

MINUTES

PLANNING AND ENVIRONMENT COMMITTEE

REGIONAL MUNICIPALITY OF OTTAWA-CARLETON

CHAMPLAIN ROOM

26 OCTOBER 1999

3:00 P.M.

PRESENT:

Chair: G. Hunter

Members: M. Bellemare, B. Hill, J. Legendre, A. Munter and W. Stewart

Regrets: D. Beamish, P. Hume and R. van den Ham

CONFIRMATION OF MINUTES

That the Planning and Environment Committee confirm the Minutes of the Meeting of 12 October 99

CARRIED

POSTPONEMENTS / DEFERRALS -
PLANNING ITEM

1. APPLICATION FOR PLAN OF SUBDIVISION-
HISTORIC ELMWOOD COUNTRY LOT SUBDIVISION
TOWNSHIP OF WEST CARLETON

- *Deferred from Planning and Environment Committee meeting of 14 Sept 99*
- *Submission from Paul Webber, Bell Baker, dated 13 Sept 99 and Planning Report prepared by Delcan Corporation issued previously to all members of Council and held on file with the Regional Clerk.*
- Planning and Environment Committee Co-ordinator's report dated 12 Oct 99
- Planning and Development Approvals Commissioner's report dated 25 Aug 99

Myles Mahon, Planner, Development Approvals Division, Planning and Development Approvals Department, provided Committee with a brief overview of the staff report.

- Notes:
1. Underlining indicates a new or amended recommendation approved by Committee.
 2. Reports requiring Council consideration will be presented to Council on 10 November 99 in Planning and Environment Committee Report Number 46.

Councillor Munter had questions regarding the Township's concerns with the water and a resident's concern that the time of year at which the hydrogeological work was done, and the conditions of drought, made the report's findings questionable. Mr. Mahon explained that water *quality*, and not *quantity*, had been of issue. He noted the hydrogeological report had determined there was an adequate quantity of water, but had indicated that some parameters exceeded Ontario drinking water quality guidelines, although these were within treatable limits and could be mitigated. He said the report's conclusions had been reviewed and accepted by a hydrogeologist at the Rideau Valley Conservation Authority. Mr. Mahon explained that studies were continuing in an effort to define areas of poor drainage, which would result in specific recommendations as to the location of septic fields and types of construction.

Councillor Stewart noted the marsh and poorly drained areas were to be protected, and expressed concern over whether there would be problems separating wells and septic systems, given the lot sizes, or whether these systems would be undersized. Mr. Mahon said the advice the department had received indicated there would be adequate room to accommodate both wells and septic systems on all lots.

The Councillor also pointed out that one of the conditions for draft approval was for stormwater management. She asked what measures were being considered for this. Mr. Mahon explained the stormwater management measures would mainly consist of swayles and ditches along roads, but not ponding or anything of a similar nature.

Councillor Stewart commented that she approved of an approach which implemented conditions pertaining to stormwater management prior to development, indicating a development in her ward was being built with no stormwater treatment whatsoever.

Mr. Mahon confirmed for Councillor Legendre that measures could be taken to render elevated concentrations of sodium, fluoride, and iron in the groundwater to acceptable levels, and to treat problems dealing with water hardness.

Councillor Legendre then referred to two conditions on page 21 of the agenda, dealing with noise. He felt the first (Condition 31), stipulating that potential buyers be informed of the presence of the Carp airport and noises associated with its use, was inadequate. He felt it was prudent to add a condition which would warn potential landowners of a possible expansion of airport activities in future. He felt this would help protect the Region against actions by those who might claim to have been uninformed of this potential increase in activity at the time of purchase.

Eric Johnston, Acting Regional Solicitor, noted this condition was simply providing a notice, but felt there was nothing to prevent the wording being changed for purposes of elaboration.

On the second condition (Condition 32) pertaining to noise associated with a railway line, in which the noise had been deemed to exceed the municipality's and Ministry's criteria, Councillor Legendre expressed concern that attenuation measures were not proposed.

Mr. Mahon believed this had to do with the layout of the lots and topography, in that a band of trees along the area, which was to remain untouched, was to provide a vegetative buffer. He said the intent was to leave the poorly drained area untouched, and noted that houses would be set back from the railway.

Councillor Legendre stated that previous experience had taught the effect of trees on noise attenuation was minimal. He felt that since the noise criteria were being exceeded, now was the time to implement attenuation measures. Councillor Legendre said he did not advocate the removal of trees, however, suggested a fence might be used to this end.

Mr. Vern Rampton, V.J. Land Limited, commented the railway in question was nearly abandoned, providing service to Arnprior only once a week. He felt his proposed subdivision would be buffered better than the intense residential development in Carp.

Mr. Rampton explained the setting for his proposed country estate lot subdivision was designated General Rural in West Carleton's Official Plan, and was situated between agricultural areas and two Areas of Natural and Scientific Interest (ANSI), the Carp Hills and South March Highlands. Referring to a map of the area, Mr. Rampton noted the Elmwood subdivision was outside of any of the natural environment protection areas. He demonstrated how the subdivision would fit into the general development of the area, which included similar country estate lot subdivisions in nearby rural Kanata and recreational uses such as the Lockmarch and Irish Hills Golf Courses.

The speaker explained V.J. Land Limited had purchased Phase 1 of the subject property in 1981. Phase 2 had been acquired by the Cox's in 1985. He stated the proponents were known developers, and said it was commonly known the land would be developed. Mr. Rampton also explained that when Gourlay Lane had been constructed in 1982, a lot line had been adjusted at the company's cost to accommodate one of the current objectors who would otherwise have been visually affected by the development. He said the developers also felt the subdivision's design would easily fit in with the Region's "Design With Nature" policy criteria.

Summarizing the subdivision's positive aspects, Mr. Rampton noted the following:

- the subdivision is in an area characterized by rural estate lots and property designated for their use;
- the area is close to recreational facilities, the Village of Carp, and increasing employment in Kanata;

- the road pattern allows all houses to have a southern exposure, which maximizes opportunities for energy conservation, and was designed to minimize tree removal;
- tree removal will further be minimized on lots by integrating the position of septic fields with front yard landscaping;
- a professional forester has mapped eight foliage cover types; ecological diversity will be maintained because of the large lot sizes;
- many of the old fence lines have been used to establish lot line boundaries;
- storm drainage patterns will be to the south, and to ditches along the railway which have developed into marshes; stormwater will be filtered here before reaching the Carp River;
- no development will be allowed near the marshes or along the railroad, with a view towards protecting existing vegetation and wildlife; developers will ask the Township for a zoning bylaw to establish a 45 metre setback to ensure protection of flora and fauna;
- the lot containing the Elmwood Ruins, ca. 1860's, is larger in size to allow for the possibility for potential purchasers to rehabilitate the site;
- the forested area, approximately 60 metres from the rail line, contains large, mature trees, and is well drained, contradicting criticism that the area is too wet to develop;
- the developer has fought to preserve the tree canopy along the Old Carp Road;
- the developer has initiated a tree conservation study, a hydrogeological study, a standard stormwater management study; all of which have been reviewed by Regional staff and the RVCA and have been approved, subject to conditions;
- the developer has undertaken further traffic studies which indicated there would be no problem in terms of traffic on the Old Carp Road;
- the developer has mapped in detail the area along the railroad track, which is periodically wet or damp, to ensure its exclusion from development;
- the developer is completing a water table study for building guidelines, in excess of information which is normally asked for.

Mr. Rampton felt the studies' results supported the development. He said the matter had been reviewed by a professional planner experienced in rural development, and he quoted from the Delcan report's conclusions as follows:

"The proposed Historic Elmwood Subdivision confirms the policy requirements of both the Regional and Township Official Plan. The planning issues which have been identified can be readily mitigated by commonly used techniques. These techniques have been incorporated into the subdivision design and/or have been captured by proposed draft plan approval conditions. Where additional work is underway or required prior to final approval and registration, it has also been captured by draft plan approval conditions.

The standard and special draft plan approval conditions which are proposed reflect the policy requirements of both the Regional and Township Official Plans are appropriate for addressing all planning issues.”

Mr. Paul Webber, Bell Baker, on behalf of Derek Smith and Roger Harris, thanked the Committee and Messrs. Rampton and Cox for having deferred consideration of this item for a month to allow for negotiations. Although he acknowledged negotiations had been unsuccessful, he felt a fair effort had been made. He said he had agreed to the current meeting in fairness to the developers although he believed negotiations would continue. Mr. Webber felt that whatever decision the Committee would come to, one party or the other would proceed with an appeal to the Ontario Municipal Board (OMB). The speaker felt Committee could make one of the following choices:

- to approve the development (a decision he did not advocate);
- to defer a decision and leave it a West Carleton issue (the developer could appeal to the OMB, since he was within his rights to do so as the 90 day period for approval had been exceeded); or,
- to not approve, based on objections raised by Messrs. Smith and Harris.

Mr. Webber felt some of the objections, such as the extent of the poorly drained lands and issues related to the safety of a proposed entranceway onto the Old Carp Road, were matters for debate to be decided by experts at the OMB. He said there was only one policy issue at stake; the attempt to join two properties from adjacent but unrelated landowners to form Phases 1 and 2 of a single development, when Phase 2 was entirely dependent upon Phase 1. He noted the Phase 1 land owned by Mr. Rampton was 75% wooded, and thus conformed to Official Plan requirements for country lot estate development. However, he pointed out the Phase 2 lands owned by the Cox's were largely open, and thus did not conform. Mr. Webber felt this was a significant planning issue that would also be ultimately decided by the OMB. He submitted that in his estimation, given the conflicting evidence on a variety of problems and the lack of any true Regional issues, this was basically a Township issue, and that the appropriate course for the Committee to take was to defer consideration and allow the developer to proceed with his appeals. Mr. Webber felt this would lead to another round of negotiations.

Councillor Munter suggested the issue was one of “Not In My Back Yard” (NIMBY), and that the only solution which would please the residents' group would be no subdivision.

Mr. Webber affirmed this was not a NIMBY issue. He explained a number of approaches had been tried, but that negotiations had been premised on neither party disclosing any information. He said the negotiations were confidential and would have to remain so.

Responding to another query from Councillor Munter, Mr. Webber felt the success of the negotiations would depend on who was prepared to be a party at the OMB, noting that

not all in the community were of one view. He believed that as the date of the Board hearing approached, with the prospect of paying for expert witnesses, lawyers and appeal fees, the number of interested parties would likely be narrowed. He acknowledged there had always been a consensus that some development could occur on the Rampton lands, provided all Official Plan criteria were met. However, the speaker said he felt the constraints on development related to drainage and design of the access to the subdivision were still matters for negotiation.

Councillor Legendre referred to Mr. Derek Smith's letter on page nine of the agenda and asked Mr. Webber to elaborate on his client's view that Mr. Rampton's proposal was not in conformity with the Official Plan, in light of having been told by Mr. Rampton that the subdivision proposal met the criteria of both Official Plans.

Mr. Webber explained this view was based on the fact that one plan of subdivision was being proposed for land that was in two ownerships. He noted his primary authority in contending that the proposal did not conform to the Official Plan was a report dated 16 Mar 99 from Mr. Tim Chadder, a Planner with the Township of West Carleton, who had concluded the Phase 2 lands did not meet Official Plan policies at that time.

Chair Hunter noted Mr. Smith's letter advised that his firm was undertaking additional investigations and was in the process of engaging a transportation engineering expert to address concerns related to the relocation of the access onto Old Carp Road at the northwest end. He asked if this work had been completed.

Mr. Webber believed that save for an initial consultation with a traffic engineer, no such work had been completed.

Councillor Bellemare noted Mr. Webber's view that the only problematic policy issue for Committee's consideration related to there being one application, but two ownerships. The Councillor pointed out staff were of the opinion that ownership was not an issue when considering a subdivision application, and that what was most critical was whether or not the application satisfied the requirements of both Official Plans.

Mr. Webber explained that at the time of policy development, regulating authorities had wanted country lot estates to be as close to a true non-urban environment as possible. He noted the regulations for tree cover could have been set at 100%, but it had been felt this requirement would have been too stringent. The speaker said the requirement had been set at 75% to allow landowners who could meet the criteria and intent of the Official Plan to seek development approval. He said it had not been intended to allow landowners to assist a neighbour who would otherwise not be able to meet the same criteria. Mr. Webber believed this subdivision application was based on an incorrect interpretation of policy, and was avoiding the true intent of the Official Plan.

Speaking to why he believed Committee should defer consideration and let the OMB settle the dispute, Mr. Webber explained that if Committee made no decision, Mr. Rampton would have the right to appeal. He noted the 90 days within which Committee was obliged to make a decision had already expired, and added that if Committee made no decision, the Region would not be obliged to defend its position before the Board. He suggested that if Committee saw this as a local issue, the approach to take would be to do nothing and let the appeal proceed, noting that if Committee chose to approve the application, two objectors were committed to an appeal, meaning the matter would proceed to the OMB one way or another.

Councillor Bellemare felt this was a different interpretation than that contained in the staff report, which indicated a disputed subdivision application required approval or refusal by Regional Council.

Mr. Johnston clarified that if the Region declined to exercise its decision making power, there would be an avenue of appeal; however, he added that having been delegated the authority of approval, Committee should exercise this option. He said that in the matter of addressing planning issues, Committee should either approve or vote against the recommendation.

Mr. Tunnacliffe confirmed the Official Plan contained a provision to allow an applicant to appeal to the Board after 90 days; however, he noted that at the time, discussions were ongoing, and it had been the will of all parties to let the 90 days be exceeded.

Mr. Webber added the 90 days had expired before this item was to have first appeared on the Planning and Environment Committee's 14 Sept 99 agenda, and that the Region had not prejudiced its position before the Board in having allowed the 90 days to expire.

Mr. Tunnacliffe clarified the 1974 Regional Official Plan policy on tree planting required land for country lot development to be tree covered and rolling. He said decisions made by the Planning and Environment Committee over time had gradually loosened this. He explained the Region's current (1997) Official Plan allowed tree planting on open sites, and noted this differed from the West Carleton Official Plan. Mr. Tunnacliffe said the Ontario Municipal Board would have to take this into account.

Councillor Munter noted that the clauses warning potential purchasers about water quality and absolving the Region and Township of blame pertaining to same, were not standard clauses contained in agreements of subdivision. He asked how frequently they appeared.

Messrs. Tunnacliffe and Johnston said the clauses were often seen in the case of rural subdivisions, and were being included with increasing frequency.

Barry Edgington, Director, Development Approvals Division, Planning and Development Approvals Department, added the problems regarding water quality were within treatable limits. He noted as more individual lots were developed on private services, more situations were being encountered where owners would have mini-treatment systems in their houses, resulting in potable water. He suggested that approximately 40% of rural developments being approved included clauses requiring water quality upgrades. Mr. Edgington confirmed for Councillor Munter that to the best of his knowledge, this “buyer beware” scenario had, to date, always held up in Ontario law.

The Councillor felt that although it may have held up under the law, there had been situations where, warnings aside, people on private services who had experienced problems had taken the political route to acquire significant public investment to fix their problems. Councillor Munter felt there was a question as to politically, how much this protected the Region against future water problems.

Chair Hunter noted past legal advice had indicated that “no decision” by the Region was unacceptable on plans of subdivision on Local Official Plan amendments; that a decision had to be rendered. He asked for confirmation that this was still the case. This view was confirmed by both Messrs. Johnston and Edgington.

The Committee Chair then read Councillor Legendre’s amendment to Condition 31 of the Regional Conditions for Final Approval:

Moved by J. Legendre.

That Condition No. 31 of the Regional Conditions for Final Approval (Annex C) be amended by the addition of the words: “currently and possible expansion of airport activities in the future.”

CARRIED

Councillor Hill respectfully asked Committee to approve the staff recommendation. She felt much time and effort had been spent in attempts to negotiate and resolve the disputed problems, and she said it appeared that regardless of the number of attempts which had been made, the objectors appeared to come up with additional problems. The Councillor believed all conditions had been met. Councillor Hill said Mr. Rampton had been known in West Carleton for many years as a reputable developer and builder. She believed he was very environmentally conscious, and pointed out he was the only developer who had included a wetland in one of his developments, and had sought negotiations between the Ministry of Natural Resources and landowners towards establishing an agreement to maintain it. She believed Mr. Rampton had made every effort to accommodate Mr. Smith’s concerns, and noted that save for those of Messrs. Smith and Harris, she had

heard of no other objections to the proposed development. Regarding concerns over the proximity of the railway track, Councillor Hill noted a large estate lot subdivision in the Village of Richmond was also situated beside such a track. She stated that if people did not want to live beside a railway track, they could choose not to live in such an area. She also reminded Committee that the policy regarding tree cover had changed over the years to allow tree planting.

Chair Hunter acknowledged the Phase 2 lands did not possess the required 75% tree cover, and if considered by themselves, would likely not receive approval. However, he felt that notwithstanding what was written into Regional Official Plan policies, the addition of these lands in the subdivision application made for a better, safer subdivision, as they would allow for two accesses to the major road, which would make for better emergency vehicle access. He suggested that if the land was neither treed nor developed, it would be growing weeds. He said he would support the recommendations that had been approved by the Township of West Carleton's Council and that were before Committee for consideration.

Committee then considered the staff recommendation as amended.

That the Planning and Environment Committee recommend that Council approve:

- 1. That Condition No. 31 of the Regional Conditions for Final Approval (Annex C) be amended by the addition of the words: "currently and possible expansion of airport activities in the future.", and**
- 2. Draft plan of subdivision 06T-98025 as amended and that the Regional Clerk issue the 'Notice of Decision' attached as Annex B.**

CARRIED as amended
(J. Legendre dissented on
condition 32 of the Regional
Conditions for Final Approval)

PLANNING ITEM

2. SEVERANCE - 2766 RIDEAU ROAD
FRANCESCO AND MARIA COVELLA
- Planning and Development Approvals Commissioner's report dated 18 Oct 99

That the Planning and Environment Committee recommend that Council instruct staff to appear before the Ontario Municipal Board to support the decision to refuse a consent to Francesco and Maria Covella to sever in respect of 2766 Rideau Road.

CARRIED

COUNCILLOR'S ITEM

3. SIERRA LEGAL DEFENCE FUND RATING OF MUNICIPAL SEWAGE TREATMENT PRACTICES
- Councillor Jacques Legendre's report dated 13 Oct 99

Councillor Stewart sought clarification on the actual amount of raw sewage discharged. Nancy Schepers, Deputy Commissioner Environment, Environment and Transportation Department, advised that the Sierra report had indicated that 4,000,000 million litres of raw sewage had by-passed the plant when in fact what had by-passed, was approximately 4 million litres (they had used a "million" twice).

Councillor Stewart then asked if Sierra had made their decision with respect to grade, based on this error. Ms. Schepers advised she could not say how the Sierra Legal Defense fund made their decision, however, she suspected it was just a typo. She noted staff had seen a copy of the Sierra report and had responded and corrected the amount specifically to indicate it was 4 million litres not 4 million million litres.

Councillor Stewart stated she found the grade to be very unfair (in light of the effort the Region is making in terms of trying to be environmentally conscious), particularly, Sierra's analysis of the biosolids on agricultural land. She noted, based on Sierra's criteria, even if the Region continues doing everything it is doing now, the grades will continue to get worse year after year if no improvements are made. The Councillor asked staff if they were doing anything to address this report in a public fashion.

Ms. Schepers stated staff did respond through the American Water and Wastewater Association (AWWA), as well as independently on behalf of the Region, correcting the deficiencies and relaying staff's concerns with the process that they had gone through. She pointed out there was very limited time to respond to the Sierra questionnaire, which did not ask for a lot of detail. She felt in retrospect (and in looking at the amount of detail that other municipalities did provide), staff certainly could have overwhelmed them with the amount of effort the Region is putting into protecting the water environment on more of an eco-system approach. She indicated this would certainly be done in the future.

Ms. Schepers went on to say the analysis the Sierra Legal Defense Fund put forward, was not really objective, nor scientifically based. She noted for instance, with respect to the biosolids land application, the report gives kudos for Calgary's land application program, (which is really a mirror image of Ottawa-Carleton's) yet penalizes the Region for its program. She added however, in spite of this, she felt the messages in the report were very good in terms of what individual municipalities need to do to protect the water environment and expressed her support that part of the document.

Councillor Stewart noted in the 2000 budget, staff are proposing a project to look at removing the chlorine from the wastewater before it is dumped into the Ottawa River. Ms. Schepers confirmed this and stated this was coming out of the environmental effects monitoring that has been done. Staff are now going to proceed to look at alternatives to chlorine and do an assessment of what should be done from an environmental perspective.

Councillor Legendre, addressing the issue of 4 million versus 4,000,000 million litres of raw sewage overflows, stated it was clear this was a typo (and therefore the Region's grade was not affected by it) as the correct figure of 4 million appears at the bottom of the page in Sierra's report (page 30 of the Agenda).

The Councillor went on to say he had asked that this item be placed on the agenda and said he had a different opinion of the report than that of Councillor Stewart. He felt Sierra had done an enormous service in comparing municipalities across the country and how well they are doing. He expressed the hope that staff would find the information contained in the report useful and as well, he hoped Sierra would do such a report again next year.

Stating he did not take the view that "this is the best we can do with the funds we have", Councillor Legendre noted it is Committee and Council that makes these decisions. He pointed out that Calgary's treatment is 100% tertiary, treated with ultraviolet (UV) and noted that UV does not cost any less in Calgary than it costs in Ottawa-Carleton.

Councillor Legendre said without such reports, municipalities are frequently making decisions in a bit of a vacuum. He felt it was very useful to see what other similarly sized, similarly situated communities are doing and provides a rough bench mark. He said although he did not agree with all of the reasons for the grade (e.g. the statement with respect to the application of sludge on agricultural land), he was not offended by fact the Region was downgraded. He felt, whether the grade was deserved or not, if it provides an impetus for Ottawa-Carleton to improve, then it will have had a positive effect.

Councillor Bellemare stated the Sierra Legal Defense Fund report made two impressions on him. The first was that the reuse of biosolids in Ottawa-Carleton needs to be looked at

from a new perspective and the second point was to question why Ottawa-Carleton was getting a C grade, whereas Calgary was getting an A grade.

He noted the big difference between Ottawa and Calgary is that Calgary has a tertiary sewage treatment process in place. He said that ROPEC, with secondary sewage treatment, essentially treats human waste but is not capable of treating chemicals. The Councillor pointed out the Committee and Council had, in the past year, approved that leachate (which is recognized as having a higher concentration of chemicals) from Trail Road Landfill site and at least one other landfill site, be trucked to ROPEC for disposal.

The Councillor went on to say that Committee and Council had also approved increased monitoring of the impact of the leachate at the treatment plant by requiring that the Medical Officer of Health (MOH) take samples of what is coming out at the other end, and report on whether or not it is safe. Councillor Bellemare said from this perspective, he began to question whether the Region should be going to a tertiary treatment process in order to address the treatment of a lot of these chemicals which are likely increasing in scope and quantity at the ROPEC plant. He asked if the Region had ever looked at what it would take to convert to a tertiary process.

Ms. Schepers advised the type of treatment required by a municipality is set by the Ministry of the Environment and is based on the receiving water body and its ability to assimilate the waste it is receiving. She noted the Region is very fortunate in terms of the dilution that occurs with the plant (it represents .1% of the volume of the Ottawa River). Ms. Schepers advised tertiary treatment would be very expensive and was not (to her knowledge) looked at, at the time of the building of the plant. She said the Region has chosen to look at the impact of that facility (ROPEC) on the water environment from an ecosystem and an environmental management perspective. Following the pulp and paper industry's framework for assessing the impact on the water environment, staff have undertaken environmental effects monitoring of the facility and analyze a number of items, such as the actual effluent, the toxicity of it, the impact within the plume and the impact on the aquatic life within the zone of influence. She said from staff's perspective the approach is not to treat to the highest level available but rather to look at the effects of the environment and understand the interaction with the environment and then make decisions regarding treatment. She pointed out it is out of this assessment that chlorination has been reassessed.

Councillor Bellemare agreed the Region is fortunate it has a very voluminous river in which to dump all of the sewage, however, he said it was not really the best approach. He felt the Region should be constantly reevaluating best practices and he indicated he was putting forward two motions. The first directed staff to bring forward a report concerning the feasibility of tertiary sewage treatment in Ottawa-Carleton. He felt it should be an in depth report to see whether the Region should be adopting a new approach to treat

sewage to the highest level that is cost effective. He suggested a reserve fund could be set up so that at some point in the future (e.g. five or ten years) the Region would have the necessary funds to convert the existing plant to a tertiary treatment plant.

Addressing his second motion, that staff bring forward a report concerning the reuse of biosolids within Ottawa-Carleton and other jurisdictions, Councillor Bellemare felt the unresolved questions about impacts (as alleged by the Sierra Legal Defense Fund) should be looked at. He said the Region needs to be constantly vigilant concerning the scientific breakthroughs in this area and needs to ascertain the consensus in the scientific community, as to whether or not this is something the Region should be continuing to do.

Councillor Munter speaking to Councillor Bellemare's first motion, asked what kind of a study or report he was looking for on this issue. Councillor Bellemare explained he was looking for staff to provide the pros and cons of tertiary sewage treatment, an overview of how it is being done in other jurisdictions, the cost and benefit implications for Ottawa-Carleton, what higher level of treatment could be expected, and comments from the Medical Officer of Health as to whether this is something the Region should seriously consider.

Councillor Munter said this would appear to be a significant piece of work and a significantly new policy direction. He said he did not have a problem with it in principle, however, he felt that staff should not have to do this on top of everything else they are already doing. He suggested if Committee and Council were serious about pursuing this option, there should be some money attributed to it and someone hired to do the work. He felt this motion should be referred to the 2000 budget discussions so that money could be found in the capital budget for this investigation and he indicated he would be putting forward a motion to this effect.

On the second motion, Councillor Munter noted Committee had received a number of reports on the biosolids program and he was aware that there was ongoing monitoring. He asked that staff provide an up-date on this issue.

Ms. Schepers advised the biosolids program (as approved by Council in 1996) included a number of actions that staff were to continue with. Staff are in the process of initiating a project (funds are already included in the 2000 capital budget) to get up to date on what is happening with respect to biosolids (i.e. in terms of research, alternatives, innovative technologies and what other jurisdictions are doing) and it is staff's intention to do this in the year 2000. She advised staff are working on terms of reference and the results of that analysis with recommendations as to where the Region should go with the biosolids management plan, will be before Committee and Council. Ms. Schepers felt this work addressed the intent of Councillor Bellemare's motion.

On the first motion, Ms. Schepers stated it would be a significant change in terms of what the direction from Council has been in the past. The philosophy of Regional Council has been pollution prevention at source (i.e. pollutants need to be removed before they enter the system) and it is under that premise that most of the Region's programs have been developed (e.g. the Sewer Use By-law, the Department's work with industries, the storm water management program, the rural clean water program, etc.).

Councillor Stewart, referring to Councillor Munter's motion to refer Councillor Bellemare's motion to budget, stated she was concerned about making such a major policy decision in the middle of a budget. She said she was not certain if a move to tertiary treatment would be wise, in terms of "bang for a buck". Noting that the discharge from ROPEC represents less than 1% of the volume of the Ottawa River, the Councillor felt that spending the kind of money required for tertiary treatment in return for no or very little environmental gain, would be hard to justify. However, she felt that this same money, if put into programs implemented Region wide or watershed wide, would make an enormous difference in water quality and the quality of life for Regional residents. Councillor Stewart noted this is the direction the Region has been heading and she could not see a good reason to change that direction now simply because the Sierra Club decided the Region would receive C grade. The Councillor asked staff what such a report would cost.

Ms. Schepers advised that for approximately \$20,000 some preliminary work, such as assessing what other municipalities do and what the costs might be, could be done. She said she could not begin to identify what the issues would be in terms of how much effort would be required.

Councillor Stewart asked if the analysis of the feasibility of the tertiary treatment would also take into account the "bang for a buck" (i.e. what this kind of expenditure would produce elsewhere). She said if this were part of it, she could give it some consideration at budget.

Councillor Bellemare advised his motion states that the feasibility of tertiary treatment in Ottawa-Carleton be looked at. He said he did not think the policy (i.e. whether or not the Region should be changing approaches right now) should be debated at budget discussions. Rather, staff could indicate whether or not they have the resources to give an initial look at this and then could come back to Committee to advise as to the type of information they could provide and the length of time it would take. He noted this was not a time-sensitive issue and was not necessarily something that needs to be inserted into the budget cycle. He felt it would not be practical to set up a reserve fund during this budget year, but some groundwork could be done for the next municipal term.

Committee Chair Hunter expressed concern that Council might approve a sewage treatment system (i.e. tertiary treatment) that does nothing to improve the receiving body. He noted the sewage treatment coming from ROPEC is secondary treatment with phosphorus and he asked if it significantly changed the composition of waters in the Ottawa River downstream.

Mary Trudeau, Manager, Surface Water Quality Branch, advised there is a plume and by design, it is expected there will be water quality parameters within that plume, that are higher than the background levels. Outside of the designed plume, staff have not found any evidence of effects of the Pickard Centre effluent.

Chair Hunter asked how far down river it is, before the plume dissipates. Ms. Trudeau was not able to advise of the distance but undertook to provide this information to members of the Committee.

Chair Hunter asked if tertiary treatment would change the composition of the Ottawa River in a significant way, at Cumberland for instance. Ms. Schepers replied, based on the effects monitoring that staff has done, a discernable difference upstream and downstream of the plant (beyond the very limited impact area) cannot be measured. She said by the end of the island, there is no longer the ability to see the difference or see any effects of the plant.

Chair Hunter said this answered the question of feasibility for him. He stated anything can be done at a cost, but if it does not make a measurable difference to the receiving body then why should it be done. The Chair felt it would not be a good application of the taxpayers money either to do it or to even study the possibility of doing it. He said the Committee could move the issue forward to the budget if they wished, but he said he would not support it and, until such time as the water in the Ottawa River coming down towards the Pickard Centre is pristine clear, he could not support tertiary treatment.

Committee Chair Hunter suggested, if the Committee wanted to attack a real problem that was mentioned in the Sierra report, it should turn its attention to the combined sewers that the City of Ottawa should have been addressing years ago. He asked if staff had comments on this.

Ms. Schepers expressed her agreement with the Chair that there would be significant benefits to be gained by addressing the combined sewer overflow issue. She pointed out the current capital program goes a long way to improving that situation significantly and she said this was a very illustrative example of investing to get a very measurable and noticeable return.

Councillor Stewart asked, if there is no discernible benefit outside of the plume for Ottawa-Carleton, why would Calgary invest such a considerable sum of money into a tertiary treatment plant. Ms. Schepers advised the Bow River (Calgary's receiving body) is a much smaller receiving body and said it would be comparable to Ottawa-Carleton having a treatment plant on the Rideau River. She said such a scenario would have requirements that far exceed what the Region has for discharge into the Ottawa River.

Councillor Legendre had questions concerning the status of the combined sewer overflow program. Dave McCartney, Manager, Environmental Projects Branch, advised staff have just started the design phase and are doing a conceptual review to ensure the right approach is being taken. He estimated the conceptual review will be completed during the winter, the pre-design and detailed design work will be done over the next year to 18 months (including extensive public consultation) and construction will begin in 2001 with approximately a 2.5 year construction period.

Councillor Legendre then asked, with respect to the many sewer backups into houses and garages (particularly in the east end of Ottawa) that occurred as a result of heavy rains in 1996, if this large storage facility would solve these problems as well. Ms. Schepers advised this was for the combined sewer area which is predominantly within the core of Ottawa-Carleton and which by design has always overflowed into the Ottawa River. She noted the problems that occurred in the east end in 1996 were attributed to the local system and the unusual storm. Ms. Schepers indicated this meant that the local system could not handle the volume of water generated by this storm and so, regardless of the size of the plant or the size of the trunk collector, it is sometimes the size of the pipes (which are designed for certain storms) that are responsible for sewer backups.

Councillor Bellemare asked staff to comment on the necessity of sending his motion regarding tertiary treatment to the budget meeting. He noted that Ms. Schepers had indicated she estimated the total cost would be a maximum of \$20,000 and he asked if she felt the 1999 budget could absorb this cost.

Ms. Schepers stressed that for \$20,000, she did not believe the Committee would get the level of detail it wanted in terms of a full assessment of the appropriateness of tertiary treatment for Ottawa-Carleton. She suggested that instead of a motion, staff could take it as direction. Ms. Schepers noted staff have included in the capital budget a project to look at the chlorination of the effluent and to assess alternatives to chlorination. As part of this project, staff could recommend to Committee what steps should be taken in the future, with respect to tertiary treatment (i.e. whether tertiary treatment should be assessed and if so, in what time frame it may be appropriate to do so).

Councillor Bellemare stated he was still convinced a report was needed specific to tertiary sewage treatment. He said he was somewhat leery about referring it to the budget meeting, as it was not usual to have in-depth policy debates at budget meetings.

Councillor Stewart stated although she realized this was well within the Committee's mandate, she questioned whether it would not be better to consider the matter after the governance issue is settled. Committee Chair Hunter felt it should be considered business as usual.

Councillor Munter stated he wanted to be clear that his motion of referral suggests that Councillor Bellemare's motion would come back to Committee in few months at budget time with a short report from Ms. Schepers outlining the work to be done and the costs associated with that work. He said at that time, Committee and Council can decide whether they want the investigation to happen. The Councillor felt, although the motion may have merit, it would be irresponsible to approve it without weighing it against other priorities that will be in the budget.

The Committee then considered the following motions.

Moved by A. Munter

That Councillor Bellemare's motion be referred to the consideration of budget estimates (year 2000), along with information from Environment and Transportation Department staff on the cost of doing such a study and its other implications.

LOST

NAYS: M. Bellemare, B. Hill, G. Hunter and W. Stewart....4

YEAS: J. Legendre and A. Munter....2

Moved by M. Bellemare

That staff bring forward a report concerning the feasibility of tertiary sewage treatment in Ottawa-Carleton.

LOST

NAYS: G. Hunter, A. Munter and W. Stewart....3

YEAS: M. Bellemare, B. Hill and J. Legendre3

Prior to Committee considering Councillor Bellemare's second motion, Committee Chair Hunter noted that although staff were in effect already carrying out the intent and direction of this motion, he ruled the motion was still in order.

Moved by M. Bellemare

That staff bring forward a report concerning the reuse of biosolids within Ottawa-Carleton and other jurisdictions and unresolved questions about impacts as alleged by the Sierra Legal Defense Fund.

CARRIED

The Committee then received the report for information.

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

RECEIVED

INFORMATION PREVIOUSLY DISTRIBUTED

1. Trail Road And Nepean Landfill Sites - 1998 Annual Monitoring Report
- Director, Solid Waste Division, Environment and Transportation
Department memo dated 20 Sept 99

ADJOURNMENT

The meeting adjourned at 4:55 p.m.

Original signed by
Dawn Whelan

COMMITTEE COORDINATOR

Original signed by
Gord Hunter

COMMITTEE CHAIR