

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

COMMITTEE RECOMMENDATIONS AS AMENDED

That Council approve:

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

DOCUMENTATION

1. Planning and Environment Committee Co-ordinator’s report dated 12 Oct 99 is immediately attached.
2. Planning and Development Approvals Commissioner’s report dated 25 Aug 99 follows the Committee Co-ordinator’s report.
3. An Extract of Draft Minute, 26 Oct 99, follows the reports and includes a record of the vote.
4. Submission from Paul Webber, Bell Baker, dated 13 Sept 99 and Planning Report prepared by Delcan Corporation issued previously to all members of Council and held on file with the Regional Clerk.

REGION OF OTTAWA-CARLETON
RÉGION D'OTTAWA-CARLETON

REPORT
RAPPORT

Our File/N/Réf. Your File/V/Réf.	03 07-99-0119
DATE	12 October 1999
TO/DEST.	Chair and Members Planning and Environment Committee
FROM/EXP.	Co-ordinator Planning and Environment Committee
SUBJECT/OBJET	APPLICATION FOR PLAN OF SUBDIVISION - HISTORIC ELMWOOD COUNTRY LOT SUBDIVISION TOWNSHIP OF WEST CARLETON

DEPARTMENTAL RECOMMENDATION

That the Planning and Environment Committee recommend that Council approve draft plan of subdivision 06T-98025 and that the Regional Clerk issue the 'Notice of Decision' attached as Annex B.

BACKGROUND

The attached report, relative to the above, from the Planning and Development Approvals Commissioner dated 25 Aug 99 was presented to Planning and Environment Committee at its meeting of 14 September 1999. Pursuant to requests from Mr. Vern Rampton, the proponent of the subdivision and Mr. Paul Webber, Solicitor, representing a group of ratepayers opposed to the subdivision, Committee agreed to defer this item for 30 days, to allow the two sides to negotiate an agreement.

The parties were unable to reach an agreement and therefore, the matter is now back before Planning and Environment Committee for their consideration.

*Approved by
Dawn Whelan*

Attach. (1)

REGION OF OTTAWA-CARLETON
RÉGION D'OTTAWA-CARLETON

REPORT
RAPPORT

Our File/N/Réf. Your File/V/Réf.	15-98SD02
DATE	25 August 1999
TO/DEST.	Co-ordinator, Planning and Environment Committee
FROM/EXP.	Planning and Development Approvals Commissioner
SUBJECT/OBJET	APPLICATION FOR PLAN OF SUBDIVISION- HISTORIC ELMWOOD COUNTRY LOT SUBDIVISION TOWNSHIP OF WEST CARLETON

DEPARTMENTAL RECOMMENDATION

That the Planning and Environment Committee recommend that Council approve draft plan of subdivision 06T-98025 and that the Regional Clerk issue the 'Notice of Decision' attached as Annex B.

INTRODUCTION

The Regional delegation by-law requires that all disputed subdivision applications be brought before the Planning and Environment Committee for consideration. A disputed subdivision application requires 'Approval' or 'Refusal' by Regional Council. Mr. Derek Smith and Mr. Roger Harris, on behalf of some residents living adjacent to the proposed subdivision are disputing its approval. They have raised concerns with the proposed plan and have demanded that this subdivision proposal be referred to the Ontario Municipal Board (OMB). The issues/concerns raised by Mr. Smith and Harris are discussed in the report are attached as Annex A. Regional staff are recommending that the proposed subdivision receive draft plan approval, and conditions for draft approval are attached as Annex C. Mr. Smith and Mr. Harris will then be able to appeal this decision to the OMB, if they see fit.

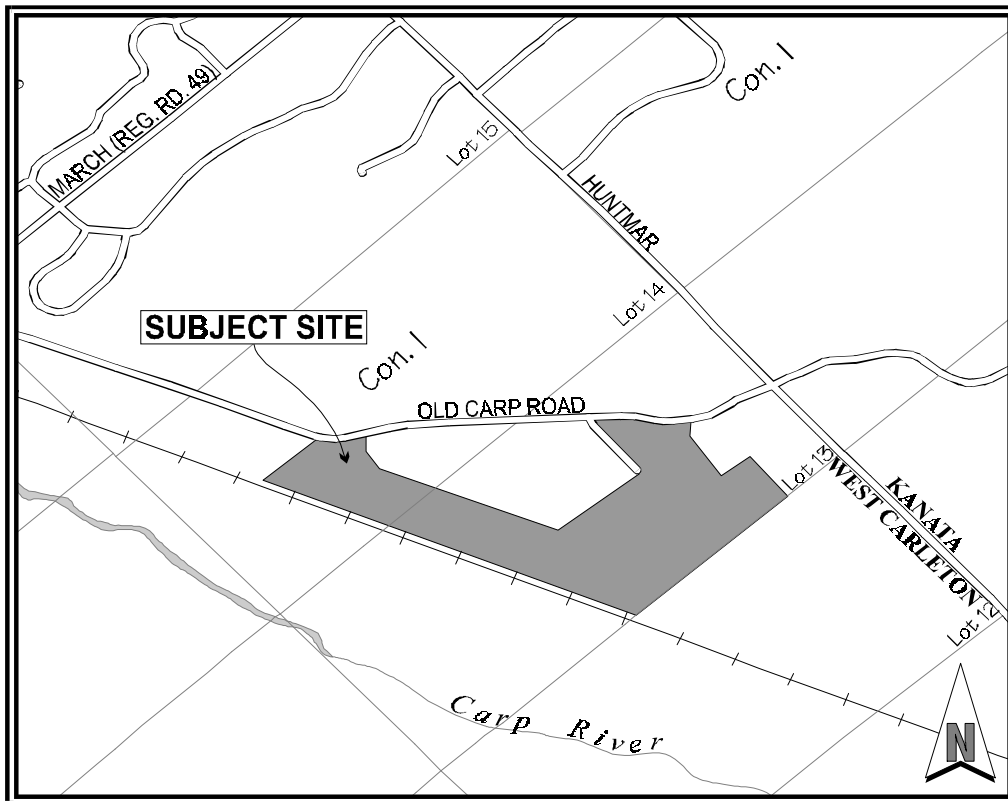
BACKGROUND

Application for approval of Subdivision (Draft Plan) 06T-98025 was submitted by TAMS (Terrain Analysis and Mapping Services) on 9 February 1999. The joint public hearing for the subdivision as required by the Planning Act was held at the Township of West Carleton Municipal Hall on 2 April 1999 and the subdivision was recommended for approval by West Carleton Council on 25 May 1999.

The Planning Act requires that a decision be provided by the approval authority within 90 days of application or the applicant may appeal. More than 90 days have passed since the application was

submitted. The delay is due to the additional time required by the applicant to complete additional studies to support the application and address issues that were identified at the public meeting for the subdivision.

The subject property is 35 ha in area. It is located on Part Lots 13 and 14 Concession I West Carleton (Huntley Ward) and bordered by the Old Carp Road and the old CNR Rail Line to Arnprior that is now owned by the Region.



The property is designated “General Rural Area” in the Regional Official Plan and “Marginal” in the West Carleton Official Plan.

Subdivision Plan

The proposed plan of subdivision creates 25 lots in phase 1 and 8 lots in phase 2 for a total of 33 country lots. The lots range in size from 0.81 ha to 2.75 ha. Vehicular access to the subdivision is off the Old Carp Road and Gourlay Lane (which connects to the Old Carp Road).

ISSUES

Mr. Smith and Harris have raised a number of issues/concerns with the proposed plan of subdivision and feel that the proposed subdivision plan is seriously flawed and must be reworked before it can be approved in any form. The issues/concerns raised are as follows:

1. Road Access to the Old Carp Road

The unsafe nature of the road exit/access for the Old Carp Road into phase 2. Consideration must be given to an alternative road exit to Huntmar Road through lands actually owned and controlled by the proponent for phase 1.

Staff Comment

The original plan that was submitted has been revised in consultation with the West Carleton Public Works Department. The access to the Old Carp Road has been relocated to address concerns regarding safety. Draft Condition 10 requires that the safety issues be addressed prior to final registration. Draft Condition 10 states that the developer shall satisfy the Township of West Carleton with respect to the safety, design, and location of accesses and traffic patterns of the development. However, at this time staff of West Carleton are satisfied that the relocated access does provide a safe location.

2. Elevation and Slope of the Access Road in Phase 2

The elevation, slope and road design required to construct a road across a sloped field in Phase 2 and the esthetics and drainage of the raised roadbed across Phase 2 lands.

Staff Comment

The applicant has submitted a preliminary elevation for the access road in Phase 2 which indicates that the road can be designed to conform to Transportation Association of Canada (TAC) standards. Draft Condition 10 requires that final design of the of the access roads be approved by West Carleton prior to registration. The design of the road is required to conform to TAC standards.

3. Natural Amenities

The lack of a natural suitability of the Cox Field (Phase 2 lands) for country estate development as noted by the Township Planning Department and both the Regional and Township Plans, sections 6(10)(a)(viii) and section 3.7.4.5 respectively. The plan ignores the plan's requirement that "the natural amenities" (of a estate lot subdivision) must be contained on at least 75% of the lands to be subdivided.

Staff Comment

The West Carleton Official Plan (section 6(10)(a)(viii)) states that in order to maintain the rural character of the landscape, the development should be located in areas having natural amenities such as varied topography, mature tree cover or scenic views and should blend into the rural environment so that the rural environment is left relatively undisturbed. For subdivisions, natural amenities must be contained on at least 75% of the lands to be subdivided and for those parts of such lands which do not possess such amenities, tree planting in conjunction with increased lot sizes will be required. The Regional Official Plan requires country lots to be on attractive sites and to ensure that housing on most of the site will not be visually dominant by: a) following the

policies for of Section 5.2.1 for tree conservation and planting; b) developing a site with sufficient mature tree cover or topographic variety; or c) for other sites, developing a plan to plant trees.

More than 75% of the total land area to be subdivided (phases 1 and 2) contains tree cover. The applicant has submitted a tree preservation and planting plan prepared by a professional forester, which was reviewed and approved by Regional staff. Tree planting will be required for lots that do not contain sufficient tree cover. Draft Conditions 13 and 14 require the owner to implement the Tree Conservation and Planting Plan that was submitted in support of the application. Based on the above, the plan of subdivision meets the requirements of both the local and Regional Official Plans.

4. Conformity with the West Carleton Official Plan.

The lack of conformity with the West Carleton Official Plan.

Staff Comment

See staff comment above regarding natural amenities.

5. The Joining of Two Properties

The attempt to join two properties from unrelated landowners to form Phase 1 and 2 of a single development when it is clear that the Phase 2 is completely dependent on Phase 1 as a bootstrap development.

Staff Comment

Phase 1 of the subdivision is owned by Mr. V. Rampton and Phase 2 is owned by Mr. B. Cox. The application submitted for approval is for one subdivision to be developed in two phases on behalf of both owners. The ownership of the parcels is not a consideration in assessing the appropriateness of the plan of subdivision. As stated above the subdivision meets the requirements of the Local and Regional Official Plans.

6. Poor Drainage Conditions

Poor drainage conditions which exist on at least 6 proposed lots which are located in a groundwater discharge area on the southeastern part of the proposal and which the proponent's own consultant describes as presenting poor building conditions.

Staff Comment

The owner has submitted a study to define the limit of the poorly drained area. Draft Condition 20 requires that the septic system and building envelope be located outside of the poorly drained area as defined by Gorrel Resource Investigations. In addition, Draft Condition 22 requires that, prior to registration, the owner undertake a more detailed study of the water table for the subdivision to supplement the Hydrological and Terrain Analysis Report. The report will provide further guidance as to the location and design of sewage systems and house foundations

throughout the subdivision but specifically for lots 12-17 in Phase 1 and Lots 1-5 in Phase 2. The recommendations of the study shall be included in the subdivision agreement with West Carleton. But, the study will not result in any changes to lot sizes or the design of the subdivision.

7. The Groundwater Quality

The poor natural groundwater quality.

Staff Comment

The Rideau Valley Conservation Authority, commented in their review of the hydrological analysis, that the although most of the recommended limits and targets of the Ontario Drinking Water Objective (ODWO) have been met, iron, hardness and total dissolved solids have exceeded the ODWO. However these exceedances are within treatable limits. Draft condition 25 requires the owner to include statements in the subdivision agreement advising mitigation measures for sodium, fluoride, hardness and iron. This is a common condition in rural subdivisions in Ottawa-Carleton.

8. Plan Design

The poor and unprofessional quality of the proposed plan, which does not adequately consider road pattern alternatives and does not plan lots with the terrain constraints present on the property.

Staff Comment

The original plan that was submitted plan has been revised to address safety issues (see points 1 & 2 above). The septic system and building envelope for all lots will be located outside of the poorly drained area (see draft condition 20).

9. Density

The high overall density of the subdivision.

Staff Comment

The lot sizes exceed the minimum requirements of the Regional and local Official Plans. The minimum lot size for country lots in both the West Carleton and Regional Official Plan is 0.8 ha. The lots in the subdivision range in size from 0.81 ha to 2.75 ha. The average lot size is 0.94 ha.

10. Traffic Studies

The need for traffic studies to determine the safety and potential impacts on the Old Carp Road.

Staff Comment

Draft condition 10 requires the owner, prior to registration, to conduct studies to address the safety issues and potential impacts on the Old Carp Road to the satisfaction of the Township of West Carleton. The owner has submitted preliminary work to the Township which indicates that the safety concerns can be adequately addressed.

CONCLUSION

It is Regional staff's opinion that all of the technical matters have been adequately addressed through the plan of subdivision studies and proposed conditions and that Council should approve the subdivision.

CONSULTATION

The Township of West Carleton held a public meeting as required under the Planning Act for this Plan of Subdivision. All those who requested to be kept informed have been notified of this meeting.

FINANCIAL IMPLICATIONS

Staff may be required to attend an Ontario Municipal Board Hearing if the application is appealed.

*Approved by
N. Tunnacliffe, MCIP, RPP*



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August 19, 1999

Mr. Myles Mahon MCIP
Regional Planner
Development Approvals Division
Regional Municipality of Ottawa Carleton
111 Lisgar Street, Ottawa, Ontario
K2P 2L7

**Re: Proposed Rampton/Cox Subdivision
Huntley Ward, West Carleton Township**

Dear Sir:

On July 19, 1999 Mr. Roger Harris and I met with you in your office to discuss our concerns about the Country Estate lot subdivision which is being proposed by Mr. William Cox and Mr. Vernon Rampton in Lot 13, Concession 1 of Huntley Ward, West Carleton Township. As you know, Mr. Harris is a lawyer who specializes in Ontario Municipal Board work and I have 30 years experience as a professional hydrogeologist working with subdivision applications.

At our meeting we presented a series of issues for your consideration, in writing, on behalf of the citizens who live adjacent to the proposed subdivision. Some of our concerns (which were explained to you in detail in writing) included:

- The unsafe nature of the road exit/access for the Old Carp Road into the Cox Property. Consideration must be given to an alternate road exit to Huntmar Road through lands actually owned and controlled by the proponent for Phase I.
- The elevation, slope and road design required to construct a road across the sloped field owned by Mr. Cox and the esthetics and drainage of the raised roadbed across Phase 2 lands.
- The lack of natural suitability of the Cox field for country estate lot development as noted by the Township Planning Department and both the Township and Regional Official Plans, section 6(10)(a)(viii) and 3.7.4.5 respectively are not even mentioned in the Region's response. You have ignored entirely that the Township's Plan requirements that "the natural amenities (of an estate lot subdivision) **must** be contained on at least 75% of the lands to be subdivided.
- The lack of conformity of the proposal with the West Carleton official plan.
- The attempt to join two properties from unrelated landowners to form Phase 1 and 2 of a single development when it is clear that the Phase 2 is completely dependent on Phase 1 as a bootstrap development.



- Poor drainage conditions which exist on at least 6 proposed lots which are located in a groundwater discharge area on the southeastern part of the proposal and which the proponent's own consultant describes as presenting poor building conditions.
- The poor natural groundwater quality throughout the area.
- The poor and unprofessional quality of the proposed plan, which does not adequately consider road pattern alternatives and does not plan lots with the terrain constraints present on the property.
- The high overall density of the subdivision.
- The need for traffic studies to determine the safety and potential impacts along the Carp Road.

We have received your comments dated August 11, 1999. They do **not** give any serious consideration to the issues we discussed, even though our concerns are serious and factual and are based on decades of professional experience. Frankly, we are disappointed in your approach and the quality of your work.

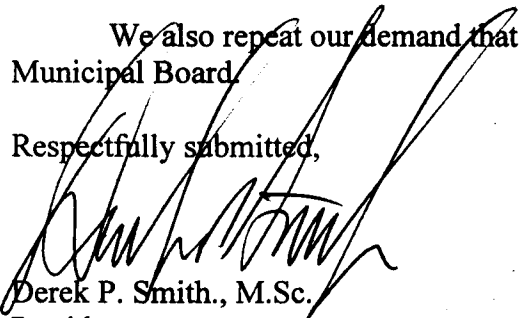
We have a few new observations for your consideration;

- 1) Some hydrogeological work is being conducted this summer by Gorrell Resources to determine the water table levels in the poorly drained area of the proposed subdivision. This work is ongoing at the present time and has not been completed as you mention in your letter. Please note that this is the month of August during a year of severe drought. Springs and wells have gone dry along higher elevation of the Carp Ridge during the last months. Any measurements taken at this time are meaningless from a hydrogeological standpoint. This work must be completed between March and May and September and November of a normal year before the suitability of developing these lots can be ascertained. We have advised Gorrell Resources that we are carrying out our own hydrogeological investigations as a professional courtesy.
- 2) The relocation of the access to the Cox property along the Old Carp Road does in no way alleviate the safety concerns at this intersection or the problems with the road design across the Cox field. This is not a trivial matter which will be remediated by installing several stop signs. We are in the process of engaging an expert in transportation engineering to address these concerns and will present this information to you when the work is completed.
- 3) The issue of the unrelated ownership of Phase 1 and Phase 2 of the property, the unsuitable nature of the Cox property for country estate lot development, the phasing of the proposals and the lack of conformity of this proposal with the official plan has not been addressed in your letter. These are fundamental planning issues which require answers and it is very likely that this property should not be included in the proposed subdivision.
- 4) In addition, the other issues mentioned above (road pattern and safety, water quality, subdivision density, alternate road exits, etc. etc.) are not addressed in your letter.

As we have stated many times before, we are not a NIMBY group. This subdivision plan is seriously flawed, and must be reworked before it can be approved in any form. Our concerns are real and deserve serious attention. Your letter is very incomplete and should be withdrawn, rethought and rewritten. This proposal is not ready for presentation at the August 24 and September 14 meetings.

We also repeat our demand that this subdivision proposal be referred to the Ontario Municipal Board.

Respectfully submitted,



Derek P. Smith., M.Sc.
President

Ref: Aug18-99Mahon.doc/ds61

ANNEX B
(to be completed after Council decision)

Applicable Planning Act: **Bill 20**

Date: 11 November, 1999
Regional File: 15-98-SD25
Contact: Myles Mahon

See Distribution List

Dear Sir/Madam

**Re: Notice Under Section 51(37) of the Planning Act
Historic Elmwood Subdivision
Draft Plan of Subdivision 06T-98025
Part Lots 13 and 14 Concession I (Huntley Ward)
Township of West Carleton**

In accordance with Section 51(37) of the Planning Act, you are hereby notified that Regional Council has decided to approve Draft Plan of Subdivision 06T-98025 subject to the attached conditions.

INFORMATION

Information on Draft Plan of Subdivision 06T-98025 can be obtained from the Regional Planning and Development Approvals Dept. at the above-noted address (attention: Myles Mahon, 560-6058, ext.1592) or the Township of West Carleton, 5670 Carp Road, Kinburn, (attention: Timothy Chadder, 832-5644, ext. 225).

NOTICE OF APPEAL

Pursuant to Section 51(39) of the Planning Act, any person or public body may, not later than 4:30 p.m. on 30 November, appeal the decision by filing a notice of appeal on Draft Plan of Subdivision 06T-98025 with the Regional Planning and Development Approvals Dept. Such appeal must identify, in writing, the reasons for the appeal and be accompanied by a certified cheque in the amount of \$125.00 to cover the Ontario Municipal Board's prescribed fee.

If no notice of appeal is received before or on 30 November 1999, the decision of the Regional Council is final and Draft Plan of Subdivision 06T-98025 will be approved on the 1 December 1999.

Please note that the applicant or any public body may, at any time before the approval of the final plan of subdivision, appeal any of the conditions imposed by the Region to the Ontario Municipal Board by filing with the Region a notice of appeal.

Only individuals, corporations or public bodies may appeal a decision of the Region to the Ontario Municipal Board. A notice of appeal may not be made by an unincorporated association or

group. However, a notice of appeal may be made in the name of an individual who is a member of the association or group on its behalf.

NOTICE OF CHANGED CONDITIONS

Individuals, corporations or public bodies are entitled to receive notice of any changes to the draft plan of subdivision approval conditions if a written request has been made to be notified of such changes.

Dated 11 November 1999.

Sincerely,

Mary Jo Woolam
Regional Clerk

Attach.

c.c.: Timothy Chadder, Township of West Carleton
Vern Rampton, TAMS
Bill Cox
Derek Smith
Roger Harris
Kathleen Nunn
David Bullock
Denton Byers
Bill Hall
Jennifer Gorrell
Linda Thompson
Lorne Montgomery
Stewart Arnott
Margaret Clement
Norman Hallendy
Marilyn Critoph
Mark Critoph
Bruce Sample
Cathy Whitty
Heather Adeney
Gerry Augusta
Pat & Ian Moxham
Brenda Turner
John Caldwell
Rolf Kluchert

Evelyn Dore
Shannon Rampton
Lance Nickel
Jordan Anka
Roaslind Harris
Gordon Armstrong
Brent & Leisa Young

COND/SUB-7

Regional File: 15-98-SD25
Provincial File: 06T-98025
West Carleton File: 99-11

REGIONAL CONDITIONS FOR FINAL APPROVAL
VJ LAND LTD. PHASE I AND WILLIM/WENDY COX, PHASE II
HISTORIC ELMWOOD

DRAFT APPROVED DD/MM/YYYY

The RMOC's conditions applying to the approval of the final plan for registration of VJ Land Ltd., Phase I and William/ Wendy Phase II Subdivision (06T-98025) are as follows:

**Agency to
Clear**

General

1. This approval applies to the draft plan certified by, OLS, dated 29 January 1999, showing 25 lots in Phase I and 8 lots in Phase II for a total of 33 residential lots.
2. The owner agrees, by entering into subdivision agreements, to satisfy all requirements, financial and otherwise, of the local municipality and the Region of Ottawa-Carleton, including but not limited to, the phasing of the plan for registration, the provision of roads, installation of services and utilities, and drainage. **W. Carleton
RMOC
(PDAD)**
3. The approval of the subdivision is on the basis of the approved number of lots and the creation of additional lots is not in keeping with the nature of the development. Any splitting of these lots if permitted by the zoning by-law will, among other considerations, depend on the hydrogeology study and terrain analysis and any addendums thereto, prepared for the subdivision, being reviewed by a qualified hydrogeologist to advise whether such splitting should be permitted and under what conditions. **W. Carleton
RMOC
(PDAD)**
4. Prior to any further division of lots or blocks, the RMOC or the Township of West Carleton may require an additional agreement to address any new or amended conditions. **W. Carleton
RMOC
(PDAD)**

5. The development of this subdivision shall be phased. Each phase is to contain not more than 40 lots. Prior to the registration of each phase subsequent to the first phase:
- W. Carleton
RMOC
(PDAD)**
- a) the owner shall demonstrate to the Township of West Carleton and the Region that the operation of wells and private sewage disposal systems in the previous phase of the development is satisfactory;
 - b) sufficient tree planting has been undertaken in Phase II to achieve conformity with Section 6(10)(a)(viii) of the West Carleton Official Plan and section 3.7.4.5 of the Regional Official Plan,
 - c) sufficient securities shall be deposited to the municipality to ensure completion of the works proposed for Phase II.

Prior to the registration of each phase, lots in that phase or any subsequent phase will not be offered for sale nor will the owner apply for building permits.

Zoning

6. Prior to registration of the plan of subdivision, the Region shall be advised by the Township of West Carleton that the proposed plan of subdivision conforms with a zoning by-law approved under the requirements of the Planning Act with all possibility of appeal to the OMB exhausted.
- RMOC
(PDAD)**

Roads

7. All streets shall be named to the satisfaction of the local municipality and the Regional Planning and Development Approvals Department.
- W. Carleton
RMOC
(PDAD)**
8. Prior to final approval of this plan, appropriate blocks for road purposes shall be shown on the plan as well as those lands required for temporary turning circles between phases. The subdivision agreement with the Township of West Carleton shall indicate that these lands will be transferred back to the lots at such time as the road is extended to develop additional phases. This shall be to the satisfaction of the Township of West Carleton.
- W. Carleton**
9. Prior to final approval of this plan, required 0.3 m reserves and sight triangles shall be shown on the plan.
- W. Carleton**

10. The developer shall satisfy the Township of West Carleton with respect to the safety, design, and location of accesses and traffic patterns for the development. The study should address, in addition to the issues noted above the double blind curve on the Old Carp Road, the design of the subdivision road for conformity to RTAC standards and the use of traffic-calming measures such as three-ways stops at intersections in the development of the street pattern. Studies by an independent engineer may be required at the developer's cost to demonstrate that these matters are properly addressed.
- W. Carleton**

Sidewalks, Walkways, and Fencing

11. The final plan submitted for registration shall include a block, 10 metres in width between Street Number 1 and the Region's rail line, to provide for non-motorized public access to these lands. This block shall be conveyed at no cost to the Township of West Carleton.
- W. Carleton**

Land/Streetscaping

12. The Local Architectural Conservation Advisory Committee (LACAC) shall review the historical value of the stone walls of the Gourlay Estate to determine whether or not it feels that designation under the Heritage Act is warranted.
- W. Carleton**
13. The owner agrees to implement through the subdivision agreement the recommendations of Inspection Report and Management Recommendations for Tree Conservation and Planting dated January 1999 by William W. Hall, R. P. F., Opeongo Forestry Service, Renfrew, Ontario and any amendments thereto, including implementation of an Owner Awareness Program.
- W. Carleton
RMOC
(PDAD)**
14. The owner shall ensure that vegetation identified for retention in the Tree Conservation and Planting dated January, 1999 by William W. Hall, R. P. F., Opeongo Forestry Service, Renfrew, Ontario is protected from construction activities, including pre-servicing and road construction by:
- a) confining equipment to working areas so as not to disrupt any treed roots unnecessarily
 - b) preventing stockpiling and storing of equipment, excavated material, and topsoil in and around retention areas
 - c) providing for appropriate snow fencing or protective barriers as needed to protect treed areas targeted for retention that are in close proximity (driplines within 5 m) to working areas.
- W. Carleton
RMOC
(PDAD)**

Parks

15. Cash-in-lieu of the 5% parkland conveyance shall be provided to the satisfaction of the Township of West Carleton pursuant to the provisions of The Planning Act. The amount accepted as cash-in-lieu shall be based on the market value of the land immediately prior to draft approval of the plan, pursuant to The Planning Act. **W. Carleton**

Stormwater Management

16. Prior to the commencement of construction of any phase of this subdivision (roads, utilities, any off site work, etc.) the owner shall: **W. Carleton
RMOC
PDAD)
MVC**
- a) have an Erosion and Sediment Control Plan prepared by a professional engineer in accordance with Current Best Management Practices;
 - b) have such a plan approved by the Region; and
 - c) provide certification to the Region through a professional engineer that the plan has been implemented.
17. Prior to registration or prior to an application for a Certificate of Approval for any stormwater works (whichever comes first), the owner shall prepare a Stormwater Site Management Plan in accordance with the approved Conceptual Stormwater Management Report prepared by McIntosh Hill Engineering Services Ltd. (January 1999). The Stormwater Site Management Plan shall identify the sequence for its implementation in relation to the construction of the subdivision and shall be to the satisfaction of the Township of West Carleton, the Region and Mississippi Valley Conservation. **W. Carleton
RMOC
(PDAD)
MVC**
18. On completion of all stormwater works, the owner shall provide certification to the Region through a professional engineer that all measures have been implemented in conformity with the approved Stormwater Site Management Plan. **W. Carleton
RMOC
(PDAD)
MVC**

Rural Services

19. All well construction, including test wells, shall be in accordance with the recommendations of the approved Hydrogeological and Terrain Analysis Report prepared by Gorrel Resources Investigations (January 1999). The owner shall provide certification in this regard by a Professional Engineer prior to the issuance of a building permit. Such a requirement shall be included in all offers of purchase and sale and in the subdivision agreements. **W. Carleton
RMOC
(PDAD)**

20. The septic system and building envelop will be located outside of Zones 1, 2 and 3 of the Detailed Mapping of Poorly - Drained Area June 24, 1999 as per the letter by Gorrel Resources Investigations re Additional Investigation of Poorly-Drained Area Historic Elmwood Subdivision (dated July 20 1999). The lots area of each lot shall be a minimum of 0.8 ha outside of Zone 1 - Marsh. **W. Carleton
RMOC
(PDAD)**
21. Prior to registration the owner shall provide a study to assess the impact of the residential development on wildlife habitat and corridors and recommend mitigation measures for the area in Zones 1, 2 and 3 of the Detailed Mapping of Poorly - Drained Area June 24, 1999 as per the letter by Gorrel Resources Investigations re Additional Investigation of Poorly-Drained Area Historic Elmwood Subdivision (dated July 20 1999). The mitigation measures shall be included in the subdivision agreement with West Carleton. **W. Carleton**
22. Prior to registration, the owner shall undertake a more detailed study of the water table for the subdivision to supplement the Hydrological and Terrain Analysis Report prepared by Gorrel Resource Investigations (January 1999) and addendums. This report will provide further guidance as to lot development including the location and design of sewage systems and house foundations throughout the subdivision, but specifically for lots 12 - 17, phase I and lots 1-5 Phase II. The recommendations of this study shall be included in the subdivision agreement with West Carleton. **W. Carleton**
23. All sewage systems will be designed in accordance with Ontario Building Code and shall be in accordance with the recommendations of the Hydrological and Terrain Analysis Report prepared by Gorrel Resource Investigations (January 1999) and addendums, including recommendations regarding raised tile beds. **W. Carleton**
24. Prior to the issuance of a building permit and before installing the tile beds the owner shall provide a detailed plan and design for the septic system including any percolation tests, mounding calculations, all to the satisfaction of the Township of West Carleton. Such requirements shall be included in all offers of purchase and sale and in subdivision agreements. **W. Carleton**

25. The owner shall include statements in the subdivision agreement and in all Offer of Purchase and Sale Agreements with prospective lot purchasers in wording acceptable to the Region and the Township of West Carleton, advising:
- a) “that the sodium levels in well water may exceed 20 mg/l. The Regional Medical Officer of Health recommends that persons with cardiac problems (hypertension, etc.) discuss this matter with their family physician”,
- b) “that the well water should be tested for fluoride. If a concentration exceeds the Ontario Drinking Water Objective of 1.5 mg/L, users should discuss this matter with their family physician and take appropriate action. Treatment for fluoride removal include reverse osmosis and distillation. The Regional Health Department recommends that fluoride levels be reduced as much as possible to no more 0.6 mg/L (the level at which no supplementation for children of any age is recommended by the Canadian Pediatric Society)”,
- c) “the recommended treatment for hardness and total dissolved solids is a water conditioner or softener”,
- d) “if iron concentrations are higher than the levels that can be effectively treated with a water conditioner, the recommended treatment is a manganese greensand filter or an oxidation unit”.
26. The owner shall install a 10,000 gallon water storage tank or other approved alternative, for fire fighting purposes to the satisfaction of the Township of West Carleton.
27. A warning clause will be inserted into the Regional and local subdivision agreements and in all offer of purchase and sale agreements, to read as follows:
- “Neither the Region nor the Township of West Carleton guarantees the quality or quantity of the groundwater. If, at some future date, the quality or the quantity of the groundwater becomes deficient, the Region and the Township of West Carleton bear no responsibility, financial or otherwise, to provide solutions to the deficiency, such solutions being the sole responsibility of the homeowner”.
- W. Carleton
RMOC
(Health)**
- W. Carleton**
- W. Carleton
RMOC
(Health)**

Utilities

28. Such easements and maintenance agreements which may be required for electrical, gas, water, sewer, telephone and cablevision facilities, shall be provided and agreed to by the owner, to the satisfaction of the appropriate authority; and that the owner shall ensure that these easement documents are registered on Title immediately following registration of the final plan; and the affected agencies are duly notified.
29. Where the relocation or removal of any existing on-site/adjacent utility facility, including water, sewer, electrical, gas, telephone and cablevision, is required as a direct result of the development, the owner shall pay the actual cost associated therewith to the satisfaction of the appropriate utility authority.
30. The owner shall coordinate the preparation of an overall utility distribution plan showing the location (shared or otherwise) and installation, timing and phasing of all required utilities (on-grade, below-grade or above-grade), including on-site drainage facilities and streetscaping)--such location plan shall be to the satisfaction of all affected authorities and shall consider their respective standards and specification manuals, where applicable.

**Bell
Cable
Hydro
Gas
W. Carleton**

**Bell
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W. Carleton**

**Bell
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W. Carleton
RMOC
(Legal)**

Noise

31. A caution shall be included in the subdivision agreement with the Township of West Carleton to inform potential landowners of the presence of the airport and advising them to expect noises associated with its use.
32. The owner shall advise purchasers of Lots 10 to 17, Phase 1 and Lots 1 to 5, Phase 2 that noise and vibration from the railway may be of concern, occasionally interfering with some activities of the dwelling occupants as these levels exceed the Municipality and Ministry of Environments criteria and that attenuation measures are not proposed.

W. Carleton

**RMOC
(PDAD)**

Schools

33. The owner agrees to inform prospective purchasers that school accommodation problems exist in the Ottawa-Carleton District School Board (OCDSB) schools designated to serve this development and at the present time this problem is being addressed by the utilization of portable classrooms and/or by directing students to schools outside their community.

OCDSB

Financial Requirements

34. Prior to registration of the plan of subdivision, the Region shall be satisfied that the processing fee, as prescribed in Part 6.3 of the Regional Regulatory Code, has been paid in full. **RMOC (PDAD)**

Survey Requirements

35. The plan of subdivision shall be referenced, where possible, to the Horizontal Control Network, in accordance with the municipal requirements and guidelines for referencing legal surveys. **RMOC (SURV)**
36. The owner shall provide the final plan intended for registration on diskette in a digital form that is compatible with the Region computerized system. **RMOC (SURV)**

Closing Conditions

37. The owner shall inform the purchaser after registration of each lot or block of the development charges that have been paid or which are still applicable to the lot or block. The applicable development charges shall be states as of the time of the conveyance of the relevant lot or block and the statement shall be provided at the time of the conveyance. The statement of the owner of the applicable development charges shall also contain the statement that the development charges are subject to changes in accordance with the *Development Charges Act, 1997* and the *Education Development Charges Act*. **RMOC (Legal)**
38. At any time prior to final approval of this plan for registration, the Region may, in accordance with Section 51 (44) of the Planning Act, R.S.O. 1990, amend, delete or add to the conditions and this may include the need for amended or new studies. **RMOC (Legal)**
39. The Regional and Local Subdivision Agreement shall state that the conditions run with the land and are binding on the owner's heirs, successors and assigns. **W. Carleton RMOC (Legal)**
40. Prior to registration of the plan of subdivision, the Region is to be satisfied that Conditions 2 to 32 have been fulfilled. **RMOC (PDAD)**
41. If the plan of subdivision has not been registered by 10 August 2002, the draft approval shall lapse pursuant to Section 51 (32) of the Planning Act, 1990. Extensions may only be granted under the provisions of Section 51 (33) of said Planning Act prior to the lapsing date. **RMOC (PDAD)**

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

country estate lot subdivisions in nearby rural Kanata and recreational uses such as the Lockmarch and Irish Hills Golf Courses.

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

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

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

- the developer is completing a water table study for building guidelines, in excess of information which is normally asked for.

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

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

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

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

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

Mr. Webber felt some of the objections, such as the extent of the poorly drained lands and issues related to the safety of a proposed entranceway onto the Old Carp Road, were matters for debate to be decided by experts at the OMB. He said there was only one policy issue at stake; the attempt to join two properties from adjacent but unrelated landowners to form Phases 1 and 2 of a single development, when Phase 2 was entirely dependent upon Phase 1. He noted the Phase 1 land owned by Mr. Rampton was 75% wooded, and thus conformed to Official Plan requirements for country lot estate development. However, he pointed out the Phase 2 lands owned by the Cox's were largely open, and thus did not conform. Mr. Webber

felt this was a significant planning issue that would also be ultimately decided by the OMB. He submitted that in his estimation, given the conflicting evidence on a variety of problems and the lack of any true Regional issues, this was basically a Township issue, and that the appropriate course for the Committee to take was to defer consideration and allow the developer to proceed with his appeals. Mr. Webber felt this would lead to another round of negotiations.

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

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

Responding to another query from Councillor Munter, Mr. Webber felt the success of the negotiations would depend on who was prepared to be a party at the OMB, noting that not all in the community were of one view. He believed that as the date of the Board hearing approached, with the prospect of paying for expert witnesses, lawyers and appeal fees, the number of interested parties would likely be narrowed. He acknowledged there had always been a consensus that some development could occur on the Rampton lands, provided all Official Plan criteria were met. However, the speaker said he felt the constraints on development related to drainage and design of the access to the subdivision were still matters for negotiation.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Moved by J. Legendre.

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

CARRIED

Councillor Hill respectfully asked Committee to approve the staff recommendation. She felt much time and effort had been spent in attempts to negotiate and resolve the disputed problems, and she said it appeared that regardless of the number of attempts which had been made, the objectors appeared to come up with additional problems. The Councillor believed all conditions had been met. Councillor Hill said Mr. Rampton had been known in West Carleton for many years as a reputable developer and builder. She believed he was very environmentally conscious, and pointed out he was the only developer who had included a wetland in one of his developments, and had sought negotiations between the Ministry of Natural Resources and landowners towards establishing an agreement to maintain it. She believed Mr. Rampton had made every effort to accommodate Mr. Smith's concerns, and noted that save for those of Messrs. Smith and Harris, she had heard of no other objections to the proposed development. Regarding concerns over the proximity of the railway track, Councillor Hill noted a large estate lot subdivision in the Village of Richmond was also situated beside such a track. She stated that if people did not want to live beside a railway track, they could choose not to live in such an area. She also reminded Committee that the policy regarding tree cover had changed over the years to allow tree planting.

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

Committee then considered the staff recommendation as amended.

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That the Planning and Environment Committee recommend that Council approve:

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

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