

MINUTES

PLANNING AND ENVIRONMENT COMMITTEE

REGIONAL MUNICIPALITY OF OTTAWA-CARLETON

CHAMPLAIN ROOM

27 JUNE 2000

3:00 P.M.

PRESENT:

Chair: G. Hunter

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

Regrets: A. Munter

CONFIRMATION OF MINUTES

**That the Planning and Environment Committee confirm the Minutes of the Meeting of 13 June 2000.**

CARRIED

POSTPONEMENTS/DEFERRALS

1. CITY OF GLOUCESTER OFFICIAL PLAN AMENDMENT 31 -  
REQUEST BY URBANDALE CORPORATION FOR COMMERCIAL  
USE AT THE NORTHEAST QUADRANT OF RIVER ROAD AND  
ARMSTRONG ROAD IN THE SOUTH URBAN CENTRE  
- *Deferred from Planning and Environment Committee meeting of  
23 May 2000*  
- Planning and Development Approvals Commissioner's report  
dated 16 May 2000

Nick Tunnacliffe, Commissioner, Planning and Development Approvals Department, introduced Myles Mahon, Planner, Development Approvals Division, Planning and Development Approvals Department, who 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 will be presented to Council on 12 July in Planning and Environment Committee Report Number 60.

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Committee then heard from the following public delegations:

David Dwoskin, Radnoff Pearl; solicitor for Sala Developments, indicated his client had four specific objections to Local Official Plan Amendment 31. Firstly, he referred to the original concept plan adopted in 1992 (LOPA 3) (to which Urbandale was a major contributor) and noted much time and money went into that plan. All of the development that has come since 1992, has followed the concept plan. He felt there were no reasons to justify not following the concept plan and suggested if there was going to be a system that respects planning, it should be used.

Mr. Dwoskin then addressed his second objection. He referred to a City of Gloucester Planning Department staff report dated 7 December 1999 and noted it provided the history of the concept plan, examined the retail market analysis (submitted by the applicant, Urbandale) and recommended the application and zoning not be approved. Mr. Dwoskin advised in the report staff offered the opinion that Urbandale's request to locate a 10 hectare commercial site at River Road had implications on all the previously approved infrastructure. As well, it would impact the viability of the Spratt Road commercial site as they felt the first commercial site would become the short term focal point of the SUC. Further, the staff report pointed out the market analysis had not clearly demonstrated the River Road site was a superior location to the Spratt Road site and in fact, noted the study acknowledged major shortcomings of the River Road site with respect to a preferred parkway status for River Road. Mr. Dwoskin opined that nothing had changed between December 1999 and the present, to warrant approval of this application. He said although the applicant was now only seeking to approve half of development, he offered the opinion that if this were approved, the applicant would then seek to approve to develop the other half of the parcel.

With respect to his third point, Mr. Dwoskin noted Sala Developments has proprietary interests in this matter as it has property at the Armstrong/Spratt intersection - the Town Centre lands. This area was designated as Neighbourhood Commercial in September 1992. The speaker noted if the applicant's amendment is accepted, it will affect the viability and value of that commercial site and in his opinion, it would totally sterilize that commercial site, as the first site will be the only focus for the foreseeable future and no market analysis can honestly say otherwise.

Speaking to his fourth and final point, Mr. Dwoskin noted the concept plan deliberately places all commercial sites away from River Road, the Rideau River and the planned park system. He questioned why the City and Region would even consider introducing the traffic, noise, air pollution, visual pollution, light pollution and all of the incompatible commercial activity to this

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neighbourhood on River Road. Mr. Dwoskin offered that River Road would be unable to accommodate all of the additional traffic without being widened.

In conclusion, Mr. Dwoskin stated that what was being proposed was simply bad planning. He said clearly it is not desirable or appropriate development of the site and does not maintain the general intent and purpose of the Official Plan as amended.

Chair Hunter noted one of the things the Planning and Environment Committee must do is ensure that Local Official Plan Amendments respect the Regional Official Plan. He asked the delegation if he had any arguments that would suggest that there is anything in this application that offends the Regional Official Plan. Mr. Dwoskin said the General Urban area is a fairly general designation and includes what is being sought here, however, that does not make it good planning.

Chair Hunter stated at the present time, the two tier local planning leaves responsibility for the details to the local municipality, as long as they do not offend the Regional Official Plan. Mr. Dwoskin offered there is no compelling reason why the local official plan ought to be amended. There should be an onus on the developer to convince the Region on a balance of probability, that this is good planning and it needs to be done.

Councillor Legendre noted in the second half of the background discussion on page 3 of the Agenda, there is a small paragraph that says "the approved concept plan identifies small highway commercial site in this area. Urbandale has indicated they see limited market demand for small scattered development sites and therefore would like to consolidate all of the proposed highway commercial areas into a large expanded commercial site at Armstrong and River Roads." He said he took this to mean there were commercial sites scattered along River Road, however, he said he is hearing today it is along Armstrong Road that those scattered sites were located.

Mr. Mahon advised that presently in the Gloucester concept plan for the south urban community, there is a small highway commercial site at this location. This is an expansion of the highway commercial to a larger site which would allow a larger shopping facility.

Councillor Legendre said in light of the future bridge crossing at this point, this site would not be terribly good for residential purposes. Mr. Mahon noted the small highway commercial designation conforms to the residential designation in the Gloucester Official Plan but to increase the size of it to the commercial facilities that are being proposed, an Official Plan Amendment is needed.

Councillor Legendre then had further questions with respect to the consolidation referred to in the staff report. He asked where the other sites are that are being consolidated to this particular site. Mr. Mahon advised that the rationale for this statement came from the City of Gloucester. He said he was not sure if there were any other sites being deleted. Mr. Tunnacliffe suggested the City of Gloucester representative present could speak to this.

Nick Sala provided Committee with a written submission and noted it included an excerpt from the City of Gloucester Planning report referred to by Mr. Dwoskin. He noted this report referred to an Option 2, which was partial approval of the requests, limiting development to the north parcel, which is what Urbandale is presently applying for. The report indicated seven shortcomings in approving it, including: it would delay the town centre; River Road would see increased traffic flow; it would be incompatible with waterfront parkland; a potential delay in the Spratt-Limebank extension exists if the north portion is approved; and, the viability of the Spratt/Armstrong Roads commercial development.

Mr. Sala stated the present residential community cannot handle two commercial sites and the market analysis clearly indicated the shortcomings of approving this development. He noted a transit station, high school and high density institutional buildings are all planned around the Spratt Road site as per the Official Plan adopted in 1992. Approval of the River Road site would slow the commercial development of the Spratt Road and result in untimely use of the infrastructure planned around the Spratt Road site. The speaker said that nothing had changed since the December 1999 report.

As a voice for local residents, Mr. Sala advised he undertook two petitions in the River Ridge and the Honey Gables communities, which were attached to his submission. In the River Ridge petition, of the 146 residents he was able to survey, 122 of them (84%) preferred to have the shopping centre at Spratt and Armstrong Road and they opposed the rezoning of the lands at River Road and Armstrong Road from residential to commercial. The Honey Gables petition was signed by over 40 residents who clearly indicated they also objected to Urbandale's request and only four of the residents would not sign the petition (90% objected).

In concluding his presentation, Mr. Sala stated he felt it important to consider what the local residents want. He said nothing had been presented to them to indicate anything but objection by local residents to these changes. He said he understood that amendments to official plans were typically implemented if there was an advantage or a significant change that required an amendment; there has nothing been shown to this effect and in fact, everything has been shown to the contrary.

Chair Hunter noted the River Ridge petition stated "there are definite disadvantages in rezoning the lands at River Road and Armstrong Road from residential to commercial". He said it was

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his understanding the concept plan identified a small highway commercial site in this area. Therefore it would be a matter of changing from Highway Commercial to Neighbourhood Commercial rather than residential to commercial. Mr. Sala stated he believed that a portion of it was highway commercial, but there was also some residential.

Peter Burns, on behalf of Urbandale Corporation, indicated his support for the staff recommendation. He noted in 1991, the planning for this area was undertaken by John Bousefield and Associates, Toronto and mostly paid for by the landowners, not the City of Gloucester. He noted the Bousefield firm supports this amendment in view of changing shopping habits and the increased population for this area, compared to 1991.

Mr. Burns noted it is the contention of Sala Developments that the commercial designation on Spratt Road south of Armstrong should be developed instead. These lands are owned approximately 1/3 by Sala and 2/3 by Urbandale and he said Urbandale is not abandoning the Spratt Road site but consider it to be premature at this time. He pointed out it is south of the present residential development, it has no frontage on Armstrong Road and there are no services south of Armstrong Road. The cost of extending services would be about \$800,000 and would serve no other immediate use.

The speaker advised there are currently about 650 homes in Riverside South and the lack of commercial facilities such as shopping, services and health facilities are of concern to residents. There was a door to door poll conducted by the Riverside South Community Association (which does not include the Honey Gables Association), and this produced a majority vote in favour of proceeding with the proposed plaza. This was reported at the Gloucester Public meeting by the president of that community association.

With respect to the traffic increase on River Road, Mr. Burns stated there is a requirement by the Region that the entrance to Riverside South from River Road be closed when 1,200 homes have been constructed, then the Riverside South residents will access the commercial site by means of internal roads to Armstrong Road, turn right and enter the plaza. He advised a study by Dillon Consulting for this site only, which updates study referred to in the staff report, shows additional traffic along River Road of approximately 10 to 25 vehicles per hour, an increase of 3%.

Mr. Burns noted one of the criticisms voiced is that the plaza should not be located across from parkland. He pointed out, to enhance the development of Riverside South, Richcraft and Urbandale dedicated for park purposes, valuable river front lands on the west side of River Road and is negotiating with Harvest House at the corner. On completion, Richcraft and Urbandale will have facilitated open space from Armstrong Road for a distance northerly of about 750 meters. He felt it was rather ironic that their efforts in creating this greenspace, were

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now being used against them in opposing the plaza. It is Urbandale's contention that a development of an architecturally controlled plaza with extensive landscaping along the street frontage, built by the developers of all the lands, will provide a more interesting approach to Riverside South than a continuous sound wall along the frontages of both River Road and Armstrong Road, which would be the case if it were housing.

Councillor Legendre referring to comments made by a previous delegation, asked Mr. Burns to comment on what has changed since the December 1999 report from Gloucester staff. Mr. Burns noted Urbandale's original application, based on the recommendations of the commercial consultant, looked at both corners (i.e. the south side of Armstrong as well as the north) along River Road (the south side being of roughly equal size to the north side). He explained it did not make sense to look at the south side of River Road so early, when there is currently nothing there. Urbandale changed its application with no reference to the south side, which then produced the new look by Gloucester and their current recommendation, following a thorough public consultation process.

Councillor Legendre asked the delegation to comment on the phrase in the report with respect to the consolidation of all proposed highway commercial. He questioned where the other areas currently are that will disappear.

Mr. Burns stated he had originally referred to the consolidation of this corner with the highway commercial and the plaza and this perhaps caused confusion. There are no other commercial sites that are being withdrawn. Since the 1992 study, the Region approved increased population for this area and the commercial consultant is of the opinion that this development, plus everything that is already in the Official Plan, is needed.

Councillor Beamish stated it was his belief the first speaker was questioning what had changed since the concept plan was done in 1992. The Councillor pointed out that when the concept plan was approved in 1992, no alignment was chosen at that time for a bridge crossing. Because of that, there was no alignment for the intersection of Armstrong and River Roads, which was redeveloped and constructed last summer. There was no opportunity to do commercial development at that intersection at that time or for it to even be identified as commercial development.

Councillor van den Ham noted Mr. Burns had indicated there are currently 650 homes in Riverside South. He questioned if the area on the map shown as residential and backing onto Armstrong Road, was built yet. Mr. Burns advised the homes were not yet built. He noted Urbandale started at the north on the boundary between Urbandale's lands and Richcrafts, and were working south towards Armstrong Road along River Road.

Councillor van den Ham stated he asked the question because he wanted to put the petition into perspective as it relates the residential development there now.

Carlo Chiarelli indicated he was speaking on behalf of Franco and Yolanda Berardini. Mr. Chiarelli conveyed Mr. and Mrs. Berardini's objection to the application, noting it was based on two reasons. First, they are very concerned about the anticipated increase in traffic in the area and especially on River Road. It was their understanding the City of Gloucester wanted to avoid such a situation. Mr. Chiarelli advised Mr. and Mrs. Berardini also had concerns about the aesthetic impact this development would have. They feel the commercial development would not be compatible with the waterfront parkland and would change the nature of River Road, which was intended to be a scenic parkway.

Robert Baragar, speaking on behalf of the Honey Gables Community Association. A copy of Mr. Baragar's presentation is held on file with the Regional Clerk. Mr. Baragar indicated his group had three concerns: the commercialization of River Road; traffic concerns; and, why this amendment would not be postponed, pending the results of the study to assess the traffic demands of the South Urban Community as well as Manotick, expected to be completed next April.

Mr. Baragar then expanded on the Community Association's concerns. With respect to the commercialization of River Road, he noted the southern part of the Region is not overly endowed with beauty, save and except for Rideau River corridor. He felt the preservation of the heritage river and scenic drive would have a higher priority than development. He noted the original designation of Highway Commercial would have allowed a gas station whereas, what is being proposed is 125,000 sq. feet of commercial space, which he compared to commercial developments at Bank Street and Hunt Club Road. Mr. Baragar felt that aesthetic techniques such as berms and bushes would not be sufficient to screen the development. Further, he felt the amendment was not driven by any great necessity, that would warrant such a risk to the natural environment.

With respect to the Association's traffic concerns, Mr. Baragar noted the Regional Official Plan envisages River Road as a two lane scenic drive. He said currently there are times during the day when River Road is at capacity and he felt that proposed commercial development at Armstrong and River Roads would almost certainly bring pressure on the municipality to upgrade River Road to a four lane route. Mr. Baragar discounted the traffic impact study submitted by Urbandale, noting it was difficult to have confidence in the prediction that this major commercial complex will have negligible effect on River Road traffic.

Mr. Baragar went on to note there is currently a traffic study being conducted to assess the traffic demands of the South Urban Community and Manotick. He advised the purpose of the

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study was to identify the principal routes serving both the South Urban Community and Manotick area, with a view to widening the primary roadways. In light of this, Mr. Baragar opined any decision on the location of a major commercial centre at Armstrong and River Roads in advance of the completion of this study, would be premature.

Councillor Beamish questioned if the Association's concerns were more with through-traffic (e.g. from Osgoode and Manotick) or from traffic generated from within new community. Mr. Baragar said he did not think the study made this distinction. The fact the study estimates most of the traffic comes from the east, means they expect most of the traffic to come from within the community or from homeward-bound traffic that by-pass the community and come around to Armstrong Road and up to the shopping plaza. He said it does not seem realistic that people will do this, rather it is more likely people would use River Road.

Councillor Beamish suggested this commercial development would reduce traffic in front of the Honey Gables development, which is currently a problem. Mr. Baragar disagreed, saying he felt it would increase traffic. He said the shortest route from Ottawa, south to Honey Gables, would be along River Road and further, it would be the most likely route for anyone going to the shopping centre.

Grant Lindsay, Planner Director, City of Gloucester. Referencing concerns raised by delegations with respect to what had changed from the time the City's report was done December 1999 and the report done in March 2000, Mr. Lindsay said it was really due in part to the public participation, as requested by the ward councillor. The second reason was that the application itself significantly changed, as the original submission was an application for commercial development on both sides of Armstrong Road, immediately east of River Road.

Mr. Lindsay noted when City staff reviewed the original submission, it was determined that this extent of commercial development was deemed premature, particularly the lands south of Armstrong Road. There was not a consistent servicing strategy and no clear delineation of subdivision development south of Armstrong Road. The applicant was informed of this and in conjunction with the concerns raised at the 7 December meeting, chose to then modify their application.

The speaker went on to address what has changed since Official Plan Amendment 3 was done in 1992. He said the most significant change was the Regional Official Plan completed in 1997, which increased the number of dwelling units available to the Gloucester portion of the South Urban Community (SUC). It went from approximately 11,000 dwelling units to 14,500 dwelling units as a potential for development in the SUC. This inspired the major land owners to go back and reevaluate some of the conclusions they had made and agreed to 1992/1993 as it related to commercial development. As well, Mr. Lindsay offered that commercial

development and the patterns for development have changed over last ten years, moving in the direction of larger commercial envelopes. These were some of the reasons why Gloucester supported the amended application.

With respect to concerns expressed regarding public consultation, Mr. Lindsay advised there were three public meetings held. Two were to meet the requirements of the Planning Act and one was an informal public information meeting conducted and hosted by the ward councillor for the area, Councillor Barrett. He noted at the meeting attended by 75 to 100 people, there was considerable support for this proposal.

Addressing the issue of traffic implications on River Road, Mr. Lindsay stated Gloucester staff had similar concerns when they looked at this proposal, however, they were satisfied these concerns were being adequately addressed in the traffic study. He noted they were reserving final judgment until the site plan is submitted. With regard to the aesthetics, the speaker agreed River Road was not intended to be a major arterial to service the SUC. He said in the original study, Spratt Road would be built and developed and extended through to Limebank Road and Limebank Road would then be widened to accommodate the major north/south traffic flow. Mr. Lindsay pointed out that when the threshold of 1,200 building permits issued, the access onto River Road will be closed.

With leave of the Committee, Mr. Sala addressed a point raised by Mr. Lindsay, with respect to the two reports, one from December 7, 1999 and the other from March 2000. He said several speakers had indicated the major difference between the reports was that Urbandale had revised their application to include only the north portion. Mr. Sala pointed out in the December 7, 1999 report there was an Option B, which was consideration of approving only the north portion.

Chair Hunter asked if Mr. Sala was saying that both options were presented and rejected. Mr. Sala confirmed this, noting there was no approval for this second option at that time.

Councillor Legendre asked that Mr. Lindsay respond to the point raised by Mr. Sala. Mr. Lindsay replied that he had instructed his staff to provide alternatives to the Gloucester Planning Committee for their consideration with respect to how to deal with this amendment. They provided three options: one being full approval, one being full rejection and the third option was consideration of just the north piece and whether or not it should be approved. With the information they had in December 1999, the conclusion was that it was not appropriate at that time to approve the amendment because basic requirements were missing (e.g. the traffic study, the marketing analysis, etc.). In addition, the City did not have a clear indication from the public as to what they would prefer for that area. For this reason, the ward councillor requested

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deferral of the item. Mr. Lindsay noted once the additional information was reviewed, the staff recommendation changed to support approval of the north piece.

Referring to the document provided by Mr. Sala, Councillor Legendre noted the Gloucester staff report from December 1999, lists the possible impacts of Option B. He asked Mr. Lindsay to address the components that he had not addressed in his presentation. With respect to a delayed Town Centre, Mr. Lindsay said Gloucester had to be convinced there was enough market potential for all and this information was received after the December 1999 meeting. The second impact was that the Spratt site would be redesignated from Commercial and Mr. Lindsay explained that one of the options was that if the commercial component was going to be located on the Armstrong/ River Road location, consideration of removing the commercial designation at the Spratt Road site. The conclusion Gloucester came to was that it was not necessary as both will be viable in the future.

Having heard from all public delegations, the matter returned to Committee.

Councillor Beamish advised he would be supporting the staff recommendation. He said there was nothing compelling to suggest it should not be supported and in fact, he felt the subtext read that one landowner was going to be disadvantaged from his plans of developing at a future time. The Councillor noted the site is going to be a major intersection at some point in the future with the bridge crossing that will take place as an extension of Armstrong Road across to Strandherd on the Nepean side of the River and it is a logical site for commercial development. He said he could not see any reason why it should not be approved. Councillor Beamish pointed out the zoning for the area is already going to be before the Ontario Municipal Board and it is likely that whatever decision the Region makes, the whole matter will be before the OMB in event, so it would be best if it could all be dealt with at the same time.

Councillor van den Ham indicated he too would be supporting the staff report. He said he really did not see any violation of the ROP in this. He agreed with Councillor Beamish's viewpoint that the objection was based on competition. The Councillor said he was unsure as to how much government should be involved in determining who should build what commercial site and perhaps it is best left to the market place to decide. Councillor van den Ham stated he felt Gloucester had done its job in determining that there is market potential for both sites and he said he would support the staff recommendation on that basis.

Chair Hunter thanked the delegations for making representations on both sides of the issue and stated both were worthy positions. He said unfortunately it is clear the matter will be fought out at the OMB.

The Chair stated he could not see that this Amendment offended the Regional Official Plan in any respect (e.g. not in land use, traffic, etc.). He noted the proposed development is not of a size to be a destination market area, but rather a local service market area and it would be an enhancement to the community overall. He said he could find nothing to rule the Gloucester decision out of order and would therefore be supporting the staff recommendation.

The committee then considered the staff recommendation.

**That the Planning and Environment Committee recommend that Council approve Gloucester Official Plan Amendment 31 and request the Regional Clerk to issue the 'Notice of Decision' attached as Annex A.**

CARRIED

**PLANNING ITEMS**

2. PUBLIC MEETING TO CONSIDER DRAFT REGIONAL OFFICIAL PLAN AMENDMENT 11 - RIDEAU-CARLETON RACEWAY SERVICE CONNECTIONS

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  - Planning and Development Approvals Commissioner's report dated 12 June 2000

At the outset, Committee Chair Hunter read a statement required under the Planning Act, wherein he advised that anyone, whose intention it was to appeal Regional Official Plan Amendment 11 to the Ontario Municipal Board (OMB), must either voice their objections at the public meeting or submit their comments in writing prior to Amendment 11 being adopted by Regional Council. Failure to do so could result in refusal/dismissal of the appeal by the OMB.

Scott Manning, Planner, Planning and Development Approvals Department was present to answer any questions of the Committee on this item. As well, Grant Lindsay, Director of Planning, City of Gloucester and Bob Tennant, FoTenn Consultants (agent for the applicant) were present and indicated their support for the staff recommendation.

There being no other public delegations, the Committee considered the staff recommendation.

**That, having held a public meeting, the Planning and Environment Committee recommend that Council enact a bylaw to adopt draft Regional Official Plan Amendment 11 to the 1997 Regional Official Plan, attached as Annex A to this report.**

CARRIED

3. PUBLIC MEETING TO CONSIDER DRAFT REGIONAL  
OFFICIAL PLAN AMENDMENT 13 - CARLSBAD SPRINGS WATER  
SUPPLY SERVICE AREA - ADDITION OF PARTS OF FARMERS  
WAY AND SIXTH LINE ROAD, CITY OF GLOUCESTER

- Planning & Development Approvals Commissioner's report  
dated 13 June 2000
- Acting Regional Solicitor's confidential memorandum dated 19 June 2000 previously  
issued to all members of Council

At the outset, Committee Chair Hunter read a statement required under the Planning Act, wherein he advised that anyone, whose intention it was to appeal Regional Official Plan Amendment 13 to the Ontario Municipal Board (OMB), must either voice their objections at the public meeting or submit their comments in writing prior to Amendment 13 being adopted by Regional Council. Failure to do so could result in refusal/dismissal of the appeal by the OMB.

Joseph Phelan, Senior Project Manager, Planning and Development Approvals Department provided Committee with a brief overview of the staff report.

Councillor Legendre noted most of the report spoke to servicing Farmers Way, although the map indicated there was another connection proposed along Sixth Line Road. He asked if this was part of this Regional Official Plan Amendment as well. Mr. Phelan confirmed this and explained the property is owned by the National Capital Commission (NCC), and is leased to the City of Gloucester, who have sub-leased it to the Top Generation Club, a seniors' facility. This is currently the only property along Sixth Line Road east of Baseline Road.

In view of the nature of this property, the Councillor asked why it would not have been part of the original system. Councillor Beamish explained that at the time, they felt that connection to the system was unnecessary.

Councillor Legendre then had questions regarding payment for system connection, arising from a confidential memorandum distributed to all members of Council. He asked if this matter would be discussed by the Committee in due course. Chair Hunter proposed that Committee first hear all delegations, and subsequently move In Camera to discuss the legal issues, if Committee so desired. The Committee concurred, and heard from the following public delegations.

Cheryle Poirier, a resident of Farmers Way, representing herself and other residents of Farmers Way, said residents supported the installation of a municipal water system along Farmers Way, in light of current and possible future water problems. She said residents were asking the Committee to approve ROPA 13.

Councillor Legendre wondered why long-time residents along Farmers Way would not have asked for connection to the system when it was first being installed.

Ms. Poirier said at the time, residents along Farmers Way had originally been told there were not enough people along the route to qualify for a Provincial grant subsidy to connect to the system. Subsequently, Farmers Way was added to the proposed route. However, residents were either unfamiliar with the new technology involved with the trickle feed system, or had not paid attention because they had previously been told they were not to be a part of the route. In 1998, when residents realized the benefits that connection to the system could offer, they began to petition for connection to the system. Regarding groundwater quality, Ms Poirier clarified for Councillor Legendre that some residents had experienced problems related to contamination of their water supply, although she was unsure as to the degree of contamination.

Paul Gauthier, a resident at 4620 Farmers Way, explained he and his two immediate neighbours lived on land which was not included in the extension of water service to the rest of Farmers Way. Mr. Gauthier said these three residences would be the only ones in Carlsbad Springs without a municipal water connection. He explained that at the time of the first public meetings regarding the extension of municipal water to the area, residents of Farmers Way had been told their area would not be included. As a result, residents did not attend subsequent meetings because they did not believe their area was involved. Afterwards, by way of a newspaper ad, Mr. Gauthier said he had learned the proposed plan was to include Farmers Way, but that area residents then decided not to opt into the system based on rumours that connection to the system was expensive, and that the system itself was of questionable quality. The speaker said although his groundwater was plentiful, tests indicated it contained high levels of E. Coli bacteria, making it undrinkable.

Mr. Gauthier said residents needed to be able to connect to the system before all of the allocations were gone, failing which, they would have to abandon their farms and homes. The speaker said they had not signed the petition to extend the water supply because of the distance from 4800 Farmers Way, to where the proposed extension is to stop, to Eighth Line Road. He said he had been told it might be advantageous to connect the Eighth Line and Ninth Line Road services, but because there were only three homes in this immediate area, they were not included in the original proposal. As the health of the families in this area is now in jeopardy, Mr. Gauthier requested that they now be included in the extension of municipal water, if possible.

Councillor Legendre then asked for a staff response to Mr. Gauthier's request. Mr. Phelan advised the amendment that was circulated referred only to the length from 9th Line Road to 4800 Farmers Way, which is 830 metres. To go from 9th Line to 8th Line would be approximately two kilometres. He said it was his understanding the Amendment could be modified to include this extension, by way of a Motion. However, Mr. Phelan advised there were some implications in doing this. He advised the City of Gloucester is reserving 16 connections for Farmers Way and for the Top Generation Club and there is not a great deal of additional capacity in terms of the numbers that are in the City of Gloucester's Official Plan. As well, the extension could be appealed as it was not on the original circulation of the Amendment. Mr. Phelan also advised there were some residents who had concerns about the limited capacity and the fairness of extending the watermain versus the rights of individuals, who are already on the existing water system, to have development or severance applications approved by the City of Gloucester.

Responding to questions from Councillor Legendre, Jim Miller, Director, Engineering Division, Environment and Transportation Department, advised that generally it is best if the system loops, rather than simply ending in a stub.

Councillor van den Ham, stated he was supportive of the extension in principle, but asked if this would cause an increase in the cost to each individual landowner. Mr. Phelan advised the original proposal was based on the Local Improvement Act and the costs are calculated on a frontage basis. It is approximately 830 metres from 9th Line Road to 4800 Farmers Way. To extend the system from 4800 Farmers Way to 8th Line Road, the entire length is two kilometres for an additional three residences and it could increase the frontage rate for each home.

Responding to further questions from Councillor van den Ham, Mr. Phelan advised another option would be for the Committee to consider at this point, showing the full extension from 9th Line Road to 8th Line Road on Schedule H of the Regional Official Plan. This would allow a further petition (under the Local Improvement Act) to come forward at some point in the future, without having to go through the Regional Official Plan amendment process.

Nancy Myles, representing Fairlawn Sod, advised her client owns a substantial portion of property on 8th Line Road and currently has nine severance applications before the Gloucester Committee of Adjustment. Ms. Myles noted the staff report sets out her client's objections and concerns.

Ms. Myles pointed out there is very limited space left in the trickle feed system, and water quality issues are now becoming a concern. She said her client is concerned that this may be a larger issue confined not just to Carlsbad Springs but to the south and east as well. She asked

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that the Committee and staff give consideration to whether the system can be extended, or any other alternatives there may be.

The second issue Ms. Myles addressed was whether or not there was any capacity left, noting the staff report states there are four parcels of land that will not have the ability to connect and, with the three residential connections on Farmers Way requested on this day, this brings it to seven parcels. She asked if there was a possibility of engineering revisiting these numbers, or if there was some sort of looping system that could accommodate all of those who have submitted severance applications.

The speaker noted connection to the system had been allocated on a “first come, first served” basis. In the case of her client, who has a substantial portion of land that probably could have allowed him five connections had he so chosen, he has nine residential severances pending. In the interim, not only has residential infill development occurred, but also golf courses have taken up a portion of the capacity to lessen the availability in the remaining connections, and it is now down to a limited number left. She felt the issue of “first come, first served” was a large one, that needed to be addressed.

In concluding her remarks, Ms. Myles noted her client was not unsympathetic to the owners on Farmers Way; he lives in the neighbourhood and plans to be a good neighbour. She said there is an inequity here in that the Regional Official Plan leaves her client with no options for water, whereas the people on Farmers Way do have wells that are servicing them now. If her client does get his nine severance applications, there will be no ability for him to develop. He will be effectively stymied because the Regional Official Plan dictates he can only connect to this system, and this system will be at capacity.

Councillor Legendre asked the delegation to expand on her statement regarding the inequity of the situation. Ms. Myles said the issue was twofold. One aspect is that this is a Regional Official Plan Amendment to extend the water system as opposed to connections to the existing line, which runs directly in front of her client’s property; the line is there and connection is possible immediately upon the severance. The second issue would be, what is the Region’s and City of Gloucester’s definition of “first come, first served” in this instance. She said it could be viewed as inequitable to have those with a Local Improvement Act petition come before her client, when severance applications have already been made.

Councillor van den Ham questioned why Ms. Myles client did not hook up to the system when it was first brought in. Ms. Myles responded that the land is an unsevered parcel of 450 acres. There are severances pending, but her client cannot hook up to the system until the severances are granted. She confirmed the severance applications were made after the water system went in.

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Responding to further questions from Councillor van den Ham, Ms. Myles advised there is one residence on the property currently, which she believed was hooked up to the system.

Grant Lindsay, Director of Planning, City of Gloucester relayed the City's support for the staff recommendation. He said the City of Gloucester feels the Region is satisfying a concern along Farmers Way that needs to be addressed.

With respect to the request to extend the trickle feed system between the 8th and 9th Line, Mr. Lindsay stated it was his belief Gloucester Council would be supportive of that extension. However, he indicated the matter would have to be brought back to them to get confirmation on this. He advised at a meeting of Gloucester Council held on 6 June 2000, they did support ROPA 13 and recommended a moratorium with respect to any new infill severance development to be located on the Carlsbad trickle feed system until such time as the final engineering limits of the system have been determined.

Mr. Lindsay reminded Committee the original purpose of the trickle feed system was not to facilitate new growth and new development, it was in response to a health related issue, to provide safe drinking water to existing lots of record. This is the manner in which the City of Gloucester has approached this system and any new potential development on it.

Referencing the previous speakers comments with respect to her client's application for nine severances, Mr. Lindsay advised this issue was debated by the Gloucester Planning Committee and it was their and Council's opinion that once the capacity limit has been reached, any further development along the Carlsbad Springs trickle feed system would be held in abeyance until such time as there is additional capacity to allow for development. He said his staff will be proposing to the Committee of Adjustment that a certain number of the severances be allowed (e.g. three or four) and the rest would be held in abeyance and be dealt with at some future date.

Councillor Legendre asked Mr. Lindsay how he felt about the extension between 8th and 9th Line Roads. Mr. Lindsay advised he was hearing of this request for the first time that day. However, he said he would concur with Mr. Miller, that it is appropriate to have a looping system. He reiterated that he would need to obtain his Council's confirmation on this extension.

Councillor Beamish sought confirmation from staff that approval of extending the system, would not require Gloucester Council approval. Mr. Lindsay confirmed this.

George Nicholson, President, Top Generation Club advised the club has applied to receive water after many years of having a contaminated well. He said one of the reasons they did not

apply at the outset was because they are on 6<sup>th</sup> Line Road and it would have taken a special amendment. He said seniors are not normally aggressive enough to pursue something like that.

Mr. Nicholson advised that many years ago when he was Chairman of the Gloucester Recreation and Community Centres Board, a Motion was passed to put services into all recreation property within the City of Gloucester. He said the members of the Top Generation Club were not aware of this until he came on board and he looked into it and found this rule still existed, so an application was made to connect to the system.

The speaker noted the club only just received an address last year and is the only residence on that road. He said the Top Generation Club is used community-wide for family gatherings, horticultural societies, etc., but they are not everyday occurrences. He said the clubs needs are not really great (i.e. one connection), but to have healthy, good water is a necessity.

Responding to questions from Councillor Legendre, Mr. Phelan advised there is a Local Improvement petition that deals only with Farmers Way, and there is a private amendment application which deals with both Farmers Way and the very short extension of less than 90 metres from Baseline Road to 6th Line (the Top Generation Club). The cost for the extension on 6th Line would have to be borne by someone and it has been suggested it would be the City of Gloucester.

Councillor Legendre then had questions concerning the capacity of the system and whether or not there would be capacity for the additional three houses Farmers Way between 8th and 9th Line Roads. Leslie Paterson, A/Director Development Approvals Division, advised if the petition for 15 units is approved, as well as the Top Generation Club, there would be five connections remaining. If the additional three connections were approved, there would be two connections left for severances. Ms. Patterson noted these connections were in addition to the commitment to all existing lots of record, plus five connections have been set aside for farm retirement lots that may occur in the future.

Councillor van den Ham asked if the Region has done any monitoring to see if the amount of water being used is close to what was calculated. Andre Proulx, Director, Water Division, Environment and Transportation Department advised that ongoing monitoring is occurring. He said it is a very young system and staff want to continue to monitor it. If there is available capacity, it will certainly be made available. He pointed out as well there are many lots that are committed to the system but not yet connected.

Councillor van den Ham questioned what was restricting the system in terms of capacity. Mr. Proulx advised one matter was that of the piping configuration and the other was the pumping station that feeds the zone, which is primarily the biggest concern. He noted there is a long term

plan for south Gloucester that addresses extra capacity for that station but it is not planned for the immediate future (e.g. five years or more).

Mr. Miller advised the potential Leitrim development approved by Council, provides the potential to strengthen the system but hydraulic modeling has yet to be done to determine the effect. However, this is an option that can be further investigated.

Councillor van den Ham stated he was also concerned about another location close to this area, namely Lynwood Village which has experienced a lot of water problems in their communal system in the last couple of years. He said he believed Lynwood Trailer Park declined the option of hooking up to the system when it first came forward but the Region must now remedy the situation. He asked that staff do some work on capacity including further monitoring and advise if there is capacity in the system to connect the Lynwood Trailer Park in Osgoode.

Councillor Beamish asked that the Committee go In Camera to discuss issues of a legal nature

Moved by D. Beamish

**That Planning and Environment Committee move In Camera pursuant to Subsection 11(1)f) of the Procedure By-law, namely, “the receiving of advice that is subject to solicitor-client privilege, including communications necessary for that purpose”.**

CARRIED

Moved by W. Stewart

**That the Planning and Environment Committee move Out of Camera and resume in open session.**

CARRIED

Councillor Beamish indicated he had a number of motions for the Committee's consideration. He noted all of the presenters had valid concerns and he said he was very supportive of trying to service the lots of record and address the health concerns. He advised that Mr. Gauthier well samples clearly indicate the water is too polluted to bathe in and the situation is the same for his neighbours.

The Councillor advised his first motion asked that ROPA 13 be amended to include the extension of the water line along Farmers Way between 8th and 9th Line Roads. His second motion directed staff to report back to the Committee (before this item goes to Council) on some financing options and how this can be financed equitably and reasonably between the

property owners along Farmers Way. His third motion, to address the concerns of one of the larger land owners in the area (i.e. Fairlawn Sod), directed staff to do an analysis of the hydraulics of the system and report back (not with the same urgency as the first two motions) to Planning and Environment Committee and advise how much capacity is available in the system, if there is new capacity, and what will likely happen with the new City of Ottawa. He also questioned which Official Plan would take precedence, the Region's or the City of Gloucester's as he noted there is much more flexibility in the Region's Official Plan with respect to development along the Carlsbad Water system than there is in the City of Gloucester's Official Plan. The Gloucester Official Plan limits development to a specific number of units, whereas the Regional Official Plan refers to available capacity.

Councillor van den Ham stated he would support Councillor Beamish's motions. He said he hoped the future report with respect to hydraulics, capacity, etc. would also address the possibility of servicing the trailer park and what that would involve.

Chair Hunter referenced Councillor Beamish's motion regarding the extension of the water system the length of Farmers Way and sought confirmation that this would not necessarily mean the line will go in or that any or all properties will be allowed to connect to it. Mr. Marc responded there is a Local Improvement petition that needs to be taken into account and that is for the first 830 metres. He said Council must deal with that and he noted Councillor Beamish's second motion touches upon that. The section from the end of the 830 metres to 8th Line Road, the amendment would permit the installation of the watermain but it does not require it nor mandate it; it is simply a permission.

Chair Hunter asked what would make it happen. Mr. Marc advised that one way would be a decision by the Region to proceed with it and the Region might at the same time, address how this would be financed. The other means of making it happen would be a Local Improvement petition by the landowners between the 830 metres and 8th Line Road. He suggested these people should await the recommendations of the staff report before they undertake a Local Improvement petition.

The Committee then considered the motions put forward by Councillor Beamish.

Moved by D. Beamish

**That Official Plan Amendment 13 include the extension of the Regional Water mains in the Greater Carlsbad Springs area to include the entire length of Farmers Way between 8th Line Road and 9th Line Road**

CARRIED

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Responding to questions posed by Chair Hunter, Mr. Marc indicated staff were prepared to have a report with respect to Councillor Beamish's second motion, on the next Committee agenda (i.e. 11 July) and the item could then be waived to Council on 12 July 2000 to be considered at the same time as ROPA 13.

Moved by D. Beamish

**That staff be directed to prepare a report on possible equitable financing scenarios for funding the water main between 8th Line Road and 9th Line Road.**

CARRIED

At Chair Hunter's request, Mr. Miller advised it was staff's understanding the next motion also addressed the concerns raised by Councillor van den Ham, with respect to the potential of extension of the system to the Lynwood Trailer Park.

Chair Hunter cautioned the last thing the Region wants to do or will do is to overextend the system so that it works for no one. He said he would support Councillor Beamish's next motion but with some hesitation, as he felt it was delaying a decision where it may be necessary to say "no". He pointed out people have paid into the system, and if it fails, it would be the Region's fault and not theirs.

Councillor van den Ham indicated he agreed with the Chair but explained he was asking that more monitoring be done to examine if there is capacity. He said he was fully prepared to say "no", if the capacity does not exist. He said the motion is simply asking for information and, if there is a possibility of providing some additional service without any risk to the current users, the Region should look at it.

Moved by D. Beamish

**That staff be directed to: do an analysis of the Carlsbad Springs water system to identify the positive and negative impacts of extending a water main along Farmers Way between 8th Line Road and 9th Line Road; and discuss options for future development along the water system.**

CARRIED

The Committee then considered the report as amended.

1. That, having held a public meeting, the Planning and Environment Committee recommend that Council enact a by-law to adopt Regional Official Plan Amendment 13 to the 1997 Regional Official Plan, attached as Annex A to this report, as amended by the following:
  - a) That ROPA 13 include the extension of the Regional Water mains in the Greater Carlsbad Springs area to include the entire length of Farmers Way between 8<sup>th</sup> Line Road and 9<sup>th</sup> Line Road;
2. That staff be directed to prepare a report on possible equitable financing scenarios for funding the water main between 8<sup>th</sup> Line Road and 9<sup>th</sup> Line Road; and
3. That staff be directed to: do an analysis of the Carlsbad Springs water system to identify the positive and negative impacts of extending a water main along Farmers Way between 8<sup>th</sup> Line Road and 9<sup>th</sup> Line Road; and discuss options for future development along the water system.

CARRIED as amended

4. APPEAL TO THE ONTARIO MUNICIPAL BOARD  
DECISION BY RURAL ALLIANCE SEVERANCE  
COMMITTEE RA-53/2000 - (STEPHENSON)
  - Planning & Development Approvals Commissioner's report  
dated 09 June 2000

Chair Hunter indicated that Councillor Hill had put forward a motion to withdraw the staff appeal to this severance.

Jeff Ostafichuk, Planner, Planning and Development Approvals Department provided an overview of staff report

Don Stephenson, the owner of the subject property, advised he and his wife purchased the property in 1997. It is approximately 7.61 acres covered with mature trees that were planted in the early 1970's by the previous owner. He said he and his wife plan to build a home on the

property in the future but feel that a severance would make the lot size more in keeping with the adjacent properties.

Mr. Stephenson advised the subject property is in a built-up node of development. It is immediately adjacent to the Township Works Garage and there are two residences immediately to the east. As well, there are five properties directly across the road and behind the property there is 120 lot subdivision. The village boundary ends between the subject property and Township Works Garage. Mr. Stephenson pointed out the village boundary is not completely clear, however, on most of the maps (including the Regional Official Plan) his property is shown as being part of the village. The land is currently zoned A2 which means that a single family dwelling is a permitted use. Mr. Stephenson advised he had spoken to many local farmers and none are interested in purchasing it or using it for agriculture because there are some 5,000 mature trees on the property and it is a poor quality soil.

The speaker referenced a memo from Mr. Humphries, the Rideau Township Planner, who has no objection to the application other than the typical rezoning and in general he concludes that he deems the property to be within the Village of North Gower, therefore not offending the Rideau Township Official Plan. He said as well, the Regional Official Plan, Section 3.7.3 states the village boundaries on Schedule A are general in nature and local municipalities shall define precise village boundaries in local official plans. He indicated he had a copy of Mr. Humphries memo which basically says he has done that.

Mr. Stephenson said, coming from a farming background, he fully supports and encourages the rules which prevent the expansion of residential into active farming areas. However, this is a pocket of land that is within a residential node and therefore there really is no such encroachment. He noted his application for severance was supported by everyone who participated (i.e. the Rideau Valley Conservation Authority, neighbours, Rideau Township and the severance committee), save and except the Region. He pointed out the staff report quotes Section 7 of the ROP, which says the Region must ensure that uses that would result in conflicts with agricultural operations are not established in productive farming areas. He offered his opinion that this land is not a productive farming area and never will be. To suggest that it should be is in fact forcing conflict in the reverse because there are existing residences in close proximity who would prefer to have estate lot residential as opposed to cattle and pesticides and those sorts of things.

In concluding his remarks, Mr. Stephenson quoted from the memo from Mr. Humphries, which he referenced earlier, in which Mr. Humphries said "I would further suggest that not only is residential development permitted, it is a more appropriate land use than agricultural." In conclusion, Mr. Stephenson requested that the Committee instruct staff to withdraw the appeal to the Ontario Municipal Board.

Responding to questions from Chair Hunter, Mr. Stephenson stated the Regional policy with respect to infill refers to two residential properties and is silent on the farm related uses. The frontage is slightly over the 100 metres and that is why staff could not view it in that light (i.e. as infill).

Councillor Hill urged the Committee to support her motion directing staff to withdraw their appeal.

Councillor van den Ham stated he would support Councillor Hill's motion. He said he felt staff were right in bringing this item forward because they had no choice according to the rules that Council has put in the Regional Official Plan. He said a problem exists with the Regional Official Plan with respect to how special, individual parcels such as this are treated. He said he felt the best use of the land would be to have it as part of the community and the severance therefore made sense to him.

Mr. Stephenson said he did recognize that staff were forced to bring this severance forward and he expressed appreciation for the support given to him by the three people in the Planning and Development Approvals Department that he spoke to. He said the LEAR mapping the Region began using in the last Official Plan was a good start to addressing the problem with these smaller parcels.

Moved by B. Hill

**That the Planning and Environment Committee recommend that Council instruct staff to withdraw the appeal to the Ontario Municipal Board on severance RA-53/2000 (Stephenson).**

CARRIED as amended

- 5      **WILDLIFE PROTECTION DURING CONSTRUCTION**  
- Planning & Development Approvals Commissioner's report  
      dated 08 June 2000

Councillor Legendre referred to the request the Committee had received from Councillor Munter, that this item be deferred to the next meeting of the Planning and Environment

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Committee. The Councillor indicated he would be moving deferral of this item on Councillor Munter's behalf.

Moved by J. Legendre

**That this item be deferred to the Planning and Environment Committee meeting of 11 July 2000.**

CARRIED

INFORMATION PREVIOUSLY DISTRIBUTED

1. Inquiry - Planning and Environment Committee - 28 March 2000  
(PEC No. 17-00 - Green Map for Canada's Capital)  
- Planning and Development Approvals Commissioner's memorandum dated 09 June 2000

ADJOURNMENT

The meeting adjourned at 6:05 p.m.

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COMMITTEE COORDINATOR

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COMMITTEE CHAIR