

Report to/Rapport au :

**Agriculture and Rural Affairs Committee
Comité de l'agriculture et des affaires rurales**

and Council / et au Conseil

**August 17, 2012
17 août 2012**

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CUMBERLAND (19)

Ref N°: ACS2012-PAI-PGM-0203

SUBJECT: OFFICIAL PLAN AMENDMENT - 2075-2347 TRIM ROAD

OBJET : MODIFICATION AU PLAN OFFICIEL – 2075 - 2347, CHEMIN TRIM

REPORT RECOMMENDATIONS

That the Agriculture and Rural Affairs Committee recommend Council approve and adopt an amendment to the Official Plan to include 2075, 2201, 2207, 2217, 2229, 2241, 2255, 2287, 2317, 2331, 2339 and 2347 Trim Road within the Public Service Area, as shown on Document 1 and as detailed in Document 2.

RECOMMANDATIONS DU RAPPORT

Que le Comité de l'agriculture et des affaires rurales recommande au Conseil d'approuver et d'adopter une modification au Plan officiel visant à inclure dans l'aire des services publics les propriétés situées aux 2075, 2201, 2207, 2217, 2229, 2241, 2255, 2287, 2317, 2331, 2339 and 2347 du chemin Trim, comme le montre le document 1 et l'explique en détail le document 2.

BACKGROUND

The subject properties are located on the east side of Trim Road, south of Innes Road. All 12 properties contain rural residential uses. Additional lands on the east side of Trim Road include farmland, a rendering plant, a City-operated road maintenance yard, sports fields and a public high school. Land to the west of the subject properties is part of the East Urban Community and contains residential and commercial uses.

Trim Road between Innes Road and Brian Coburn Boulevard is currently being widened as a municipal capital project. The Trim Road Widening Municipal Class Environmental Assessment Study (EA) was completed in April 2010. The Notice of Study Completion was published on November 16, 2009 and construction began in March 2011. Construction is to be substantially complete by Fall 2012.

The subject properties front onto Trim Road and are serviced by private wells and septic systems. As part of the EA Study, an investigation of the private systems was initiated to evaluate the location, age, and potential impacts on the private systems as a result of the proposed roadway widening. The investigation determined that out of 11 septic systems located in the front yards of the subject properties, the roadway widening would directly encroach on five of the septic tile beds. The investigation also determined that a potential for impact to the remainder of the front yard systems existed; however, the extent of the impact could not be determined without carrying out intrusive testing.

The type of impact from the road widening on the septic systems that are located in the front yards, may include damage to system components during construction, a reduction in the contact area of the leaching beds, a reduction in hydraulic performance due to filling of the ditches, and a reduction in the available area for future replacement systems.

The investigation also found that six of the existing private wells in the project corridor were located in the front yard. While located beyond the limits of the roadway widening, there remains a potential for water quality impacts arising from the roadway widening.

In lieu of further evaluation, it was determined by the City that given the directly impacted systems as well as the likelihood of additional impacts, municipal services would be extended and provided to all private residences within the project corridor. All 12 properties included in the proposed Official Plan Amendment contain private residences.

The purpose of the Official Plan Amendment proposes to include the subject properties within the Public Service Area, thus allowing them to be serviced by municipal water and wastewater services as a remedy for the identified impacts to private wells and septic systems associated with the road widening.

DISCUSSION

Rationale

Section 2 of the *Planning Act* requires municipalities to consider matters of provincial interest as expressed through the 2005 Provincial Policy Statement (PPS). The policies in the PPS have been reflected in the City's Official Plan. The Provincial Policies which have relevance to this application are to promote efficient use of land and resources and to ensure that necessary infrastructure and public service facilities are available to current and projected needs. The policies also promote development that does not lead to environmental or public health and safety concerns.

Development in rural areas in municipalities should also be appropriate to the infrastructure which is planned or available and avoid unjustified or uneconomical expansion of this infrastructure. When planning for sewage and water works, these systems are to be provided in a manner that protects human health and the natural environment.

Planning authorities are not to permit development in planned corridors that could preclude or negatively affect the use of the corridor for the purpose for which it was identified. In addition, prime agricultural lands are to be protected from expansion of settlement areas. The proposed Official Plan amendment will not expand the settlement area and the Agricultural land use designation on the subject properties will be maintained.

Official Plan

The subject properties are designated Agricultural Resource Area within Schedule A of the Official Plan. Trim Road is designated as an arterial roadway.

Agricultural Resource Area

The PPS dealing with agricultural lands states that they are to be protected for long-term use. Therefore, the Official Plan has designated Agricultural Resource Areas in order to protect the resource. The Official Plan Amendment will not jeopardize the integrity of the lands designated for agricultural related uses. The Official Plan Amendment is only to address the impacts to the existing private services on the subject properties and to mitigate those impacts by connection to public water and wastewater services.

Public Service Area

The Infrastructure Master Plan provides direction in greater detail on the provision of public water and wastewater services. Public Service Areas include all lands within the Urban Area and select areas outside the urban boundary. The EA study area for the Trim Road widening forms a portion of the existing eastern limit of the East Urban Community, which is serviced by public water and wastewater.

Section 2.3.2 of the Official Plan states that the City may provide for the creation of new Public Service Areas in the rural area where public services have been deemed to be the appropriate solution to remedy a public health or environmental problem in a privately serviced area. The City has concluded that extending municipal services to the subject properties is the recommended course of action to mitigate the identified impacts associated with the road widening.

Summary

As a result of the widening of Trim Road, and the associated impacts to the existing private septic systems and wells which front onto the roadway, the proposed Official Plan Amendment is appropriate for the subject properties and represents good planning.

RURAL IMPLICATIONS

The Official Plan Amendment does not propose any changes to the land use designations of the subject properties. Therefore, the integrity of the Agricultural Resource Area designation will be maintained.

CONSULTATION

Notice of this application was carried out in accordance with the City's Public Notification and Consultation Policy. The City did not receive any negative comments or opposition to this application.

Public consultation for the Trim Road widening was carried out throughout the Municipal Class Environmental Assessment Process. Consultation also took place directly with the property owners affected by the proposed Official Plan Amendment in order to resolve the anticipated impacts from the Trim Road widening.

COMMENTS BY THE WARD COUNCILLOR

The Ward Councillor is aware of the application.

LEGAL IMPLICATIONS

Should the amendment be adopted and appealed to the Ontario Municipal Board, it is expected that the hearing can be conducted within staff resources. As a City-initiated amendment, there is no appeal right should the amendment not be adopted by Council. However, if services are not provided to the residential properties this will go counter to the language of the environmental assessment that was conducted for Trim Road and will likely affect the ability of the City to acquire the property to complete construction of the road.

RISK MANAGEMENT IMPLICATIONS

There are risk implications. These risks have been identified and explained in the report and are being managed by the appropriate staff.

FINANCIAL IMPLICATIONS

There are no direct financial implications.

ACCESSIBILITY IMPACTS

There are no accessibility implications associated with this report.

ENVIRONMENTAL IMPLICATIONS

The Rideau Valley Conservation Authority has reviewed the application. While they have no objection to the proposed Official Plan Amendment, they note that that private water wells and sewage systems require appropriate decommissioning under Ontario Regulation 903 and Part 8 of the Ontario Building Code for the protection of groundwater and public safety.

TECHNOLOGY IMPLICATIONS

There are no technology implications associated with this report.

TERM OF COUNCIL PRIORITIES

The report directly impacts on the 2010-2014 Term of Council Priorities as follows:

TM3 – Provide infrastructure to support mobility choices

GP3 – Make sustainable choices

The staff recommendation supports the protection of public health by ensuring that new transportation systems do not negatively impact upon established communities.

APPLICATION PROCESS TIMELINE STATUS

This application was processed by the "On Time Decision Date" established for the processing of Official Plan amendment applications.

SUPPORTING DOCUMENTATION

Document 1 Location Map

Document 2 Proposed Official Plan Amendment

DISPOSITION

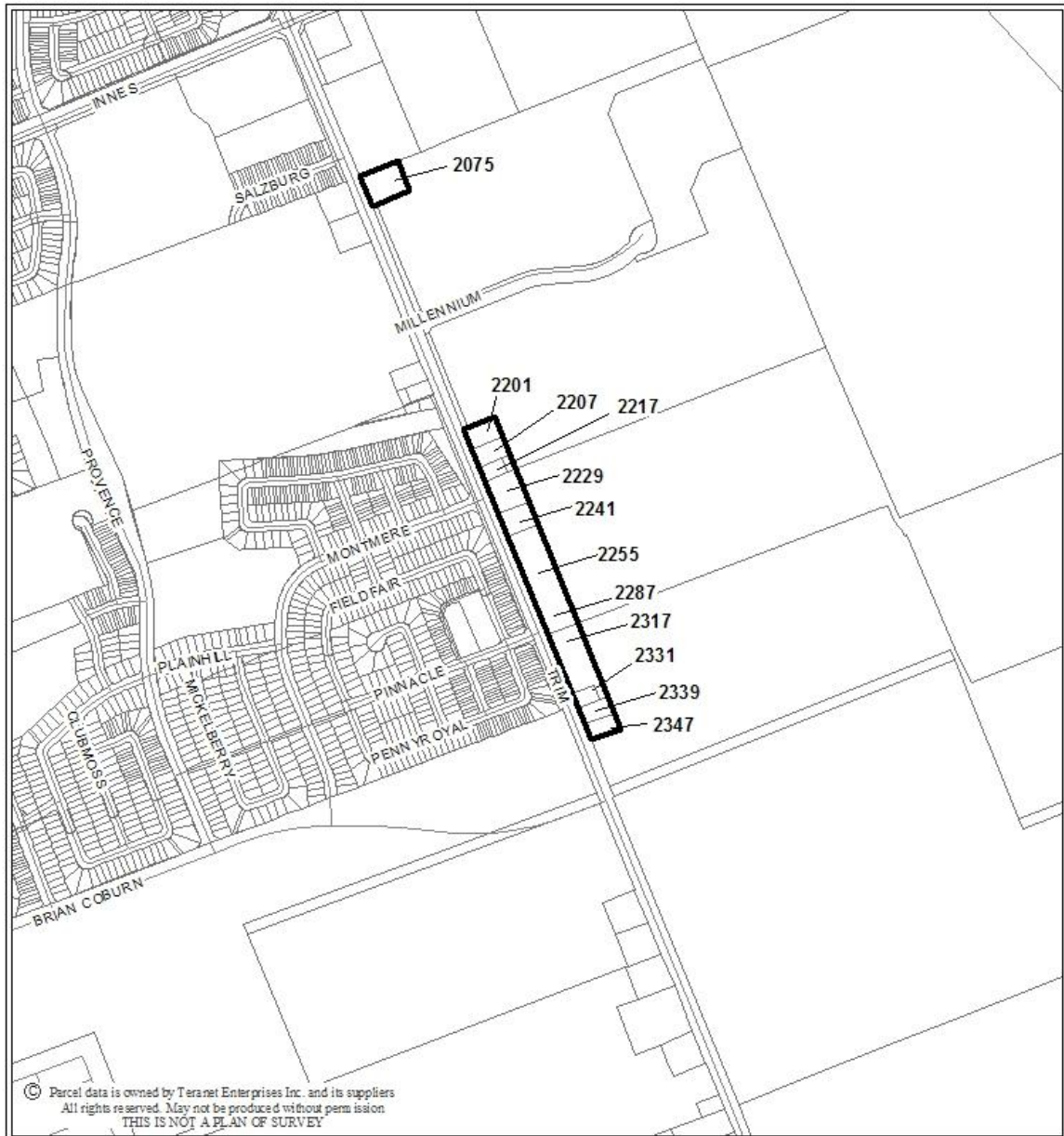
City Clerk and Solicitor Department, Legislative Services to notify the owners, applicant, OttawaScene Canada Signs, 1565 Chatelain Avenue, Ottawa, ON K1Z 8B5.

Planning and Growth Management to prepare the by-law adopting the Official Plan Amendment, forward to Legal Services, and undertake the statutory notification.

Legal Services to forward the implementing by-law to City Council.

LOCATION MAP

DOCUMENT 1



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 THIS IS NOT A PLAN OF SURVEY

Ottawa
 Produced by Infrastructure Services
 and Community Sustainability
 Produit par Services d'Infrastructure
 et Viabilité des collectivités

12-1009-L

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JULY 11, 2012

REVISION DATE DE RÉVISION

Location Map / Plan de révision
 Zoning Key Plan / Schéma de zonage
 2075, 2201, 2207, 2217, 2229, 2241, 2255, 2287,
 2317, 2331, 2339 and 2347 chemin Trim Road

145250013 Denotes Teranet-Polaris Parcel Identification Number

Échelle
 N.T.S.
 Mètres

Scale
 N.T.S.
 Metres

Official Plan Amendment XX to the Official Plan for the City of Ottawa

(Rev.
August 29, 2012)

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PART A – THE PREAMBLE

PART A – THE PREAMBLE introduces the actual amendment but does not constitute part of Amendment No. XX to the Official Plan for the City of Ottawa.

PART B – THE AMENDMENT constitutes Amendment XX to the Official Plan for the City of Ottawa.

1. Purpose

The Official Plan Amendment has been filed include the subject properties within the Public Service Area, thus allowing them to be serviced by municipal water and wastewater services.

2. Location

The subject properties are located on the east side of Trim Road, south of Innes Road.

3. Basis

Background

Section 2 of the *Planning Act* requires municipalities to have regard for matters of provincial interest when carrying out their responsibilities under the *Act*. Matters of provincial interest that are relevant to this amendment are to promote efficient use of land and resources and to ensure that necessary infrastructure and public service facilities are available to current and projected needs. The policies also promote development which does not lead to environmental or public health and safety concerns.

Section 3(5) of the *Planning Act* requires that the decision of a municipal council shall be consistent with the policies in the Provincial Policy Statement (PPS), a document that provides further detail regarding matters of provincial interest. Section 1.6 of the PPS speaks to the provincial interest in planning for sewer and water services. The Provincial Policy Statement speaks to ensuring services are provided in a manner which protects human health and the environment.

Rationale

Public Service Area

Section 2.3.2 of the Official Plan states that the City may provide for the creation of new Public Service Areas in the rural area where public services have been deemed to be the appropriate solution to remedy a public health or environmental problem in a privately serviced area. The City has concluded that extending municipal services to the subject properties is the recommended

course of action to mitigate the identified impacts to the existing wells and septic systems as a result of the road widening.

PART B – THE AMENDMENT

1. Introduction

All of this part of this document entitled Part B – The Amendment consisting of the following text constitutes Amendment No. XX to the Official Plan for the City of Ottawa.

2. Details

The following changes are hereby made to the Official Plan for the City of Ottawa:

2.1 The following text is added to Section 2.3.2 – Public Service Area as Policy 6a.

Notwithstanding the policies of Section 2.3.2, the properties known municipally as 2075, 2201, 2207, 2217, 2229, 2241, 2255, 2287, 2317, 2331, 2339, and 2347 Trim Road shall be connected to municipal services given the impacts to the private septic systems and wells by the widening of Trim Road.

3. Implementation and Interpretation

Implementation and interpretation of this Amendment shall be in accordance with the policies of the Official Plan for the City of Ottawa.