

MINUTES

PLANNING AND ENVIRONMENT COMMITTEE

REGIONAL MUNICIPALITY OF OTTAWA-CARLETON

CHAMPLAIN ROOM

26 SEPTEMBER 2000

1:30 P.M.

PRESENT:

Chair: G. Hunter

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

CONFIRMATION OF MINUTES

That the Planning and Environment Committee confirm the Minutes of the Meeting of 12 September 2000, as amended by the Erratum page.

CARRIED as amended

DEFERRED ITEM

1. GROWTH IN OTTAWA-CARLETON, 1996-1999 AND
INFRASTRUCTURE PLANS

- *Deferred from Planning and Environment Committee meeting of 12 September 2000*
- Planning and Development Approvals Commissioner's report dated 16 Aug 2000

Pamela Sweet, Director, Policy and Infrastructure Planning Division, Planning and Development Approvals Department (PDA) and Carol Christensen, A/Branch Head, Land Use Planning Branch, Policy and Infrastructure Planning Division, PDA, provided the 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 were presented to Council on 11 October 2000 in Planning and Environment Committee Report Number 65. ***Council was requested to waive the Rules of Procedure to consider Item 1 at its meeting of 27 September 2000 in Planning and Environment Committee Report Number 65.***

Councillor van den Ham noted staff had spoken of the park and ride expansion necessity in Orleans. He noted at Corporate Services and Economic Development Committee (CSEDC), he did not recall this as being a specific suggestion and he asked for staff comment. Ms. Christensen advised the report before Planning and Environment Committee dealt with the requirements of both residential and non-residential growth, to the year 2006. Whereas the report considered by the CSED Committee dealt with a selected smaller number of those projects, to advance the work on Environmental Assessment (EA) and design. Ms. Christensen stated there was no disagreement that this Park & Ride lot is needed but in some cases some of the items on the list are already funded adequately in the current budget proposals and there was no need to move money forward (therefore they were not included in the CSED report).

The Councillor commented that there is no property around the lot to expand the Park & Ride. He expressed the hope that staff would look at some of the alternatives, such as entering into a new agreement with Place d'Orleans or look at Regionally owned property a few kilometres east of Place d'Orleans. Ms. Sweet confirmed staff were exploring all of the alternatives.

Councillor Munter noted the Official Plan calls for 38,000 jobs in Kanata by 2021 and, at the last meeting of Planning and Environment Committee, a further 36,000 jobs were added to this, bringing the figure to 74,000 jobs for Kanata by 2021. He said, based on the amount of growth that is happening, it is possible that there will be as many jobs in Kanata in the year 2007, as was originally thought there would be in 2021. Referencing staff's recommendation in the report to delete the Carling Avenue widening from Table 6, the Councillor opined, in light of this growth, it would seem logical that infrastructure should not be pushed behind but rather it should be accelerated or at least left on the priority list.

Ms. Sweet agreed with the Councillor, noting circumstances in this area had changed since this report was written. She noted Planning and Environment Committee, at their previous meeting, had recommended expansion of the Kanata West Employment Area, which made a profound difference. She agreed the widening of Carling Avenue would be needed sooner but felt it should also be emphasized to the Ontario Ministry of Transportation that the Queensway widening is absolutely necessary and they should consider widening the Queensway to eight lanes because of the new development.

Councillor Munter then had questions concerning the Castlefrank interchange. He noted Orleans has three existing interchanges and one planned interchange at Trim Road. According to the report, by 2021 it is forecast there will be 38,000 dwelling units and 30,000 jobs in Orleans. He noted for the same time period it is anticipated there will be 74,000 jobs in Kanata, while Kanata only currently has two interchanges. He also pointed out that the east has a higher transit modal split than the west. The Councillor stated his point was the Castlefrank

interchange is really the only opportunity for Kanata, to provide relief in terms of the Queensway corridor.

Councillor van den Ham, referencing staff comments with respect to residential growth in Orleans, noted there was a dispute concerning the number of serviced lots. Staff had provided an addendum to the report addressing this issue and he asked that staff speak to this. Ms. Christensen stated as noted in the addendum, the vacant serviced land in Orleans could support an additional 5,500 units. The footnote states this is a simple calculation taken from the Vacant Urban Residential Land Survey and then subtracting for a year's worth of building permits (to July 2000). The development community advises there are fewer than 500 serviced lots available at this moment. Ms. Christensen stated neither number was wrong but were measuring slightly different things. She said Orleans does require additional wastewater and stormwater infrastructure in order to have serviced land available for subdivision development. She also pointed out some of the unit potential that staff referred to, is in small infill parcels that are reserved for multiples.

Councillor McGoldrick-Larsen noted the staff report recommends the widening of Merivale Road. Yet, the Transportation Master Plan that was approved in 1997, identified Prince of Wales Drive (Regional Road 73) for widening. She questioned whether any recent analysis had been done to determine the benefits of widening Merivale Road first as opposed to Prince of Wales. Brendan Reid, Branch Head, Transportation Planning, advised when the Transportation Master Plan was done in 1997, there was a need for infrastructure to service Barrhaven. A decision was made, based on what was known at the time, that the appropriate roads to be widened would be Prince of Wales, Woodroffe Avenue and Greenbank. He said since that time, expansion of JDS Uniphase has taken place, which has changed the situation dramatically and staff now recognize that Merivale Road has become a higher priority.

Responding to further questions from the Councillor, Mr. Reid explained when the Environmental Assessment begins, an analysis will be done on Merivale Road to determine the appropriate priority.

Councillor Legendre asked if any of the additions to Table 6, would cause difficulty in the future, should the ring road concept for the Nation's Capital area be approved. Mr. Reid replied that all of these pieces of infrastructure are required in their own right and these initiatives do not preclude the need for a bridge nor would the provision of bridges preclude the need for these pieces of infrastructure.

Councillor Legendre noted two of the options for bridges were the Petrie Island Corridor and McLaren Bay. He asked if these corridors would be made more difficult by any of the decisions in this report. Mr. Reid confirmed they would not.

The Committee then heard from the following delegations.

Dennis Eberhard, Assistant Vice President, Penequity Management Corporation, the developers of the Kanata Centrum Shopping Centre at the intersection of Terry Fox and Highway 417. Mr. Eberhard indicated he was before the Committee to speak in favour of recommendations of staff with respect to the need for the Castlefrank overpass and the transit facilities at this intersection. He noted the site is 92 acres, of which 400,000 square feet of retail plus a hotel (the Holiday Inn Select) have been developed to date. As well, there is currently under construction 60,000 square feet of retail and another 200,000 square feet (at various stages of approval and design) anticipated to be completed in the next two to three years. In its total development, the facility will be approximately 750,000 square feet, making it one of the largest shopping centres in the Region. In addition, Mr. Eberhard advised his company is in the planning stages of developing three office towers along Castlefrank Road (south of the hotel) totaling 360,000 square feet.

Mr. Eberhard went on to say that traffic is a major problem for this shopping centre. He said his company is committed to paying their portion of the infrastructure through subdivision agreements and have also committed to undertake a tunnel under Terry Fox, which will cost them approximately \$1.8 million. He explained this tunnel would relieve the traffic congestion internally in the site but would push the problem to another location. Mr. Eberhard emphasized this was why the Castlefrank overpass is essential to providing additional access to the complex. He said the traffic pressure on Terry Fox is immense, not only from this facility but also from the industrial development that is occurring around Palladium Drive and the extensive residential development to the north. Mr. Eberhard also addressed the necessity of the transit station to support this facility.

Councillor Munter asked the delegation to place the Kanata Centrum shopping Centre in context in terms of size. Mr. Eberhard replied the scale of development would be similar to the Rideau Centre and Bayshore, which are slightly under one million square feet, on multi-levels.

Don Kennedy, advised he was representing a group of landowners in the east urban community of Orleans. He said he was generally supportive of the staff report and the idea of infrastructure to support both employment and residential growth. Referencing the point raised by Councillor van den Ham concerning the discrepancy of serviced vacant urban residential land (i.e. 5,500 versus 500), Mr. Kennedy advised when you take into consideration the trunk sanitary sewers and the trunk storm sewers in the combined Gloucester and Cumberland expansion area, the number is slightly less than 500 units that are serviced today.

Mr. Kennedy also pointed out a discrepancy concerning the number of residential units in the east, noting staff used the number at the end of 1999 of 2,012 units built in the Orleans area, while the number is actually close to 3,600 (up to July 2000). He noted the projected number for the year 2006 was 4,000 and Orleans has already reached that now. The speaker spoke of another significant factor being large land consolidations in Gloucester and Cumberland for business park purposes. He pointed out there was much happening in Cumberland and referred to another item on the agenda concerning a Regional Official Plan Amendment for a high school site.

In concluding his remarks, Mr. Kennedy urged the Committee to keep moving forward. He noted there have been initiatives by the owners groups to enter into early servicing agreements to deal with funding infrastructure to move it forward and he asked that the Committee continue to support this.

Merle Nicholds, Mayor, City of Kanata, stated she was before the Committee to express her support for moving forward the design work on the Castlefrank interchange, the transitway station and park and ride at Centrum and also the Terry Fox extension. She stressed the importance of moving ahead quickly with the design work on these pieces of infrastructure, so that when funding becomes available these projects can move forward.

Mayor Nicholds went on to say these projects will create vital new links in Kanata to ensure sustainability. Referencing the Kanata Town Centre, Mayor Nicholds noted there would be a concentration of 8,000 to 10,000 jobs, high density housing, retail and services, all within walking distance of a major transit node. She advised the previous evening Kanata Council had approved that negotiations begin with Tundra Semiconductor for development in the Town Centre. The Castlefrank interchange and overpass will be a significant piece of infrastructure in order to get transit into this area to provide more effective transit service to Kanata and ensure people will not be in their cars clogging up the roads. As well, it will be an important pedestrian and cycling link for the north and south communities that are now divided by a highway. The Mayor stressed the need as well for the Terry Fox extension, both north and south. She asked that the Committee support these projects.

David Smythe, General Manager of the Holiday Inn Select Kanata, explained his hotel was located on the north side of Highway 417, west of the proposed Castlefrank overpass and interchange. He said the hotel, currently located at a end dead end street, had been planned for its particular location on the understanding that the Castlefrank overpass would be included in the Official Plan. He said the site had been selected to allow access to the population on both sides of the highway, and that \$20 million had been invested to date. In conclusion, Mr. Smythe encouraged the Committee to move forward with the Castlefrank overpass.

Chair Hunter confirmed that at a meeting one week earlier, the Corporate Services and Economic Development Committee had approved \$1 million for design work for the Castlefrank overpass and interchange.

Paul van Steen, Vice President, Urbandale Corporation, informed the Committee of Urbandale's land holdings on the north side of Highway 417 and of its recent acquisition of the remaining Genstar Development Company lands in Marchwood-Lakeside. Mr. van Steen said from his corporation's point of view, the Castlefrank interchange was a significant piece of infrastructure that would help access to its lands. He said Urbandale hoped to go ahead with the office uses envisioned for its lands on the north side of Highway 417. The interchange would also have positive implications for Urbandale's Marchwood-Lakeside holdings, which it hoped to develop in the next few years.

Mr. van Steen then spoke to the issue of quality of life. Although he noted that proper infrastructure management could add to quality of life by alleviating such problems as traffic congestion, he believed there was more to quality of life than getting to and from work in a timely manner. He believed leisure activities and other personal interests were also involved. He said the Castlefrank interchange would help move residents north and south and improve their quality of life, as there are currently only two roads, Terry Fox Drive and Eagleson Road, that serve this purpose. He urged the Committee to support the staff recommendation. In addition, he asked that the Terry Fox interchange remain a part of Table 6.

Mr. van Steen then noted Urbandale owned approximately 1,000 acres of land in the Gloucester South Urban Community, and had recently become involved in the ownership of the Riverside South Business Park. He explained Urbandale was interested in seeing the Riverside South area provided with better access. He noted staff had pointed out the area was, residentially, not growing as quickly as originally anticipated, and he believed one of the reasons for this was due to access. The expansion of River Road from Hunt Club to Limebank Road was a Phase I project and he said Urbandale would like to see improvements to Limebank Road from River Road southerly to Armstrong Road included as a higher Regional infrastructure priority. He believed the resulting improved access would allow the Riverside South Business Park to expand, take advantage of airport proximity, and be a boon for employment opportunities within the Region. Mr. van Steen told the Committee another item on Urbandale's "wish list" would be the consideration of the Strandherd-Armstrong bridge crossing as a necessary piece of infrastructure in the near future.

Responding to a question from the Chair, Mr. Reid confirmed the environmental assessment (EA) for the Strandherd-Armstrong arterial had been completed. He said the next step would be a detailed design phase.

Chair Hunter inquired about the estimated funding breakdown regarding the Castlefrank overpass project. He noted that it constituted a crossing with a Provincial interchange, and asked if the Ministry of Transportation of Ontario (MTO) might be expected to contribute. Mr. Reid replied that over the past two years, efforts had been made towards achieving a cost sharing agreement with the Province. He stated the City of Kanata and the Region had approached the Province with the idea of a three-way split in the \$9 million cost between the Region, the City of Kanata and the Province. He said there would be some advantage to the Province in having the Castlefrank interchange in place before the Province undertook the task of upgrading the Terry Fox interchange. He noted the Province never responded to the proposal.

Nicholas Patterson commented that he hoped the prosperity currently being enjoyed in Kanata and environs would continue. He believed it was necessary for all those concerned to focus their efforts towards ensuring that the pace of economic development would not be damaged by the move towards the new unified City of Ottawa, which he felt had already harmed the Region and the current City of Ottawa.

William Teron, one of Kanata's earliest developers, commented on the City's prosperity, dynamic growth and the associated traffic problems this has generated. He noted the Eagleson Road and Terry Fox Drive interchanges are nearing their traffic limits, and he suggested construction of the Castlefrank overpass and interchange would alleviate traffic in these areas, as the traffic destined for the Kanata central area could access Centrum directly, and bypass the other interchanges. Mr. Teron suggested the benefits would also extend to the Region, since not all of Kanata's traffic was locally generated. He expressed dismay at the prospect of deferring construction of the Castlefrank overpass, and felt the project offered the Region the biggest "bang for its buck".

Bronwen Heins, Kanata Research Park, told the Committee that job growth in the area was six times higher than indicated in the staff report. She emphasized that infrastructure was important to the quality of life for high tech employees, noting 2.8 million square feet of space would be built in the next 18 months, 60% of which would be situated within the Kanata North Business Park. She questioned how an additional 11,200 employees would get back and forth to work along existing roads, and along March Road in particular. Referring to Table 6, she congratulated staff for adding the Terry Fox north extension, but felt someone had erred in deleting Carling Avenue from the priority list. She noted a widened Carling Avenue would serve to relieve traffic on March Road, Highway 417 and the Eagleson Road overpass. Ms. Heins noted the Province had given no assurances with respect to Highway 417 or any of its overpasses, and said the Region needed to take action to widen Carling Avenue to accommodate the extra traffic.

Ms. Heins suggested if a sacrifice needed to be made, the Castlefrank overpass should be sacrificed to allow the widening of Carling Avenue to proceed. However, she warned against this, preferring instead to simply *add* Carling Avenue to the list. She pointed out the companies currently occupying Kanta North (Cisco, Mitel, Alcatel, Nokia, Entrust, Nortel) had all stressed the importance of infrastructure and of maintaining Carling Avenue. In conclusion, Ms. Heins asked for help to allow the high technology industry to flourish, and assured the industry would do its part to help the City in return.

Martin Hawdur, Tundra Semiconductor Corporation, expressed strong support for the Castlefrank overpass, and said Kanata's approval of the Tundra initiative was a significant step in the life of the Kanata Town Centre. Mr. Hawdur expressed Tundra's support for the achievements of Kanata North, Terry Fox, and successful initiatives throughout the new City. However, he also noted the negative results of this growth in terms of the traffic on March Road and Terry Fox Drive, which he predicted would increase. He stated that the Queensway was a tremendous east-west artery that linked the city, but served to divide communities. He believed the Kanata Town Centre was a tremendous opportunity for development, with its resulting 10,000 jobs, 2.5 million square feet of office and retail space and 2,000 housing units. He believed that not proceeding with the Castlefrank overpass would result in increased financial and environmental costs.

Mr. Hawdur noted Tundra was committing approximately \$20 million for 2001. He speculated that within five to seven years, based on a 30% growth rate, Tundra alone would invest over \$100 million. He said that in total, \$750 million would be invested in buildings and capital into the Town Centre area, and said the cost of the overpass would be roughly 1-2% of this overall cost. He said the new City would benefit from the tax revenues generated by this economic activity, which would reach beyond Kanata. The speaker believed that with the new City, there was an opportunity to think as a group, to benefit all neighbouring communities. He urged the Committee to support the decision to proceed with the Castlefrank overpass.

Councillor Legendre noted the staff report stated that \$215 million worth of projects were already provided for in the 2000 Capital budget, but also noted an additional \$175 million would be required for projects not provided for in the capital budget. He noted the tools available to municipalities were; increasing taxes, increasing development charges, or assuming debt, none of which were popular options. He asked the delegation for his views on how this could be funded. Mr. Hawdur said he did not have the answer and acknowledged the difficulties associated with resource allocation. He believed the Region had done a reasonable job to date, and he expected that with the new City, decisions would be made more easily. Mr. Hawdur also stated the current economic boom was only beginning, and he believed there would be more resources available to pay for the necessary growth.

Having heard from all public delegations, Chair Hunter then read the following Motion, submitted by Councillor Munter:

That given Regional staff's projection that job growth originally anticipated for 2021 will actually happen in the West Urban Community by 2006/2007, resolved that:

Carling Avenue widening, March Road to Moodie Drive be retained on Table 6, "Key Infrastructure Projects for Phase I Developments".

Speaking to his Motion, Councillor Munter clarified that issues of design work and funding were dealt with the previous week by the Corporate Services and Economic Development Committee (CSED). He noted the report before Committee was originally to be dealt with prior to the Committee's consideration of the Kanata West Business Park and before some of the analysis around growth had been completed.

Councillor Munter illustrated the scale of what was being talked about by noting that the job targets estimated 81,000 jobs for the West Urban Community by the year 2021. As a comparison, he reminded members the number of jobs for the downtown Ottawa area was 85,000. He felt it was important to keep the things that were on the list now, and not to remove them, which included Carling Avenue. He said he was not sure he shared Mr. Hawdur's confidence that decision making would be easier in the new City, but he acknowledged that at least the challenges were known.

Councillor Legendre asked staff to expand on a point raised earlier, concerning the deletion of the Carling Avenue widening as a tactic to put pressure on the Province to move forward with the widening of Highway 417. Mr. Reid explained staff's position was if the Ministry were to widen the Queensway through the Greenbelt to Kanata, as they are planning to do, this would provide a 50% increase in capacity along the Queensway corridor. Twice as much capacity as would be gained by adding a lane onto Carling Avenue. He said while Carling Avenue serves Kanata North directly, if the widening of the Queensway were to happen in the next few years this would provide spare capacity for a short period of time and there would not be as immediate a need to add capacity to the Carling corridor.

Responding to further questions from the Councillor, Mr. Reid replied the Carling Avenue widening would cost approximately \$12 million. He advised the approximate cost for the Castlefrank interchange would be \$9 to \$10 million.

In response to questions posed by Councillor van den Ham, Mr. Reid confirmed that no other project would be removed if the Carling Avenue widening were added.

Councillor van den Ham noted the report talks of activity in the centre of Ottawa not living up to projections, however, he said he did not see anything on the list being deleted in that area. He asked for staff comment. Ms. Christensen said that residential development in the centre of Ottawa (inside the Greenbelt) is below the projection, however, employment growth has been substantial. Two-thirds of the high-tech jobs have actually happened inside the greenbelt and additional facilities are still required.

Councillor Stewart asked what status the proposed deletions from Table 6 would have. Mr. Reid advised the deletions would remain in the Official Plan but their priority would be sometime between 2006 and 2021, driven by whatever rate of growth occurs.

Councillor Stewart noted one of the projects on Table 6, the Airport Parkway/Walkley Ramp ought to be included in the projects in the EA or design stage (Annex B). Ms. Christensen confirmed this project was omitted from Annex B in error.

The Committee then considered the following motions.

Moved by A. Munter

Given Regional staff's projection that job growth originally anticipated for 2021 will actually happen in the West Urban Community by 2006/2007;

Resolved that Carling Avenue widening (March Road to Moodie Drive) be retained on Table 6, "Key Infrastructure Projects for Phase I Developments".

CARRIED

Moved by R. van den Ham

That Table 6 (from 1997 Regional Official Plan) Phase I be changed, for the Orleans Urban Centre, under Transportation:

**• Innes Road Widening (Orleans Blvd. to Trim Road)
as per the Transportation Master Plan and as per the recommendation of the Corporate Services and Economic Development Committee.**

CARRIED

Councillor Bellemare said he was in favour of the recommendations contained in the report. He felt it was important to show some flexibility and respond to the needs of growth for all areas of the Region, noting the goal was not to develop a lopsided Region but to address needs of high

tech growth and avoid road congestion. As well it is important to ensure some quality of life for area residents and provide adequate infrastructure for the major economic engines. He spoke of the importance of balancing job growth and residential growth and respecting the evolving spending priorities.

The Councillor then spoke to his motion concerning Cyrville Road. He noted this Regional road, located in an urban area inside the Greenbelt (but built to rural standards), has been encountering a great deal of development recently (e.g. St. Joseph Printing Group, JDS Uniphase and a huge (i.e. 500,000 to 1,000,000 square feet) of office and retail development). These developments will put tremendous pressure on Cyrville Road. He said what he was putting forward, was probably something that would be done as a matter of course, in the development of the new official plan, however, he asked that the Committee support this motion.

Councillor Legendre asked for staff comment on the motion. Mr. Reid said the motion was sensible. He agreed there had been many changes along Cyrville Road over the last couple of years. The Region does protect a corridor along Cyrville Road for its eventual widening and it is envisaged in the Official Plan that Cyrville Road would be widened.

Councillor Legendre noted if the road were widened, there would be a couple of bridges that would have to be widened as well. Mr. Reid confirmed there would be an overpass of the 417 and the transitway and agreed it would be pretty expensive.

The committee then considered Councillor Bellemare's motion.

Moved by M. Bellemare

That a review of the need to upgrade Cyrville Road to an urban standard be conducted and form part of the preparation of a new Official Plan for the new City, commencing early in 2001.

CARRIED

The Committee then considered the report as amended.

That Planning and Environment Committee recommend that Council approve:

- 1. The updated Table 6 on Infrastructure Priorities attached as Annex A as amended by the following, and forward it to the Transition Board as a framework for future capital budgets.**

- a) That Carling Avenue widening (March Road to Moodie Drive) be retained on Table 6, “Key Infrastructure Projects for Phase I Developments”.
- b) That Table 6 (from 1997 Regional Official Plan) Phase I be changed, for the Orleans Urban Centre, under Transportation:
- Innes Road Widening (Orleans Blvd. to Trim Road)
as per the Transportation Master Plan and as per the recommendation of the Corporate Services and Economic Development Committee.
2. That a review of the need to upgrade Cyrville Road to an urban standard be conducted and form part of the preparation of a new Official Plan for the new City, commencing early in 2001.

CARRIED as amended

Committee Chair Hunter noted that a companion report considered by Corporate Services and Economic Development Committee, would be considered by Council the next day and in this regard, Councillor Munter moved the following motion.

Moved by A. Munter

That Council be requested to waive the rules of procedure to consider this report at its meeting of 27 September 2000.

CARRIED

PLANNING ITEMS

2. PUBLIC MEETING TO CONSIDER DRAFT REGIONAL OFFICIAL PLAN AMENDMENT 14 ~ CUMBERLAND HIGH SCHOOL AND SPORTS PARK
- Planning and Development Approvals Commissioner’s report dated 11Sep 2000

Committee Chair Hunter began by reading a statement required under the Planning Act, wherein he advised that anyone who intended to appeal Regional Official Plan Amendment 14 to the Ontario Municipal Board (OMB), must either voice their objections at the public meeting or submit their comments in writing prior to Amendment 14 being adopted by Regional Council. Failure to do so could result in refusal/dismissal of the appeal by the OMB.

Scott Manning, Planner, Development Approvals Division, Planning and Development Approvals Department, provided Committee with a brief overview of the staff report. Mr. Manning noted the corresponding Local Official Plan Amendment was considered by the Cumberland Planning Committee the previous evening and was approved.

Councillor Legendre noted on page 24 of the staff report, it states that normally a high school site should avoid prime agricultural lands. He questioned why. Mr. Manning noted the Regional Official Plan identifies prime agricultural lands for agricultural uses. In this case, the Councillor noted the Cumberland zoning by-law allowed for prime agricultural lands to be used for a sports park. He felt this “loophole” had effectively removed these lands from the rationale that they are to grow food. Mr. Manning agreed.

Councillor van den Ham noted Mr. Manning had spoke about the two issues surrounding this; one being the request for central services (water) and the second was the transitway. The Councillor sought clarification that this really has nothing to do with extending transitway services out there, it just facilitates the planning of the transitway corridor. Mr. Manning confirmed this stating it only protects a corridor for the possible future extension of the transitway. He stated the Committee was not being asked to approve an extension of the transitway in this report.

The Committee then heard from the following delegations.

Marcel Bisson, had questions concerning all of the sites that had been considered for this amendment. He noted at public meeting in Cumberland the previous evening, it had been mentioned that 9 sites were considered yet the map in the staff report shows only 6 sites. Mr. Manning replied there were three other sites south of the urban area considered: two sites on Tenth Line Road and one on Mer Bleue Road.

Responding to further questions from Mr. Bisson, Mr. Manning advised these additional sites were reviewed in terms of the servicing capabilities available and were considered too far away from existing services to make them feasible for a high school site.

Mr. Bisson stated servicing does exist on Mer Bleue Road, from Regional Road 28 north to Fourth Line Road. He said there is a 16 inch watermain that was installed in 1974 and was paid for by the property owners on both sides of Mer Bleue Road. As well, there is a high pressure gas main which runs from Regional Road 28 down to Regional Road 30 which could adequately service this infrastructure. As well, the Region is in the process of putting a pumping station on Fourth Line Road, just east of NCC lands, which is supposed to service all the land in the Gloucester district.

Mr. Bisson noted two of the parcels of land that were not even mentioned in the staff report, are Class 5 lands, far from being good for agriculture land and for which property owners have paid money to have the proper studies done to justify the change in designation. He stressed that the contention that there would be no services available in the near future is completely false, particularly with respect to the piece of land abutting the urban development on the north and the west side. He felt this piece of land would be the most central to provide proper access to the school for the east and west districts. He noted in the report considered by Cumberland the previous evening, it was mentioned that 80% of the population will be coming from urban lands. He opined the millions of dollars it will cost to service the land east of Trim Road for a park and a school was not reasonable and stated he was opposed to this land in the agricultural resources area being considered as the site for this new school. He said he had first hand information about this land as he is the part owner of the south part of the lot and his father-in-law owned the subject property until 1974. He said this is Class 2 agricultural land and by putting this development so close to an active farm operation (i.e. within 600 feet), this area will be deemed useless for agriculture.

Councillor Legendre asked for staff comment on Mr. Bisson's point concerning the proximity of this location to active agricultural land. Mr. Manning replied this would be an exception to the agricultural resource designation as there are special circumstances in this instance. As the sports park was being built, it made sense to add the high school at the same time. He said by making this an exception, we are continuing to protect agricultural lands as best we can at this point in time. Mr. Manning added there would be some fencing to control access from adjacent lands, and, unlike residential uses, this use would not be incompatible with agriculture.

Robert Gauthier, explained he owns property on Trim Road on the north and south sides of the proposed park. He noted the service to the school would likely be extended from Innes Road, and he raised a concern about who would pay for the extension of services to the site. Mr. Manning explained some services (i.e. water) were already available nearby. He said the preferred solution for a sanitary sewer would be to bring the Ottawa River sub-trunk down Trim Road, continue towards the high school and service some of the nearby lands as well as the lands in between Cardinal Creek and Trim Road. He noted financing would be done partly through development charges, and that this was currently in the proposed 2001 budget. He said that local extensions to the sewer and water were usually paid by the developers themselves.

Mr. Gauthier then asked if, as a homeowner, he would be billed for the installation of sewers and water supply in front of his house. Mr. Manning explained there usually were hook-up charges, if a landowner were allowed to connect to the system, proportionally based on the amount of a property's frontage.

Mr. Gauthier asked if any other facilities were being planned for construction on agricultural lands. Mr. Manning indicated he was unaware of any such plans. Mr. Gauthier explained his concern stemmed from what he perceived to be a plan that was constantly changing. He said the last plan he saw indicated a transitway corridor would be passing through the schoolyards, and he said the plan currently before Committee seemed to have changed again. Mr. Manning said the current plans corresponded with what had been shown at a recent meeting in Cumberland which Mr. Gauthier attended. He explained the transitway corridor alignment had been approved to Trim Road, and to some day connect to Frank Kenney Road. He said this was a future project the Region wanted to protect for. However, he said that in discussions with the school board, the board felt it was possible to design its site to accommodate the range of alignment alternatives that the transitway might take.

Mr. Gauthier also raised concerns about a change in zoning and in the grading plan. He noted the sports park was half completed and the zoning had not yet been changed. Chair Hunter empathized, but said these were not points the Committee could address or satisfy right now. He emphasized Committee was dealing with an Official Plan Amendment to approve the use of a school in the agricultural zone and to allow it to connect to urban services.

Mr. Gauthier closed by stating he did not want to be stuck with a bill for bringing sewers to the school, a concern he said was shared by property owners along Trim Road.

Councillor van den Ham acknowledged Mr. Gauthier's concerns as genuine, and suggested if he was still unsatisfied with the information he was receiving on points he had raised, he should talk with Cumberland staff again. The Councillor said he believed a homeowner fronting on the proposed infrastructure route would not have to pay, as the hookup was specifically for the school, and other hook-ups would not be allowed.

Pierre Châtelain, directeur des services techniques au Conseil des écoles publiques de l'est de l'Ontario, spoke in favour of the amendment. Mr. Châtelain said in the planning stages, the board was looking for a high school site in the eastern part of the Region or the western part of Prescott-Russell to supply the demand. The speaker said the closest francophone high schools were in Vankleek Hill, Cornwall and Gloucester's Louis Riel. Mr. Châtelain said the board had looked for sites that would fulfill the following criteria:

- proximity of actual and potential students, approximately 70% of whom would be urban, and 30% rural,
- access to municipal services; preferably on a main road for ease of access for both rural and urban students,
- access via public transportation for urban students,

- adjacency to public parks, to minimize the amount of land the Board would have to purchase,
- access to educational development charges, which are available in the Ottawa-Carleton area, which help the board subsidize the purchase of sites;
- partnership potential/joint use agreements, and;
- the need to be ready for September, 2002.

Mr. Châtelain said the subject site answered these criteria. He said it would provide the community and students a diversified joint use facility, would minimize the overall cost to the Board and the city, and met the Ontario government direction to encourage partnership arrangements/joint use and alternative accommodation agreements. He explained that for these reasons, the Conseil des écoles publiques and the City of Cumberland had requested an amendment for the site.

Chair Hunter noted the earlier question regarding payment of hookup costs. Mr. Châtelain said the board's agreement with the city was to purchase a serviced site, meaning the cost of the purchase included the cost of servicing.

There being no further presentations from public delegations or discussion, the Committee then considered the staff recommendation.

That, having held a public meeting, Planning and Environment Committee recommend that Council enact a by-law to adopt Regional Official Plan Amendment 14 to the 1997 Regional Official Plan, attached as Annex A to this report.

CARRIED

3. CITY OF OTTAWA OFFICIAL PLAN AMENDMENT NO. 37
- TEMPORARY SURFACE PARKING IN THE CENTRAL AREA
AND INNER CITY RESIDENTIAL DISTRICTS
- Planning and Development Approvals Commissioner's report dated 14 Aug 2000

Nigel Brereton, Senior Project Manager - District 2, Development Approvals Division, Planning and Development Approvals Department, provided the Committee with a brief overview of the staff report.

Charles Lanktree, Planner, City of Ottawa, explained the intent of Local Official Plan Amendment (LOPA) 37 was not to prohibit temporary surface parking lots but that Council be given discretion to consider each application on its own merits. He said LOPA 37 would

provide Council with the confidence, that if they were to turn down an application for a temporary zoning for surface parking, they would be in a good position to win a case before the Ontario Municipal Board (OMB) should the by-law be subsequently challenged. Mr. Lanktree said Council began an extensive study of temporary surface parking in 1996, which included consultation with various interest groups. He felt it was important to realize that parking lots zoned for temporary use represented 659 parking spaces in the overall total of 31,579 spaces, or 2% of the overall parking supply in the central area. He said this percentage had decreased by 0.2% since 1995. He believed LOPA 37 spoke to some of the objectives of the Regional Official Plan in terms of trying to promote alternative modes of transportation and an improvement in the pedestrian environment in the central area. He asked the Committee to approve LOPA 37.

Chair Hunter said he had not heard Mr. Lanktree make the case, nor had he seen supporting documentation in LOPA 37, to indicate how discouraging or prohibiting temporary use parking lots would accomplish the objectives of discouraging auto emissions or encouraging a pedestrian-friendly environment. He asked where the supporting studies were that normally would accompany such an amendment. Mr. Lanktree suggested the Region's own Official Plan provided such support. He believed that people who did not have an opportunity to take their cars downtown would be more inclined to take public transit or an alternative mode of transportation.

Chair Hunter noted the number of spaces available in temporary parking lots has fluctuated over the years as parking lots have come into and out of use. He asked if there was any documentation to show that the number of automobiles on the roads has fluctuated accordingly. Mr. Lanktree said there was a 45% increase in the overall parking supply in the central area, between 1985 and 1995. He noted there had only been a 3% increase since 1995, but felt the present parking supply in the central area was more than adequate. To illustrate this, he cited the City of Ottawa Planning Committee's recent approval of a 500,000 square foot office complex development by Olympia and York Limited at 300 Queen Street, which had been forgiven from providing 254 parking spaces because of what was considered to be an adequate parking supply in the adjacent area.

Chair Hunter felt his question had not been adequately answered. The Committee then heard from the following public delegations:

Nicholas Patterson expressed concern with how LOPA 37 had been handled by staff at both the City of Ottawa and at the Region. He felt a letter from the City's Commissioner of Urban Planning and Public Works had attempted to allay concerns about the implications of LOPA 37 by misrepresenting its thrust. Secondly, Mr. Patterson felt the prohibition on temporary parking lots in centretown was hidden amongst fine print in the middle of the document, hiding it's

“draconian” nature. He noted this had also been noticed by various Regional Councillors at the Committee’s previous meeting. Thirdly, Mr. Patterson raised a concern with how this item had come to be placed on the current agenda. He said he had been informed that staff, on its own, had decided to put the item back on the agenda in the same form as had been thoroughly rejected unanimously by the Committee at the previous meeting. Mr. Patterson did not believe the City’s and Region’s taxpayers’ interests were being served by staff’s reintroduction of material that had been previously rejected.

Peter Marwick, President, Action Sandy Hill. Mr. Marwick said his organization actively discourages temporary surface parking lots. He explained area residents want to see Sandy Hill built up and empty lots infilled. He said residents did not appreciate the ugly surface parking lots, many of which he felt were a detriment to personal safety. Mr. Marwick raised two points to indicate there was a conflict in allowing temporary surface parking lots. He noted the lots were actually against the City Official Plan on two counts; one being that the City Official Plan supports requirements for infill projects where feasible, and secondly, the Official Plan called for the vibrancy of the City, which Mr. Marwick felt did not include ugly parking lots. In terms of pedestrian activity, the speaker said Sandy Hill residents did a considerable amount of walking, which spoke to alternative ways of looking at life. He said residents adopted a “village” approach to their community and wanted this to remain. He added that temporary surface parking lots were not included in this view.

Tony Kue Shahrsebi, a professional engineer, informed the Committee that he was in the parking lot business. He said he owned a number of buildings and parking lots in the city, and he regularly received phone calls from either high tech companies or real estate agents asking for between 50 and 200 parking spaces. He noted that currently, many offices in downtown Ottawa are occupied by the high tech industry. He felt that traffic calming measures instituted within the downtown core would serve to frustrate commuters who either lived downtown or out of necessity had to drive to the core to their places of employment.

He reminded the Committee he had appeared at its meeting of 9 May 2000 to ask that the entire amendment be thrown out. He said if the City wanted to attract people to rent its office spaces, especially in today’s high tech market, there was a necessity to provide parking spaces. Mr. Shahrsebi said the Region was fortunate to be enjoying its current favourable situation, and emphasized the need to work with, and not discourage industry. He expressed his view that inadequate parking would mean people could not come downtown. He complained about the inefficiency of OC Transpo, which he said was being subsidized with \$400 million worth of taxpayers’ money. The speaker noted the high tech engineers would not use transit, noting that 73% of the Region’s population use cars. He said these commuters had the same rights as pedestrians and cyclists, but felt the rights of commuters were being superceded by those of the pedestrians and cyclists.

Lois K. Smith stated she had experienced trying to find a parking space in the City centre. She also noted that although bus service along the transitway routes in the interior of the City is fine, off of this corridor, the service is very poor. She emphasized the importance of providing parking spots, however, she pointed out the distinction between temporary surface parking, which is parking lots on a temporary basis and temporary parking versus long-term parking in a given day. She noted what was before the Committee concerned parking lots that exist for a short period of time (subject to renewal). With respect to the surface nature of these lots, she stated a certain amount of caution should be exercised, in that from a pedestrian's point of view, surface parking lots are ugly whereas underground parking lots can be made more decorative.

Ted Fobert, FoTenn Consultants, on behalf of Capital Parking Inc. reiterated his position (as he had stated when the item was before the Committee in May) that the proposed LOPA is inappropriate and should not be approved as drafted. He noted Ottawa City Council and the Committee of Adjustment have acknowledged that from time to time, temporary surface parking lots are appropriate for up to three years and longer where extensions are appropriate or warranted. Temporary surface parking is generally sought to allow the interim use of vacant land, resulting from either fire, obsolete buildings or economic hardship. The decision to permit temporary parking is always based on the merits of the application and the circumstances that surround the property. He felt this to be the most appropriate way to assess requests for temporary surface parking. Mr. Fobert opined the changes proposed in LOPA 37 remove Council's discretion in this regard.

Mr. Fobert stated that no-one wants to see a proliferation of surface parking in the downtown, and in fact, it makes up only 2% of the entire parking supply in the downtown area. He noted that many of these surface parking lots have been redeveloped in good economic times. Market forces and economic opportunity are the catalysts to redevelopment of property and temporary parking is merely one option for landowners when they're faced with the costs of caring for a vacant property in times of economic hardship or other financial or economic downturns in the market. Redevelopment is truly the preferred choice for these properties for the landowner.

The speaker noted the existing Official Plan allows the discretion to decide on an individual basis, whether or not temporary parking is appropriate. LOPA 37 proposes to remove from the plan that built-in flexibility. The new policies strongly discourage temporary surface parking in the central area and prohibit it in Centretown. He said in his view, applications for temporary parking will always have to be opposed by staff because they will not conform to the Official Plan. If they are approved by Council, they will be appealed to the OMB and the argument, which is policy-based, will always favour that temporary parking is inappropriate.

Referencing the rewording he had provided at the meeting in May, Mr. Fobert stated this would provide criteria to deal with situations such as economic hardship, market conditions, impact on land, on streetscape, etc. He felt this to be a much more balanced and practical approach, however, the City of Ottawa had rejected this completely. Mr. Fobert suggested that LOPA 37 be rejected and the status quo remain in place. He pointed out the Official Plan for the new City would be drafted in the new year and suggested that would be the time to determine the appropriate policy with respect to this issue.

Douglas B. Kelly, Soloway, Wright, Barristers and Solicitors, appearing as the Co-chair of the Government Affairs Committee, Building Owners and Managers Association (BOMA) and Hugh Gorman, President, BOMA Mr. Gorman advised that BOMA represents about 80% of the commercial property in the Region of Ottawa-Carleton. He said it is BOMA's position that LOPA 37 is flawed for a number of reasons. He explained firstly, it was not the desire of the industry to operate surface parking lots; the highest and best use for these lands is for commercial development. Mr. Gorman stated restricting revenue generation from these lots to recover taxes has the impact of reducing speculative development in the future. Secondly, BOMA felt the proposed LOPA was inconsistent with the City of Ottawa Planning Committee's actions and the Official Plan. Mr. Gorman advised that earlier this month, a member of BOMA had filed for a site plan application to convert temporary surface parking to an office building in the downtown core. The City of Ottawa required the developer to convert the temporary surface parking stalls into permanent below-grade parking. He said this demonstrated that the City obviously believes the elimination of 2% of the temporary surface parking stalls in the downtown core is significant.

Mr. Gorman went on to say LOPA 37 is inconsistent with the mandate of the City of Ottawa's Revitalization Committee to increase the vibrancy of the downtown core. He said this Amendment would have the opposite effect. As well, the Amendment does not address the need for additional public transit to the core.

In closing, Mr. Gorman pointed out when this matter was last before Committee in May, the recommendation was that it be sent back to the City of Ottawa for consultation with the community. Yet it is now back before this Committee without having held any consultation or making any changes. Mr. Gorman requested that LOPA 37 be rejected by the Committee.

Mr. Kelly expressed support for the comments made by Mr. Fobert. He stated he was in agreement that the best thing would be to reject the amendment.

Councillor Legendre referenced comments made by Mr. Gorman concerning a landowner building on a piece of land previously occupied by a temporary surface parking lot and the City requiring that there be parking underground. The Councillor felt it logical that parking would be

required for the people that are going to be in that building. Mr. Gorman advised in this instance the developer had additional density on an adjacent property with interior parking that they felt met the demand for parking. He felt the City was being inconsistent in saying they can eliminate the temporary surface parking on site, but yet when the developer submits a site plan, they indicate that same amount of parking is required and has to be provided below grade.

Mr. Kelly elaborated, noting the property in question was Place de Ville 3 and there was an oversupply of parking available in Place de Ville 1 and 2. He said he believed the City was concerned because they would lose the surface parking and therefore there would not be sufficient parking in that area of Ottawa.

Councillor Legendre then stated he did not understand the relevance of the Mr. Gorman's comments concerning the Amendment being silent on transit. He said he would agree with Mr. Fobert who had stated that in order to get more people to use mass transit, more money will have to be put into it to create a better system. He asked if the delegation would agree with that. Mr. Gorman confirmed he did agree with this. He said BOMA feels there is a requirement to deal with public transit and infrastructure in the downtown core. He said he could not understand the contention that by eliminating the parking, car emissions would be reduced and public transit use would increase. He felt the Amendment was trying to address these larger issues but he did not feel they were addressed appropriately.

Gerry LePage pointed out in the amendment the use of temporary surface parking lots in Centretown is "prohibited", which he stated was decidedly different than "discourage". Referencing points raised by Mr. Lanktree concerning the visibility factor of surface parking lots, Mr. LePage countered that abandoned lots were not very attractive. He said if you take away a person's ability to pay the taxes on a piece of land (by not allowing them to have a temporary surface parking lot), the lands revert back to the City, remaining abandoned until they are sold off, with no tax dollars to rehabilitate the land in the interim. Mr. LePage felt that rather than "temporary", a surface parking lot is really transitional, contingent upon certain economic dynamics transpiring that allow it to be elevated to a higher and better use. One of the few things that can be done to generate revenue, is park cars.

The speaker referred to discussions earlier in the meeting about a booming economy, growth, and prosperity, which are all predicated on a free market system. He opined this Amendment is a form of social engineering, not free market. It does not *encourage*, rather it is *discourages*. It is not being positive, it is being punitive. He felt Committee and Council should have a "consistent mindset" in all issues they deal with. Mr. LePage asked that the Committee let common sense dictate and that this amendment be rejected.

Linda Hoad, President, Federation of Citizens' Associations of Ottawa-Carleton (FCA) Ms. Hoad advised the FCA had followed this matter closely since 1996 and stated that extensive consultation took place from 1996 right up until the amendment was adopted by the City of Ottawa.

Ms. Hoad noted in her submission (held on file with the Regional Clerk), she referred to some statistics from the OC Transpo comprehensive review, which she believed to be quite significant. Between 1985 and 1995, daily commercial parking rates in the central area have decreased 20%, and the overall parking supply has increased 45%. They concluded that this hurt transit ridership to the central area by possibly 5 to 10% or has contributed 5 to 10% to the overall transit decline which had taken place.

The speaker noted the Regional Official Plan and the City's Official Plan says that priority should be given to the provision of short term parking over long term commuter parking, however, she pointed out municipalities cannot regulate the operation of parking lots. She said parking lot operators offer specials to encourage long-term commuter parking (the primary market for transit) and not the short term parking businesses need. She felt therefore the amount of long term commuter parking must be limited.

Ms. Hoad advised, since this Amendment was passed, the City of Ottawa had not refused one application for temporary surface parking. She felt the "doom and gloom" the Committee had been hearing about was not real. The amendment does permit staff the flexibility the opposition seems to think is not there. She stressed the central area is a tourist area and felt temporary surface parking lots would not show off the nation's capital in a proud way. Ms. Hoad opined many of the operators or landowners were not good corporate citizens and landscape their lots only when forced to do so. In conclusion, Ms. Hoad stated the FCA member associations would be affected by this Amendment (particularly in the secondary policy areas), and stated they did not want their inner city communities turned into parking lots. She asked that the Committee approve the Amendment.

Councillor Stewart noted the delegation had mentioned that not one application had been turned down since this Amendment was approved at the city. She asked how many had been approved. Ms. Hoad said she could not answer this question but she did say she was aware of one application that was approved.

Councillor Stewart noted if surface parking lots downtown are not allowed and people who choose to drive downtown will not come because they cannot park, this in turn will cause a hardship for businesses. She asked the delegation for her comment. Ms. Hoad pointed out the past two updates of the Central Area Parking Study indicate there is no shortage of parking downtown. She noted as well, the amount of on-street parking provided over the past five to

ten years (including on some Regional roads), has increased considerably. Temporary surface parking lots are only one part of the picture. Generally, as developments occur parking spaces are provided.

Councillor Legendre asked Mr. Lanktree to elaborate on the application that had recently been granted. Mr. Lanktree advised the City of Ottawa Official Plan states, in terms of temporary use by-laws, that regard does not have to be had for the policies of the Plan. He said this had been used as an argument to disregard some of the policies that speak to discouraging this particular use in the past. Mr. Lanktree stated this particular parking lot is about 170 spaces (one of the largest temporary surface parking lots in the central area) and has been renewed for temporary zoning at least twice.

Councillor Legendre referred to page 64 of the Agenda (amendments suggested by Mr. Fobert) and the list of criteria for allowing temporary surface parking uses. He asked if these would be reasons City of Ottawa staff could accept, on a temporary basis, for allowing surface parking lots. Mr. Lanktree advised the suggested wording was considered by staff and by Council, discussed extensively, and was rejected.

The Councillor stated he could understand the City of Ottawa does not want these in their Official Plan but asked if these were valid reasons. He said he was trying to find out under what possible circumstances would permissions for temporary surface parking lots be granted. Mr. Lanktree replied there could be merit to some of the points. He said obviously parking supply in the immediate proximity to the site of the parking lot, would be a consideration. Mr. Lanktree pointed out, however, the City had completed an update of its central area parking supply recently and it was shown that the parking supply is quite healthy, as it was in 1995.

The Committee then considered the staff recommendation.

Moved by J. Legendre

That Planning and Environment Committee recommend that Council approve Amendment No. 37 to the City of Ottawa Official Plan as per the Approval Page attached as Annex 1.

LOST

NAYS:M. Bellemare, B. Hill, G. Hunter, W. Stewart and R. van den Ham....5

YEAS: J. Legendre.....1

This motion having lost, and on the advice of legal staff, Councillor Stewart put forward the following motion.

Moved by W. Stewart

That Planning and Environment Committee recommend that Council refuse Amendment No. 37 to the City of Ottawa Official Plan as per the Approval Page attached as Annex 1.

CARRIED as amended
(J. Legendre dissented)

4. SUMMARY OF ASSIGNED FUNCTIONS - OFFICIAL PLAN
AMENDMENTS, SUBDIVISIONS, CONDOMINIUMS, PART LOT
CONTROL BY-LAWS, ZONING BY-LAWS, SITE PLANS AND
SEVERANCES AND APPEALS OF THREE SEVERANCES (OSGOODE)
- Planning and Development Approvals Commissioner's report dated 06 Sep 2000

Councillor van den Ham noted the staff report indicates staff are appealing to the Ontario Municipal Board, a decision by the Rural Alliance Severance Committee on an application by Stewart James. The Councillor indicated he had a motion directing staff to withdraw their appeal in this regard. He said having seen this piece of land, he believed it to be a poor pocket of land and not suitable for agricultural operations.

Cathy James and Michael Chinkiwsky Mr. Chinkiwsky advised he was the solicitor representing Mrs. James and her husband, who are the applicants. He expressed support for Councillor van den Ham's position that the parcel is a poor pocket of land - it is treed and it is not possible to drain this parcel of land economically. He noted the staff report deals specifically with the failure of the applicant to meet the criteria of Class 4 or lower farmland, stating this is Class 3 farmland. Mr. Chinkiwsky stressed the Regional Official Plan uses the word "predominantly" for the requirement that the land fall into Class 4 land and it contemplates that some parcels may fall into other categories.

Mr. Chinkiwsky offered his opinion that this parcel of land meets all of the other criteria for a poor pocket. It is treed, it meets the requirements for size (i.e. at least 2 acres) and is on a travelled road. He pointed out on this three mile section of Black Creek Road, running from Mitch Owens Road south, there are 23 houses on this road and this proposal would add only two more houses to this area.

In conclusion, Mr. Chinkiwsky stated it would not be economically feasible to turn this piece of land into farmland as it would require very expensive equipment to drain it. However, it could

easily and economically be filled for residential use. He felt the proposed use was a better alternative than just letting the land sit idle.

In response to questions from Chair Hunter, Mr. Chinkiwsky advised each of the two lots is approximately 10 acres and is part of a larger holding (over 90 acres), going halfway to the Tenth Line Road.

Responding to questions from Councillor Legendre, Nigel Brereton, Senior Project Manager, Development Approvals Division, advised the parcels of land are 10 acres in size and soil mapping does not map anything smaller than 25 acres. He explained staff are not disputing that this is low lying land but the reason they filed the appeal, is to avoid a proliferation of non-farm uses in a farming area. He agreed the ROP policy allows poor pockets of land in prime agricultural areas to be used for non-farm residential, however, if every 10 acre parcel that was poor for farming was split into a residential lot or two, there would be a much greater proliferation.

Councillor van den Ham noted the Official Plan does not speak to a minimum size. He felt if it is the intent to be more specific, then the policy should be amended to read “nothing less than 25 acres need apply”. He felt this policy should be reexamined to provide clearer guidelines. With respect to staff’s comment concerning the proliferation of non-farming houses in a farming area, he pointed out the possibility of these severances could be used by applicants’ children in the administration of a farm. He asked that the Committee support his motion.

Moved by R. van den Ham

That staff withdraw the appeal of the decision by the Rural Alliance Severance Committee RA 105/2000 and RA 106/2000 (Stewart James).

CARRIED

YEAS: M. Bellemare, B. Hill and R. van den Ham.....3
NAYS: J. Legendre and G. Hunter.....2

The Committee then turned their attention to the staff appeal of another Rural Alliance severance for Earl and Ron Stanley.

Mr. Brereton advised in this instance, staff are concerned about protecting a small area of limestone resource. He noted the subject site is approximately 150 acres and the applicant is proposing that the northerly third (just on the boundary of the limestone resource area) be severed and that the 100 acres to the south be retained. Mr. Brereton noted once a lot is created, the next thing you can expect is a house and he suggested it would not be a great

situation, if at some point in the future someone tries to open up a quarry to the south. He noted the Regional Official Plan, calls for a separation distance of 450 metres between limestone resource areas and residential development. It is impossible to do an impact study in a situation like this, because the house does not yet exist. Mr. Brereton stated in order to protect the whole of the limestone area, staff are recommending this severance not be approved.

Committee Chair Hunter noted in many instances, where there is potential for impact (e.g. airport noise, farm related operations, etc), a notice is registered on title that there is a potential for impact. He asked if such a registered notice could not be considered in this instance. Mr. Brereton advised such a notice would not restrict a homeowner from their legal rights to object to the quarry.

Councillor van den Ham noted the policy regarding mineral resource areas was changed in the last Official Plan. He asked if this was the first example of an application coming forward under this new policy. Lesley Paterson, A/Senior Project Manager, Development Approvals Division, advised this situation has occurred once before in West Carleton but the difference was that the quarry was in operation. It was the first time in applying the policy and staff assisted the applicant in doing the required study. It was fortunate in that instance because the quarry had built-in separation area from the adjacent land which was sufficiently distant to mitigate any impacts. Ms. Paterson also brought to the Committee's attention the concern about a private well in the vicinity of the quarry operation. Because the quarry was in operation, the depth was known and experts advised there would not be much of an impact. She said in the matter before Committee, the quarry is not in operation and the house is not built, making it much more difficult to assess the impacts.

Councillor van den Ham noted he had copies of consents granted by Osgoode along this same road before this new policy came in. The Councillor felt the severance should be granted and suggested if it is, if a mineral extraction operation is ever to get in there, then it would be of such a size that they would likely buy the entire parcel of land in order to perform their operation, hence removing any potential conflicts. He said he agreed with the Committee Chair that a warning on title would safeguard the situation.

At Committee Chair Hunter's request, Tim Marc, Manager, Planning and Environment Law advised if the warning were to be registered on title on its own, the Ministry of Consumer and Commercial Relations might not allow it. However, these warnings are usually contained within broader agreements and are allowed to be registered.

Mr. Brereton stated it would be his understanding that such a warning would be allowed in this instance, only if it were part of the agreement of purchase and sale.

The Committee then heard from Earl Stanley and Ron Stanley. Mr. Earl Stanley advised it was not their intention to build a house on this lot. He explained the 47 acre severance would be used to diversify their farming operation, called Stanley's Old Maple Lane Farm. He indicated he would be looking after the public operation, while his brother would be farming livestock and crops. He said the amount of livestock they have (i.e. 30 horses and 11 bred for next spring) creates a liability when dealing with the public. He said the 50 acres of marginal farmland that is proposed to be severed, is zoned rural. Mr. Stanley stated he would be in agreement with registering a warning as suggested by the Committee Chair. He pointed out that last September he had severed two other parcels on Lot 19 (right on the mineral limestone resource) and neither the Region nor the Township objected to these. He also stated they had no intention of allowing their land to become a quarry.

Responding to questions from Councillor Legendre, Mr. Earl Stanley advised his operation, Stanley's Old Maple Lane Farm, hosts weddings, corporate picnics, provide educational environmental studies, rodeos, sugar bush, etc. He explained his brother will own the severed 50 acres and will farm the livestock (to be moved from the area open to the public).

Councillor Legendre stated he could not understand why a severance was necessary. Mr. Earl Stanley advised it was necessary for business and financial reasons, personal reasons and to address the liability situation. He said he was not seeking the severance to build a house, however, the severance would provide them with options for the future.

Through the Chair, Mr. Brereton asked if the applicants would be willing to accept a condition that a zoning be enacted that would preclude the construction of a house on the severed portion. Mr. Earl Stanley replied they would rather not lock themselves into such a situation, when they really do not know what will happen in the future.

Councillor Hill stated it would be unfair to force the applicants to agree that a house could never be built on the property.

Committee Chair Hunter stated although he would not be putting forward such a motion, he felt that a warning on title regarding the possibility of a future quarry operation would be sufficient. Nick Tunnacliffe, Commissioner, Planning and Development Approvals suggested that a caveat also be added that should a house be built that it be built on the most northerly edge of property, away from the limestone resource.

Mr. Earl Stanley stated he would agree to this, noting it is the northerly frontage that has roadway access in any event.

Councillor van den Ham indicated he would be moving such a motion.

Councillor Legendre advised he would not be supporting the motion as he felt staff were correct in the position they had taken. He likened this situation to that which exists in the vicinity of the airport currently.

The Committee then considered Councillor van den Ham's motion.

Moved by R. van den Ham

That staff withdraw the appeal to the Ontario Municipal Board of the Stanley severances subject to the applicant placing the appropriate warning of the mineral resource area on title and that any residence be situated as far from the mineral resource as possible.

CARRIED
(J. Legendre dissented)

The staff recommendation as amended was then approved.

That the Planning and Environment Committee and Council receive this report for information purposes and confirm the Planning and Development Approvals Department's appeal of the severance as noted in Annex V, and;

- 1. That staff withdraw the appeal of the decision by the Rural Alliance Severance Committee RA 105/2000 and RA 106/2000 (Stewart James), and;**
- 2. That staff withdraw the appeal to the Ontario Municipal Board of the Stanley severances subject to the applicant placing the appropriate warning of the mineral resource area on title and that any residence be situated as far from the mineral resource as possible.**

CARRIED as amended

INQUIRIES

Councillor van den Ham had an inquiry concerning Petrie Island and asked that a report be brought back to Committee within a month. He said given the creation of the new City and the fact that the lease is renewed annually with Grandmaitre Sand and Gravel, and given information he had received concerning occurrences that could prevent the possibility of a bridge to the island, he felt a report on this issue was needed.

Councillor van den Ham's second inquiry concerned Toronto garbage being shipped to Kirkland Lake and the potential of leachate running into the Ottawa river. He asked that an information report, as to what staff are doing to monitor this situation, be brought back to Committee.

Councillor van den Ham then asked for a response from Legal concerning the status of the current Council after November 13, 2000. Mr. Marc advised the Acting Regional Solicitor will be preparing a memo for members of Council with respect to that issue.

INFORMATION PREVIOUSLY DISTRIBUTED

1. TRAIL ROAD AND NEPEAN LANDFILL SITES ANNUAL MONITORING REPORT
- Director, Water Environment Protection Division's report dated 12 Sep 2000

ADJOURNMENT

The meeting adjourned at 6:05 p.m.

COMMITTEE COORDINATOR

COMMITTEE CHAIR