

**8. OFFICIAL PLAN AND ZONING BY-LAW AMENDMENT –
VARIOUS ADDRESSES**

**MODIFICATION AU PLAN OFFICIEL ET AU RÈGLEMENT DE ZONAGE –
DIFFÉRENTES ADRESSES**

COMMITTEE RECOMMENDATIONS

That Council:

1. Approve and adopt an amendment to the Official Plan to add a special policy area for the Carp River Restoration Area as detailed in Document 2 and;
2. Approve an amendment to the Zoning By-law 2008-250 to:
 - a. amend the flood plain hazard overlay as shown on Document 4;
 - b. add a holding symbol and establish conditions for the removal of the holding symbol for the developable lands within the Carp River Restoration Policy Area;
 - c. remove the flood fringe provisions on lands at 5487 Hazeldean Road and 20 Frank Nighbor Place.

RECOMMANDATIONS DU COMITÉ

Que le Conseil :

1. approuve et adopte une modification au Plan officiel en vue d'ajouter un secteur de politique spéciale à la zone de remise en état de la rivière Carp, comme décrit au document 2.
2. approuve une modification au Règlement de zonage 2008-250 en vue :
 - a. de modifier la zone sous-jacente de plaine à risque d'inondation, comme illustré dans le document 4;
 - b. d'ajouter un symbole d'aménagement différé et de déterminer les conditions pour la suppression du symbole d'aménagement différé dans le cas de terrains aménageables dans le secteur de la politique de remise en état de la rivière Carp;

- c. de supprimer les dispositions relatives au périmètre d'inondation pour les terrains situés au 5487, chemin Hazeldean et 20, promenade Frank-Nighbor.

DOCUMENTATION / DOCUMENTATION

1. Deputy City Manager's report, Planning and Infrastructure, dated 15 June 2012 (ACS2012-PAI-PGM-0047).
Rapport de la Directrice municipale adjointe, Urbanisme et Infrastructure, le 15 juin 2012 (ACS2012-PAI-PGM-0047).

Report to/Rapport au :

Planning Committee
Comité de l'urbanisme

and Council / et au Conseil

June 15, 2012
15 juin 2012

Submitted by/Soumis par : **Nancy Schepers, Deputy City Manager/Directrice
municipale adjointe**, Planning and Infrastructure/Urbanisme et Infrastructure

Contact Person / Personne ressource: *Don Herweyer, Acting Manager/Gestionnaire
intérimaire, Development Review-Suburban Services/Examen des projets
d'aménagement-Services suburbains, Planning and Growth Management/Urbanisme et
Gestion de la croissance
(613) 580-2424, 28311 Don.Herweyer@ottawa.ca*

Kanata North, - West-Carleton-March, Stittsville-
Kanata West - and Kanata South (4, 5, 6 and 23)

Ref N°: ACS2012-PAI-PGM-0047

SUBJECT: OFFICIAL PLAN AND ZONING BY-LAW AMENDMENT – VARIOUS
ADDRESSES (D01-01-11-0006 AND D02-02-11-0089)

OBJET : MODIFICATION AU PLAN OFFICIEL ET AU RÈGLEMENT DE
ZONAGE – DIFFÉRENTES ADRESSES

REPORT RECOMMENDATIONS

That the Planning Committee recommend:

1. Council approve and adopt an amendment to the Official Plan to add a special policy area for the Carp River Restoration Area as detailed in Document 2 and;
2. Council approve an amendment to the Zoning By-law 2008-250 to:
 - a. amend the flood plain hazard overlay as shown on Document 4;
 - b. add a holding symbol and establish conditions for the removal of the holding symbol for the developable lands within the Carp River Restoration Policy Area;

- c. remove the flood fringe provisions on lands at 5487 Hazeldean Road and 20 Frank Nighbor Place.**

RECOMMANDATIONS DU RAPPORT

Que le comité d'urbanisme recommande au Conseil :

- 1. d'approuver et d'adopter une modification au Plan officiel en vue d'ajouter un secteur de politique spéciale à la zone de remise en état de la rivière Carp, comme décrit au document 2.**
- 2. d'approuver une modification au Règlement de zonage 2008-250 en vue :**
 - a. de modifier la zone sous-jacente de plaine à risque d'inondation, comme illustré dans le document 4;**
 - b. d'ajouter un symbole d'aménagement différé et de déterminer les conditions pour la suppression du symbole d'aménagement différé dans le cas de terrains aménageables dans le secteur de la politique de remise en état de la rivière Carp;**
 - c. de supprimer les dispositions relatives au périmètre d'inondation pour les terrains situés au 5487, chemin Hazeldean et 20, promenade Frank-Nighbor.**

BACKGROUND

The subject sites are illustrated on the location map (Document 1). The affected sites are located in the vicinity of the Carp River Corridor in the Kanata West community.

The proposed Official Plan amendment and implementing Zoning By-law amendment are needed to address the Ministry of Environment's (MOE) requirement that the existing two-zone flood plain areas and the proposed flood fringe area for the reach of the Carp River within the Kanata West area will be recognized appropriately in the City's planning documents. The proposed amendment also requires the maintenance of flood plain storage at all times. On March 30, 2011, the Minister of the Environment dismissed the Part II Order requests on the seven disputed projects including the Carp River Restoration Project and ruled that an individual Environment Assessment is not required. As such the proposed amendments are now required to satisfy commitments the City has made to the Ministry to update its planning documents and comply with the direction provided by the Minister of the Environment. The implementation of the Official Plan and Zoning By-law amendments will bring the City's planning documents in harmony with the completed Environmental Assessments.

The subject of flood plain policies related to the Carp River Restoration Project first arose with regard to four Part II Order requests filed against the Kanata West Environmental Assessment Studies in July 2006. In 2007, based on a complaint to the

fraud and waste hotline, the City's Auditor General initiated an audit of the Carp River Watershed Study and related projects. On January 25, 2008, the City asked the Ministry to put its review of the four Part II Order requests on hold as a result of the modelling errors discovered. In the City's June 2008 response to the Auditor General's report, it recommended pursuing a third party engineering review of the stormwater management modeling. In its July 21, 2008 letter to the City of Ottawa, the Minister of the Environment imposed certain conditions to address the stormwater management modeling errors discovered by the City. Condition 1.2 of the Minister's Order stated:

The City and KWOG shall report back on impacts, if any, of the inconsistencies in the application of one and two zone policies and identify what actions the City intends to take to address these impacts, where needed. It is my understanding that such actions could include the City enacting a by-law to apply a two-zone flood plain policy along the reach of the Carp River in the Kanata West Development area.

The results of the Third Party Review (TPR) were presented to and approved by Committee and Council in May 2009. Recommendation 6 of the TPR stated:

Authorize staff to circulate an Official Plan amendment (generally in form of Document 2) providing a site-specific policy for the Carp River Restoration corridor and schedule a public meeting;

Document 2 to the TPR forms the basis for the proposed Official Plan amendment found in Document 2 to this report.

Based on the results of the Council approved Third Party Review, the Transportation Master Plan, Master Serving Plan and Carp River Restoration Plan were updated to include the results of the Third Party Review as well as any other changes resulting from the Minister's conditions. On November 24, 2009 the Minister of Environment advised that conditions 1 and 2 of the Minister's Order had been satisfied and that the City can proceed to file new notices of completion for the seven disputed projects that were the subject of Part II Order requests in July 2006. Notices of completion for the updated Environmental Assessments (EA) were issued in July 2010 and further Part II Order requests were received. On March 30, 2011 the Minister of Environment dismissed the Part II Order requests confirming that an individual EA was not required for the seven disputed projects. The Minister further directed that Stormwater Management Ponds 1, 2 and 5 not proceed until such time as the stormwater management models are calibrated and validated. In September 2011 the Model Validation Report was completed and filed with the Ministry. The reports confirmed that the stormwater modes were validated and confirmed that the approach in the EA was valid. All projects covered by the EA were permitted to proceed to design and construction.

The detailed design for the Carp River Restoration Project is underway with the project to commence within 24 months of the Class EA approval by the Minister dated March 30, 2011. There are no further EA issues impacting the project.

Current Official Plan designations

The current Official Plan designations along the Corridor are General Urban Area, Enterprise Area, Employment Area, Mixed Use Centre, Major Open Space and Agricultural Resource Area.

Current Zoning designations

The current zoning designations include a variety of urban zone designations and Flood Plain Hazard Overlay.

Details of Requested Official Plan Amendment

The proposed Official Plan amendment includes the establishment of a special Official Plan policy known as the "Carp River Restoration Policy Area" to be added to Section 3 of the Official Plan. The proposed special policy area as shown on Document 1, will replace the existing flood plain designation with a special policy area to be identified on Schedule B of the Official Plan as the "Carp River Restoration Policy Area". The proposed policy area would not permit development in the subject area until specific conditions as outlined in Section 3.XX have been met.

Details of Requested Zoning By-Law Amendment

The implementing Zoning By-law would place the subject lands as identified on the attached location map within a "holding" (-h) zone. This holding zone will reflect the "Carp River Restoration Policy Area" as identified on Schedule B of the Official Plan. The flood plain overlay is proposed to accurately reflect the recommendations of the Carp River Restoration Plan, as shown in Document 4. This amendment will include the removal and addition of certain lands to the flood plain to reflect the required flood storage as approved by the Ministry of the Environment. A holding zone provision will be added to the lands proposed to be removed from the Flood Plain following the Carp River Restoration. The removal of the holding zone ("lifting of the "H") would not occur until such time as the conditions outlined in the "Carp River Restoration Policy Area" subsection have been met. Once all five conditions have been met, the Zoning By-law may be amended (holding zone provision lifted) on the basis of the underlying zone designation. An Official Plan amendment will not be required to revert to the underlying Official Plan designations provided the conditions listed in Policy 3.XX have been met.

The proposed Zoning By-law amendment will also address a housekeeping matter by removing the flood plain overlay from the land where the Terry Fox Drive extension was

constructed and adding the flood plain overlay where the compensating cut was approved and constructed.

DISCUSSION

Provincial Policy Statement

Section 3.0 of the PPS - *Protecting Public Health and Safety* states that “development shall be directed away from areas of natural or human made hazards where there is an unacceptable risk to public health safety or of property damage”.

Section 3.1.5 contemplates situations where a two zone concept for flood plains can be applied:

development and site alteration may be permitted in a flood fringe, subject to appropriate flood proofing to the flooding hazard elevation or another flooding hazard standard approved by the Minister of Natural Resources.”

The CRRP including implementation of the proposed Official Plan amendment has been the subject of extensive hydrologic and hydraulic analysis and review. Most recently, the City of Ottawa completed the Carp River Model Calibration Validation Exercise Final Report (July 2011) in response to Condition 2.1 of the Minister of Environment's Order concerning Water Level and Flow Monitoring Data. The calibration and validation completed for these models has demonstrated that there will be no increase in flood risk to any existing development either upstream or downstream of the site as a result of the proposed amendments. Mississippi Valley Conservation (MVC) has reviewed the associated model and its results and concurs with the report's conclusions.

Section 3.16 of the PPS outlines the requirements for any development to proceed in the flood fringe and states that development and site alteration may be permitted in those portions of hazardous lands to be managed or mitigated in accordance to provincial standards where risk to public safety are minor.

The Province has specifically stated that objectives of the Provincial Policy Statement Natural Hazards policy have been met by the CRRP and that the Natural Hazards policies have been appropriately applied. In March 14, 2007 correspondence with one of the PII Order requestors, Ministry of Natural Resources (MNR) staff confirmed an approach where the entire reach is rezoned, with appropriate policies to deal with flood proofing and filling of the backwater (flood fringe) areas, would satisfy the intent of the PPS Natural Hazards Policy. The conformity to the Provincial Policy Statement Natural Hazards policy was once again by the MNR in a letter to the MOE dated September 9, 2009.

In a letter dated April 6, 2007 the Minister of Environment stated:

The MVC referred to the proposed filling within the Carp river flood plain as a two-zone, floodway fringe approach. However, the proposal goes beyond filling and involves regarding the watercourse and its valley lands. The proposal will result in increased riparian flood storage, with no adverse downstream or upstream flood impacts, and new development will be protected to the one in 100 year regulatory flood standard. In addition the existing degraded watercourse will be restored to a healthier state with improved fish habitat. The ministry believes the objectives of the provincial natural hazards policy have been met in the Carp River Restoration Plan.

In a follow up letter to the Minister of Environment dated September 9, 2009 the MNR stated:

The objectives of the provincial natural hazards policy have been met by the Carp River Restoration Plan provided the MVC confirms that the downstream impacts are minor and do not result in flood damages to existing uses. Furthermore, we believe the flexibility provided in the policy has been appropriately used by the MVC given the wide shallow flood plain in the urbanizing area. Our conclusion on this matter is consistent with all previous reviews of the matter undertaken by MNR.

The Carp River Restoration Plan will improve biodiversity and restore linkages among natural heritage features as related to Section 2.1 of the PPS. Fish habitat improvements are a significant component of the Restoration Plan. Section 2.2 of the PPS "Water" also states that planning authorities shall protect, improve and restore the quality and quantity of water. It is evident that there are significant environmental gains associated with the Carp River Restoration Plan in regard to Natural Heritage and Water policies.

Official Plan

Section 4.8.1 of the Official Plan addresses flood plain policies recognizing the significant role that flood plains play in the support of natural drainage systems. City Council approved [Official Plan Amendment 76 \(OPA 76\)](#) on June 24, 2009. The amendment was approved by the Ministry of Municipal Affairs and Housing but was subsequently appealed. With respect to the flood plain policies, the Ontario Municipal Board has issued a decision in principle. The decision required the City to provide further information (i.e. final wording and mapping changes) before the decision is considered final but staff have reviewed the proposed amendment in the context of the OPA 76 amended flood plain policy.

The City's flood plain policies build on the policy direction found within the Provincial Policy Statement. Section 4.8.1.7 recognizes Two-Zone Flood Plain Policy areas as designated on Schedule K. The Official Plan states that "the use of the two-zone concept may allow for some new development within the identified fringe area of the

flood plain that can be safely developed with no adverse impacts.” The two-zone concept has been applied to a few established communities in Ottawa. Section 4.8.1.7 provides that the City may consider the designation of additional Two-Zone Flood Plain Policy Areas in consultation with the Conservation Authority and as part of a comprehensive land-use and watershed based planning process. The overall intent of the City's flood plain policies is to limit development within the flood plain.

Rationale

On Jan 12, 2005 Council approved *Carp River Watershed/Subwatershed Study* which recommended a modified flood plain concept for the Carp River within the Kanata West Development Area. This concept was also reflected in the Council Approved *Kanata West Concept Plan* (2003). The modified flood plain recommendation was based on a holistic understanding of the form and function of the Carp River within its watershed. The flood plain land encroachments envisioned by the original design represented approximately 28 hectares and 15% total loss of existing flood plain storage considering the reach between Richardson Side Road and Hazeldean Road. Following the Council directed Third Party Review additional volume was added to the Carp River corridor via additional ponds and a permanent widening of the corridor. By virtue of the Carp River widening and Terry Fox flood plain compensation, approximately 14 hectares of land is being added to the flood plain resulting in a total of 16 hectares of land being removed from the flood plain following construction of the Restoration Plan.

It should be noted that the calibrated model indicates lower water levels in the corridor following completion of the Restoration Plan. Notwithstanding the future reduction in water levels the City and MVC have agreed to retain the existing 1983 MVC water elevation which will provide additional freeboard beyond the 100 year water levels. This creates an additional 212,600m³ of volume in Carp River Corridor beyond the 21,400m³ achieved by the Council approved Third Party Review permanent corridor widening. This will provide further resilience to account for extreme events that may have saturated soil conditions such as the July 9, 2009 storm event and accommodate climate change impacts.

The City is not applying a two zone policy in the Carp River Restoration Corridor because the areas to be filled will no longer be flood fringe. In the Kanata West area the flood fringe lands of the Carp River will be raised above the 1:100 year flood elevation, therefore redefining the location of the 1:100 year flood line, and infrastructure (storm sewer elevations, stormwater management pond outlets, footing elevations, etc.) will be designed considering the 1:100 year elevation in the river. Therefore, for this situation, this represents appropriate flood proofing measures. A two zone differs from this modified one-zone approach in that the fringe area continues to flood except for new buildings, driveways, etc., which are flood proofed. The MNR in 2007 correspondence has referred to the Carp River Restoration Plan proposal as a “modified one-zone.”

The City originally intended to include the Carp River Restoration Special Policy Area as part of OPA 76 but due to the delays in the EA process it was more appropriate to proceed with a separate Official Plan amendment once the EA process was completed. The Carp River Restoration Policy Area is not currently in the City's Official Plan. A specific Official Plan amendment for the Carp River Restoration Plan corridor is therefore required to implement the Carp River Restoration Plan by adding it to Schedule B and to Section 3 as outlined in Document 2.

The proposed Official Plan amendment and implementing Zoning By-law amendment identifies the areas to be removed from the flood plain following implementation of the Restoration Plan. The site specific OPA imposes the conditions which are to be met before the lands can be developed and lots created. The conditions in the Official Plan amendment are reflected in the implementing Zoning By-law. Once the restoration has been completed, as-constructed elevations can be utilized to establish the final corridor.

Conclusion

In September 2011 the Model Validation Report was completed, posted on the City's website and filed with the MOE. Numerous and ongoing reviews of the Carp River restoration project and associated modeling have resulted in a very high level of analysis and understanding of future flood elevations. There is not likely a project similar in nature that has experienced this level of scrutiny. Ongoing and long term monitoring and a thorough analysis of the Final Design will allow for any required adjustments to be made.

RURAL IMPLICATIONS

There are no direct Rural implications. The Zoning By-law amendment will reflect the cut that was made to rural land owned by the City to compensate for the fill required to construct Terry Fox Drive.

CONSULTATION

Notice of this application was carried out in accordance with the City's Public Notification and Consultation Policy. The Ward Councillors are aware of this application and the staff recommendation. The City received four comments from individuals that also filed Part II Order request that were subsequently dismissed by the Minister of Environment. The City has responded to these comments in detail to the MOE and confirmed that there are no new issues that have been raised that would call into question the model calibration or the need to revisit the EA process. No other comments or concerns were received. It should also be noted that the EA process offered extensive opportunity for public input over approximately six years.

Further responses to the notification/circulation are provided in Document 5.

COMMENTS BY THE WARD COUNCILLORS

The affected Ward Councillors are aware of the proposed amendment.

LEGAL IMPLICATIONS

These amendments are required by the MOE. Should the amendments be carried, and the matter is appealed, a hearing is anticipated to take approximately five days and can be accommodated with internal staff resources.

RISK MANAGEMENT IMPLICATIONS

As per the Minister of Environment decision dated March 30, 2011, the Carp River Restoration Project is to commence by March 30, 2013. Approval of the Official Plan amendment and Zoning By-law amendment are one of the requirements for this project.

FINANCIAL IMPLICATIONS

There are no direct financial implications. This report deals with incorporating the previously Council approved Carp River Third party review and restoration into the City's official Plan and By-Laws.

In 2009 Council approved report ACS2009-ICS-CSS-0005 (Link below) on the Third Party Review and the total cost of the restoration was estimated to be \$8.5M with the City funding 30% and landowners funding 70%. In addition to the \$390,000 approved by City Council in 2007 there is \$2.6M in funding spread out over the 2013-2017 budget forecast. This will be subject to any required further adjustments based on completion of final design in 2012.

<http://www.ottawa.ca/calendar/ottawa/citycouncil/ec/2009/05-11/1-ACS2009-ICS-CSS-0005%20-%20Carp%20River.htm>

The approval of the Official Plan and Zoning By-law amendments will also facilitate completion of the detailed design for the Carp River Restoration project.

ACCESSIBILITY IMPACTS

The content of this report does not negatively affect seniors or people with disabilities. The Carp River Restoration Project will improve public access and mobility to the Carp River via the Major Recreational Pathway that will be constructed as part of the project.

ENVIRONMENTAL IMPLICATIONS

The Carp River Restoration Project will result in the design and construction of a new low flow channel design that will increase velocity, improve sediment transport and reduce the potential for ice jamming. Overall flood storage capacity will increase in the Carp River corridor with the proposed restoration plan. The proposed Carp River Restoration Plan will improve water quality and its habitat function by planting vegetation along the riverbanks, and adding features such as fish habitat pools and wetlands.

The City has received comments from MVC who support the proposed Official Plan and Zoning By-law amendment to facilitate and implement the Carp River Restoration Plan. The Restoration Plan has resulted in extensive consultation and technical review following recommendations that were identified in the Carp River Watershed/Subwatershed plan. This section of the Carp River is currently degraded and the restoration plan will result in an environmental gain for the targeted area of the Carp River. The MVC confirms that there will be ongoing monitoring to ensure that objectives are met and are in keeping with provincial policy.

The work will be subject to the MVC regulations and policies and will be reviewed by MVC technical staff. MVC's review will consider the impacts related to flooding, erosion, pollution and conservation of land. Permission from the MVC is required prior to any work and any submission must clearly demonstrate that impacts are addressed. Compensation for any alteration must be clearly demonstrated. The MVC has participated in the EA process project and MVC permission is required as part of the conditions established in the EA documentation and within the Special Policies of the proposed Official Plan amendment. In addition there are multiple approvals required by the Ministry of Environment, Mississippi Valley Conservation, Ministry of Natural Resources Department, Department of Fisheries and Oceans and Transport Canada.

TECHNOLOGY IMPLICATIONS

There are no technology implications associated with this report.

TERM OF COUNCIL PRIORITIES

This policy contributes to achieving the following Environmental Stewardship objectives of the City's Strategic Plan:

- ES1: Improve storm water management:
- ES2: Enhance and protect natural systems
- ES3: Reduce environmental impact

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/Carp River Restoration Policy Area
Document 2 Proposed Official Plan Amendment
Document 3 Details of Recommended Zoning
Document 4 Proposed Zoning Schedule
Document 5 Proposed Zoning Schedule
Document 6 Proposed Zoning Schedule
Document 7 Proposed Zoning Schedule
Document 8 Consultation Details

DISPOSITION

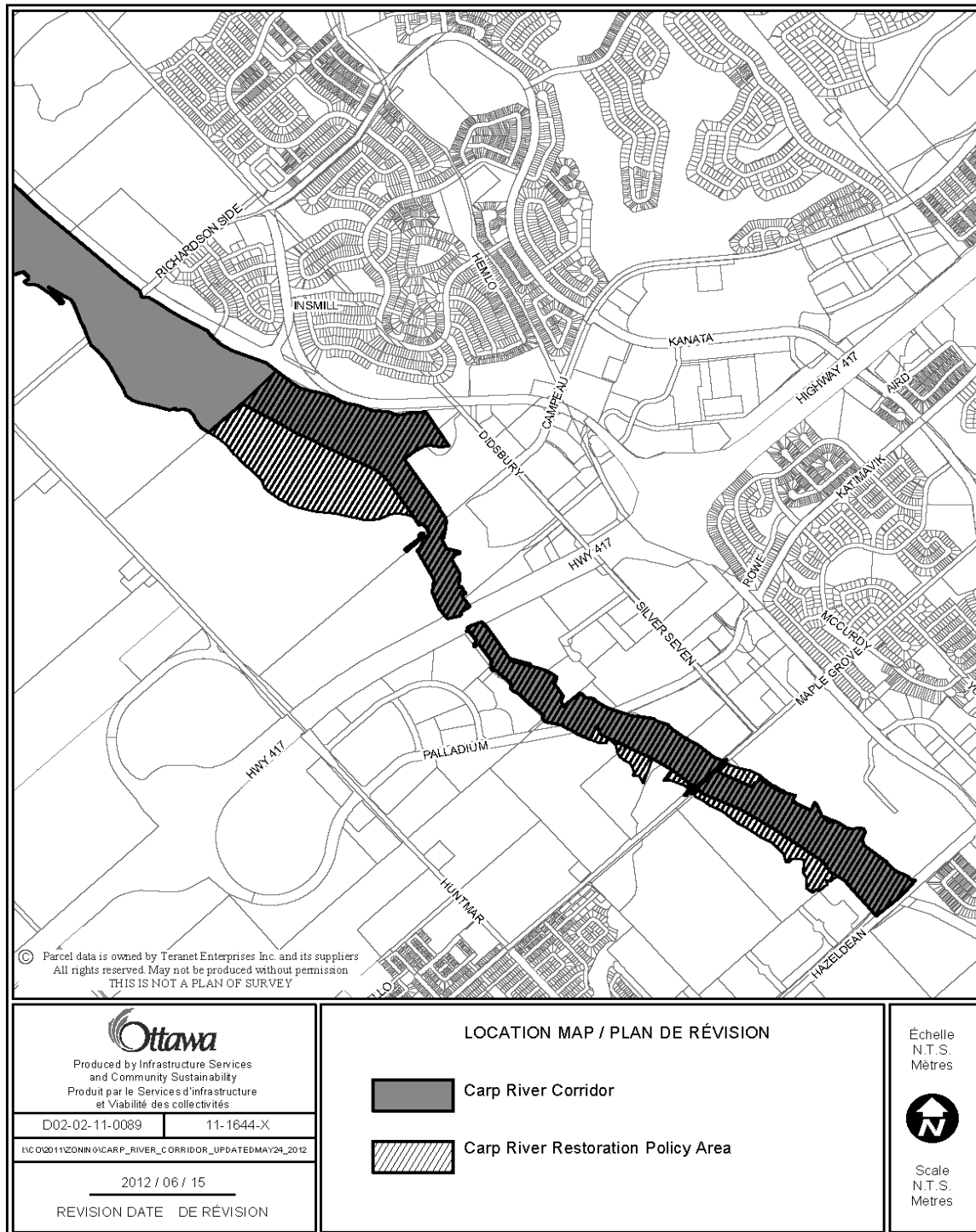
City Clerk and Solicitor Department, Legislative Services to notify the owners, applicant, and, Ghislain Lamarche, Program Manager, Assessment, Financial Services Branch (Mail Code: 26-76) of City Council's decision.

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/CARP RIVER RESTORATION POLICY AREA

DOCUMENT 1





OFFICIAL PLAN
AMENDMENT 104 TO THE
OFFICIAL PLAN FOR THE
CITY OF OTTAWA

INDEX

THE STATEMENT OF COMPONENTS

PART A – THE PREAMBLE

Purpose
Location
Basis

PART B – THE AMENDMENT

Introduction
Details of the Amendment
Implementation and Interpretation
Schedule A of Amendment 104 – Official Plan for the City of Ottawa

PART A – THE PREAMBLE

PART A – THE PREAMBLE introduces the actual amendment but does not constitute part of Amendment No. 104 to the Official Plan for the City of Ottawa.

PART B – THE AMENDMENT constitutes Amendment 104 to the Official Plan for the City of Ottawa.

1. Purpose

The proposed Official Plan amendment includes the establishment of a special Official Plan policy known as the “Carp River Restoration Policy Area” to be added to Section 3 of the Official Plan.

2. Location

The proposed special policy area is shown on Schedule A, and is located in the Kanata West/Stittsville communities west of Terry Fox Drive between Hazeldean Road and Richardson Side Road.

3. Basis

The proposed Official Plan amendment will replace the existing flood plain designation with a special policy area to be identified on Schedules B of the Official Plan as the “Carp River Restoration Policy Area”. The proposed policy area would not permit development in the subject area until specific conditions as outlined in Section 3.XX have been met.

Background

The proposed Official Plan amendment is required to address the Ministry of Environment's (MOE) requirement that the existing two-zone flood plain areas and the proposed flood fringe area for the reach of the Carp River within the Kanata West area will be recognized appropriately in the City of Ottawa planning documents. The proposed amendment also requires the maintenance of flood plain storage.

Rationale

The Minister of the Environment approved the Environmental Assessment (EA) for the Carp River Restoration Project on March 30, 2011 and the supporting modelling has been validated and calibrated. As such the proposed amendments are now required to satisfy commitments the City has made to the Ministry to update its planning documents and comply with the direction provided by the Minister of the Environment. The implementation of the Official Plan amendment

is one of the approvals required to allow the Carp River Restoration project to proceed to construction.

PART B – THE AMENDMENT

1. Introduction

All of this part of this document entitled Part B – The Amendment consisting of the following text and the attached Schedule constitutes Amendment No. 104 to the Official Plan for the City of Ottawa.

2. Details

- a. Amend Schedule B, Urban Policy Plan, to add “Carp River Restoration Policy Area” as shown on Document 1 and as shown on Schedule B.
- b. Amend Section 3 of the City of Ottawa Official Plan by adding a new Section 3.XX “Carp River Restoration Policy Area” as follows:

3.XX - Carp River Restoration Policy Area

Policies

1. Lands in the vicinity of the Carp River between Hazeldean Road and a point north of Campeau Drive, are designated ‘Carp River Restoration Policy Area’ on Schedule B of this Plan. The Restoration Policy Area is an overlay over urban land-use designations. The extent of the flood plain lands to which the Carp River Restoration Policy Area applies will be determined by the consulting the implementing zoning by-law and Conservation Authority Flood Plain maps. The purpose of the Restoration Policy Area designation is to recognize that proposed channel modifications and restoration works will occur and allow for development of part of this area following implementation. However, a number of conditions must be met before development is allowed to proceed:

Conditions

- a. The Minister of the Environment will have approved the Carp River, Poole Creek and Feedmill Creek Restoration Class EA;
- b. The Kanata West Landowners Group, or the City, will have commenced the physical construction of Phase I of the Carp River restoration works between Richardson Side Road and Highway 417;
- c. Mississippi Valley Conservation Authority will have issued a permit under Section 28 of the *Conservation Authorities Act* for the placement and removal of fill in accordance with the Carp River Restoration Plan and the EA;

d. Filling of the property and an as-built survey will have been completed to demonstrate that the area is entirely removed from the flood plain; and

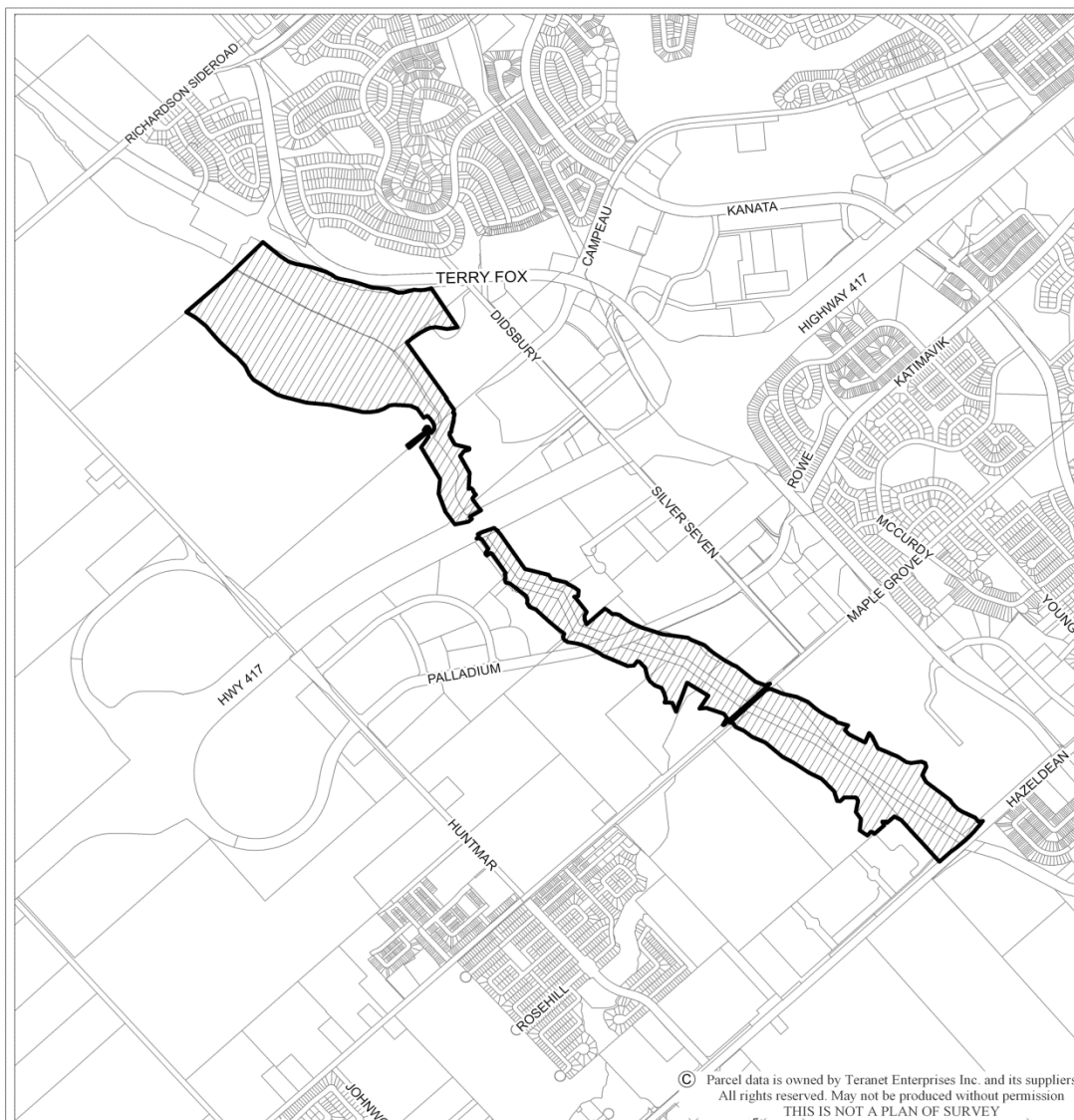
e. At all times, the flood storage capacity of the corridor will be maintained at or above existing conditions.

2. Once all five conditions have been met, the zoning by-law may be amended (holding provision lifted) on the basis of the underlying designation on these lands. An Official Plan Amendment will not be required to revert to the underlying designation provided the conditions listed in Policy 1 have been met.

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.

SCHEDULE A



Prepared by Planning and Growth Management Department,
Mapping & Graphics Unit



Préparé par Service de l'urbanisme et de la gestion de la croissance,
Unité de la cartographie et des graphiques

D01-01-11-0006

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Scale - N.T.S. / Echelle - N.A.E.

**SCHEDULE A to
AMENDMENT NO. 104**

to the OFFICIAL PLAN
for the CITY OF OTTAWA

Amending Schedule B
Urban Policy Plan



LANDS TO BE DESIGNATED "CARP RIVER RESTORATION POLICY AREA"
TERRAINS DEVANT ÊTRE DÉSIGNÉS « ZONE DE RESTAURATION DE LA RIVIÈRE CARP »

**ANNEXE A de
L' AMENDMENT No. 104**

au PLAN OFFICIEL
de la VILLE D'OTTAWA

Modifiant l'Annexe B
Plan des politiques en milieu urbain

DETAILS OF RECOMMENDED ZONING

DOCUMENT 3

1. The Zoning Map of By-law 2008-250 is amended to remove or add the Flood Plain Overlay from properties as indicated on Document 4.

2. The Zoning Map of By-law 2008-250 is further amended by rezoning the properties as shown on Documents 5, 6 and 7 as follows:

Area A from O1 to O1[xxxx]-h
Area B from DR to DR[xxxx]-h
Area C from DR[1] to DR [yyyy]-h
Area D from IL to IL[xxxx]-h
Area E from MC[1696] F(2.0) to MC[1696] F(2.0)-h
Area F from L2 to L2[xxxx]-h
Area G from AM7[1570]-h-f to AM7[1570]-h
Area H from IL6[1414] H(30)-h-f to IL6[1414] H(30)-h
Area I from AM7[1570]-h-f to O1

3. Amend Section 239 to add new exceptions with the following provisions or ones similar having the same intent:

I Exception Number	II Applicable Zones	III Additional Land Uses Permitted	IV Land Uses Prohibited	V Provisions
xxxx	O1[xxxx]-h DR[xxxx]-h IL[xxxx]-h L2[xxxx]-h		all uses, except those that existed on July xx, 2012 are prohibited until such time as the holding symbol is removed	the holding symbol can be removed only at such time as the following conditions are met: a. The Minister of the Environment will have approved the Carp River, Poole Creek and Feedmill Creek Restoration Class EA; b. The Kanata West Landowners Group, or the City, will have commenced the

				<p>physical construction of Phase I of the Carp River restoration works between Richardson Side Road and Highway 417;</p> <p>c. Mississippi Valley Conservation Authority will have issued a permit under Section 28 of the Conservation Authorities Act for the placement and removal of fill in accordance with the Carp River Restoration Plan and the EA;</p> <p>d. Filling of the property and an as-built survey will have been completed to demonstrate that the area is entirely removed from the flood plain; and</p> <p>e. At all times, the flood storage capacity of the corridor will be maintained at or above existing conditions.</p>
yyyy	DR[yyyy]-h	- snow disposal facility	all uses, except those that existed on July xx, 2012 are prohibited until such time as the holding symbol is removed	<p>the holding symbol can be removed only at such time as the following conditions are met:</p> <p>a. The Minister of</p>

				<p>the Environment will have approved the Carp River, Poole Creek and Feedmill Creek Restoration Class EA;</p> <p>b. The Kanata West Landowners Group, or the City, will have commenced the physical construction of Phase I of the Carp River restoration works between Richardson Side Road and Highway 417;</p> <p>c. Mississippi Valley Conservation Authority will have issued a permit under Section 28 of the Conservation Authorities Act for the placement and removal of fill in accordance with the Carp River Restoration Plan and the EA;</p> <p>d. Filling of the property and an as-built survey will have been completed to demonstrate that the area is entirely removed from the flood plain; and</p> <p>e. At all times,</p>
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				the flood storage capacity of the corridor will be maintained at or above existing conditions.
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4. Further Amend Section 239 to:

- (a) add the following provisions or ones similar having the same intent to exception 1696 to implement the holding provisions for the Carp River Restoration Policy Area:

Column II

The appropriate zone code

Column IV

- where a holding symbol has been added to the zone code of the property, because the property is part of the Carp River Restoration Policy Area all permitted uses, except those that existed on July xx, 2012, are prohibited until such time as the holding symbol is removed

Column V

- where a holding symbol has been added to the zone code of the property, because the property is part of the Carp River Restoration Policy Area, the holding symbol can only be removed at such time as the following conditions are met:

- The Minister of the Environment will have approved the Carp River, Poole Creek and Feedmill Creek Restoration Class EA;
- The Kanata West Landowners Group, or the City, will have commenced the physical construction of Phase I of the Carp River restoration works between Richardson Side Road and Highway 417;
- Mississippi Valley Conservation Authority will have issued a permit under Section 28 of the Conservation Authorities Act for the placement and removal of fill in accordance with the Carp River Restoration Plan and the EA;
- Filling of the property and an as-built survey will have been completed to demonstrate that the area is entirely removed from the flood plain; and
- At all times, the flood storage capacity of the corridor will be maintained at or above existing conditions.

- (b) remove the following text from column V of exception 1414:

-Flood fringe zones are created for limited use on a site specific basis by adding a dash and a lower-case "f" to the zone code on the zoning maps,

and they have the effect of denoting a special zone, where the permitted uses and the zone provisions for the flood fringe zone shall be according to the zone represented by the zone symbol as well as the following general provisions:

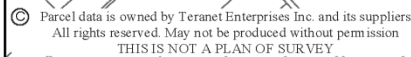
- (a) all permitted uses shall be flood proofed in accordance with the following provisions:
 - (i) any building and related major building services such as mechanical or electrical services, shall be located at least 0.3 metres above the regulatory flood level;
 - (ii) all non-residential uses shall be flood proofed to the regulatory flood level.
- (b) all alterations or additions to existing non-conforming buildings or structures shall be flood proofed in accordance with the following provisions:
 - (i) alterations or additions which expand the existing building or structure shall be protected to 0.3 metres above the regulatory flood level.
- (c) remove the following text from column V of exception 1570:

-Flood fringe zones are created for limited use on a site specific basis by adding a dash and a lower case "f" to the zone code on the zoning maps, and they have the effect of denoting a special zone, where the permitted uses and the zone provisions for the flood fringe shall be according to the zone represented by the zone symbol as well as the following general provisions:

 - (a) all permitted uses shall be flood proofed in accordance with the following provisions:
 - (i) any building and related major building services such as mechanical or electrical services, shall be located at least 0.3 metres above the regulatory flood level;
 - (ii) all non-residential uses shall be flood proofed to the regulatory flood level;
 - (b) all alterations or additions which expand the existing building or structure shall be protected to 0.3 metres above the regulatory flood level.

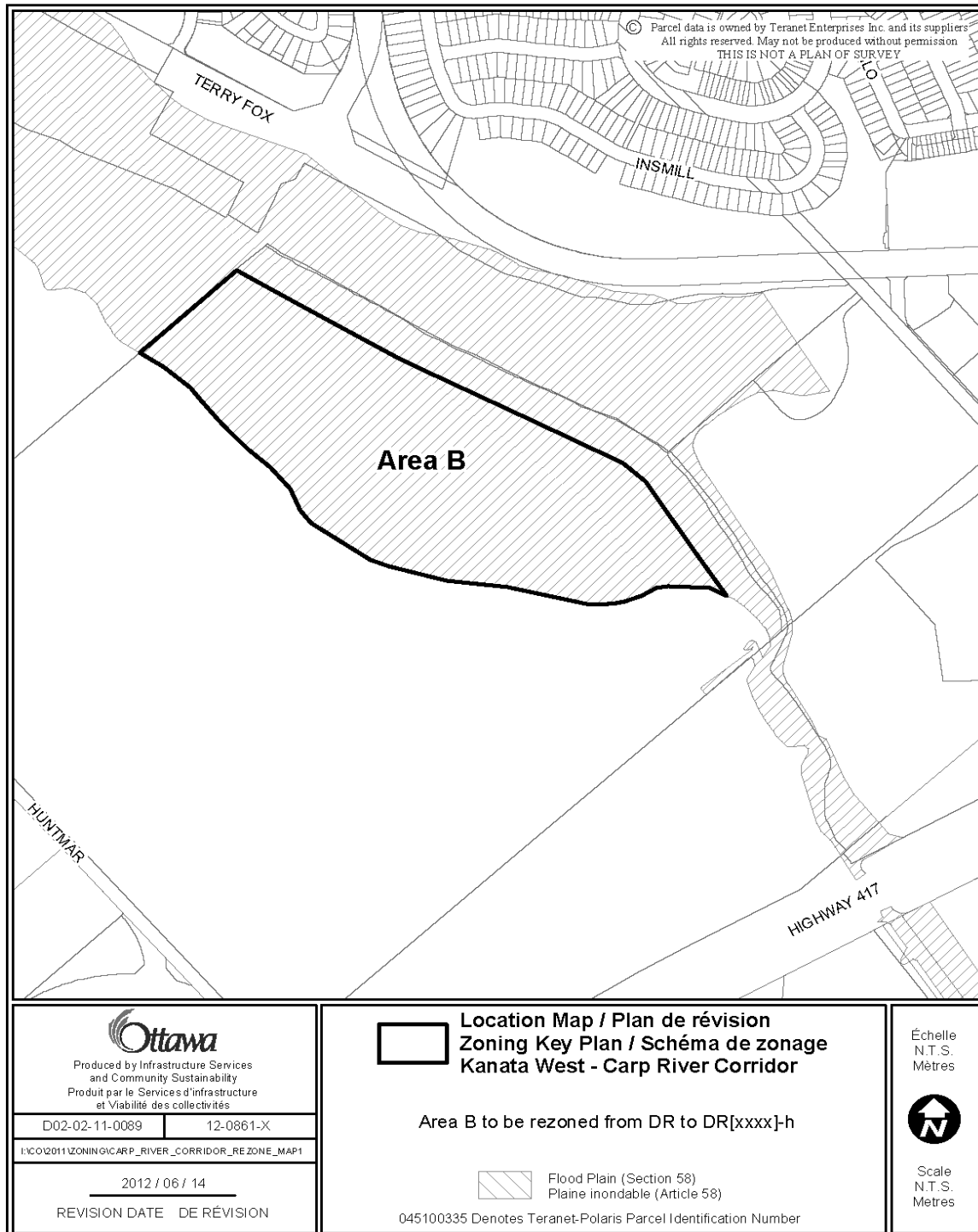
(i) alterations or additions which expand the existing building or structure shall be protected to 0.3 metres above the regulatory flood level.

DOCUMENT 4



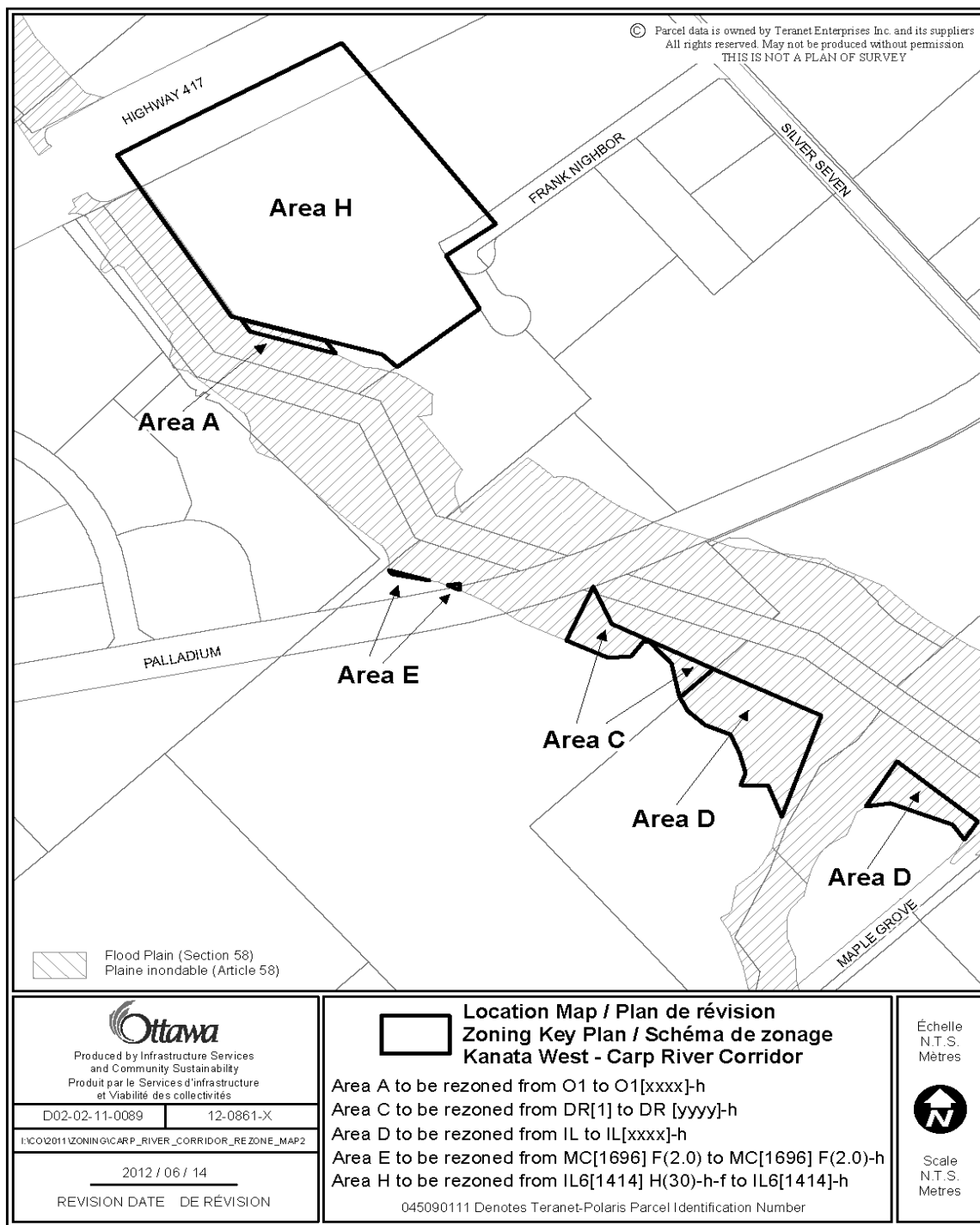
PROPOSED ZONING SCHEDULE

DOCUMENT 5



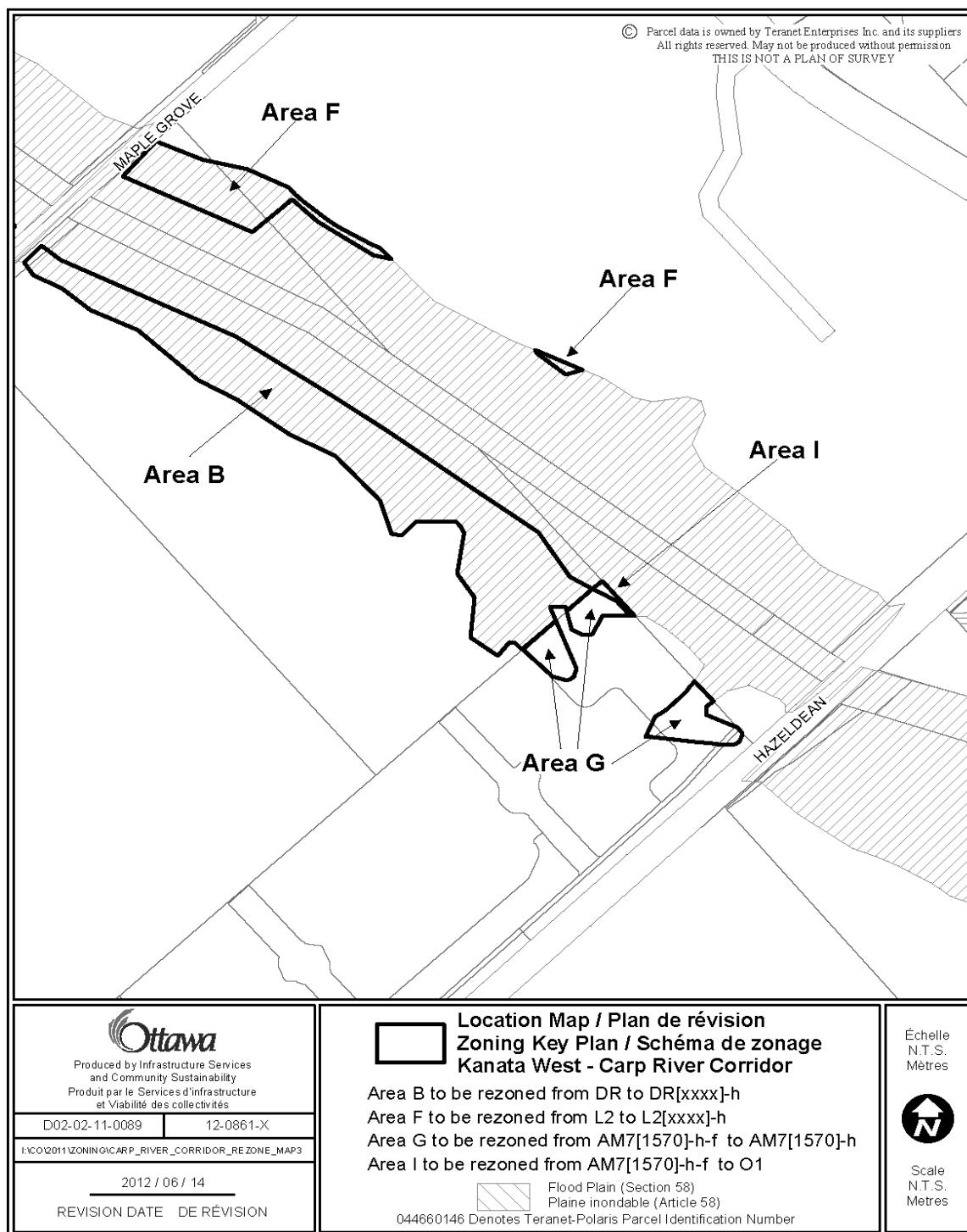
PROPOSED ZONING SCHEDULE

DOCUMENT 6



PROPOSED ZONING SCHEDULE

DOCUMENT 7



CONSULTATION DETAILS

DOCUMENT 8

PUBLIC COMMENTS

A total of four comments were received. All four comments received were from individuals who filed Part II Order requests on the EA and have an ongoing interest in the project. Responses to the comments submitted have been submitted to the Minister of Environment.

SUMMARY OF PUBLIC INPUT

Flood plain Policy/Planning Act Issues

A number of comments were received with regard to the appropriateness of the CRRP in terms of the Provincial Policy Statement. These issues were thoroughly addressed in Third Party Review and the EA documentation. The policy context is also addressed in this report. It is important to note that all of the provincial ministries (MMA and MOE) and the Mississippi Valley Conservation Authority have reviewed the CRRP and have indicated no concern from a planning policy perspective as confirmed by the Minister of Environment's letter of March 30, 2011 indicating the conditions of the Minister's Order of July 21, 2008 have been satisfied.

Technical Comments related to Model Validation Report

A number of comments were received with respect to the Model Validation Report including modeling parameters, measurement of rainfall events and infrastructure concerns. The City has conducted a thorough review of the comments received to date regarding the Carp River Model Validation Report. The City has provided a detailed response to the Ministry of Environment regarding the concerns raised on the Model Validation Report. The City confirmed that its position with respect to Model Validation has not changed and there is no grounds to trigger the Contingency Plan as outlined in the Kanata West Implementation Plan.

COMMUNITY ORGANIZATION COMMENTS

A verbal comment of support was received from the Katimavik-Hazeldean Community Association.

ADVISORY COMMITTEE COMMENTS

None