

PL100206

**ONTARIO MUNICIPAL BOARD
COMMISSION DES AFFAIRES MUNICIPALES DE L'ONTARIO**

IN THE MATTER OF subsection 17 (36) of the *Planning Act*, R.S.O. 1990, c.P.13, as amended

Appellants: Greater Ottawa Homebuilders Association, Zbigniew Hauderowicz, Karson Holdings Inc., Ken McRae; and others
Subject: Proposed Official Plan Amendment No. OPA #76
Property Location: All lands within the City of Ottawa
Municipality: City of Ottawa

OMB Case No.: PL100206
OMB File NO.: PL100206

REPLY WITNESS STATEMENT OF IAN CROSS

I, Ian Cross, of the City of Ottawa, state as follows:

The following is in reply to witness statements dated 9 December, 2011 in respect of phase 2A of the urban boundary appeals.

1. Witness Statement of Nancy Meloshe

Respecting Issue 20, the witness statement's comments on Leitrim's development rate more properly belong in Phase 2B of the hearing as they are site-specific. It is noted, however, that the past rate of development has been significantly overstated. The witness statement says "from 2002-2011, 2,075 residential units" were constructed in Leitrim. CMHC housing starts in Leitrim totalled 1,512 units from the start of development in 2003 to mid-2011. Building permits issuances for the same period totalled 1,571 units. The average has been 178 units annually based on starts or 185 units annually based on permits. There is no basis or justification for assuming 400 units per year.

2. Witness Statement of Michael Goldberg

The witness statement in paragraph 7.1.6 notes that Agriculture Resource Area (ARA) lands abutting or near the existing urban boundary "are heavily influenced by the presence of, and proximity to, the existing Urban Area condition." In the south Orleans area the following are noted in the witness statement as uses "by the City and landowners, with the permission of the City":

- a) Snow disposal site west of Trim Road. Reply: This was a temporary emergency use and has ceased operation now that a permanent snow disposal facility, the Innes Road Snow Disposal facility, is operating west of Mer Bleue Road.
- b) The Millennium Park and Ride (also noted by C. Gordon, below). Reply: The location was identified in the 2003 Transportation Master Plan (TMP) and 2008 TMP and in a more detailed 2008 study.
- c) A Secondary School. Reply: The school site was subject to amendments to the Official Plans of the City of Cumberland (OPA 66 to the then existing rural OP and OPA 2 to the recently-adopted rural OP) and the Regional Municipality of Ottawa-Carleton (ROPA 14) which permitted a school as an exception under the Agricultural Resource designation.

The planning analysis reviewed need and examined alternative locations. The amendments were approved without appeals.

- d) Millennium Park. Reply: The park was developed in association with the adjacent high school discussed in the previous point.
- e) Two construction management ponds on Tenth Line and east of the Summerside phase 1 subdivision. Reply: These are considered temporary measures and will be removed when construction is completed.
- f) The emergency/construction access road for the Summerside subdivision. Reply: This road was constructed by Mattamy without any approvals or permissions by the City.
- g) Stock piling of fill. Reply: This is a temporary measure during construction.
- h) The stormwater management ponds south of the Avalon subdivision and at the northwest corner of Brian Coburn Boulevard and Trim Road. Reply: The stormwater pond south of the Avalon subdivision was built through a class Environmental Assessment (EA) process approved in 2001. The pond west of Tenth Line Road is located on lands designated General Rural Area, not ARA. The pond at the northwest corner of Brian Coburn Boulevard and Trim Road was approved under a class EA.
- i) Storm drainage works associated with the adjacent subdivisions. Reply: These were approved under class EAs, the Ontario Water Resources Act or the Planning Act. The sediment control system constructed adjacent to Mattamy's Summerside subdivision is a temporary facility built by Mattamy for construction of the subdivision.
- j) The construction of Brian Coburn Boulevard extension to Trim Road. Reply: This was approved under a class EA.

In paragraph 7.2.13 the witness statement states the only ARA land capable of achieving the City's intent for urban expansion "is not a large amount of land since the land would need to be abutting and/or very close to the existing Urban Area boundary". ARA land abuts the urban boundary in Kanata-Stittsville (north of the Kanata West urban boundary, south of Fernbank, and south of Hope Side Road), Barrhaven (west and south), Riverside South (south) and Orleans (continuous from 10th Line eastward and north up to Area 11). In total well over 2,000 ha of

ARA land could qualify to be candidate areas for urban expansion, hence possibly most of the 850 ha expansion could be on ARA land. This should not be described as “relatively small”.

3. Witness Statement of Christopher Gordon

With respect to Issue 5 (“Should lands designated Agriculture Resource Area be considered as candidate areas for inclusion in the City’s Urban Boundary?”) the witness statement noted that the City and former Region of Ottawa-Carleton have not always avoided Agriculture Resource Area (ARA) land when planning and building transportation works. The following specific projects were noted:

- a) Terminus of the Cumberland Transitway extends onto ARA land east of Trim Road.
Reply: The location of the transitway terminus was the result of a class Environmental Assessment completed in 1999. It is located on the same parcel as the Millennium Park.
- b) Millennium Boulevard Park and Ride facility is located on ARA land east of Trim Road.
Reply: The Park and Ride lot is located adjacent to the above-noted transit terminus on the same parcel of land. It also provides parking for park facilities during weekend and evening periods.
- c) Riverside South Transit Terminus is close to the southern limit of the urban boundary and has ARA land directly to the south. Reply: The ARA land south of the urban boundary is at least one kilometre south of the Transit Terminus.
- d) The southern terminus of the rapid transit line through the Fernbank community ends at the edge of the urban boundary, with ARA land to the south. Reply: The rapid transit line does not extend onto ARA lands.
- e) The southern end of the north-south arterial road through the Fernbank community ends at Fernbank Road with a conceptual road link extending to the south and west. Land south of Fernbank Road is designated ARA. Reply: The planned north-south arterial does not extend onto ARA lands. The alignment of the conceptual link to the south (Stittsville By-pass) will be determined by a future Environmental Assessment. It is not listed in the TMP among the major road projects required up to 2031.

- f) The Blackburn Hamlet Bypass Extension (now Brian Coburn Boulevard) extension east of Portobello Road to Frank Kenny Road. This land is designated ARA. Reply: The road alignment was determined by an Environmental Assessment.
- g) Phase 1 of Mattamy's Summerside development required construction of a turning circle at the south end of Portobello Boulevard. A portion of the turning circle is on ARA land south of the urban boundary. Reply: Because Portobello is designated a Major Collector road it was necessary to provide a turning circle for maintenance vehicles. The turning circle extends approximately 20 m onto ARA land due to lack of sufficient right-of-way width within the subdivision.

Joint Witness Statement of David Charlton and David Hodgson

Paragraph 49 of the joint witness statement cites the future Frank Kenny Road Extension as “another large scale example of a development that will also negatively impact lands currently designated as ARA”. This project is intended to realign Frank Kenny Road's connection to the realigned Trim Road north of Innes Road, and was subject to an EA by the former Regional Municipality of Ottawa-Carleton in 1998. The current alignment of the Frank Kenny connection south of Innes will be removed, so the net effect on ARA land will be minor.



Ian Cross, MCIP, RPP

December 22, 2011