

Participant Statement by the Greenspace Alliance

Outline

Our statement will deal with:

- + Why we are so late in asking for Participant Status in this Hearing.
- + Item 17 regarding section 2.4.5 of the Official Plan (Greenspaces):
 - Why the amendments in OPA 76 are welcome and in particular,
 - o how amendment subitem a) could be further improved;
 - o why the amendment to Policy 10 is in line with legislation and other municipalities' practice, and consistent with other provincial and city policies.
- + Item 147 regarding amendments to the table in Section 4.2 of the Plan (Adjacent to Land-Use Designations):
 - As in the Hearing for the Flewellyn Special Study Area and Quarry and Remaining General Environmental Issues, we support the City's position that policies involving unmapped natural heritage features are necessary and unavoidable.
- + Items 189 and 267 regarding engagement of the aboriginal community.
- + Item 247 regarding amendments to Section 4.10 (Parks and Greenspace Requirements):
 - Why the new Policies 10 to13, about Development adjacent to major greenspaces and waterways, constitute welcome planning and could be further improved by recognizing the need for buffer zones.

We propose to call Dr. Abell and Mr. Renaud to the stand to provide knowledgeable lay testimony.

Attachments

- | | |
|--------------|---|
| Attachment 1 | Witness Statement by Bob Abell, Ph.D. |
| Attachment 2 | Witness Statement by Paul Renaud, B.Sc. |

WITNESS STATEMENT
by
Bob Abell, Ph.D., B.Ed., B.Sc.

OUTLINE

My testimony will address the amendment to the preamble of section 2.4.5 of the Official Plan (Greenspaces) proposed in OPA 76. I am generally supportive of the intent of this section. However, I believe there are areas where it could be stronger. Specifically, I will argue that the preamble reference to major waterways should also take into account the waterways and shorelines in the recorded geologic past. This would be in line with the advice of the Arts, Heritage, and Culture recommendations, Minutes 31, 21 September 2010. I will argue that Ottawa, as the National Capital, is of special scientific interest in the area of Paleo archaeology by nature of its Geologic history, which saw the bulk of Ottawa submerged below the Champlain Sea. This Sea is an example of a major waterway for which there is strong evidence of use by pre-historic peoples, and therefore the shorelines of this sea at various stages in its geologic history also represent high potential as archaeological sites.

I will also address issues related to engaging the aboriginal community (items 189 and 267 of OPA 76). Specifically, the June 2009 draft guidelines from the Ministry of Tourism and Culture recognize that “Often, more than one community has an interest in the project, and a historical connection to the area affected by the project” (p. 4).

I will state that it is in the public interest to discover and protect all cultural heritage relating to pre-historic occupation in the National Capital. As such, it is important to recognize, and embed as appropriate in the document, a clear understanding that the Land Claims process and the concern for Algonquin cultural heritage are separate and distinct issues that should not be confounded, and that many First Nations groups should be consulted, as appropriate for the specific land or archaeological finds in question.

I will rely on the following documents:

Laliberte, Marcel, *Archaeological Resource Potential: Federal Lands in the National Capital Region*, published by the National Capital Commission, 1998.

Engaging Aboriginal Communities in Archaeology: A Draft Technical Bulletin for Consultant Archaeologists in Ontario, 2009, published by the Ontario Ministry of Tourism and Culture.

Arts, Heritage and Culture Advisory Committee, Minutes 31, City of Ottawa, 21 September 2010.

MY QUALIFICATIONS

I have a Ph.D. (Science Education) from the University of Alberta, a B.Ed. from University of New Brunswick, and a B.Sc (Chemistry) from Acadia University. I was the Director, Computing Services, for Athabasca University before setting up a high-tech training company in 1981. I have been in executive management positions in the private sector for over 30 years and am currently President and the majority shareholder of Automated Learning Corporation, a Kanata-based company supplying e-learning on technical topics to high-tech manufacturing, aerospace, and government agencies, including 18 Fortune 500 companies. I make this statement as a layperson with a strong interest in archaeology and history. I have been a resident of Ottawa since 1995.

I am currently applying to be licensed as an Avocational Archaeologist with the Ministry of Tourism and Culture. My mentor is Dr. Paul Thibodeau, Ph.D. Anthropology (U Toronto), and Adjunct Research Professor, cross-appointed between the Department of Sociology and Anthropology and the School of Industrial Design, Carleton University. Dr. Thibodeau has most recently been overseeing a dig in Casselman, which Dr. Jean Luc Pilon, curator of Ontario archaeology at CMC has described as important because "...there are only about a half-dozen 'relatively well-dated sites ... spread over 9000 years' of Eastern Ontario History." (Ottawa Citizen, 30 May 2011).

I am a resident of the municipality of Ottawa, and Vice-President - Research of South March Highlands - Carp River Conservation Inc. (SMH-CRC). The standing of SMH-CRC as a legitimate public interest body of private citizens who are concerned about the impact of development on the South March Highlands and Carp River has been affirmed by the Ontario Superior Court of Justice Divisional Court [South March Highlands-Carp River Conservation Inc. v. Ottawa (City), 2010 ONSC 6725, File 296/10, 2010/12/14].

WITNESS STATEMENT
by
PAUL RENAUD, B. Sc. (Hon.)

OUTLINE

My testimony will address the amendment to Policy 10 in section 2.4.5 of the Official Plan (Greenspaces) proposed in OPA 76. I will argue that the amendment is fully in line with the authorizing section of the *Municipal Act* as well as with site alteration by-laws in many other Ontario municipalities. In addition, I will note that London's site alteration by-law specifically regulates protection of vegetation, fish and wildlife habitat.

I will refer to Section 223.1 of the *Municipal Act*, R.S.O. 1990, c. M.45, as amended by section 56 of the *Planning and Municipal Statute Law Amendment Act*, 1994; and Section 142 of the *Municipal Act*, 2001, S.O. c.25, to argue that site alteration by-laws have been a longstanding aspect of municipal regulations in Ontario.

The amendment is a welcome signal that Ottawa is finally beginning to act upon a direction that has been in its Official Plan since at least 2003.

I will refer to documents published by the Ontario government as I argue that a site alteration by-law is fully consistent with the Precautionary Principle as applied to the Provincial Policy Statement because activities such as topsoil and vegetation removal, inappropriate fill or grading affect storm water management in ways that the Ontario Government has identified leads to problems affecting the health and safety of residents or our natural and cultural heritage.

I will refer to the City of Ottawa's *Environmental Strategy, 2011* which recognizes urban sprawl as a serious problem. The expansion of the urban boundary in OPA 76 and as recently amendment by the Board further contributes to this problem. Within and adjacent to the urban boundary, the City has identified areas containing important natural features which have been recommended for long-term protection or more detailed assessment prior to the final determination of land use designations. An archaeological Master Plan for the City, once completed, will identify areas containing important cultural features as well.

The importance of a comprehensive site alteration bylaw is increased due to the sheer size of the area that will be regulated by it. A comprehensive site alteration bylaw is an important mechanism for assuring that protection is in place and that any alterations are regulated by a well-defined process.

I will provide first-hand evidence of the destructive impact of unregulated site alteration on the natural environment.

Finally, I will reference Ontario's *Biodiversity Strategy, 2011* which provides a guiding framework for policy and regulation based on the fact that "*Our wealth and prosperity, our quality of life, and our well-being are directly tied to the provinces' biological diversity – or biodiversity.*" Integrated decision making and application of the precautionary principle are viewed as key management principles to be followed in Ontario.

I will argue that strong site alteration by-laws are a vital part of that protection because they promote good management practices by preventing unilateral destruction of the environment without due consideration and review to ensure that planned alterations are in fact within the public interest.

I will rely on the following documents:

Ontario Biodiversity Strategy, 2011, published by the Ontario Biodiversity Council and Ministry of Natural Resources.

Ontario, *Understanding Stormwater Management, 2003*, Ministry of the Environment.

Ontario, *River & Stream Systems: Flooding Hazard Limit, 2003*, Ministry of Natural Resources.

Ontario, *Drainage Management Manual, 1997*, Ministry of Transportation.

Ontario, *Provincial Policy Statement, 2005*.

City of Ottawa Environmental Strategy, 2011, published by the City of Ottawa as part of the City's 2020 Strategic Growth Management Plan.

Site alteration by-laws of the municipalities of London, Guelph, Hamilton, Halton, Niagara, Markham, Waterloo, Fort Erie, Burlington, Kingston, Oshawa, Brantford, Welland, and St. Thomas (Overview).

MY QUALIFICATIONS

I am a resident of the municipality of Ottawa, and a Director of South March Highlands - Carp River Conservation Inc. (SMH-CRC). The standing of SMH-CRC as a legitimate public interest body of private citizens who are concerned about the impact of development on the South March Highlands and Carp River has been affirmed by the Ontario Superior Court of Justice Divisional Court [South March Highlands-Carp River Conservation Inc. v. Ottawa (City), 2010 ONSC 6725, File 296/10, 2010/12/14].

I have a B.Sc. (Honours) in Computer Science & Mathematics from Queen's University and have managed professional engineers for over 30 years as an executive in the high tech industry at major corporations such as Bell Northern Research, Cognos, and others. I am currently working as a management consultant and make this statement as a lay person who has been a resident of Ottawa since 1984.