

MINUTES

PLANNING AND ENVIRONMENT COMMITTEE

REGIONAL MUNICIPALITY OF OTTAWA-CARLETON

CHAMPLAIN ROOM

22 OCTOBER 1996

3:00 P.M.

PRESENT:

Chair: G. Hunter

Members: D. Beamish, A. Cullen, P. Hume, J. Legendre, A. Munter and R. van den Ham

REGRETS: B. Hill and W. Stewart

CONFIRMATION OF MINUTES

Councillor Legendre felt the recommendations listed at the end of the Minutes of the Joint Meeting could be made more clearly understandable, by separating the recommendations under the appropriate headings used in the staff report (e.g. Land Use and Development, Transportation, etc.). He asked that the Minutes be so amended.

**That the Planning and Environment Committee confirm the Minutes of the meeting of 08 October 1996, and the Minutes of the Joint Planning and Environment and Transportation Committee Meetings of 23, 24 and 30 September 1996, as amended.**

CARRIED

PLANNING ITEMS

1. PUBLIC MEETING TO CONSIDER  
DRAFT REGIONAL OFFICIAL PLAN AMENDMENT 64  
FINES FLOWERS LIMITED  
- Planning and Development Approvals Commissioner's report dated 08 Oct 96

Committee Chair Hunter began by reading a statement required under the Planning Act, wherein he advised that anyone whose intention it was to request referral of this Regional Official Plan Amendment to the Ontario Municipal Board must either voice their objections at the public meeting or submit their comments in writing prior to the matter

- Notes:
1. Underlining indicates a new or amended recommendation approved by Committee.
  2. Reports requiring Council consideration will be presented to Council on 13 Nov 96 in Planning and Environment Committee Report Number 45.

being considered by Regional Council (13 Nov 96). Failing to do so could result in refusal/dismissal of the referral by the Ministry of Municipal Affairs and the Ontario Municipal Board.

Don Moxley, Planner, Planning and Development Approvals Department, provided an overview of the staff report.

Willis Scanlon and Bill Graham appeared on behalf of the proponent, Fines Flowers Limited.

Mr. Graham provided the Committee with his views on the agricultural issues relative to the subject property. He noted that although the land is classified as predominantly Class 2 and 3, from a farming perspective, the limitations are numerous. He cited such things as poor drainage, grading problems, inherent soil problems and insufficient quantity of land to sustain a farm. He felt the current classification was much too high and argued that although there may be 25 or 30 acres in the lower end of the field that might, with proper drainage, rank Class 2 or 3, the remainder is Class 5, 6 or 7.

Mr. Graham stated the Canada Land Inventory approach is problematic in that it was not designed to be applied to a specific property. Its purpose was to find out how much good land was available in the province, counties and townships; not to rate one piece of land against another. He noted that although there have been some updates to the Canada Land Inventory, the assumptions relate to 1950's and 1960's agriculture.

With respect to the crops of corn and soy bean being grown on the subject land, the speaker noted last year, the farmer managed to harvest only half of the field of soy bean and the yield from the corn crop was approximately 50 to 60 bushels to the acre when 90 bushels per acre is required to meet production costs.

Mr. Scanlon, referring to the staff report, noted many of the agencies' comments indicated a number of studies have not been done. He clarified, as this is a policy application, these studies are not required to be done at this time. With respect to Parks Canada's comment that the proposed development would not be in character with the Rideau Canal Corridor, Mr. Scanlon pointed out only a small portion of the subject land is within the Rideau River corridor and noted that the land between the subject property and the Rideau River on the west side of River Road is almost totally developed. Referring to the issue raised by the Ministry of Municipal Affairs and Housing (MMAH) with respect to the proposed development inhibiting future development of the South Urban Community (SUC) and Manotick, the speaker noted that Manotick is over 2 km away and he opined that the Outer Provincial Highway By-pass will define the southern limit of the SUC.

Mr. Scanlon noted staff feel the proposed development falls within the conceptual location of the Outer Provincial Highway By-pass and that it would be premature to approve this application. Referring to previous staff reports on ROPAs 31 and 32 (8 April 1992), which dealt with land in the same area, the speaker noted staff indicated a similar situation however, they did not state the applications were premature. Finally, referring to the staff comment that this development would advance the requirement to upgrade roads in the area, Mr. Scanlon suggested other factors (i.e. the SUC and the proposed Outer Provincial Highway By-pass) would likely necessitate the need to upgrade these roads.

Responding to questions from Councillor van den Ham, Mr. Graham replied, in his opinion, the subject property is not large enough to sustain a farm. He felt in order to be viable (with cash crops) approximately 700 to 800 acres would be necessary. Referring to the Land Evaluation and Area Review (LEAR) system, Mr. Graham felt it was somewhat of an improvement however, the Canada Land Inventory System is still used as a base and until it is improved, there will be problems.

Councillor van den Ham asked the speakers what use the property is now serving. Mr. Scanlon advised that Fines Flowers, the owners of the subject property, entered into a nominal lease arrangement with a local farmer in 1995/96 as it was cheaper than performing weed control.

Harold Keenan, advised he owned 110 acres south of the subject property and he felt Mr. Graham's agricultural survey of the property was accurate. Mr. Keenan went on to explain about the conditions on his property noting the last 40 acres are very poorly drained. As well, a good portion of his land is very stony, making it impossible to cultivate. He felt these problems were even more severe on the property owned by Fines Flowers. He said he was amazed at the comments from Parks Canada as he feels sure the neighbors would complain about the odors, if the land were turned into a farm. He urged the Committee to approve this amendment.

Don Booth said he too owned a farm on River Road and expressed agreement with the comments made by Mr. Keenan. Mr. Booth described his farm as consisting of many different terrain including land with poor drainage, stony soil and sandy soil. He said each of these areas are ranked between Class 3 and Class 6; however, in his opinion this is not farm land. By way of example, Mr. Booth advised that at one time he owned 29 horses and had to purchase hay to feed them in the winter; he could not grow sufficient quantities of hay on his land. Mr. Booth felt the entire area should not be classified as agricultural.

Councillor van den Ham asked Mr. Booth if he or any of his neighbors had made any attempt to have the land reclassified by the Ministry of Agriculture and Food. Mr. Booth responded he had spoken with the Ministry and they indicated this land could not be reclassified at this time as the area south of this land (Riverside) had just been reclassified.

Amy Kempster, Federation of Citizens' Association (FCA) expressed support for the staff recommendation and referred to the letter sent by the FCA dated 11 October 1996 (on file with the Regional Clerk). It is the FCA's position that agricultural land, even if not the best, should not be taken out of agricultural use; to do so is a misguided way to develop. Ms. Kempster stated development in this particular area creates problems with respect to an increase in the use of cars and pressure on the roads. She noted the Regional Development Strategy revealed the cost to provide transportation to the South Urban Community will be very high; if estate development is added in this area, the viability is endangered and the costs will increase. She urged the Committee to support the staff recommendation and refuse this Amendment request.

Committee Chair Hunter drew the Committee's attention to correspondence received from Brian Jonah, Federation of Citizens' Association; Otto Bruder; John Merritt; W.S. Sutter; Keith Patterson; and, Brian Humphries, Township of Rideau. Copies of this correspondence are held on file with the Regional Clerk.

Councillor Cullen felt the comments from the Ministry of Agriculture and Food, the Ministry of Municipal Affairs and Housing, the Rideau Valley Conservation Authority and Regional staff, , provide overwhelming evidence that this is not a proposal the Region should proceed with. He stated he would be supporting the staff recommendation.

Committee Chair Hunter stated the landowners, if they disagree with the classification, should have it reclassified by the Ministry of Agriculture and Food; only after this has been done would the Region consider redesignating the land to general rural. He noted at issue is what the Regional Official Plan says land should be designated as, according to its present agricultural classification.

Councillor Beamish stated although he agreed with some of the comments made by the presenters that portions of their land are difficult to farm, in comparing the subject property to much of the farm land in the City of Gloucester, this is not a bad piece of farm land. He said if the Region is going to permit country lot estate development, there are much better locations for this type of development to occur. He expressed support for the staff recommendation.

The Committee then approved the staff recommendation

**That, having held a public meeting, Planning and Environment Committee recommend that Council refuse the request by Fine's Flowers Limited to amend the Region's Official Plan.**

CARRIED

2.     RENAMING BECKETT'S LANDING ROAD - RIDEAU TOWNSHIP  
      - Planning and Development Approvals Commissioner's report dated 03 Oct 96

Responding to questions from Councillor Legendre, Luigi Aprile, Planner, Planning and Development Approvals Department, advised that Annex I (staff report of 25 June 1996) was inadvertently left out of the staff report. Mr. Aprile explained this name change was proposed in order to eliminate the confusion of having two roads with the same name. The name "Merlyn Wilson Road" was suggested by Rideau Township after public consultation and is the name of the former Clerk of Marlborough Ward. Mr. Aprile confirmed that, to the best of his knowledge the person, after whom this road is proposed to be named, is no longer living.

The Committee then considered the staff recommendation.

**That the Planning and Environment Committee (acting as the Regional Street Name Committee) recommend to Council that "Beckett's Landing Road" (Regional Road 5) be changed to "MERLYN WILSON ROAD".**

CARRIED

3.     VILLAGE COURT DEVELOPMENT MANOTICK,  
LOPA 1 TOWNSHIP OF RIDEAU COMMUNAL SERVICES  
DEMONSTRATION PROJECT AND RELATED MATTERS  
      - Planning and Development Approvals Commissioner's report dated 22 Oct 96

Committee Chair Hunter pointed out that normally, approval authority for non-contentious Local Official Plan Amendments is delegated to the Planning and Development Approvals Commissioner. However, as this is a demonstration project for communal servicing, it is before the Committee for approval.

Mr. Rob McKay, Regional Planner, Development Approvals Division, presented a video by CMS Group-Water Treatment Systems of Concord, Ontario, consultants for the developer, which gave an overview of "Rotordisk" wastewater treatment system technology. Following the video, Mr. McKay provided an overview of the staff report

Councillor Legendre asked for staff's viewpoint on the technology described in the video. The Committee Chair reminded Members their role was not to approve the wastewater treatment system; rather, the Committee's role is to approve (or not approve) the Local Official Plan Amendment. The Ministry of Environment and Energy (MOEE), is responsible for approving the system, and development would proceed conditional upon this approval.

Responding to questions from Councillor Legendre, Nancy Schepers, Director, Water Environment Protection Division, explained that from an operating perspective, this will be a pilot plant, and there are elements of which staff's knowledge is limited. She stated as part of the Certificate of Approval for this project, the Region will be required to own and operate the system, and noted these costs would be transferred to the owners on a user-pay basis. She said the Department's preliminary estimates in terms of the cost of the operation and capitalization for future replacement are approximately \$100.00 per unit per month, which will be added to the tax assessment for these units.

Councillor Legendre noted the Region was listed as one of the approving bodies after the MOEE, and inquired as to the nature of the Region's role in the approval process. Nick Tunnacliffe, Commissioner, Planning and Development Approvals Department, drew the Councillor's attention to recommendation 2 d) of the staff report, which states "the detailed engineering design is in accordance with the design objectives adopted by Council on 8 September 1994 *to the satisfaction of the Regional Environment and Transportation Commissioner*".

Addressing concerns of Councillor Legendre with regard to the quality of the effluent from the system, Mr. McKay explained this was the purpose of the Certificate of Approval. The MOEE, with input from the Region, will have to be convinced that this project is improving water quality and not contributing to pollution. He added this particular sewage treatment plant would outlet into a private storm sewer, then into the Rideau storm sewer system, and ultimately into Mahogany Bay; because of this, the plant will have to be extremely efficient. Mr. McKay went on to say improvement of water quality entering the Rideau River is a possibility, as this system is a tertiary treatment plant, with added equipment to remove nitrates, phosphates and other pollution-contributing nutrients in order to meet Rideau River guidelines.

Councillor Legendre asked what would happen, if the system is not as efficient as expected. Mr. McKay said there would be a provision for alternative measures. The system will be designed such that it can contain waste which can be pumped out in the event of system failure. He emphasized a key element of MOEE and Regional approval of this package is a careful monitoring program, and that this system will be monitored very carefully within the first two years.

Mr. McKay confirmed at Councillor van den Ham's request this would be the first communal services pilot project under ROPA 47. The Councillor asked who would be responsible for monitoring the project for the first two years. Mr. McKay explained the developer will build the mini sewage treatment plant to the Region's specifications, and will finance 100% of the costs of the monitoring which will be carried out by Regional staff, to Regional standards. He also said a two-year "warranty" period is proposed

during which time, the developer will have to post letters of credit to ensure the plant was built and operating properly. If, after the two year period, operations satisfactorily met MOEE Certificate of Approval requirements, the letters of credit could be reduced, the Region would assume ownership and Regional staff would maintain and operate the plant. Mr. McKay pointed out that as a principle of ROPA 47, this operation would be user-pay and he reiterated the comments made earlier by Ms. Schepers about the operating costs.

Councillor van den Ham asked how the cost of operating this system compared to the average Regional costs. Ms. Schepers replied the average rate is \$30.00 per household, per month; the estimated cost for this system is \$100.00 per unit, per month.

Responding to questions from Councillor Legendre, Mr. McKay confirmed the transfer of the communal water treatment system to Regional ownership would occur at no cost to the Region. With respect to Recommendation No. 6, Mr. McKay explained when a developer submits an application for a Certificate of Approval, the Province requires both the Local and Regional municipal authorities to endorse the application as an acknowledgment of support for the project. Mr. Joe Vincelli, Manager, Approvals Branch, Environment and Transportation Department, added that if Committee and Council endorse the report, the Region would sign the application as the owner.

Councillor Legendre noted the usual practice, if the Region were assessing technologies other than those currently in use, would be to call for tenders and a variety of competing technologies would be reviewed. In this application, however, the developer has already made the selection and the result is a sole-source contract. Mr. McKay reminded the Committee that prior to the adoption of ROPA 47, the Region had been criticized by the development and engineering industries for its use of septic tank systems as the only waste treatment possibility in the rural area. ROPA 47 allows these local industries to put forward ideas for alternative treatment systems for rural servicing, which the Region will evaluate and decide whether or not to accept. The hope is that once a few of these demonstration projects are in operation, the actual "hands on knowledge" for these systems will enable the Region to make wise choices for the future.

The Councillor suggested the contract should include wording to the effect that should the system prove inadequate, necessitating a reliance on a backup pump-out system (which would raise the system's operating cost), the users/tenants would accept the full cost. Mr. Vincelli stated the developer had been asked to submit a contingency plan to account for this possibility. Mr. Tim Marc, Solicitor, Legal Department, confirmed that wording to this effect would be written into the contract.

George Brown, Teamco Holdings Inc., the agent for the land owner, informed the Committee the developer wished to commence work on this project by December. He noted time was of the essence, as the final application could not be submitted to the

MOEE until the project had been approved by Council and signed by the Region. In this regard, he asked that the Committee request that Regional Council waive the rules of procedure to consider this matter at its meeting of 23 October 1996. In response to concerns raised by Mr. Vincelli, Mr. Brown assured staff the necessary documentation (i.e. detailed engineering designs) would be forthcoming shortly. In conclusion, Mr. Brown commended staff, particularly Mr. McKay and Ms. Birgitte Alting-Mees, for their excellent work and cooperation on this project.

There being no further discussion, Committee considered the following recommendations:

Moved by P. Hume

**That Council be requested to waive the Rules of Procedure to consider this item at its meeting of 23 October 1996.**

CARRIED

Moved by J. Legendre

**That the Planning and Environment Committee recommend that Council approve:**

- 1. Local Official Plan Amendment 1 (LOPA 1) Township of Rideau as outlined in the Approval Page - Annex I attached;**
- 2. Village Court Development as a Communal Services Demonstration Project for Wastewater Treatment pursuant to Regional Official Plan Amendment No. 47 provided that:**
  - (a) the development proceed on the basis of a draft plan of condominium application;**
  - (b) Ministry of Environment and Energy (MOEE) grants a Certificate of Approval for the mini-package wastewater treatment system and it's outlet to the existing storm sewer;**
  - (c) the applicant enters into legal agreements with the Regional Municipality of Ottawa-Carleton (RMOC) and Rideau Township, and;**
  - (d) the detailed engineering design is in accordance with the design objectives adopted by Council on 8 September 1994 to the satisfaction of the Regional Environment and Transportation Commissioner;**
- 3. The delegation to the Regional Planning and Development Approvals Commissioner the authority to approve the Village Court Development draft plan of condominium application;**

4.      **The assumption of the communal wastewater treatment system into Regional ownership, after a two year warranty period, to commence after the system is commissioned, to the satisfaction of the Regional Municipality of Ottawa-Carleton;**
5.      **That Regional staff be authorized to charge the full cost of operation, maintenance and capital cost replacement of the communal wastewater treatment system to the users through a special charge to municipal realty tax assessment on each residential, commercial and institutional unit in the Village Court Development once the RMOC has assumed ownership of the system. Prior to assumption, the full cost is to be paid by the developer, and;**
6.      **That Regional staff be authorized to endorse the developer's applications for Certificates of Approval to the Ontario Ministry of the Environment as the future owner and operator of the communal wastewater treatment system, subject to the Region's approval of the final engineering design.**

CARRIED

ADJOURNMENT

The meeting adjourned at 4:55 p.m.

*Original signed by*  
*Dawn Whelan*

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COMMITTEE COORDINATOR

*Original confirmed by*  
*Gord Hunter*

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COMMITTEE CHAIR