

**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 BRUCE FINLAY

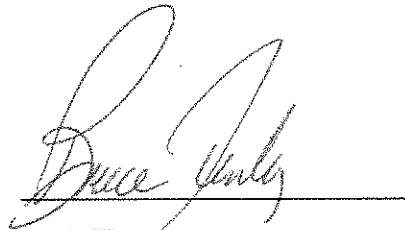
I, Bruce Finlay, of the City of Ottawa, state as follows:

1. In Reply to Martin Callsen for the Greenspace Alliance - Item 33 page 11- A comprehensive landscape- or features-based analysis
2. The city recognises that while the most obvious elements of natural heritage system have been screened out early in the site evaluation, additional up-to-date information and possible further study may be required before development is considered. The City's approach is to place the expansion lands within one of two new designations found in Section 3.12 Urban Expansion Study Area and Section 3.13 Developing Community (Expansion Area) added by OPA 76.
3. These designations require different levels of planning to be undertaken, before development is considered and based upon the area of the land being added to the urban area. The additional requirements of the designations are as follows:
  - a. both require the identification of the natural heritage system on the site independent of developable area;
  - b. both indicate that an Environmental Management Plan may be required where a sub-watershed study does not exist or does not provide sufficient guidance to identify the environmental features on the site or their functions;
  - c. both require that areas of significant woodlands are to be further evaluated consistent with the Urban Natural Areas Evaluation Study;

- d. both require that no development be permitted within the natural heritage system which is to be conveyed to the City;
  - e. land proposed to be designated Urban Expansion Study Area will require a development plan, which may be a community design plan or concept plan the preparation of which involves a comprehensive consultation process. An Official Plan amendment is also required to designate the lands as General Urban Area.
4. In reply to David Charlton and David Hodgson - Items 44(a) and 44(b) Page 10 - Agricultural Resource Areas
5. **Item 4(a)** - The definitions of Prime Agricultural Area and Prime Agricultural Land did not change in essence between the 1997 and the 2005 Provincial Policy Statements. Both Statements recognize the use of an alternative (LEAR) model to arrive at Prime Agricultural Areas. In both the 1997 and 2005 Policy Statements *prime agricultural areas* can include land that does not make the grade as *prime agricultural land*. There is no new consideration identified in the 2005 Provincial Policy Statement that must be a consideration and that would make the 1995 LEAR inconsistent with 2005 Provincial Policy Statement.
6. **Item 44(b)** – Areas of land located in the GR (General Rural Area designation) may constitute *prime agricultural land*, however the Provincial Policy Statement requires municipalities to protect *prime agricultural areas*. The City’s LEAR model establishes minimum area of 250 hectares as a threshold for the identification of a *prime agricultural area*. There is no expectation that smaller areas containing *prime agricultural land* will be protected. The LEAR model including this minimum threshold was developed with the assistance of and approved by the Ministry of Agriculture and Food.
7. In reply to David Charlton and David Hodgson - Item 46 Page 10 - Agricultural Resource Areas
8. **Item 46** concludes that City staff recommended the inclusion of areas 5a, 10d and 10e in the urban boundary. These lands were designated ARA (Agricultural Resource Area) in the Official Plan “but were apparently considered for inclusion based on changed circumstances including a change in LEAR scores.” This is incorrect. The City did not re-evaluate any LEAR scores as part of the screening process. The land in candidate area 5a was isolated from the adjacent Agricultural Resource Areas by previous Ontario Municipal Board decisions and no longer met the threshold area (mentioned in 6 above) for prime agricultural areas. Parcels 10d and 10e had scored below 130 in the City’s LEAR model. This is below threshold for a prime agricultural area however the lands were originally included in the ARA designation because they were surrounded on three sides by prime agricultural land. LEAR scores were not changed or recalculated as part of the City’s methodology.

9. In reply to David Charlton and David Hodgson - Item 60 Page 13 - Agricultural Resource Areas

10. The 2005 Provincial Policy Statement requires municipalities to protect *prime agricultural areas*. Consideration of development on *prime agricultural land* outside designated *prime agricultural areas* is consistent with the Provincial Policy Statement.



NAME

22nd December 2011

DATE