, as an approving authority, has the power to determine what conditions will apply.

Responding to questions from Committee Chair Hunter, Mr. Hope advised that Goulbourn's LOPA 121 was referred to the OMB by Amberlakes and that referral went directly to the Minister of Municipal Affairs and Housing. Planning and Environment Committee and Council never dealt with LOPA 121 nor the enabling zoning by-law amendment. Mr. Marc added the Region did not take a position on the zoning by-law or the Official Plan amendment and this was consistent with the position of Regional Council that Phase II was not before the Board.

Mr. Marc, in response to questions from Councillor Hill, advised that Council can now take a position on LOPA 121, Zoning By-law 59/94 and Referral No. 1 if it so chooses. Councillor Hill indicated her intent to move a motion that staff report back to Planning and Environment Committee in this regard.

Councillor Beamish questioned staff about the circulation of Goulbourn LOPA 121 and Zoning By-law 59/94 for comment. Mr. Marc indicated planning staff have taken the position that this subdivision could go forward and therefore when these documents were circulated, their comments would have been consistent with that position. Mr. Hope added that LOPA 121 and Zoning by-law 59/94 are, in essence, in conformity with the Regional Official Plan, provided certain studies are undertaken and provided that agencies such as the Mississippi Valley Conservation Authority and the Ministry of Natural Resources are satisfied the environmental constraints can be overcome.

Moved by B. Hill

WHEREAS the Ontario Municipal Board (OMB) pre-hearing of 26 Aug 96 agreed to include Phase II of the Amberlakes Subdivision, and

WHEREAS the Mississippi Valley Conservation Authority and the Ministry of Natural Resources were not aware that Phase II would be included in the same OMB hearing as Phase I,

THEREFORE BE IT RESOLVED THAT Regional Planning staff officially advise these agencies in writing that Phase II is included in the same OMB hearing as Phase I and these agencies (MVCA and MNR) be requested to review Phase I and Phase II and submit conditions in writing to the Region to be submitted to the OMB as draft plan conditions.

CARRIED

Councillor van den Ham stated he could not support the staff recommendation and indicated he would be moving that staff appear before the OMB on draft plan of approval conditions only. Mr. Marc, at the request of Committee Chair Hunter, stated that by approving Councillor van den Ham's motion as a substitution for the staff recommendation, the conclusion would be that the Region agrees the plan of subdivision could go ahead.

Moved by R. van den Ham

That Regional staff be directed to represent Council's interest regarding draft plan approval conditions for Amberlakes Development Corporation subdivision 06T-93018.

LOST

NAYS: D. Beamish, A. Cullen, B. Hill, G. Hunter and A. Munter....5

YEAS: R. van den Ham...1

Moved by B. Hill

WHEREAS Goulbourn OPA 121 and Goulbourn Zoning By-law 59/94 have never been before Regional Planning and Environment Committee and Council,

THEREFORE BE IT RESOLVED THAT staff submit a report to Planning and Environment Committee and Council on Goulbourn Official Plan Amendment (OPA) 121 and Goulbourn Zoning by-law 59/94, including Referral No. 1 to the Goulbourn Official Plan.

CARRIED

The Committee then considered the staff recommendation, as amended.

That the Planning and Environment Committee recommend that Regional Council:

- 1. Approve that Regional staff be directed to oppose draft approval of Amberlakes Development Corporation's Draft Plan of Subdivision 06T-93018 on the basis that its approval would not conform to Section 2.2, Policy 5 of the Regional Official Plan;**
- 2. Direct Regional Planning staff to officially advise the Mississippi Valley Conservation Authority and the Ministry of Natural Resources in writing that Phase II is included in the same Ontario Municipal Board (OMB) hearing as Phase I, and that these agencies be requested to review Phase I and Phase II and submit conditions in writing to the Region to be submitted to the OMB as draft plan conditions;**
- 3. Direct staff to submit a report to Planning and Environment Committee and Council on Goulbourn Official Plan Amendment (OPA) 121 and Goulbourn Zoning by-law 59/94, including referral No. 1 to the Goulbourn Official Plan.**

CARRIED as amended

11. GOVERNMENT MOTION RE BILL 76,
THE ENVIRONMENTAL ASSESSMENT AND CONSULTATION ACT,
1996, CONTRACTING OUT OF WASTE DISPOSAL

Moved by A. Cullen

That the Rules of Procedure be suspended to allow Additional Item No. 11, to be considered by Committee at today's meeting.

CARRIED

The Committee then considered and approved the staff recommendations.

- 1. That the Planning and Environment Committee recommend Council voice the opposition of the Regional Corporation to the Government motion to amend Bill 76, *The Environmental Assessment and Consultation Improvement Act, 1996* to require an environmental assessment of any contract for waste disposal;**
- 2. That the Planning and Environment Committee recommend Council forward the opposition of the Regional Corporation to the Government**

**Motion to the Minister of the Environment and Energy and the Province's
Standing Committee on Social Development.**

CARRIED

Moved by A. Cullen

**That Council be requested to waive the rules of procedure to consider this item at its
meeting of 09 October 1996.**

CARRIED

Councillor Munter asked that the Minutes reflect he was not present when this matter was considered and would have registered his dissent had he been present.

INQUIRIES

Councillor Cullen noted he had received an "Organic Diversion - The Next Step", bag of promotional material containing, among other things, a large fridge magnet. He pointed out the name of Laidlaw was prominent on the package, and inquired whether Laidlaw was paying for the promotional material.

Pat McNally, Director, Solid Waste Division, Environment and Transportation Department, replied a pilot project was taking place in residential zones A/B, and was proceeding with Laidlaw's cooperation. He said Laidlaw had undertaken to make changes to its collection vehicles as well as making financial contributions to the promotional campaign. Councillor Cullen inquired whether the promotional material was being distributed to each participant in these areas. Mr. McNally confirmed this, noting between 2,000 and 2,500 households are participating in the five different pilot program areas.

ADJOURNMENT

The meeting adjourned at 5:10 p.m.

COMMITTEE COORDINATOR

COMMITTEE CHAIR