

MINUTES

PLANNING AND ENVIRONMENT COMMITTEE

REGIONAL MUNICIPALITY OF OTTAWA-CARLETON

CHAMPLAIN ROOM

22 JUNE 1999

3:00 P.M.

PRESENT:

Chair: G. Hunter

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

Regrets: M. Bellemare and P. Hume

CONFIRMATION OF MINUTES

That the Planning and Environment Committee confirm the Minutes of the Meeting of 8 June 99

CARRIED

PLANNING ITEMS

1. PUBLIC MEETING TO CONSIDER DRAFT REGIONAL OFFICIAL PLAN AMENDMENT 6 - ARCHAEOLOGICAL RESOURCES POTENTIAL MAPPING STUDY
 - Planning and Development Approvals Commissioner's report dated 21 May 1999
 - The Archaeological Resource Potential Mapping Study of the Region of Ottawa-Carleton 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 6 to the Ontario Municipal Board (OMB), must either voice their objections at the public meeting or submit their comments in writing. 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 14 July 99 in Planning and Environment Committee Report Number 36.

Sylvie Grenier, Planner, Policy Planning Branch provided Committee with an overview of the staff report and introduced Neal Ferris, Ministry of Citizenship, Culture and Recreation, and Ron Williamson and Rob MacDonald, Archaeological Services Inc.

Mr. Ferris provided comments on Provincial involvement in this project. He noted when the responsibility for the protection of archaeologically significant sites was transferred to municipalities, some generic screening criteria for applications was provided to municipalities. The Region proposed to do this potential mapping study, as the provincial criteria did not reflect the unique physical and cultural characteristics of this region. Mr. Ferris indicated he had worked closely with Regional staff and the consultant in the development of this tool and, although the screening criteria is much tighter than the Province's, it is well substantiated by the results of this study. He indicated The Ministry of Citizenship Culture and Recreation fully supports the study and the decisions that will arise out of its application.

Dr. Williamson, then provided Committee with an overview of the planning study prepared by Archaeological Services Inc. A copy of the slides used by Dr. Williamson in his presentation, is held on file with the Regional Clerk.

In his presentation, Dr. Williamson noted the study resulted in approximately 45% of the total land mass in the Region exhibiting archaeological potential. He said if the Province's criteria were applied against the land mass, approximately 95% would exhibit archaeological potential. Using this mapping model, planners will be able to easily conclude whether or not a particular piece of land falls within an area of potential significance. The review process could occur at the pre-consultation period or when the application is submitted and, if any portion of a planning application falls within the potential zone, an assessment of all the land is required (the Ministry will continue to review archaeological reports). He pointed out both the assessment and site mitigation could be undertaken prior to the application or as a condition of draft approval. Most assessments would take one day, the report could then be produced within a week or two and the Ministry review would likely be completed within the month. Dr. Williamson advised the mapping will be used in plans of sub-divisions and condominiums, site specific Official Plan amendments, site plans involving large parcels of undisturbed land, public agency developments and certain consent applications.

Responding to questions posed by Councillor van den Ham, Mr. Ferris indicated the Provincial general screening criteria would be used province-wide, unless a municipality develops its own specific screening criteria. The Province feels archaeological resources are a very significant part of our heritage (representing over 10,000 years of history, most of which has no written records), however, if critical information is removed from those sites, development could proceed. In the alternative, a developer could choose to protect

a significant site by allowing it to remain as greenspace. He said the aim is to manage the requirements within the development process, rather than serve as development constraint.

Councillor van den Ham then asked Mr. Ferris if his Ministry would still play a funding or a subsidy role in terms of preserving this heritage. Mr. Ferris replied funding had been provided by the Province for built heritage for designated properties, however, there are very few of these types of programs left in the Ministry. The Ministry does provide resources (in terms of staff), but no financial resources.

Councillor Munter had queries concerning the fact that, if the provincial criteria were used, 95% of the land mass in the Region would be covered. Dr. Williamson indicated the main reason for this was that poorly drained land in the buffer zone was not included in the regional tool, thus reducing the land mass covered by this tool (i.e. 45% of the total land mass). Councillor Munter concluded that by developing a specific tool, the Region would not be more restrictive but rather fewer land owners in Ottawa-Carleton would be affected than if the provincial criteria were used. Dr. Williamson concurred and went on to say the Region has demonstrated far sightedness by having this study done, specifically tailored to its reality.

In response to further questions from Councillor Munter, Mr. Ferris confirmed an assessment would only be triggered when a development application under the Planning Act (e.g. subdivision, condominium, etc.) came forward. He said the Province is not interested in imposing studies on citizens who happen to have land that falls within a potential area. Rather, the intent is to capture this when the land use change is going to occur, as this would be when the destruction to the resource would occur.

Councillor Legendre asked what would be involved in an archaeological resource assessment. Dr. Williamson replied a Ministry licensed consultant, retained by the proponent, would send a team out to the property to examine it. For example, a 50 acre parcel of land that is cultivated would take one day to assess by systematically walking the property. These trained archeologists would look for particular small artifacts that reflect previous occupation of the property. If a site is found, then an assessment is made as to whether further work is required on that site. In the case of land that is not plowed (e.g. a wood lot) but which is level and not wet, a different survey methodology would be utilized, that being test-pitting. This involves digging a hole in the ground and screening and examining the contents of the pit for artifacts.

Councillor Legendre found it odd that a representative from the Ottawa-Carleton Homebuilder's Association (OCHBA) sat on the Advisory Committee and questioned on what basis they were invited to participate. Ms. Grenier replied the OCHBA representative participated as a stakeholder. She said all members of the Advisory Committee made a positive contribution and staff took into consideration all comments

made. The one comment made by the OCHBA representative related to the process and that was, if an assessment was required, they wanted the flexibility to do it at either the pre-consultation stage or at the draft approval stage.

Councillor Stewart pointed out the Mapping Study, although dated April 99, was only received by Councillors the previous Friday. She went on to say it was quite a lengthy study and she had not had a chance to read it thoroughly. She asked if there was any reason why this item would have to proceed quickly through Committee and Council. Nick Tunnacliffe, Commissioner, Planning and Development Approvals, indicated the item had been advertised as a public meeting for the Official Plan Amendment, however, after hearing from any member of the public that wished to speak on this matter, the Committee could choose to defer it.

Responding to further questions from Councillor Stewart, Ms. Grenier explained the proposed amendment is not changing the policy in the Official Plan; Council has committed to protect archaeological resources. Rather, staff are saying if the provincial criteria were used in the Region it would encompass so much more land mass (because there are so many rivers in Ottawa-Carleton). The proposed mapping model is much more reasonable and less restrictive than the provincial criteria.

Councillor Stewart asked if the area municipalities were in support of the staff proposal. Ms. Grenier indicated all written comments received from the area municipalities were positive and noted staff had worked very closely with them in developing it .

Councillor Legendre expressed astonishment that, although the report recognizes the City of Ottawa core as having historical potential, it does not recommend requiring an archaeological assessment. He asked for comment on this. Dr. Williamson stated in his experience, there is usually enough public attention to redevelopment projects in downtown cores that if something archaeologically significant is found, it is reported to someone and the media usually picks up on it. He said in the study, they recommended a contingency plan be developed to identify who would “go to the table” to devise a plan for dealing with such a resource. Councillor Legendre then asked, if a redevelopment project took place in an area of potential archaeological significance, would the municipality be required to issue some sort of advisory. Dr. Williamson confirmed they were recommending a cautionary letter be issued.

Councillor van den Ham had questions concerning the actual assessment process. Dr. Williamson clarified trained archaeologists would conduct a systematic pedestrian survey of the property (five metres apart) on a piece of cultivated land. He said using this technique, the team would be able to identify anything from 8,000 years ago to more recent evidence of European activity (e.g. a mid-19th century farmstead).

The Councillor then asked how a survey would be conducted on un-cultivated land. Dr. Williamson advised, pursuant to the Provincial guidelines, if the land has been previously plowed, it must be plowed again for the survey. He pointed out this would be in the best interest of the proponent because a walking survey would be much more cost effective than test-pitting. He noted there are exceptions to this rule, for example, if there is live stock on the property and they will be there for some time, then the property would be test pitted. As well, previously plowed areas where scrub brush has grown up on it and wooded areas, would have to be test pitted.

Councillor van den Ham noted the map provided showed 45% of Ottawa-Carleton with potential for archaeological resources; he asked if there would be something in place to protect the remaining 55% of the Region. Dr. Williamson replied much care was taken in the preparation of the map to ensure that most of the resources would fall within the 45% zone. However, there will be some resources that fall outside of the zone and for this reason they recommended a contingency plan (i.e. the same contingency plan recommended for the historic core). Dr. Williamson doubted that resources would be found in a rural situation, where development occurs outside of a zone of potential. Many of these sites would be relatively tiny and may only consist of 10 or 15 artifacts on the surface, which a non-archaeologist would not be able to recognize.

The Committee then heard from the following public delegations.

Jean-Luc Pilon, Curator of Ontario Archaeology, Canadian Museum of Civilization (CMC), commended the Region on the proposal, noting it was very forward thinking, whose real value would last well beyond our life time.

Mr. Pilon went on to quote a passage written by Dr. Norman Emerson, an Archaeology Professor at the University of Toronto: "Historical understanding makes a very real contribution to the personal and national pride of Canadians. A profound faith in the future can only be built upon a deep sense and understanding of the past. Human beings thrive upon the secure feeling that their roots are set deep in the soil." He then expanded upon the high value people place on their past and the past of the land in which they live, noting the popularity of the Canadian Museum of Civilization and other historical institutions across the country and around the world.

Mr. Pilon advised there have been people living in the Region of Ottawa-Carleton for 9000 years or more. The Museum of Civilization has most of the objects found within the Region, most collected over a century ago and, with the exception of one or two excavated sites in the Constance Bay area, most of the materials would fit in a shoe box. He said there has been much destruction of information about previous uses of the Region and gave the example of the land where the Supreme Court and the National Archives are today. In the middle of the last century, while some sand was being excavated to build a

bridge, they found a large common grave with over 20 individuals buried there centuries ago. Little bits and pieces have been found on the streets of downtown Ottawa, enough to tell us that people were using the area in ways that are difficult to imagine.

In concluding his remarks, Mr. Pilon compared the significance of each archaeological artifact and site, to a book. The book represents a story of an area or of a people and time, through natural agencies, tears out all sorts of pages leaving perhaps every third or fourth page. By the time an archaeologist appears on the scene to try to reconstruct the essential thread of that story, there is very little left to deal with. This makes each and every page that much more valuable than it had been in the original book. At the same time it means that the destruction of each additional page for the wrong reasons makes the task so much more difficult. The story of this land's past belongs to all of us and he stressed that it must be respected and the needless destruction of additional pages of the story avoided.

Gordon Watson, Ottawa Chapter of the Ontario Archaeological Society appeared before the Committee on behalf of the Society President, Marian Clark. Mr. Watson noted he was one of the founding members of the chapter and had worked as an archaeologist in the Region and just beyond for some thirty years. He said just last year he had presented the findings from his work to the Canadian Museum of Civilization. Mr. Watson noted the Society participated in the Advisory Committee and many members, including himself, had input to the study by informing the consultant, Archaeological Services, about what they knew of the Region's archaeology from their own work.

Mr. Watson concluded his remarks by conveying the Ontario Archaeological Society's support for the initiative demonstrated by the Region in undertaking this study and he noted the Society assesses its importance as very high for the future of the control of archaeology in the Region.

Ian Dyck, Ontario Archaeological Society advised he too was an archaeologist. He said he had lived much of his life in the Prairies and was therefore quite familiar with the history of various sites and landmarks there. He said this was not easy to do in Ottawa because the archaeology is not well developed in this immediate region. Mr. Dyck related the few things he did know about the Region, for example the Portage site across the River from the Parliament buildings was excavated in the last century and the sand was used as a base for the Parliament Buildings. The Portage material would likely contain some very interesting artifacts from many thousands of years back. He said this type of site indicated to him that there should be more of them around the Region. He said with the proposed plan, he was able to begin to see where these sites likely would be. Mr. Dyck applauded the efforts of the Region in this area and commended the consultants for their work. He urged the Committee to support it.

Nicholas Patterson stated it would appear from the report that OCHBA expressed strong concerns that this procedure would increase costs and delays. He surmised they were against the staff proposal of an Ottawa-Carleton specific tool and would prefer to rely on the generic Ministry guidelines. Mr. Patterson also noted the staff report did not indicate if any formal detailed analysis or survey was carried out, as to what other major municipalities in Ontario and Canada are doing and how this proposal compares. He said he would like to see something from staff in this regard.

Ted Phillips, Ottawa Carleton Homebuilders' Association. Mr. Phillips advised he had received calls that day from five builders who, despite having been circulated a great deal of material on this matter, felt somewhat unaware of the process and unaware of the implications of the Planning and Environment Committee endorsing the subject report. In this regard, Mr. Phillips requested that the Committee defer the item for two weeks so that a meeting could be arranged with staff and the builders.

Chair Hunter stated he had spoken with a developer who indicated they were already having to do some type of archaeological assessment on projects, as a Ministry requirement. Mr. Phillips replied this would depend on when the subdivision was draft approved and what the conditions of approval were. He said older conditions of draft approval do not require archaeological review. Mr. Phillips advised he had been involved in one project more than three years earlier, where an archaeological review was done. He said, in speaking with the development community, he was the only one that he knew of that had done one.

Responding to a further question from Chair Hunter, Mr. Phillips stated that most large suburban developers would be hard pressed to find a hundred acres of land within the Region that did not have a potential zone in the middle of it. He advised that everything Richcraft owns in the Region (approximately 4000 acres) is affected by this and he suspected this would be the case with most large developers.

Councillor Legendre stated he could understand members of OCHBA would be impacted by this amendment, however, he said if the Committee did agree to a deferral, he would hope Mr. Phillips would ask OCHBA members if they saw any value in this policy. The Councillor said he would be very disappointed if the members of OCHBA did not. Mr. Phillips indicated anyone that he had spoken to in the industry recognizes the importance of what staff is trying to do. He said developers want to determine what is quantifiable in terms of the expectations of what will be preserved and what will be done with what is found. He stated he did not believe any of OCHBA members were philosophically opposed to this policy.

Councillor Munter opined that OCHBA is one of the groups that is better practiced at coming before Committee. He noted OCHBA had not submitted a letter and he surmised,

had it not been for an article in the newspaper that day, Mr. Phillips would not likely have attended the meeting. He asked if it would be reasonable to extrapolate from this, that generally speaking OCHBA does not have a problem with the staff report. Mr. Phillips stated he would not assume that. He said that most of the large builders have read the report, have met to discuss the requirements of the study, are aware of the implications and philosophically believe they have an obligation to do things the right way. He said they are not trying to avoid the inevitable, but rather are trying to get a better understanding of some parts of what will be required. Mr. Phillips stated the development industry had been extremely preoccupied over the last several months on the issue of Development Charges.

In response to questions from Councillor Stewart, Mr. Phillips advised the industry has questions about the intent of what will be determined as archaeologically significant. As well, some OCHBA members had no idea this was going on and have concerns about the implications it will have. He said if the opportunity were provided for Regional staff to provide a bit more description of certain terms within the report, then he felt the report could be supported by the industry.

Chair Hunter advised Councillor Beamish had put forward a motion that this item be deferred to the Planning and Environment Committee meeting of 13 July 1999.

Councillor van den Ham indicated he would be supporting deferral. Referencing the staff report, the Councillor noted the archaeological potential mapping study was the first component in the cultural heritage study and he asked if all of the components could be addressed at the same time. Carol Christensen, Senior Project Manager, Land Use, Policy Planning Branch advised there are three components to the Cultural Heritage Strategy. The first is a Comprehensive Built And Landscape Heritage Features Data Base compiled from existing sources; the second is the Archaeological Resource Potential Mapping Study; and the third one is Guidelines For Resource Management And Site Development In The Vicinity Of Heritage Resources. She said each was relatively free standing and it was not necessary to have the complete strategy to deal with one part or another of it.

Ms. Grenier speaking to the OCHBA request for deferral, pointed out they had been involved for more than a year and in fact were involved in developing the terms of reference, even before the consulting firm was hired. She also noted a special meeting was held to inform the Home Builders about the process. Ms. Grenier stated an information meeting (such as the one held that morning and attended by several builders) could be held, however, it would not have any effect on the amendment itself.

Councillor Legendre indicated he would not be supporting deferral as OCHBA had participated in the whole process and he felt inappropriately so. He opined they should not have been part of the Advisory Committee, as they offered no expertise in this area.

The Councillor noted it would have been “normal and healthy” for OCHBA to be involved after the study was finalized, when it could have been circulated to them for their comment/involvement.

Chair Hunter disagreed with Councillor Legendre’s view, and felt the Home Builders gave some balance to the process. He pointed out the report was written by archaeologists and recommends work for archaeologists. The involvement of the Home Builders (or others who do not have an interest in creating business for archaeologists) gives some balance and credibility to the report and suggests that they are, to a certain extent, buying into the process.

Councillor Stewart stated from an archaeological perspective, it was very important to have a comprehensive policy to address preservation of the past in the Region. She indicated she would be supporting deferral so that she would be able to read the report in-depth and to allow OCHBA members to do their homework and have their say before a decision is made.

Councillor Beamish noted the Committee normally tries to accommodate the public as much as possible and he felt, as some members of OCHBA feel they would like another opportunity to look at this policy, three weeks would be a very small amount of time in the overall scheme of things. He urged the Committee to support his motion for deferral.

Councillor Munter also expressed his agreement with granting deferral as he felt the matter did not require urgent Council approval. The Councillor expressed his support for the report and thanked staff for the amount of work that went into this policy.

The Committee then considered Councillor Beamish’s motion.

Moved by D. Beamish

That Item No. 1 be deferred to the 13 July 1999 Planning and Environment Committee meeting.

CARRIED
(J. Legendre dissented)

2. TOWNSHIP OF OSGOODE COMPREHENSIVE OFFICIAL PLAN -
PARTIAL LIFTING OF DEFERRAL NOS. 9 AND 10
- Planning and Development Approvals Commissioner’s report dated 1 June 1999

That Planning and Environment Committee recommend that, as stipulated in the Approval Page attached as Annex 1, Council lift Deferral No. 9 to the Township of

Osgoode Official Plan, insofar as it affects Parts of Lots 7, 8 and 9, Concession 5, and lift Deferral No. 10, insofar as it affects Part of Lot 8, Concession 5, and approve instead a designation of “Residential”.

CARRIED

3. OFFICIAL PLAN DEVELOPMENT PROJECTIONS AND INFRASTRUCTURE PLANS

- Commissioner Planning and Development Approvals Department report dated 17 May 1999
- Originally issued as “Information Previously Distributed”; request from Committee Member to add this item to the agenda

Councillor van den Ham noted he had requested this item be placed on the agenda. He indicated he had met with Planning staff since the last Committee meeting and some of his questions had been answered. He explained his overall interest in this report was linked to the Development Charges coming forward at the same time.

The Councillor then asked if Planning staff should not be verifying the status of applications pending. Nick Tunnacliffe, Commissioner, Planning & Development Approvals indicated that a pending application is an application the Department has received and is being considered, but that has not yet been given approval status.

Councillor van den Ham suggested there could be pending applications “in the mill” for five years or more and he felt the Department should follow-up on these applications checking which are still pending and which are dead. Andrew Hope, Senior Project Manager, Planning and Development Approvals Department indicated some pending applications are in a holding pattern awaiting financing or favourable market conditions. He said staff could go back to the development community and ask them periodically what their intentions are, however, in the past when the Department has contemplated lapsing subdivisions, the developers have indicated they had absolutely no interest in closing a draft plan of subdivision application or lapsing a draft approval. Similarly, the Department has continued to pursue draft plan approval extensions. Mr. Hope said the Department could investigate how long these applications have been pending for and decide for itself how likely these applications are to come to fruition.

Councillor van den Ham pointed out an error on page 27, Table 6 under Orleans Urban Centre, Transportation, Tenth Line Road should be Trimm Road.

Councillor van den Ham referred to Appendix B on page 29 and noted under Implementation Status, many of the projects indicate “No funding for construction in Budget”. He asked for staff comment on this. Commissioner Tunnacliffe indicated one of the main points of this report is the fact that while the water and sewer investments are going reasonably well according to the plan and the development in the communities is tracking reasonably well, there is a problem with transportation.

Responding to further questions from Councillor van den Ham, Marni Cappe, Manager, Policy Planning Branch, indicated staff were contemplating making this an annual report. She noted during the summer, staff will look at the implications of the findings in this report and if a further report is necessary, staff will do so.

Referencing page 24, Councillor Legendre noted the report states development in each of the urban centres is generally on target with the development strategy outlined in the Regional Official Plan. However, it also states it may be necessary to review the requirement to increase servicing to Kanata and/or Orleans. He felt this to be a contradiction and asked for staff comment. Ms. Cappe explained as a result of monitoring growth in Kanata and Orléans (in terms of approvals), it appears to be tracking a bit faster than what had been forecasted. She said it was difficult, with only two years of monitoring since the Official Plan was approved in 1997, to say with certainty how the market is absorbing all of these units. Until further monitoring is done, it will be difficult to know how many of those will appear as units built and occupied in the coming years. The Region has committed to provide servicing and infrastructure to accommodate the capacities identified in Table 5 of the Official Plan and the Department wants to ensure all pieces of infrastructure needed to meet those targets are included in the capital budget.

Responding to further comments from Councillor Legendre, Ms. Cappe indicated staff do not believe there is a need to consider amending the Official Plan at this point in time, however, there is a need for careful monitoring over the coming years.

Councillor Legendre expressed profound disappointment that, in his opinion, staff are contemplating modifying the Official Plan to make it fit “what is happening on the ground”.

Commissioner Tunnacliffe clarified this was not what Ms. Cappe was saying. He said although there may come a time Committee and Council will have to make a decision in this regard, staff are merely saying the situation will have to be monitored. The Commissioner noted there is a grow-in strategy and it needs to be watched very carefully. Perhaps in two to eight years the Region may decide not to have an extra layer in the suburbs and may allow the servicing capacity to get a little tight so that people come inside the Greenbelt. He said, however, this would be a decision for the future and pointed out this was why there was no recommendation in this report.

Chair Hunter concurred with the Commissioner, noting there had been no suggestion to change the upward limit. The Chair pointed out there have been constraints on expansion in places like Stittsville, the South urban community in Nepean and the South urban community in Gloucester. When the basic underground services are not there, they simply do not grow. He felt it was essential that staff monitor growth not only in the urban communities outside the Greenbelt but also within the Greenbelt. The Chair said he had been advised by a developer, who currently has four intensification projects within the Greenbelt, that he is facing serious constraints, both political and servicing in nature. He felt this demonstrated it was not as easy to intensify in the Greenbelt as some predicted it was going to be.

There being no further discussion Committee then considered the report recommendation.

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

CARRIED

OTHER BUSINESS

Chair Hunter advised Committee Andrew Hope would be leaving the Region to go to work at the Region of Halton. The Chair conveyed his best wishes to Mr. Hope and thanked him for the years of service he had given to the Region of Ottawa-Carleton.

ADJOURNMENT

The meeting adjourned at 4:50 p.m.

Original signed by Dawn Whelan

COMMITTEE COORDINATOR

Original confirmed by Gord Hunter

COMMITTEE CHAIR