

5. OFFICIAL PLAN AMENDMENT - NATURAL HERITAGE SYSTEM MAPPING, LESTER ROAD WETLAND COMPLEX, KIZELL DRAIN WETLANDS AND THE CARDINAL CREEK KARST

MODIFICATION AU PLAN OFFICIEL – CARTOGRAPHIE DU SYSTÈME DU PATRIMOINE NATUREL, COMPLEXE DE TERRES HUMIDES DU CHEMIN LESTER, TERRES HUMIDES DE L'ÉTANG KIZELL ET FORMATION KARSTIQUE DU RUISSEAU CARDINAL

AGRICULTURE AND RURAL AFFAIRS COMMITTEE AND PLANNING COMMITTEE RECOMMENDATIONS

That Council:

- 1. Approve and adopt an amendment to the Official Plan to amend policies related to the Natural Features and Functions, Environmental Impact Statement and Implementation as detailed in Document 1;**
- 2. Approve and adopt an amendment to the Official Plan to include the Natural Heritage System Overlays, as shown in Schedules 1, 2 and 3 of Document 1 as Schedules L1, L2 and L3, respectively, of the Official Plan;**

PLANNING COMMITTEE RECOMMENDATIONS

That Council:

- 3. Approve and adopt an amendment to the Official Plan to designate the Lester Road Wetland Complex, as shown in Schedule 1 of Document 2, as 'Significant Wetlands' in Schedule B of the Official Plan;**
- 4. Approve and adopt an amendment to the Official Plan to designate the Kizell Wetland, as shown in Schedule 1 of Document 3, as 'Significant Wetlands' in Schedule B of the Official Plan; and**
- 5. Approve and adopt an amendment to the Official Plan to designate the Cardinal Creek Karst as shown in Schedule 1 of Document 4 as an 'Earth Science Area of Natural and Scientific Interest (ANSI)' in Schedule K of the Official Plan.**

**RECOMMANDATIONS DU COMITÉ DE L'AGRICULTURE ET DES AFFAIRES
RURALES ET DU COMITÉ DE L'URBANISME**

Que le Conseil :

1. approuve et adopte une modification au Plan officiel en vue de modifier des politiques relatives aux caractéristiques et aux fonctions naturelles, à l'Étude d'impact sur l'environnement et à la mise en œuvre, tel qu'exposé en détail dans le document 1;
2. approuve et adopte une modification au Plan officiel en vue d'intégrer les désignations des systèmes du patrimoine naturel, illustrées dans les annexes 1, 2 et 3 du document 1, en tant qu'annexes L1, L2 et L3, respectivement, du Plan officiel;

RECOMMANDATIONS DU COMITÉ DE L'URBANISME

Que le Conseil :

3. approuve et adopte une modification au Plan officiel en vue de désigner le complexe de terres humides du chemin Lester, illustré dans l'annexe 1 du document 2, en tant que « terres humides d'importance » dans l'annexe B du Plan officiel;
4. approuve et adopte une modification au Plan officiel en vue de désigner les terres humides Kizell, illustrées dans l'annexe 1 du document 3, en tant que « terres humides d'importance » dans l'annexe B du Plan officiel;
5. approuve et adopte une modification au Plan officiel en vue de désigner la formation karstique du ruisseau Cardinal, illustrée dans l'annexe 1 du document 4, en tant que « zone d'intérêt naturel et scientifique (ZINS) sur le plan des sciences de la Terre » dans l'annexe K du Plan officiel.

DOCUMENTATION / DOCUMENTATION

1. Deputy City Manager's report, Planning and Infrastructure, dated 20 September 2012 (ACS2012-PAI-PGM-0214).
Rapport de la Directrice municipale adjointe, Urbanisme et Infrastructure, le 20 septembre 2012 (ACS2012-PAI-PGM-0214).
2. Extract of Draft Minutes, Agriculture and Rural Affairs Committee, 4 October 2012.
Extrait de l'ébauche du procès-verbal du Comité de l'agriculture et des affaires rurales, le 4 octobre 2012.
3. Extract of Draft Minutes, Planning Committee, 9 October 2012.
Extrait de l'ébauche du procès-verbal du Comité de l'urbanisme, le 9 octobre 2012.

Report to/Rapport au :

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

and / et

Planning Committee
Comité de l'urbanisme

and Council / et au Conseil

September 20, 2012
20 septembre 2012

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

Contact Person / Personne ressource: Lee Ann Snedden, Manager/Gestionnaire, Policy Development and Urban Design/Élaboration de la politique et conception urbaine, Planning and Growth Management/Urbanisme et gestion de la croissance
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CITY WIDE / À L'ÉCHELLE DE LA VILLE

Ref N°: ACS2012-PAI-PGM-0214

SUBJECT: OFFICIAL PLAN AMENDMENT - NATURAL HERITAGE SYSTEM MAPPING, LESTER ROAD WETLAND COMPLEX, KIZELL DRAIN WETLANDS AND THE CARDINAL CREEK KARST

OBJET : MODIFICATION AU PLAN OFFICIEL - CARTOGRAPHIE DU SYSTÈME DU PATRIMOINE NATUREL, COMPLEXE DE TERRES HUMIDES DU CHEMIN LESTER, TERRES HUMIDES DE L'ÉTANG KIZELL ET FORMATION KARSTIQUE DU RUISSEAU CARDINAL

REPORT RECOMMENDATIONS

That Agricultural and Rural Affairs Committee and Planning Committee recommend Council:

1. Approve and adopt an amendment to the Official Plan to amend policies related to the Natural Features and Functions, Environmental Impact Statement and Implementation as detailed in Document 1;
2. Approve and adopt an amendment to the Official Plan to include the Natural Heritage System Overlays, as shown in Schedules 1, 2 and 3 of Document 1 as Schedules L1, L2 and L3, respectively, of the Official Plan;

That Planning Committee recommend Council:

- 3. Approve and adopt an amendment to the Official Plan to designate the Lester Road Wetland Complex, as shown in Schedule 1 of Document 2, as 'Significant Wetlands' in Schedule B of the Official Plan;**
- 4. Approve and adopt an amendment to the Official Plan to designate the Kizell Wetland, as shown in Schedule 1 of Document 3, as 'Significant Wetlands' in Schedule B of the Official Plan; and**
- 5. Approve and adopt an amendment to the Official Plan to designate the Cardinal Creek Karst as shown in Schedule 1 of Document 4 as an 'Earth Science Area of Natural and Scientific Interest (ANSI)' in Schedule K of the Official Plan.**

RECOMMANDATIONS DU RAPPORT

Que le Comité de l'agriculture et des affaires rurales et le Comité de l'urbanisme recommandent ce qui suit au Conseil :

- 1. approuver et adopter une modification au Plan officiel en vue de modifier des politiques relatives aux caractéristiques et aux fonctions naturelles, à l'Étude d'impact sur l'environnement et à la mise en œuvre, tel qu'exposé en détail dans le document 1;**
- 2. approuver et adopter une modification au Plan officiel en vue d'intégrer les désignations des systèmes du patrimoine naturel, illustrées dans les annexes 1, 2 et 3 du document 1, en tant qu'annexes L1, L2 et L3, respectivement, du Plan officiel;**

Que le Comité de l'urbanisme recommande ce qui suit au Conseil :

- 3. approuver et adopter une modification au Plan officiel en vue de désigner le complexe de terres humides du chemin Lester, illustré dans l'annexe 1 du document 2, en tant que « terres humides d'importance » dans l'annexe B du Plan officiel;**
- 4. approuver et adopter une modification au Plan officiel en vue de désigner les terres humides Kizell, illustrées dans l'annexe 1 du document 3, en tant que « terres humides d'importance » dans l'annexe B du Plan officiel;**
- 5. approuver et adopter une modification au Plan officiel en vue de désigner la formation karstique du ruisseau Cardinal, illustrée dans l'annexe 1 du document 4, en tant que « zone d'intérêt naturel et scientifique (ZINS) sur le plan des sciences de la Terre » dans l'annexe K du Plan officiel.**

BACKGROUND

This report recommends a number of policy and mapping changes to the Official Plan in order to update the Natural Heritage System. In accordance with Ontario Municipal Board direction, policies related to identifying the Natural Heritage System are proposed to be implemented and the corresponding mapping to be included as Schedules. Also in accordance with the Board, the Lester Road Wetland Complex and Kizell Drain Wetland are proposed to be designated as 'significant wetlands'. A proposed amendment has also been included related to identifying the Cardinal Creek Karst as an Earth Science Area of Natural and Scientific Interest.

Specifically, the proposed amendments to the Official Plan that are recommended through this report are as follows:

- 1) Amendments to Policies 2.4.2, 4.7.8 and 5.4 corresponding to the inclusion of the Natural Heritage System Overlays as Schedules L1, L2 and L3 of the Official Plan. The overlays are a result of an order from the Ontario Municipal Board (OMB) in the appeal of the Comprehensive Official Plan Review (OPA 76). This Official Plan Review introduced a conceptual map of the City's Natural Heritage System as Annex 14 which was intended for use as a source of information but was not part of the Official Plan. However, the OMB, in their decision dated April 26, 2012, ruled that the natural heritage system mapping should be included as schedules within the Plan.
- 2) Amendment to Schedule B to identify the Lester Road Wetland Complex as 'Significant Wetlands'. The OMB decision of April 26, 2012 directed the City to initiate an amendment to the Official Plan within six months of the identification by the Ministry of Natural Resources of a provincially significant wetland. The Lester Road Wetland Complex was confirmed as significant on January 28, 2011.
- 3) Amendment to Schedule B to identify the Kizell Drain Wetland as 'Significant Wetlands'. As with the Lester Road Wetland Complex, this amendment is pursuant to an OMB decision. The Kizell Drain Wetland was confirmed as a provincially significant wetland on September 16, 2011.
- 4) Amendment to Schedule K to identify the Cardinal Creek Karst, currently shown as a 'Landform Feature' to an 'Earth Science Area of Natural and Scientific Interest (ANSI)'. The Ministry of Natural Resources confirmed the Cardinal Creek Karst as a provincially significant Earth Science ANSI on June 8, 2009.

The effect of these amendments will be the requirement for a proponent of a development application (Official Plan amendment, zoning by-law amendment, site plan control approval, severance, etc.) located within 120m of a natural heritage feature or significant wetland or 50 metres of the karst feature to submit an Environmental Impact Statement (EIS). This Statement is to ensure that the development will not produce negative impacts on the feature or its functions. Existing development not proposing changes or new or existing development which does not require a development application for proposed construction will not be impacted by the amendments.

Regardless of these amendments, the Conservation Authority may require an EIS under the *Conservation Authority Act*.

The proposed amendments are discussed individually below and each amendment is proposed to be dealt with through individual by-laws to ensure that should an appeal be filed against an amendment, the amendments which are not appealed are unaffected and can be enacted.

The amendments related to the Natural Heritage System are to be considered by both Agriculture and Rural Affairs Committee and Planning Committee, as the policy amendments and Natural Heritage System mapping pertain to the urban and rural portions of the city. The majority of the City's more pristine natural areas are found in the rural areas. However, as the significant wetlands and ANSI are located within the urban area, these amendments will be considered only by Planning Committee.

DISCUSSION

Natural Heritage System Overlay (Recommendations 1 and 2)

This amendment is a result of an order from the Ontario Municipal Board ruling on an appeal to the Comprehensive Official Plan (OPA 76). The appellant argued before the Board that greater certainty of the environmental features was required than that afforded by the Annex 14-Natural Heritage System map introduced with OPA 76. The purpose of this amendment is to replace Annex 14 with a set of Natural Heritage System Overlays in Section 6-Schedules. Annexes, with noted exceptions, are generally provided as information to help in the understanding of the policies of the Plan, but do not form part of the Plan, whereas Schedules form part of the Plan. Therefore, changes to annexes do not require an amendment to the Official Plan while an amendment, with the statutory notification and public hearing, will be required if significant changes are proposed to the Overlay.

The proposed overlays merge the already designated natural heritage system features (significant wetlands, urban natural features, earth science areas of natural and scientific interest) with other features for which the City has mapping (significant woodlands, significant valleylands, life science areas of natural and scientific interest, significant wildlife habitat in the form of escarpments). The significant woodlands mapping from Annex 14 was updated through the use of 2008 aerial photography and land use information. The overlay is presented as three schedules (L1 (East), L2 (South) and L3 (West)) in order to provide information in greater detail. It is one screening mechanism to determine the requirement for an Environmental Impact Statement when development is proposed on or adjacent to lands covered by the overlay. However, it does not represent the entire natural heritage system, and an Environmental Impact Statement may still be required under the policies of Sections 2.4.2 and 4.7.8 even in cases where no features are shown on the overlay. The need for and requirements of an Environmental Impact Statement will be determined during pre-application consultation with City staff.

Through the consultation process, various comments were made with respect to the inclusion/exclusion of specific properties from the overlay and have been dealt with on an individual basis. In particular, there was a request that the natural escarpment, the Rockcliffe Formation, rock outcropping lying between Bronson Avenue and Booth Street should be identified as a 'Natural Heritage System Feature'. Staff has assessed this request and has made the change to the mapping. One parcel adjacent to the Leirtrim Wetland was removed to reflect a previous OMB decision.

Corresponding amendments to the text of the Official Plan are proposed to recognize the inclusion of these schedules (Section 2.4.2, Policy 4.7.8 and 5.4.2), provide a description of the overlay (Policy 2.4.2.2) and its application and limitation when development is proposed (Policy 2.4.2.2 and Policy 2.4.2.3).

Significant Wetlands

The City's Comprehensive Official Plan Review (OPA 76) revised the Official Plan policies for the identification and protection of significant wetlands; however, those policies were appealed to the Ontario Municipal Board. The Board subsequently ruled on April 26, 2012 that the City must initiate an Official Plan amendment to designate new provincially significant wetlands within six months of the Ministry of Natural Resources' confirmation. The Ministry designates wetlands based on the Ontario Wetland Evaluation System (OWES), a standardized point grade system which assigns values to a range of factors (biological, social, hydrological and special features) related to wetlands. Those which achieve 600 or more points, or 200 or more points in either the Biological Component or the Special Features Component are designated as a 'provincially significant wetland'. Once identified as such by the MNR, within six months, the City is to initiate an amendment to designate the wetland as a 'significant wetlands' in the Official Plan. On January 28, 2011, the Ontario Ministry of Natural Resources (MNR) identified the Lester Road Wetland Complex as a 'Provincially Significant Wetland'. The MNR identified the Kizell Drain Wetland as a 'Provincially Significant Wetland' on September 16, 2011 based on the results of a re-evaluation of the wetland.

With these amendments, development of the wetland or land within 120m of the wetland will be subject to specific Official Plan policies (Sections 3.2.1 and 4.7.8) which were established to ensure the development or site alteration will not produce negative impacts on the wetland or its ecological function.

Lester Road Wetland Complex (Recommendation 3)

The Lester Road Wetland Complex lies within the National Capital Commission's Greenbelt, to the north and east of the Ottawa Airport, with various portions of the wetland owned by the National Capital Commission (NCC), Transport Canada and the City of Ottawa. The evaluation of the Lester Road Wetland Complex was completed by the environmental consulting company Beacon Environmental under contract by the City and the NCC. The City and the NCC initiated the wetland evaluation in response to community concerns for its status and protection and to provide the necessary background information for any future development or transportation projects in the

vicinity. The Lester Road Wetland Complex is adjacent to lands intended for development under the Ottawa Airport Master Plan and contains a corridor under consideration for future transit development.

Confirmation was requested that no changes are proposed to the alignment of the North-South Light Rail Transit (LRT) as the Environmental Assessment for the North-South already considered and accounted for the natural values of the Lester Road Wetland Complex. Staff confirms that the designation of the Lester Road Wetland Complex as a 'significant wetland' does not create any new or serious obstacles to the LRT. The proposed North-South LRT route lies almost entirely within the existing rail corridor. Projects approved under an Environmental Assessment Project are not subject to the same restrictive natural heritage system policies of the Provincial Policy Statement and the Official Plan as a development application submitted under the *Planning Act*. Further, the Environmental Assessment for the LRT has already considered and accounted for the natural values of the Complex, even prior to its designation as a provincially significant wetland by the Ministry. The LRT design has specifically avoided all but a small area of the wetland and any impacts from that minimal intrusion can be easily mitigated at the detailed design stage. While some very minor widening of the rail corridor is proposed on the west side, any effect would be non-significant and any impacts from that minimal intrusion can be mitigated. Apart from some precautions to protect species at risk during construction, standard construction mitigation measures would suffice.

There was also a question raised regarding the impact of the designation on the LRT Transfer Station. Staff is aware that the bus turning circle for this station, as currently proposed, would remove some marsh habitat. The loss of habitat should be avoided if possible; however, the impact is small and can be mitigated if necessary. This issue would be best addressed at the detailed design stage.

The complex is currently designated in the Official Plan as 'Macdonald Cartier International Airport', 'Natural Environment Area' and 'Greenbelt Rural' and is zoned a combination of Air Transportation Facility, Subzone A [T1A], Environmental Protection [EP], and Rural Countryside [RU] in Zoning By-law 2008-250. The designation is proposed to be amended to 'Significant Wetlands'; however, the zoning will remain unchanged at this time.

Kizell Drain Wetland (Recommendation 4)

The Kizell Wetland straddles Goulbourn Forced Road within the urban portion of the South March Highlands. The wetland lies almost entirely on property owned by the City of Ottawa, or planned for conveyance to the City through conditions of development. The area to the south of the wetland has been developed, or is undergoing development, as residential subdivisions. Most of the undeveloped area north of the wetland is owned by KNL Developments and is subject to an approved draft plan of subdivision. There are ongoing discussions between the City and KNL Developments regarding the implications of the provincially significant wetlands on options for stormwater management being developed through KNL's ongoing EA process.

A small portion of the west end of the wetland lies on property owned by the Regional Group who also owns an adjacent undeveloped parcel of land to the north.

The MNR previously evaluated the Kizell Drain Wetland in 1994 using the OWES, at which time it was found not to be provincially significant. However, since that time, at least one animal identified as a 'threatened species' under the provincial *Endangered Species Act*, the Blanding's turtle, has been found to occur within the wetland. The presence of breeding habitat for a threatened species automatically qualifies a wetland as provincially significant under the OWES. The City initiated the re-evaluation of the Kizell Wetland at the recommendation of the MNR and the Mississippi Valley Conservation Authority, and as a necessary background study to review the stormwater servicing options for the lands north of the wetland.

The designation is proposed to be amended from 'General Urban Area' and 'Urban Natural Feature' to 'Significant Wetlands'. Various portions of the Kizell Drain Wetland are currently zoned Environmental Protection [EP] and Parks and Open Space [O1]. These zones will remain unchanged at this time.

Cardinal Creek Karst (Recommendation 5)

Karst formations are areas where water flowing over and through limestone and dolomite bedrock deposits creates sinkholes, trenches and underground caverns. The main Cardinal Creek Karst consists of caves, chambers and surface sinkholes. It also contains a 'breakdown collapse' feature, defined by doline at the surface and a constriction inside; this type of formation is not known to occur elsewhere in the Province. It is a relatively large (approximately 340m long) and complex cave and provides the potential for scientific study in terms of its hydrology, geology and geomorphology. The Ministry of Natural Resources has confirmed that the portion of the Cardinal Creek Karst located on City property is a provincially significant Earth Science Area of Natural and Scientific Interest (ANSI) and the amendment to the Official Plan is proposed to identify this feature as an Earth Science ANSI in Schedule 'K', Environmental Constraints. Other portions of the karst, under private ownership, have not been identified as an Earth Science ANSI by the Province.

With this amendment, development of this site or land within 50m of the feature will be subject to specific Official Plan policies (in Section 4.7.7) established to protect the educational, scientific and landscape value of the feature.

This proposed amendment to the Official Plan updates Schedule 'K' of the Official Plan by converting the portion of Cardinal Creek currently identified as a 'Landform Feature' to an 'Earth Science Area of Natural and Scientific Interest (ANSI)'. The current zoning of the property will remain unchanged as Environmental Protection [EP].

RURAL IMPLICATIONS

While the schedules depicting Natural Heritage System overlay include urban land, the majority of the City's more pristine natural areas are found in the rural area. Schedules L1 to L3 assist landowners in identifying where development is within 120m of a natural heritage feature will require the completion of an Environmental Impact Statement to demonstrate no negative impact on the feature.

CONSULTATION

Consultation also took place in the form of four Community Information and Comment Sessions scheduled in the core, east, south and west areas of the city to provide opportunity for direct discussions with the public. Ads for the sessions were placed in Capital City News and EMC. A total of approximately 36 residents attended the sessions.

The application and supporting material were posted on the 'Development Application Search' section of the City's website. A number of comments were sent to staff from the link provided. A reference to the amendments was also included in the Natural Heritage System section of the City's site. Direct mailings were sent to landowners within 120m of the Lester Road Wetland Complex, Kizell Drain Wetland and the Cardinal Creek Karst.

The vast majority of comments received supported the amendments. Two submissions were received specifically indicating that the Lester Road Wetland Complex should not be designated and one such submission was received regarding the Kizell Drain Wetland. There were also four submissions requesting Staff investigate the inclusion/exclusion of specific properties within the Natural Heritage System Overlay.

A summary of comments is contained in Document 5.

COMMENTS BY THE WARD COUNCILLORS

Cardinal Creek Karst, Councillor Monette, Ward 1: Supports recommendation.

Kizell Drain Wetland, Councillor Wilkinson, Ward 4 - Supports recommendation.

Lester Road Wetland Complex, Councillor Deans, Ward 10 - Comments:

The Environmental Assessment for the North-South LRT already considered and accounted for the natural values of the Lester Road Wetland Complex.

Please ensure that:

1. There are no changes to the North-South LRT alignment.

Please advise:

2. What impacts will the designation have on the proposed Lester Road LRT Transfer Station, and how will it be accommodated?

Natural Heritage System, Councillor Holmes, Ward 14: Comments:

Requested that the natural escarpment, the Rockcliffe Formation, rock outcropping lying between Bronson Avenue and Booth Street should be identified as a 'Natural Heritage System Feature'.

Staff's responses are incorporated in the Report.

LEGAL IMPLICATIONS

The adoption of this amendment would implement findings made during the Ontario Municipal Board hearings on OPA 76 that to the extent that such is possible, features of the Natural Heritage System should be indicated on a schedule to the Official Plan.

RISK MANAGEMENT IMPLICATIONS

There are no risk implications.

FINANCIAL IMPLICATIONS

There are no direct financial implications.

ACCESSIBILITY IMPACTS

There are no accessibility impacts.

ENVIRONMENTAL IMPLICATIONS

These amendments will protect natural heritage features, the Lester Road Wetland Complex, the Kizell Drain Wetland and the Cardinal Creek Karst by requiring an Environmental Impact Statement which indicates no negative impact on the feature as a result of development.

TECHNOLOGY IMPLICATIONS

There are no technology implications associated with this report.

TERM OF COUNCIL PRIORITIES

The recommendations advance the 2010-2014 Term of Council Priorities pertaining to Environmental Stewardship. The specific Strategic Objectives impacted are ES1 (improve stormwater management), ES2 (enhance and protect natural systems) and ES3 (reduce environmental impact).

APPLICATION PROCESS TIMELINE STATUS

This application was not processed by the 'On Time Decision Date' (date for the application to be considered by Committee) established for the processing of Official Plan amendments due to the additional time required for public input following the Community Information and Comment Sessions.

SUPPORTING DOCUMENTATION

Document 1 Proposed Official Plan Amendment (Natural Heritage System overlay)
Document 2 Proposed Official Plan Amendment (Lester Road Wetland Complex)
Document 3 Proposed Official Plan Amendment (Kizell Drain Wetland)
Document 4 Proposed Official Plan Amendment (Cardinal Creek Karst)
Document 5 Consultation Details

DISPOSITION

Once approved, Planning and Growth Management will prepare the by-laws adopting the Official Plan Amendments, forward to Legal Services and undertake the statutory notification.

Legal Services will forward the implementing by-laws to City Council.

PROPOSED OFFICIAL PLAN AMENDMENT
(NATURAL SYSTEM OVERLAY)

DOCUMENT 1



Official Plan Amendment No. XX

To the Official Plan for the City of Ottawa

Land Use
Utilisation du sol

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THE STATEMENT OF COMPONENTS

PART A – THE PREAMBLE

Purpose

Location

Basis

PART B – THE AMENDMENT

Introduction

Details of the Amendment

Implementation and Interpretation

PART A – THE PREAMBLE

Purpose

The purpose of this amendment is to amend the Official Plan to include a series of Natural Heritage Systems Overlay maps as schedules and corresponding policy statements.

Location

City-wide.

Basis

The basis of this amendment is to comply with an order from the Ontario Municipal Board, dated April 26, 2012 to include the Natural Heritage System Overlay as a schedule rather than as an Annex 14 proposed through OPA 76.

PART B – THE AMENDMENT

Introduction

All of this part constitutes Amendment No. XX to the Official Plan for the City of Ottawa.

Details of the Amendment

The following changes are hereby made to Volume 1 the Official Plan for the City of Ottawa:

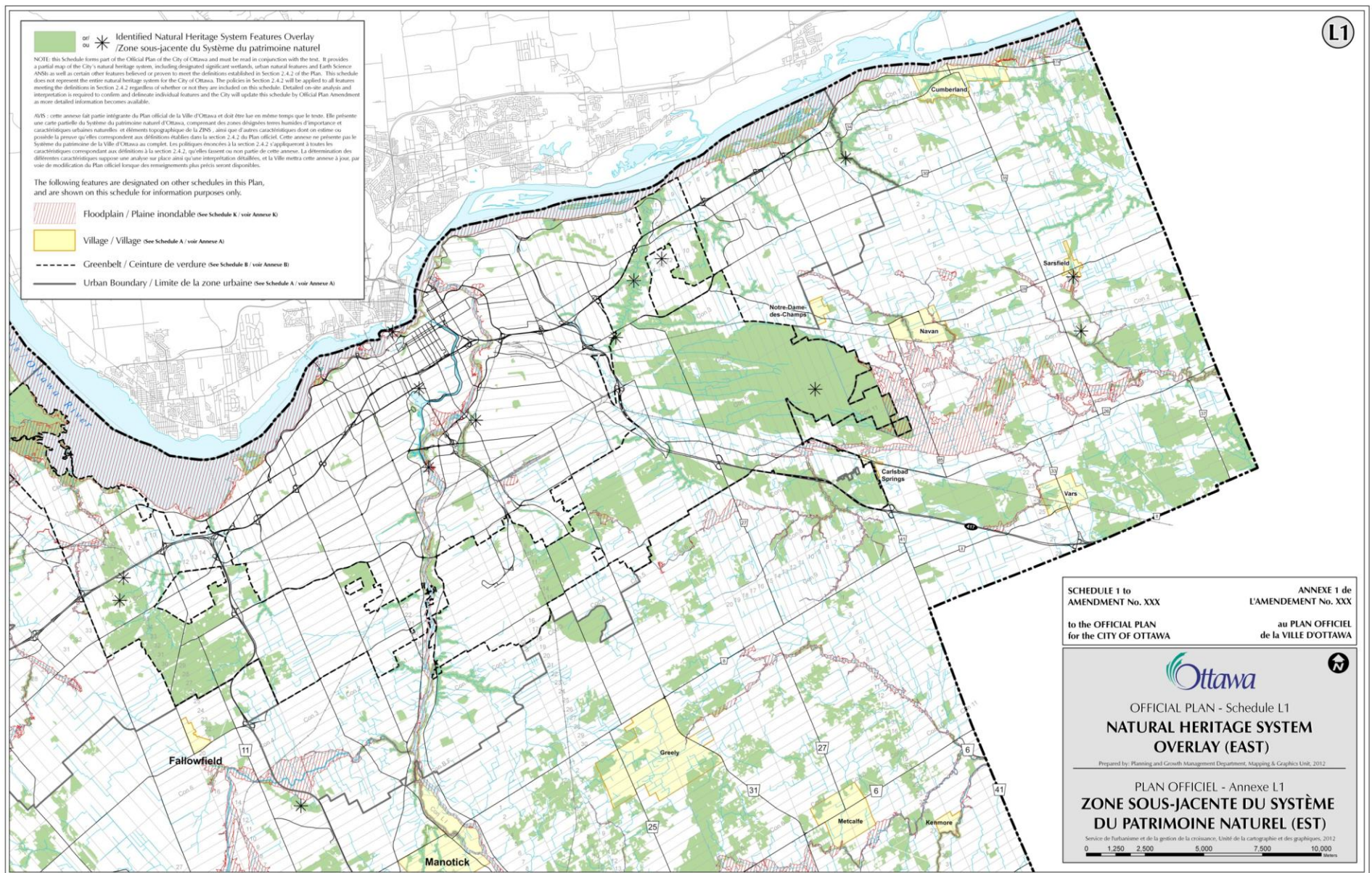
- 1.1 That the text of Section 2.4.2-Natural Features and Functions is amended by:
 - a) In the first sentence of the third paragraph of the preamble, the addition of the following words between 'land-use designations' and 'and policies':

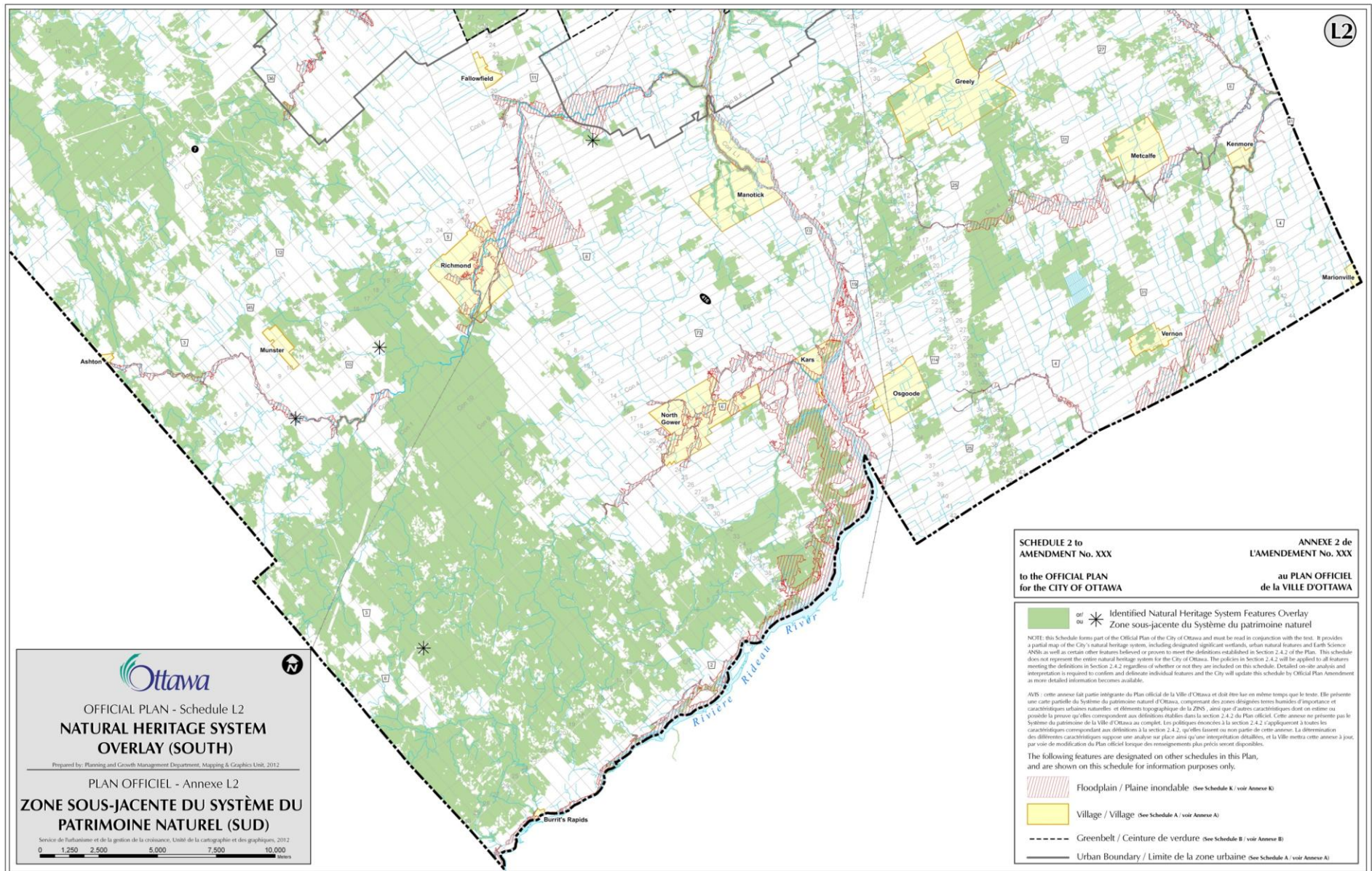
'in Schedules A and B, the Natural Heritage System Overlay (Schedules L1, L2 and L3)'
 - b) In the first sentence of the third paragraph of the preamble, between 'and policies' and 'how land is used' deleting the word 'on' and replacing with 'that govern'
 - c) Inserting a new sub-policy after policy 2c. as follows and renumbering the remaining sub-policies:

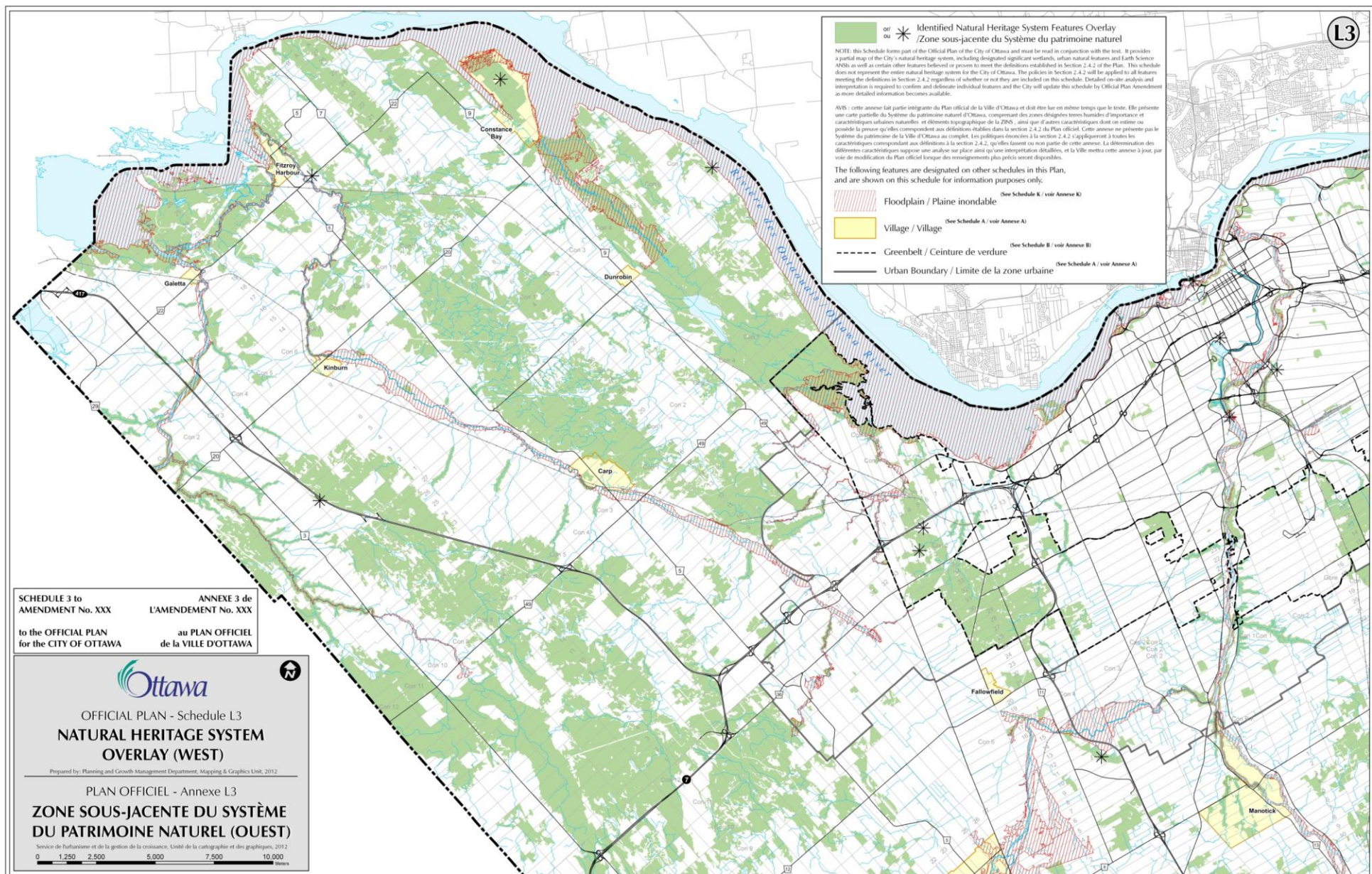
“d. Illustrating as much of the natural heritage system as can be accurately reflected at the scale of the Natural Heritage System Overlay depicted on Schedules L1, L2 and L3 in order to assist in identifying the requirement for an Environmental Impact Statement for development proposed in or adjacent to features described in Policy 1.”
 - d) Amending Policy 3 by removing the words 'the feature is designated' and replacing with 'an area is identified by the overlay shown in Schedules L1, L2 and L3 of'.
- 1.2 That the text of Policy 8 of Section 4.7 is amended by the insertion of the words 'Schedules L1, L2 and L3,' at the beginning of the second sentence, immediately prior to the words 'aerial photographs'.
- 1.3 That the text of Policy 2 of Section 5.4 –Interpretation is amended by replacing the words 'Schedules A to K' in the first sentence with the words 'Schedules A to L3'.
- 1.4 Adding Schedules 1, 2 and 3 to this Document as Schedule L1 - Natural Heritage System Overlay (East), Schedule L2 - Natural Heritage System Overlay (South) and Schedule L3- Natural Heritage System Overlay (West) respectively to the Official Plan.

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.







PROPOSED OFFICIAL PLAN AMENDMENT
(LESTER ROAD WETLAND COMPLEX)

DOCUMENT 2



Official Plan Amendment No. XX

To the Official Plan for the City of Ottawa

Land Use
Utilisation du sol

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THE STATEMENT OF COMPONENTS

PART A – THE PREAMBLE

Purpose

Location

Basis

PART B – THE AMENDMENT

Introduction

Details of the Amendment

Implementation and Interpretation

PART A – THE PREAMBLE

Purpose

The purpose of this amendment is to amend Schedule B of the Official Plan to designate the Lester Road Wetland Complex as 'significant wetlands'.

Location

The Lester Road Wetland Complex is located generally north and east of the Ottawa Macdonald-Cartier International Airport.

Basis

The basis of this amendment is to recognize the Ministry of Natural Resources' confirmation of the wetland complex as a 'Provincially Significant Wetland' and to comply with an order from the Ontario Municipal Board dated April 26, 2012.

PART B – THE AMENDMENT

Introduction

All of this part constitutes Amendment No. XX to the Official Plan for the City of Ottawa.

Details of the Amendment

Schedule B of the Official Plan is to be amended to re-designate the lands as shown on Schedule 1 of Amendment No. XX.

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.



Produced by Infrastructure Services and Community Sustainability,
Planning and Infrastructure Approvals Branch,
Development Approvals West/Central Division Mapping and Graphics



Services d'infrastructure et de viabilité des collectivités,
Direction de l'approbation des demandes
d'aménagement et d'infrastructure, Division de l'approbation
des demandes d'aménagement, Centre-Ouest/Centre Est Cartographie/Graphiques

D01-01-12-0001

12-1083

L'AA s'applique à l'OPA 2007-2010 Lester OPA

08 / 2012

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

**SCHEDULE 1 to
AMENDMENT NO
to the OFFICIAL PLAN
for the CITY OF OTTAWA**
**Amending Schedule B
Urban Policy Plan**

-  LANDS REDESIGNATED FROM "MACDONALD-CARTIER INTERNATIONAL AIRPORT" TO "SIGNIFICANT WETLANDS"
TERRAINS DONT LA DÉSIGNATION PASSERA DE « AÉROPORT INTERNATIONAL MACDONALD-CARTIER » À « TERRES HUMIDES D'IMPORTANCE »
-  LANDS REDESIGNATED FROM "NATURAL ENVIRONMENT AREA" TO "SIGNIFICANT WETLANDS"
TERRAINS DONT LA DÉSIGNATION PASSERA DE « ZONE ÉCOLOGIQUE NATURELLE » À « TERRES HUMIDES D'IMPORTANCE »
-  LANDS REDESIGNATED FROM "GENERAL URBAN AREA" TO "SIGNIFICANT WETLANDS"
TERRAINS DONT LA DÉSIGNATION PASSERA DE « ZONE URBAINE GÉNÉRALE » À « TERRES HUMIDES D'IMPORTANCE »
-  LANDS REDESIGNATED FROM "GREENBELT RURAL" TO "SIGNIFICANT WETLANDS"
TERRAINS DONT LA DÉSIGNATION PASSERA DE « CEINTURE DE VERDURE SECTEUR RURAL » À « TERRES HUMIDES D'IMPORTANCE »

**ANNEXE 1 de
L'AMENDMENT No.
au PLAN OFFICIEL
de la VILLE D'OTTAWA**
**Modifiant l'Annexe B
Plan des politiques en milieu urbain**

PROPOSED OFFICIAL PLAN AMENDMENT
(KIZELL DRAIN WETLAND)

DOCUMENT 3



Official Plan Amendment No. XX

To the Official Plan for the City of Ottawa

Land Use
Utilisation du sol

INDEX

THE STATEMENT OF COMPONENTS

PART A – THE PREAMBLE

Purpose

Location

Basis

PART B – THE AMENDMENT

Introduction

Details of the Amendment

Implementation and Interpretation

PART A – THE PREAMBLE

Purpose

The purpose of this amendment is to amend Schedule B of the Official Plan to designate the Kizell Drain Wetland as 'significant wetlands'.

Location

The Kizell Drain Wetland is located within the urban portion of the South March Highlands and straddles Goulbourn Forced Road.

Basis

The basis of this amendment is to recognize the Ministry of Natural Resources' confirmation of the wetland as a 'Provincially Significant Wetland' and to comply with an order from the Ontario Municipal Board dated April 26, 2012.

PART B – THE AMENDMENT

Introduction

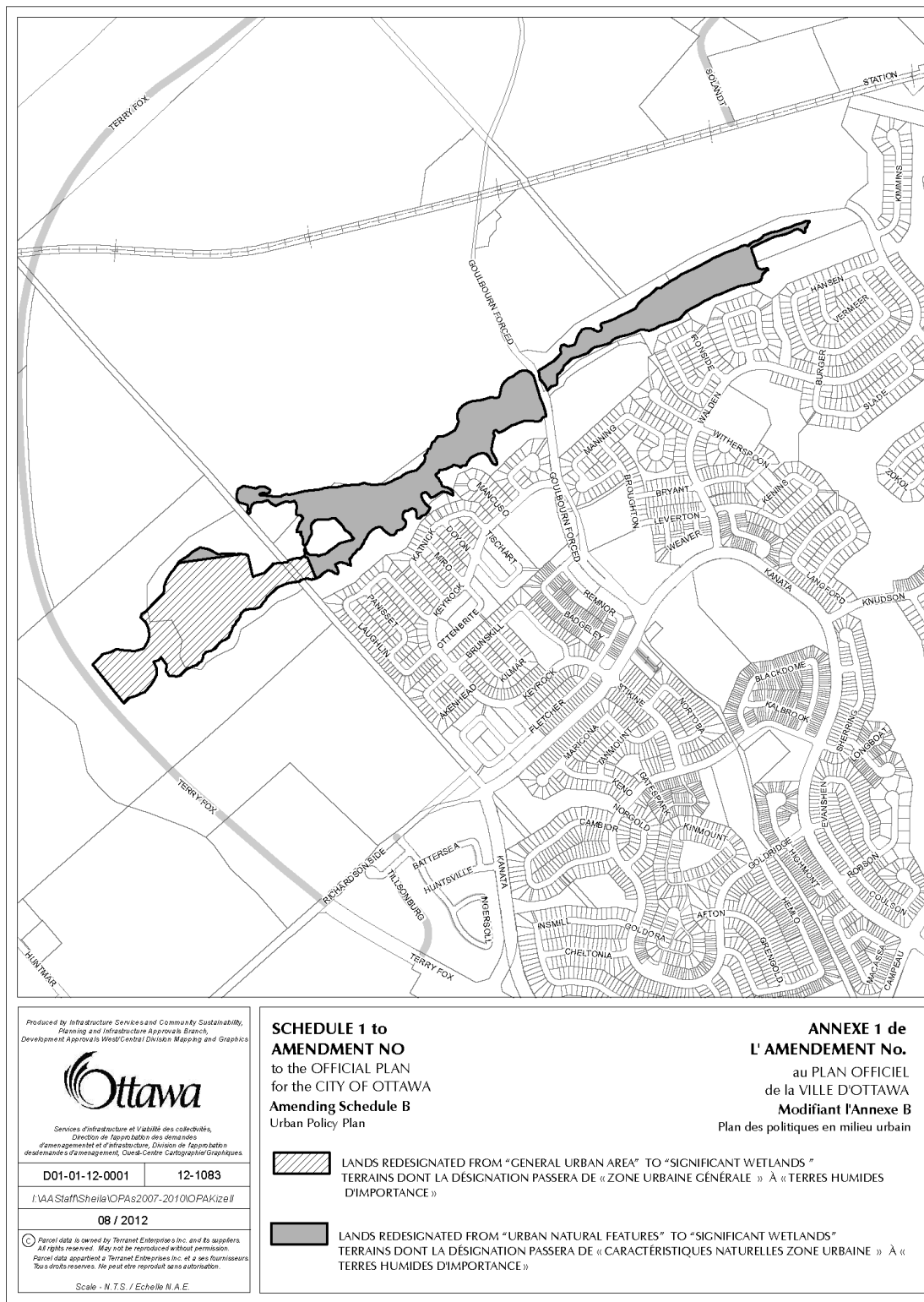
All of this part constitutes Amendment No. XX to the Official Plan for the City of Ottawa.

Details of the Amendment

Schedule B of the Official Plan is to be amended to redesignate the lands as shown on Schedule 1 of Amendment No. XX.

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.



PROPOSED OFFICIAL PLAN AMENDMENT
(CARDINAL CREEK KARST)

DOCUMENT 4



Official Plan Amendment No. XX

To the Official Plan for the City of Ottawa

Land Use
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THE STATEMENT OF COMPONENTS

PART A – THE PREAMBLE

Purpose

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Basis

PART B – THE AMENDMENT

Introduction

Details of the Amendment

Implementation and Interpretation

PART A – THE PREAMBLE

Purpose

The purpose of this amendment is to amend Schedule K of the Official Plan to include a portion of the Cardinal Creek Karst as an Earth Science Area of Natural and Scientific Interest (ANSI).

Location

The portion of the Cardinal Creek Karst to be designated as an Earth Science ANSI is located on the south side of Watters Road, east of Everlasting Way and west of the urban boundary.

Basis

The amendment associated with the Cardinal Creek Karst is to recognize the Ministry of Natural Resources' confirmation of the feature as an Earth Science Area of Natural and Scientific Interest.

PART B – THE AMENDMENT

Introduction

All of this part constitutes Amendment No. XX to the Official Plan for the City of Ottawa.

Details of the Amendment

The following change is hereby made to Schedule K of the Official Plan as shown on Schedule 1 of Amendment No. XX.

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.



CONSULTATION DETAILS

DOCUMENT 5

PUBLIC COMMENTS

In addition to the direct mailing of the notice of application package to landowners within 120m of the Lester Road Wetland Complex, Kizell Drain Wetland and the Cardinal Creek Karst, notices for the Community Information and Comment Sessions were published in the Capital City News and EMC. The sessions were scheduled as follows:

City Hall	June 6, 2012
South Fallingbrook Community Centre	June 20, 2012
Greenboro Community Centre	June 26, 2012
John Mlacak Community Centre	June 27, 2012

Approximately 36 members of the public attended the above sessions.

SUMMARY OF PUBLIC INPUT

The vast majority of comments received supported the amendments. Two submissions were received specifically indicating that the Lester Road Wetland Complex should not be designated and one such submission was received regarding the Kizell Drain Wetland. The reasons provided requesting not to recognize these Provincially Significant Wetlands was the perceived direct impact on a specific property and its future development potential. There were also four site specific inquiries regarding lands identified in the Natural Heritage System Overlay.

Additional specific comments are summarized below:

1. *Public comment*

The following comments were received that a number of areas identified as 'Significant Wetlands' for the Lester Road Wetland Complex should have included or excluded:

- Two comments were provided with regard to the area east of Wyman Crescent, west of the Airport Parkway and south of Hunt Club Road. One indicated that the portion between the two areas confirmed as 'Significant Wetlands' should also be included. The other comment indicated that the two confirmed areas should be removed.
- The area south of Lester Road, west of Albion Road and north of Leitrim Road should be excluded.
- The area north of Rosebella Avenue and the Conroy Pit should be included.

Staff response

As the boundaries of Provincially Significant Wetlands are established by the Ministry of Natural Resources (MNR) based on the Ontario Wetland Evaluation System (OWES), the City cannot change these boundaries when identifying the areas in the Official Plan. However, the OWES recognizes that wetlands are dynamic systems that can change over time and therefore the evaluation files are considered 'open files' by the Ministry.

As new information becomes available, the boundary of the wetland may be modified and such modifications will be reflected in the Official Plan within six months of notification by the Province. If an Owner wishes to dispute the designation, they should provide supporting information to the Ministry of Natural Resources for review.

2. Public comment

The designated portion of the Cardinal Creek Karst should encompass the entire karst feature.

Staff response

The boundaries of Areas of Natural and Scientific Interest are established by the Ministry of Natural Resource (MNR) and the City cannot change these boundaries when identifying the areas in the Official Plan. As with significant wetlands, requests for boundary changes should be directed to the MNR.

In this specific case, the designated ANSI contains the main cave system of the karst. Although the valley and spring systems are not included as part of the ANSI, they are still protected as part of a designated Urban Natural Feature and significant valleyland. ANSIs, Urban Natural Features and significant valleylands are all components of the City's natural heritage system, and are all included on Schedules L1, L2 and L3- Natural Heritage System Overlays. Policies of the Official Plan require that development applications within or adjacent to such features will be subject to the requirement of an Environmental Impact Statement (EIS).

3. Public comment

The distance requirement of 50m for an Earth Science ANSI for the submission of an EIS should be greater to provide additional protection.

Staff response

The 50m distance established in Section 4.7.7 of the Official Plan is consistent with the guidance provided by the Ministry of Natural Resources in their Natural Heritage Reference Manual (2010). In this case, the 50 m EIS trigger is exceeded by the 120 m EIS trigger associated with the significant valleyland in which the karst lies.

Staff has reviewed the available information on the karst feature and believes that the 50m and 120m EIS triggers suffice to protect the karst feature and its ecological functions. The Greater Cardinal Creek Subwatershed Study, current near completion, suggests that: (a) water flows through the karst originate almost entirely upstream, and; (b) that any groundwater flows to the cave system from the adjacent urban development study areas is likely minimal. Proposed policies in the draft Subwatershed Management Plan would protect groundwater infiltration areas that support natural heritage features.

4. Public comment

Concerns were expressed with respect to the effect on an existing home or its development potential should it be within 120m of a natural heritage feature or significant wetlands or 50m of the portion of Cardinal Creek Karst.

Staff response

The amendments will have no effect on an existing development. If a future development requires the submission of a planning application (eg. zoning by-law amendment, site plan control, severance application), the requirement for an Environmental Impact Statement (EIS) is triggered. The need for an EIS and its scope is confirmed through a pre-consultation meeting with the City. If the proposed development does not require a planning application (in that it complies with the zoning provisions in effect), there is no requirement from the City for an EIS. However, if regulatory approval is required from the relevant Conservation Authority, under the *Conservation Authorities Act*, they may request an EIS as part of their approval process.

5. *Public comment*

Exemptions from the requirement for an Environmental Impact Study should be provided for existing properties within 120m of a significant wetland.

Staff response

As previously noted, the amendments will have no effect on an existing development or future development if it is in compliance with the Zoning By-law. An EIS is only required when a proposed project involves an application under the *Planning Act* or the *Conservation Authority Act*. The purpose of this study is to ensure there is no negative impact on the significant wetlands. For a minor project that may pose little or no risk of impact to the wetland, the requirement for an EIS may be waived upon discussion with City staff.

6. *Public comment*

KNL Developments has expressed concerns regarding the potential implications of the designation and mapping of the Kizell wetland for stormwater management options for the lands to the north of the wetland.

Staff Response

The City and KNL Developments continue to discuss the implications of the provincially significant wetlands on options for stormwater management being developed through KNL's ongoing EA process. The City has advised KNL that any proposed stormwater management solution that would require increased stormwater runoff to the Kizell wetland, or installation of new stormwater outfalls in the wetland, will need to be supported by studies demonstrating long-term maintenance of all of those features and ecological functions for which the wetland has been deemed significant. In particular, this means maintenance of the Kizell's status as a headwater wetland (with flows to both the Watt's Creek and Carp River subwatersheds), and the provision of high quality habitat for endangered and threatened species.

7. Public comment

Regional Group has expressed concerns regarding the potential implications of the designation and mapping for stormwater servicing options for their Richardson Ridge development and for the limits of development on their lands to the north of the wetland.

Staff Response

Regional Group has worked with the City on field-verifying (on-site assessment) the boundaries of the west end of the wetland, and it has proposed revisions of its plan for the Richardson Ridge subdivision to protect the Kizell Wetland from stormwater management impacts.

8. Public comment

Comments were received concerning the four specific areas (Stittsville, adjacent to Leitrim Wetland, Cumberland and the Rockcliffe Formation between Bronson Avenue and Booth Street) in the Natural Heritage Systems overlays to include or exclude specific areas/properties.

Staff Response

Staff has investigated each comment individually and corresponded directly with the representative/member of the public to address the issue. The areas requested to be excluded in the Stittsville cannot be justified without an appropriate EIS. The overlay has been amended to exclude a parcel adjacent to the Leitrim Wetland in order to reflect a previous OMB decision. The lands in question in Cumberland will be considered for inclusion as a natural heritage feature once the Cardinal Creek Subwatershed Study is complete. Finally, Staff investigated the Rockcliffe Formation and have included the Formation as a Natural Heritage System Feature.

9. Public comment

A comment was made that the overlays should use more colours to distinguish the different types of features.

Staff Response

The Natural System Overlay is not intended to distinguish specific features, but rather to assist as a trigger for an Environmental Impact Statement. The use of different colours is difficult due to overlapping features in some areas and the inclusion of adjacent lands in the overlay. In other situations, the delineation of features causes duplication where those features are also a land use designation identified in other schedules.

COMMUNITY ASSOCIATION/COMMITTEE COMMENTS

Ottawa Forests and Greenspace Advisory Committee (OFGAC)-supports the proposed amendments pertaining to the Lester Road Wetland Complex, Kizell Drain Wetland and Cardinal Creek Karst.

March Rural Community Association-supports the designation of the Kizell Drain Wetland.

Cardinal Creek Community Association-requested that the entire karst feature be designated as an Earth Science Area of Natural and Scientific Interest. (See Staff Response to Comment 2 above).

Greenspace Watch-supports the amendments

Greenspace Alliance and Greenbelt Coalition-supports the amendments

Emerald Woods Residents Association-supports the amendment related to the Lester Road Wetland Complex

OFFICIAL PLAN AMENDMENT - NATURAL HERITAGE SYSTEM
MAPPING, LESTER ROAD WETLAND COMPLEX, KIZELL DRAIN
WETLANDS AND THE CARDINAL CREEK KARST
ACS2012-PAI-PGM-0214

CITY WIDE

REPORT RECOMMENDATIONS:

That Agricultural and Rural Affairs Committee Council:

- 1. Approve and adopt an amendment to the Official Plan to amend policies related to the Natural Features and Functions, Environmental Impact Statement and Implementation as detailed in Document 1;**
- 2. Approve and adopt an amendment to the Official Plan to include the Natural Heritage System Overlays, as shown in Schedules 1, 2 and 3 of Document 1 as Schedules L1, L2 and L3, respectively, of the Official Plan.**

Written correspondence was received from the following, as noted:

- Ms. Ursula Melinz* (Soloway, Wright) on behalf of Thomas Cavanagh Construction Ltd., reserving the right to seek further revisions to Natural Heritage Policies in Section 2.4.2 of the City's Official Plan;
- Ms. Judy Makin*, March Rural Community Association (in agreement);
- Ms. Janet Bradley*, Borden Ladner Gervais, on behalf of Mr. Bill Cox (opposed);
- Mr. Martin Callsen*, President, South March Highlands / Carp River Conservation Inc. (in agreement);
- Mr. Steve Cunliffe*, Manager, Land Development, Regional Group Inc. (in agreement, noting corrections to the Natural Heritage Feature Overlay);
- Ms. Amy Kempster*, Chair, Greenspace Alliance of Canada's Capital (in agreement), and;
- Mr. Ken McRae* (in agreement).

*[* All individuals marked with an asterisk either provided their comments in writing or by email; all such comments are held on file with the City Clerk.]*

CARRIED

OFFICIAL PLAN AMENDMENT - NATURAL HERITAGE SYSTEM
MAPPING, LESTER ROAD WETLAND COMPLEX, KIZELL DRAIN
WETLANDS AND THE CARDINAL CREEK KARST
ACS2012-PAI-PGM-0214

CITY WIDE

REPORT RECOMMENDATIONS:

That the Agricultural and Rural Affairs Committee and Planning Committee recommend Council:

1. Approve and adopt an amendment to the Official Plan to amend policies related to the Natural Features and Functions, Environmental Impact Statement and Implementation as detailed in Document 1;
2. Approve and adopt an amendment to the Official Plan to include the Natural Heritage System Overlays, as shown in Schedules 1, 2 and 3 of Document 1 as Schedules L1, L2 and L3, respectively, of the Official Plan;

That Planning Committee recommend Council:

3. Approve and adopt an amendment to the Official Plan to designate the Lester Road Wetland Complex, as shown in Schedule 1 of Document 2, as 'Significant Wetlands' in Schedule B of the Official Plan;
4. Approve and adopt an amendment to the Official Plan to designate the Kizell Wetland, as shown in Schedule 1 of Document 3, as 'Significant Wetlands' in Schedule B of the Official Plan; and
5. Approve and adopt an amendment to the Official Plan to designate the Cardinal Creek Karst as shown in Schedule 1 of Document 4 as an 'Earth Science Area of Natural and Scientific Interest (ANSI)' in Schedule K of the Official Plan.

Agriculture and Rural Affairs Committee - 4 October 2012

At its meeting of Thursday, 4 October 2012, held in Greely, Ontario, the Agriculture and Rural Affairs Committee (ARAC) considered the first two recommendations outlined above, within its area of oversight. At that time, ARAC had CARRIED the recommendations as presented.

Planning Committee - 9 October 2012

At the Planning Committee meeting of 9 October, the Committee received a PowerPoint slide presentation overview of the report (held on file with the City Clerk) from Ms. Wendy Tse, Planner, Land Use and Natural Systems Unit, Policy Development and Urban Design Branch, PGM. Mr. Nick Stow, Planner, and Ms. Marica Clarke, Program Manager (both within the same Unit and Branch as Ms. Tse), were also present to respond to questions.

It was noted that all but the fifth of the above recommendations were a response to directives from the OMB. Committee discussions included: protection for that part of the Cardinal Creek Karst in private ownership; timelines for completion of recommended work; questions regarding mechanisms to adjust mapping boundaries, and; Provincial Policy Statement requirements to incorporate wetland areas deemed *Provincially Significant* within the City's Official Plan.

The Committee heard from the following delegation in opposition to the report recommendations:

- Ms. Ursula Melinz*, Soloway Wright, LLP, on behalf of KNL Developments (and via a letter on behalf of Thomas Cavanaugh Construction, reserving the right to seek further revisions to Natural Heritage Policies in Section 2.4.2 of the Official Plan). Ms. Melinz suggested it was inappropriate to proceed with designation, given that work and discussions were ongoing. She also noted that boundary mapping based on aerial photography was imprecise, and should be 'truthed' at ground level.

Kanata North Ward Councillor Marianne Wilkinson suggested that Committee could approve the recommendations now, with additional work to be undertaken at a later date to adjust boundaries, as necessary. Mr. Stow confirmed that this could be done, but not likely before late Spring or Summer of 2013.

In addition to the above, the following also provided written correspondence, as noted (some submissions were received by both Committees):

- Ms. Judy Makin*, March Rural Community Association (in support)
- Mr. Steve Cunliffe*, Manager, Land Development, Regional Group Inc. (in agreement, noting corrections to the Natural Heritage Feature Overlay);
- Mr. Martin Callsen*, President, South March Highlands / Carp River Conservation Inc. (in agreement);

EXTRACT OF DRAFT
PLANNING COMMITTEE
MINUTES 42
9 OCTOBER 2012

EXTRAIT DE L'ÉBAUCHE
DU PROCÈS-VERBAL 42
COMITÉ DE L'URBANISME
LE 9 OCTOBRE 2012

-
- Ms. Janet Bradley*, Borden Ladner Gervais, on behalf of Remer Holdings (in opposition, noting the overlay does not apply to the owner's land);
 - Ms. Amy Kempster*, Chair, Greenspace Alliance of Canada's Capital (in agreement);
 - Mr. Ken McRae* (in agreement), and;
 - Ms. Cheryl Doran* (in agreement).

*[* All individuals marked with an asterisk either provided their comments in writing or by email; all such comments are held on file with the City Clerk.]*

At the conclusion of discussions, the report recommendations were put before the Planning Committee and were CARRIED, as presented. This item will proceed to Ottawa City Council for its meeting of 24 October 2012 in Planning Committee Report to Council No. 38, with the endorsement of both Committees.