

MINUTES

PLANNING AND ENVIRONMENT COMMITTEE

REGIONAL MUNICIPALITY OF OTTAWA-CARLETON

CHAMPLAIN ROOM

26 MARCH 1996

3:00 P.M.

PRESENT:

Chair: G. Hunter

Members: A. Cullen, B. Hill, P. Hume, J. Legendre, A. Munter, W. Stewart and
R. van den Ham

REGRETS: D. Beamish

CONFIRMATION OF MINUTES

Councillor Legendre asked that second line of paragraph 3 on page 6 of the Minutes (Item 2) be amended by replacing the word "receiving" with the word "proposing".

That the Planning and Environment Committee confirm the Minutes of the meeting of 27 February 1996, as amended.

CARRIED

PLANNING ITEMS

1. PRESENTATION OF ONTARIO PROFESSIONAL PLANNING
INSTITUTE (OPPI) COMMUNICATIONS AWARD FOR THE POSTER
"NATURAL VEGETATION IN OTTAWA-CARLETON"
- Verbal Presentation

Mr. Dennis Jacobs, Chair of the Eastern District of the Ontario Professional Planning Institute (OPPI) presented the Communications Award for the poster "Natural Vegetation in Ottawa-Carleton" to Pamela Sweet, Director, Policy Division. Mr. Jacobs noted that 39 submissions were made to this annual awards program and of these, 4 were recognized and provided with an award; 2 of these awards came to Eastern Ontario. He stated the poster described a very complex situation - natural vegetation within the natural environment system in Ottawa-Carleton, and was done as means to gain public input to the Official Plan Review process. Mr. Jacobs commented that it served its purpose well in that it garnered much public participation in the process.

Ms. Sweet accepted the award and thanked Mr. Jacobs and the OPPI. She recognized the following staff members who were responsible for the innovative approach used for the mapping on the poster. They were: Lesley Paterson, Manager, Policy Division; David Miller, Environmental Planner; and Bill Perry and Bill Serson of the Graphics branch.

Committee Chair Hunter commended staff for their work on this project and stated he was very impressed with the Natural Vegetation map, noting its ease of use and its usefulness. The Chair felt the OPPI had chosen well in recognizing Regional Planning staff's work on this project.

2. PUBLIC MEETING TO CONSIDER DRAFT REGIONAL OFFICIAL PLAN AMENDMENT 60 - PROPOSED CARLSBAD SPRINGS WATER SUPPLY SERVICE AREA - ADDITION OF NINTH LINE ROAD FROM 900 METRES EAST OF ANDERSON ROAD TO BOUNDARY ROAD; AND CARLSBAD SPRINGS WATER SUPPLY PROJECT-COST RECOVERY

 - Acting Planning and Property Commissioner and Environment and Transportation Commissioner's Joint Report Dated 08 Mar 96

Committee Chair Hunter expressed the regrets of Councillor Beamish (the Ward Councillor) who was unable to attend the meeting due to family obligations.

The Chair then went on to read 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 being considered by Regional Council (10 Apr 96). Failing to do so could result in refusal/dismissal of the referral by the Ministry of Municipal Affairs and the Ontario Municipal Board.

Jim Miller, Director, Engineering Division, Environment and Transportation Department, introduced the following staff members who have worked on this matter and were present to answer questions of the Committee. They were Mark Surtees, Project Manager; Joseph Phelan, Manager, Planning Policy Division; and Tim Marc, Solicitor, Legal Department.

Mr. Miller provided the Committee with a brief overview of the staff report. He noted that at the 23 January 1996 meeting of Planning and Environment Committee when Regional Official Plan Amendment 57 was dealt with, the residents of the Ninth Line Road area were equally divided both for and against the proposed trickle feed water system. It was decided by the Committee at that time, that it would be best to deal with Ninth Line Road (900 metres east of Anderson Road to Boundary Road) as a separate amendment. Mr. Miller went on to say the situation appears to have changed in that more people are now opposed to the system; he noted however that staff has not conducted their own survey of the area since January.

With reference to Recommendation 5, Mr. Miller noted that staff at the Ministry of Environment and Energy have advised (by way of letter dated 4 March 1996) that should the Region amend the by-law to allow cross connection of the two water supply systems, they would recommend that funding be withdrawn from the project.

Mr. Marc drew the Committee's attention to Recommendation 4 of the staff report and voiced staff's opinion that consideration of this recommendation should be deferred. He noted an owner of an extensive parcel of land used for a sod farm has expressed concern about the proposal to charge for existing lots of record (as per Recommendation 4), whether or not they are built upon. Mr. Marc advised that staff is currently undertaking a title search to determine the actual number of separate, legally conveyable lots the sod farm consists of. Although there are a number of assessment role numbers assigned to this parcel of land, this is not an indication of the actual number of lots of record. Once this matter is resolved, staff will report back to Planning and Environment Committee and Council.

At the request of Councillor Cullen, Mr. Miller confirmed there have been no changes to the cost structure as set out in the report (ROPA 57) considered by the Committee on 23 Jan 96. He noted there was a potential cost savings to the residents if they could have used the same pump and pressure tank for the two sources of water. This fact had not been incorporated into staff's numbers.

The Committee then heard from the following delegations:

Norbert Weiler, a resident of Ninth Line Road, referred to a survey taken of the residents of Ninth Line Road, which indicated that 66% were against the proposed system and 33% were in favour. He stated Councillor Beamish had indicated the decision of a majority of residents would prevail and he expressed the hope that this would resolve the matter.

Responding to questions from Mr. Weiler, Mr. Miller advised that the water system has been designed to service the lots of record, with a small allowance (3.1%) for future farm severances.

Mr. Weiler commented that the details of this project have not been made clear to the residents of the area. He felt that different people were receiving different answers to the same questions and he stated this has caused much confusion.

Mr. Weiler went on to say that the Regional water system has been extended to Rideau Road on Hawthorne; approximately 2 kilometers away from the residential area on Ninth Line Road. He questioned why the residents could not be connected to this system. Mr. Miller noted that the area is very rural in component and complexion; the cost to connect the area to the Region's conventional water system is too expensive for the density of the area. The funding being provided by the Ministry of the Environment and Energy is specifically for a demonstration project of a rural type servicing. Mr. Miller

agreed to provide Mr. Weiler with the costs associated with connection to the conventional water system.

In response to questions from Councillor Legendre, Mr. Weiler advised that the 11 lots belonging to the sod farm had not been counted in the petition. Councillor Legendre commented that the 11 votes, counted either for or against, would not change the outcome of the petition.

Russell Monahan, stated he had worked with Mr. Weiler on the survey of the Ninth Line residents (from Farmer's Way to Boundary Road) and noted that both house numbers and assessment role numbers were used. Mr. Monahan was of the opinion that each assessment role number represents a lot of record and this was reflected in the survey. The speaker stated the survey proves that people are unhappy with the proposed system and the majority are against it.

Mr. Monahan pointed out that initially, the water service along Ninth Line Road was necessary to bring the water to the Hamlet of Carlsbad Springs. This is no longer the case, as alternate routes along Eighth Line Road and Russell Road are being used.

Councillor Legendre, referring to comments made by Mr. Monahan concerning discrepancies of what was said at the 23 January 1996 meeting, provided the speaker with a copy of the Minutes of that meeting.

David Dehler, spoke on behalf of Mr. Arthur Larocque, a resident of Ninth Line Road. Mr. Dehler provided a written submission which set out three recommendations and summarized Mr. Larocque's thoughts on this matter. This document is on file with the Regional Clerk. Mr. Dehler asked that the Committee reject ROPA 60 in its entirety. Should the Committee choose not to do this, the speaker asked that the Committee defer consideration of Recommendation 4 and direct staff to prepare a detailed report on the provisions of the provincial funding, including written confirmation from the Ontario Clean Water Agency.

Mr. Dehler commented that throughout this process, the residents have been provided with information that is incomplete and contradictory. In particular, information concerning the adequacy of the trickle feed system, the costs associated with the system, details on hooking up to the system and details about the continued use of existing water systems.

As an example of contradictory information, Mr. Dehler drew the Committee's attention to page 3 of the staff report which speaks to the fact that some properties do not experience water quality or quantity problems and states "owners are not obligated to connect to the system". The speaker noted that a condition of the Provincial funding requires all residents in the proposed service area to hook up and the Region must pass a by-law to this effect.

In conclusion, Mr. Dehler noted there is not majority support for this proposed water system and further that the citizens and the Councillors need precise information to make an informed decision and this has not been provided. He asked that the Committee reject ROPA 60.

Referring to remarks made by Mr. Dehler concerning mandatory hook-up to the system, Councillor Stewart asked staff to comment on this. Mr. Miller noted that hook-up is not mandatory and this fact has been confirmed by the Ontario Clean Water Agency. There is a requirement for each lot of record to pay but they do not have to hook-up.

Councillor Stewart asked staff if the whole Carlsbad Springs project would be in jeopardy if ROPA 60 is rejected. Mr. Miller advised that the rest of the project (ROPA 57) would not be effected if Committee and Council did not approve ROPA 60.

Charlotte Greer, Chair Carlsbad Springs Community Association, noted that the water conditions in the area of Carlsbad Springs (both quantity and quality) are extreme in some cases, particularly on smaller lots. She noted she had been involved with this issue since 1984 and is well aware that the cost of full service water connection is prohibitive (in excess of \$36,000 per home). This is the best alternative to resolve the problem in Carlsbad Springs. Ms. Greer pointed out there is a community centre on Ninth Line Road which makes the issue of water on the Ninth Line a community issue. Ms. Greer stated she was of the opinion that (after the meeting of 23 January 1996) Regional Staff would be conducting an independent survey of the residents. She noted it was unclear whether the weighting of the survey conducted by the residents of Ninth Line Road was consistent with other surveys taken in the community; she suggested the Region should conduct an independent survey before making a decision.

R. Blake-Knox, advised that he was a new resident on Ninth Line Road. He noted he has had no problem with his water and therefore saw no reason he should have to hook-up to the proposed system. He expressed a number of concerns about the trickle-feed system, including water pressure and cleanliness to residents at the end of the system line, problems with freezing pipes in winter and responsibility for alterations to the houses to accommodate the new system.

Mr. Blake-Knox felt the people who need the water should have to pay for the system. He stated that the water situation in Carlsbad Springs is a result of past planning problems. He reasoned that because former local governments who created the problems were elected by the majority of the people, therefore the majority should pay.

In conclusion, Mr. Blake-Knox suggested that money spent on advertising would have been better spent providing every resident of the area with detailed information and holding a vote to determine the majority's wish.

Responding to concerns raised by Mr. Blake-Knox, Mr. Miller advised that the pipes would be laid through the ditch line, below the frost line and an allowance has been

provided for the number of water crossings in the project. There will be adequate ground insulation to prevent freezing and, because there will be a considerable flow through the pipes because of demand, no problems are expected in this area. Mr. Miller advised that problems arising on an individual's property would be the owner's responsibility (as is the case in the central system). The owner will also be responsible for any adjustments necessary in the house to accommodate the system.

John Andrews, advised he owns property on Ninth Line Road and expressed surprise at the opposition he was hearing to bring good water to the area. He noted he is planning to build a house on his property but has been reluctant to do so because of the water situation. Mr. Andrews opined it is the Region's responsibility to provide good, clean water at a reasonable cost to the residents. He noted that the main opposition to this system has been the prohibitive costs associated with it; he felt the Region must find a way to reduce the cost.

Committee Chair Hunter corrected a statement made by Mr. Andrews in that the Region is not responsible to provide water to rural areas. He noted it is the property owners responsibility to prove to the MOEE that there is a potable supply of water at a sufficient flow, prior to building a house. Mr. Sheflin confirmed this was true.

Responding to questions from Councillor Munter, Mr. Miller advised that staff's calculations indicate 32% of residents of Ninth Line Road are in favour of the proposed system and 55% are against. Mr. Miller also noted that during the public consultation process the information provided to the public was considerable; two open houses and a public meeting were held, in addition to mail outs to all registered property owners.

Joanne Ingram, has lived on Ninth Line Road for three years. She stated it was her understanding at the 23 January 1996 meeting, the Region would conduct its own survey of the residents of Ninth Line Road. She felt that because the people who had conducted the survey were against the proposed water system, the result had been swayed.

Ms. Ingram stated that given the choices, she was in favour of the trickle feed system. She noted that she has iron in her water and has to purchase bottled water to drink.

In response to questions posed by Councillor Stewart, Mr. Miller advised that the cost to each resident will be \$2,800 to bring the system to the property line; to bring the system to the house will vary with each property but an average cost would be \$2,300.00.

Having heard from all public delegations, the Committee then discussed the item.

Councillor Cullen noted that when the Committee dealt with this issue in January, Councillor Beamish made it very clear this had been a contentious issue within the community and a lot of consultation had gone on. The Committee made the decision to deal with Ninth Line Road as a separate amendment. Referring to a memo from Councillor Beamish, Councillor Cullen noted he made it very clear the majority view

should be supported. The Councillor expressed support for the majority and advised he would be voting against ROPA 60.

Councillor Legendre asked if the Committee accepted the majority view and it is subsequently shown that the petition is faulty, is there a window of opportunity for Ninth Line residents to come on board at a later date. Mr. Miller advised a Regional Official Plan amendment is necessary to put the system in place. If Council defeats ROPA 60, then the process of another Official Plan Amendment would have to be followed, including the public notification process. Mr. Sheflin added there is a risk of losing funding if ROPA 60 is not approved; he felt it would take on the status of a new application.

Referring to the 4 March 1996 letter from the MOEE (recommendation 5 refers), Councillor Legendre noted the letter states "It is our understanding that.....water from the Region's system and the residential well would be combined for all domestic uses in the Carlsbad Springs area". The Councillor noted this was not his understanding. Mr. Miller stated that at the 23 Jan 96 meeting, it was staff's advice that residents should seek professional advice on their particular circumstances before using the same pressure tank and pump for both sources of water. He noted the backflow preventor and air gap provide a safeguard for the communal system but there is the potential for cross contamination within individual homes. It is staff's recommendation that the 23 Jan 96 motion be rescinded so as not to jeopardize the funding of the entire project. He suggested the Committee carry recommendation 5 and staff will (prior to Council) send a sketch and a follow-up letter to the Ministry to clarify this issue.

Councillor Legendre felt Recommendation 5 should be deferred to allow staff the opportunity to discuss this matter with the MOEE and he put forward a recommendation to this effect.

Councillor van den Ham noted that although he would not support ROPA 60, he felt it was shortsighted of the residents not to accept this system as it is not likely the opportunity will ever present itself again to obtain water at such a low price. He noted there are a number of residents on the Cumberland side of Russell Road who would like this system but the number against was greater than those for and the majority prevailed.

The Committee then considered Recommendation 1.

That, having held a public meeting, Planning and Environment Committee recommend Council approve Regional Official Plan Amendment 60, attached as Annex A to this report;

LOST

NAYS: A. Cullen, B. Hill, G. Hunter, J. Legendre, A. Munter, W. Stewart,
R. van den Ham....7

YEAS: P. Hume....1

Recommendation 1 having lost, Committee Chair Hunter ruled that recommendations 2, 3, and 4 were redundant.

The Committee then considered the following motions.

Moved by J. Legendre

That Recommendation 5 be deferred pending clarification with the MOEE of the cross-connection issue and its potential for causing a public health problem and their consequent recommendation that Provincial funding be withdrawn should cross-connection be allowed.

LOST

NAYS: A. Cullen, B. Hill, P. Hume, G. Hunter, A. Munter, W. Stewart,
R. van den Ham....7
YEAS: J. Legendre....1

Moved by W. Stewart

That Recommendation 5 be amended by adding “That in light of the 4 Mar 96 letter from G.R. Clark of the Ministry of Energy and Environment (MOEE)

CARRIED
(J. Legendre dissented)

The Committee then approved the report as amended by the foregoing.

- 1. That, having held a public meeting, Planning and Environment Committee recommend Council not approve Regional Official Plan Amendment 60, attached as Annex A to this report;**
- 2. That, in light of the 4 Mar 96 letter from G.R. Clark of the Ministry of Energy and Environment (MOEE), Motion 7 of the 23 January 1996 Planning and Environment Committee, which required changes to the Regional Regulatory Code, specifically permitting cross connection of the two permitted water supply systems in the Carlsbad Springs Service Area, be rescinded.**

CARRIED

3. ONTARIO MUNICIPAL BOARD APPEAL ZONING BY-LAW 54/95
(HUGHES) PART OF LOT 20 CON. X (FITZROY WARD)
TOWNSHIP OF WEST CARLETON

-Acting Planning and Property Commissioner's report dated 12 Mar 96

Rob McKay, Planner, Plans Administration Division, provided the Committee with an overview of the staff report.

Councillor Legendre remarked that staff were suggesting a retail woodlot be added as a permitted use for the site in question, noting there was no requirement for the wood processed and sold at the lot to originate on-site.

Mr. McKay confirmed this and added the site was not actually a woodlot but an open field; Mr. Hughes purchased lumber from elsewhere which was then processed at the site. Mr. McKay added the Ministry of Agriculture and Food had agreed with staff that a woodlot would be appropriate. However, staff still had difficulties with other permitted uses such as a drive-in restaurant, gasoline pump islands, a merchandise service shop, a vehicle agency, etc. If Committee agreed with staff that this matter should be referred to the Ontario Municipal Board (OMB), staff would submit that these types of uses should be restricted to the villages or general rural areas not designated prime agricultural lands.

Councillor Legendre referred to non-residential uses which would be allowed under the Township's Zoning By-law 54/95, and asked whether a commercial greenhouse would be compatible as an agricultural related use, pointing out that this was missing from the staff report. Mr. McKay replied that it would be allowed, and had been omitted from the report as an oversight.

Mr. McKay emphasized this zoning By-law had already been adopted by the Township of West Carleton, and the Region did not have the option of changing it. The only two options were to either go forward with the appeal, in which the OMB would have the option of changing it, or the matter could be deferred, and the Council of the Township of West Carleton could be asked to repeal this zoning By-law and bring forth another one.

Mr. McKay noted that although it might not seem like a big issue when dealing with a 2.8 acre site, there were many rural landowners with similarly sized parcels of land who would like severances or other considerations to do similar things; it was this which would cause problems in agricultural resource areas.

Mr. Hughes, the owner of the subject property, then gave a presentation to Committee. He said that when the idea was first proposed, it was his understanding that both he and staff would negotiate on a list of potential uses for his land, a give-and-take approach on both sides. It was Mr. Hughes' opinion that this was not the outcome, as staff had been inflexible. Using an overhead slide of an aerial photograph to demonstrate his point, Mr. Hughes acknowledged the subject lands were designated agricultural, but were on the edge of the agricultural zone, in a high-traffic flow area, which would be ideal for any

commercial enterprise. In terms of agricultural uses, Mr. Hughes disputed the idea of a farm-oriented use for the land as the strip of land was long, narrow, irregularly-shaped and on the periphery of the farming area.

Mr. Hughes said he had called Mr. McKay earlier that morning to reduce the list of land uses to a vehicle agency, a woodlot and a house, but as Mr. McKay could not agree with the vehicle agency, Mr. Hughes had again come before Committee.

The Committee then approved the staff recommendation.

That Planning and Environment Committee recommend Council confirm staff's Ontario Municipal Board appeal of the Township of West Carleton's Zoning By-law 54/95, as it does not conform to the Regional and West Carleton Official Plans nor the Ontario Ministry of Agriculture, Food and Rural Affairs' Food Land Guidelines.

CARRIED

Moved by J. Legendre

That Council be requested to waive the Rules of Procedure to consider this report at its meeting of 27 March 1996.

CARRIED

ENVIRONMENTAL SERVICES ITEMS

4. AMENDMENTS TO THE REGIONAL REGULATORY CODE
RELATED TO WATER, SEWER, AND SOLID WASTE DISPOSAL SYSTEM
RATES AND CHARGES
- Environment and Transportation Commissioner's report dated 12 Mar 96

That Planning and Environment Committee recommend Council approve:

- 1. The adjusted rates and charges recommended in this report;**
- 2. That the Regional Regulatory Code be amended to reflect the changes through an amending by-law.**

CARRIED

Moved by J. Legendre

That Council be requested to waive the Rules of Procedure to consider this report at its meeting of 27 March 1996.

CARRIED

5. WATER - PLUGGING OF WELLS - VILLAGE OF CARP
- Director, Engineering Division report dated 12 Mar 96

That the Planning and Environment Committee recommend Council approve that in the village of Carp:

- 1. All residential and non-residential properties in the well head protection zone be required to connect to the communal water system and to plug their wells;**
- 2. All future residential and non-residential properties on which buildings are located shall be required to hook up to the communal water system and prohibited from having wells;**
- 3. All existing residential and non-residential properties outside the well head protection zone shall be permitted to connect to the communal water system and maintain their well provided that the appropriate plumbing is severed to prevent cross-contamination and a backflow preventer is installed on the services line at their cost;**
- 4. The mandatory well testing program in the Regional Regulatory Code, Part 4.2 be repealed.**

CARRIED

6. WATER - OTTAWA SOUTH - AIRPORT - WATER SYSTEM
MUNICIPAL FRANCHISE
- Director of Engineering and Regional Solicitor's joint report dated 01 Mar 96

That Planning and Environment Committee recommend Council approve that a municipal franchise be granted to Her Majesty in Right of Canada as represented by the Ministers of Transportation and National Defence to permit the operation of a water system within Lester and Alert Roads and Uplands Drive in the City of Gloucester and the Airport Parkway provided that an agreement be entered into with the Region and the City of Gloucester by which Her Majesty in Right of Canada agrees to assume the complete responsibility for the water system.

CARRIED

7. HAULED LIQUID WASTE

- Director, Water Environment Protection Division report dated 12 June 95
- referred back to Planning and Environment Committee from Council at its meeting of 28 Feb 96

Nancy Schepers, Director, Water Environment Protection Division and France Jacovella, Manager, Technical Support Branch were present to answer questions from the Committee.

Responding to questions from Councillor Cullen, Mike Sheflin, Environment and Transportation Commissioner advised the disposal fee of \$3.32 (as recommended in the staff report) was in fact a reduction from the rate originally proposed. Staff have indicated there will be further reductions in the cost and for this reason, support the fee of \$2.25 as proposed by Councillor van den Ham.

Councillor Cullen asked for staff's comments on a letter received from Mr. Gordon Pratt, Director of Development, Township of Osgoode which recommends a processing cost of 54 cents per 1,000 litres (made up of 27 cents per 1,000 litres as the cost to an urban sewer user and 27 cents per 1,000 litres as the treatment cost). Ms. Jacovella stated she believed the Township arrived at their figure by taking an average of 103 % (the former sewer surcharge portion) of the water rate of 51.5 cents and they assumed half was for the collection system and half for treatment costs. Based on their calculations, the new rate would be 51.5 cents per 1,000 litres as the sewer surcharge rate has been reduced to 100%.

Councillor Cullen, referring to an earlier staff report, noted that staff had originally recommended a higher fee and he asked for clarification on this. Ms. Jacovella replied staff had drawn up concentration characterizations of "typical" holding tank, septic tank, and hauled liquid wastes, along with R.O. Pickard Environmental Centre inflow based on a study of 120 waste samples. This led to the proposed fee of \$4.47 for an average hauled liquid waste concentration. It was this number which was the basis of the \$2.25 figure (i.e. approximately half of \$4.47).

Councillor Hill, citing Schedule "C" of the Regional Regulatory Code (Schedule of Fees), noted there is a current permit fee of \$100 and a discharge fee of \$0.6422 for discharge of liquid material transported to the sewage. Staff are proposing to reduce the discharge fee to \$0.515 effective 1 April 1996. She asked staff why this would not apply to hauled liquid waste. Commissioner Sheflin replied these fees apply to liquid material, excluding hauled sewage and this is stated in the Regulatory Code (Section 5.2.4). Liquid material would include material hauled from a slaughter house or other such commercial/institutional operation. Ms. Jacovella added that liquid waste has to meet all parameters of the Code; should the concentrations of the liquid waste be in excess of what is set out in the Code, the haulers would have to pay additional costs.

Ms. Jacovella, responding to questions from Councillor Legendre, advised that the actual cost to the Region for processing hauled liquid waste is \$3.40. The Councillor stated he would be prepared to move a motion instituting this amount. Ms. Schepers stated the recommendations would be incorporated in the Regulatory Code which come before Committee and Council on an annual basis. It would be appropriate to have policy direction from the Committee that it is the actual cost to be recovered from the fee and the actual cost times 2 for hauled liquid waste generated outside the Region. With this direction, staff would update the Regulatory Code on an annual basis and update the numbers based on current knowledge of the actual costs. Mr. Sheflin projected the costs associated with hauled liquid waste will decrease from year to year.

Gord Pratt, Director of Development, Township of Osgoode, stated the Township of Osgoode is not against a user fee for the disposal of hauled liquid waste but is looking for a fee for holding tanks equitable to that of the sewer user. He noted that since the issue of developing a disposal fee began in 1993, staff have proposed a number of different fees ranging from \$18.00 per 1000 litres down to \$3.32 per 1,000 litres.

In order to arrive at an equitable user fee for the disposal of waste, Mr. Pratt stated there must be a two-fee structure; one for septic tank waste and one for holding tanks. Holding tank users are most affected by a disposal fee due to their large volume. A septic tank operates on the basis of retaining solids, while the liquids are drained off in a tile field. The tanks, usually half-filled with solids are pumped out every two to three years and taken to the plant for disposal. The proposed fee of \$3.32 for septic tanks can be justified based on the much higher concentration. In view of this, Osgoode believes there will be a strong desire to increase this fee in future years.

The holding tank operates on the principle that all waste from the house/commercial/ industrial building is emptied directly into a holding tank, and once a controlled level is reached, they are pumped into a truck and hauled to the Pickard Centre for treatment. Mr. Pratt suggested as an alternative to transporting this raw sewage to the Pickard Plant, the material could be pumped through a force main similar to that used in Richmond and many other areas of the Region. The treatment cost of the Richmond scenario is \$0.27 per 1000 litres and it demonstrates that the cost of treating holding tank waste is no different than domestic waste from a sewer user.

The speaker pointed out the economic impact disposal fees will have on rural small businesses, that are forced to use holding tanks due to lack of space for septic systems. As an example, Mr. Pratt noted the Metcalfe Arena dumps 1,800 cubic metres of liquid waste per year. At a rate of \$3.32 per 1,000 this would amount to \$6,000.00 annually and this is in addition to the \$14,000.00 hauling fee. In comparison, the treatment cost for 1,800 cubic metres of liquid waste in an urban arena would cost \$500.00

Councillor Cullen asked staff to comment on Mr. Pratt's suggestion of a two-fee structure. Ms. Jacovella stated the problem lies in the administrative area; determining whether the waste is holding tank or septic tank and often arrives as a mixed load.

Councillor Cullen pointed out the trucks' manifests would stipulate whether the waste was septic or holding tank and if it were mixed, the higher rate could be charged.

At this juncture, Councillor Hill put forward the following motion: That a disposal fee of \$515 per 1,000 litres be charged for hauled liquid waste from rural holding tanks and septic tanks.

Councillor Cullen suggested the words "...as per the Regulatory Code" be added to Councillor Hill's motion as per earlier comments made by staff concerning annual updates. At the Committee's request, Tim Marc, Solicitor, Regional Legal Department advised this amendment was unnecessary as staff, as a matter of policy, bring forward an annual report, updating all amounts in the Regional Regulatory Code.

Responding to questions from Chair Hunter, Ms. Jacovella advised that a rate of \$0.515 per 1000 litres would result in an annual net revenue of approximately \$40,000.00 and the operating cost for the first year would be \$55,000 (Table 3, 12 Jun 95 report).

Speaking to her motion, Councillor Hill stated the amount of sewage dumped at the treatment centre by rural haulers is infinitesimal and insignificant. She noted there are 93 million litres of liquid waste per year from the rural haulers compared to between 450 million to 1,300 million per day from the urban areas. Based on the lower figure, the rural haulers yearly contribution is .057%. The Councillor stated that if the rural area is to be charged a disposal fee, it should be at the same rate as the urban area - namely \$0.515 per 1000 litres.

Councillor Hill noted that small businesses and shopping malls that have holding tanks must have their tanks cleaned out at least once a week; this will cost them thousands of dollars a year, and she felt this was not fair to them. Further, the way in which staff arrived at the various fees they have proposed has been unscientific; there has been no science and no mathematical calculations used in these numbers.

The Councillor stated that Mr. Sheflin and his staff should be commended for reducing the costs at the treatment centre every year. She noted at the end of 1995, there was a \$400 million surplus in revenues from sewers which proves that the sewer fund is not in any trouble. For these reasons, Councillor Hill questioned why the Region would be so adamant about charging the rural residents. She asked that the Committee support her motion. The Councillor also advised she was prepared to move a motion that the Region not charge the haulers.

Councillor Munter noted the sewer surcharge has decreased and the cost of operating the Pickard Centre is going down. The Region has been able to pass along these savings to the urban rate payer. Taxes in the rural area have been going up as a result of Bill 143 and rural rate payers paying their fair share of policing. Given these facts and the fact that the Pickard Centre does not need the extra revenue, Councillor Munter put forward a

motion that a moratorium be declared on the collection of fees and that the moratorium be reviewed periodically.

Councillor Munter noted that although he is concerned about the impact the higher rates would have, particularly on small businesses he is also concerned about the low rate proposed by Councillor Hill as he felt it would cost more to administer than would be collected. Ms. Jacovella advised that the proposed rate of \$0.515 would in fact generate a net revenue of \$40,000 yearly. Councillor Munter went on to say that he feels very strongly about Recommendation 4 concerning waste from outside the Region and feels those haulers must pay for these services.

Councillor van den Ham noted he had previously moved that no charge be levied on hauled waste but that his motion lost by one vote. Referring to a memorandum he supplied to the Committee, the Councillor noted that 99% of the businesses in the rural area are on holding tanks; the additional costs to these businesses will be dramatic. He acknowledged that the higher concentration of the hauled liquid waste requires more chemicals to treat and stated staff have attempted to be fair in arriving at a fee. In terms of equity, he noted that someone living next to the Pickard Centre is subsidizing those that live further away. He felt that paying the same price should be extended to the rural areas. He expressed support for Councillor Hill's motion and noted that should that motion fail, he would be moving \$1.00 per 1000 litres.

Councillor Cullen expressed support for Councillor Hill's motion of \$0.515 per 1000 litres. He felt that equity was at issue and he stated he was prepared to support the same rate as urban dwellers pay.

Councilor Legendre spoke in favour of the staff recommendation of \$3.32 and he put forward a motion, that once the rate is set, that it be adjusted annually based on the actual operating costs. The fact that urban taxpayers have been footing the entire bill is not fair. He acknowledged that businesses will feel the impact but stated they will just have to recalculate the way they do business.

Councillor Stewart stated it is tough for businesses everywhere and now is not the time to be hitting them with large additional costs. She expressed support for Councillor Munter's motion for a moratorium and for Councillor Hill's motion of \$0.515 per 1000 litres.

Committee Chair Hunter commented that if the issue is equity, the total cost to the urban ratepayer should be used as a comparison. In addition to the \$0.515 sewer surcharge, urban residents are also paying a fee in their taxes for the sewer levy, for the capital cost of the Pickard Centre and contributing to service water quality issues; the rural sewage users have been exempt up until now. He felt that a fair price would be closer to Councillor van den Ham's proposal of \$1.00 per 1000 litres.

The Committee then considered the motions put forward.

Moved by B. Hill

That a disposal fee of \$ 0.515 per 1,000 litres be charged for hauled liquid waste from rural holding tanks and septic tanks.

CARRIED

YEAS: A. Cullen, B. Hill, A. Munter, W. Stewart, R. van den Ham....5
NAYS: P. Hume, G. Hunter, J. Legendre....3

Chair Hunter ruled the motions put forward by Councillor van den Ham (i.e fees of \$1.00 and \$2.25 per 1000 litres) to be redundant.

At the Committee's request, Chair Hunter ruled that Councillor Legendre's motion, would have the effect of having the disposal rate reviewed annually and determined according to actual operating costs.

Moved by J. Legendre

That the annual updates of hauled liquid waste disposal fees be set according to the annual amendments to the Regional Regulatory Code which represent the best estimates of actual operating costs.

CARRIED

YEAS: P. Hume, G. Hunter, J. Legendre, A. Munter, R. van den Ham....5
NAYS: A. Cullen, B. Hill, W. Stewart....3

Councillor Legendre put forward a motion to amend Councillor Munter's motion by deleting the word "hauled"; the motion would then read (in part) "That a moratorium be declared on the collection of liquid waste disposal fees.....". Committee Chair Hunter noted that Councillor Legendre's intended effect of this amendment would be to eliminate the sewer surcharge. Commissioner Sheflin cautioned that this would cause serious difficulties for the Region's budget and should not be entered into without a report from the Finance Commissioner. Councillor Legendre stated his intent was to move the deletion of the word "hauled" which would hopefully carry and then Councillor Munter's motion as amended would be defeated. He stated he wanted to get urban and rural liquid waste on an "absolutely level playing field" before the Committee for consideration. He stated he was sure that once the level playing field was before the Committee, they would not want to look at it.

Moved by J. Legendre

That Councillor Munter's motion be amended by deleting the word "hauled".

LOST

NAYS: A. Cullen, B. Hill, P Hume, G. Hunter, A. Munter, W. Stewart,
R. van den Ham....7

YEAS J. Legendre....1

Speaking to Councillor Munter's motion, Councillor van den Ham stated he could not support a moratorium as he felt the issue had been dealt with fairly with a fee of \$0.515 per 1000 litres and this rate will be reviewed annually as part of the Regulatory Code.

Moved by A. Munter

That a moratorium be declared on the collection of hauled liquid waste disposal fees for residents and businesses located within Ottawa-Carleton until 1 April 1997, and that this moratorium be reviewed on an annual basis.

LOST

NAYS: A. Cullen, P. Hume, G. Hunter, J. Legendre, R. van den Ham....5
YEAS: B. Hill, A. Munter, W. Stewart....3

Referring to the implementation dates, Ms. Jacovella advised that a date of 1 Sept 1996 would allow residents the opportunity to have their tanks cleaned before the fees come into effect and also allow staff time to put in place the financial processes. The Committee agreed the implementation dates should be changed to 1 Sept 1996

The Committee then considered the report as amended.

That Council approve the following:

- 1. That a disposal fee of \$ 0.515 per 1,000 litres for hauled liquid waste be implemented as of 1 Sept 1996;**
- 2. That a minimum fee of \$7.00 be established for small discharges including recreational vehicles;**
- 3. That an annual permitting fee of \$100.00 be implemented as of 1 Sept 1996;**
- 4. That liquid waste generated outside of the Region be accepted at twice the real processing cost, at an initial fee of \$8.94 per 1,000 litres of hauled liquid waste as of 1 Sept 1996;**

5. That the disposal fee be billed to the waste haulers; and
6. That the annual updates of hauled liquid waste disposal fees be set according to the annual amendments to the Regional Regulatory Code which represent the best estimates of actual operating costs
7. That the Regional Regulatory Code be amended to implement the Hauled Liquid Waste Strategy set out in this report, as amended.

CARRIED

INFORMATION PREVIOUSLY DISTRIBUTED

Planning O.M.B. Decision - Regional Official Plan Amendment 41 - Kanata North

- Acting Regional Solicitor's memorandum dated 22 February 1996
(Originally to have been listed on P&E Cttee. Agenda for 12 Mar 96)

Councillor Munter noted the OMB directed Regional Council to conduct further studies on Kanata North and these are required a year from now. He asked staff who would be taking care of this. Tim Marc, Solicitor, Regional Legal Department advised that he and Pamela Sweet, Director, Policy Division, Planning and Property Department had discussions with the Planning Director of the City of Kanata.. He noted this report is also being submitted to Kanata Council and it is his understanding Kanata will be addressing what it will be prepared to do this year. Mr. Marc also noted, as it was a "direction" by the Board, the Board cannot legally require the Region and Kanata to move forward with these amendments. The risk is that control of the process could be lost and the Board might view involvement by the Region and Kanata at a later date in an unfavourable light.

Councillor Munter noted the Board also directed that development should not occur unless transportation infrastructure is in place or the financing is in place; would this require an amendment to the Official Plan. Mr. Marc stated he interpreted this to mean that the Board sees this as a pre-condition to approval of a further Regional Official Plan Amendment that would actually allow development. Mr. Marc noted that Ms. Sweet has advised that the Official Plan Review will take this into account.

ADJOURNMENT

The meeting adjourned at 7:15 p.m.

COMMITTEE COORDINATOR

COMMITTEE CHAIR