

## The ENVIRONMENT agenda

Here is what the **Greenspace Alliance** has identified so far as items for the Official Plan review, including the Development Charges review. This is, of course, in addition to the overarching issue of the woefully inadequate public engagement.

### Summary

#### 1. Official Plan review

(a) Country Lot Estates; prohibit or...;

**(b) identify & protect natural [eco-] corridors [linkages];**

(c) revise the definition of "significant woodland";

(d) modify Schedules L1, L2 and L3 (Natural Heritage System overlay) to differentiate between the various components of the NHS. The source and vintage of data also should be included;

(e) despite the recent Council decision, demands to expand the urban boundary need to be watched;

(f) another watching brief is for the "Land Evaluation and Area Review" (LEAR) update (re-assessment of what is agricultural land);

(g) as well, we should watch closely what comes out of the Aggregate Resources review (taking place in conjunction with the Province's review of the Aggregate Resources Act).

#### 2. Development Charges review

(a) the DCs should be more area-specific than Urban Inside/Outside the GB and Rural;

(b) there should be less of a deduction for "benefits [to residents inside the GB] to existing" for road expansion.

### Background

*re 1(a) - CLEs*

The Council-approved 2009 OP introduced a 5-year moratorium on new CLEs. The OMB agreed that this was good planning. Cavanaugh appealed and Divisional Court gave leave to appeal, with reasons that are so closely reasoned that the outcome of the trial (if it ever happens) is practically a foregone conclusion.

For a good exposé of what's wrong with CLEs, see (yes, harking back to the 2003 OP! - staff proposed then to prohibit further CLEs): <http://greenspacealliance.ca/files/Document%2010%20-%20Staff%20report%20-%20March%202003.pdf>

Presumably, staff's proposals to be tabled in the new year will take a position on what to do next about CLEs.

NOTE: Of all the issues on our list, this may be the only one for which staff will table proposals. All others (except 1-f and 1-g which is on their workplan) will have to be "forced" on the agenda!

### ***re 1(b) - corridors***

**By the January 2012 Terms of Settlement with the Alliance in the context of Phase 2A of the OMB hearings on urban boundary expansion (see last page below), the City is under obligation to identify and map natural corridors as part of the current OP review exercise (see clause 6). Senior environmental planner Nick Stow advised on October 15:**

< We are contracting a consultant to update our landcover mapping based on the 2011 aerial photography. The purchase order should be issued sometime in the next week or two. The deadline for delivery of the mapping is March 31st 2013, and it is necessary for the landscape corridor analysis. Consequently, I expect that we will start the landscape corridor analysis at the beginning of April.>

**Once we have the results of that analysis, and concur with its methodology, the next steps are:**

**1- identified corridors should be given the appropriate designation in the OP;**

**2- Annex 15 of the OP, which sets out the methodology for the identification of lands suitable for urban expansion, needs to be amended to include the setting aside of natural corridors.**

(Ref. <http://ottawa.ca/en/official-plan-0/annex-15-urban-expansion-areasmethodology-determining-and-evaluating-candidate>.)

**Re 2-, no better time to amend the methodology than when urban expansion is not on the table. See also clause 4 of the Terms of Settlement.**

### ***re 1(c) - significant woodlands***

According to Policy 1 (c) of Section 2.4.2 of the OP (as amended by OPA76 and post-appeals), a woodland is not part of the "natural heritage system" unless it meets all of three conditions, one of which is "Woodland adjacent to a surface water feature such as a river, stream, drain, pond or wetland, or any groundwater feature including springs, seepage areas, or areas of groundwater upwelling;". Our understanding is that this is an unreasonable requirement and should be deleted.

### ***re 1(d) - L1/2/3 Schedules***

As approved following the conclusion of appeals of the 2009 OP, these schedules now show only flood plains and a uniform green for all other components of the Natural Heritage System. (The components are listed in section 2.4.2 of the post-OPA76 OP (ref. <http://ottawa.ca/en/official-plan-0/24-maintaining-environmental-integrity>)). This makes it very difficult to identify specific areas and ascertain their accuracy. The Schedules also do not list the sources of its data and their vintage.

*re 1(e) - keep watchful brief on urban expansion pressure*

Never underestimate landowners' desire to expand the urban boundary. Keep in mind that expanding the urban area by even 1 hectare would open the decision up for appeal. In contrast, a decision to not expand cannot be appealed. So watch out in particular for a Councillor who argues for just one little expansion...

*re 1(f) - LEAR review*

Review of the status of land in terms of their value as agricultural land is a complex, committee-driven process, part science, part art. At last summer's hearings, inclusion of designated Agricultural Land as candidate urban areas was rejected by the OMB. But downgrading land through this update could be a backdoor way of making land available for urbanization (in 2019).

More on LEAR here: <http://ottawa.ca/en/city-hall/planning-and-development/howdevelop-property/land-evaluation-and-area-review-agriculture>

*re 1(g) - Aggregate Resources review*

Like the LEAR update, the Aggregate Resources review is on staff's workplan and should come to fruition as part of the OP review. Desire to exploit aggregates tends to conflict with preservation of wetlands.

More on this here: <http://ottawa.ca/en/city-hall/public-consultations/publicconsultations-about-planning/mineral-resources>

*re 2(a) - area-specific development charges*

Two reviews ago staff analysis showed clearly that not all suburban areas have the same growth costs. Specifically, expansion in Kanata was shown to be considerably more expensive. Then-GM Ned Lathrop pushed hard for seeing such differentials recognized, but class solidarity among developers prevailed, staff caved in, and all suburban areas were assigned the same tariff.

If you attended last April's Planning Summit, you will recall that featured speaker Pamela Blais argued explicitly for differential tariffs. (In fact, she used a table from Ottawa's 2004 study!)

*re 2(b) - deduction for "benefits to existing" for roads*

Whether expansion of the road system is a benefit to residents inside the Greenbelt is a debatable proposition.

**Note: all communities should continue to argue for changing the *Development Charges Act*, in particular section 5, to make transit services not subject to a 10% off-the-top reduction in the calculation of DCs.**


Terms of Settlement with the Greenspace Alliance

The Friends of the Greenspace Alliance (FGA) and the City of Ottawa agree that the FGA will withdraw from Phase 2A of the hearing on the Urban Boundary appeals, based on the following agreed points:

1. The City of Ottawa acknowledges that, in principle, natural heritage connectivity at multiple scales is an appropriate consideration in decisions regarding expansion of the urban boundary, in order for consistency with the Provincial Policy Statement 2005.
2. The City of Ottawa currently does not have the necessary data and analyses to carry out a comprehensive, comparative review of the potential impacts on the connectivity of the City's natural heritage system of the 2009 candidate urban expansion areas at the subwatershed and City-wide scales.
3. Based upon a review of the 2009 candidate urban expansion areas, the risk of significant negative impacts on the connectivity of the City's natural heritage system from development within those areas appears low.
4. The City commits to an explicit consideration of impacts on the connectivity of the natural heritage system at multiple scales during any future analyses and Official Plan Amendments regarding possible expansion of the urban boundary.
5. The City will include explicit consideration of natural heritage connectivity at multiple scales in the Terms of Reference for any new or updated subwatershed studies.
6. Prior to the next comprehensive Official Plan Review in 2014, the City will identify and map existing and conceptual natural heritage linkages at a City-wide scale, including consideration of regional linkages outside the City boundaries. The City will carry out this work either in partnership with other organizations or agencies (e.g. the Nature Conservancy of Canada or the National Capital Commission) or on its own.
7. The General Manager of Planning and Growth Management undertakes to recommend to Council that the Mississippi Valley Conservation Authority be requested to update the floodplain mapping for the portions of Shirley's Brook in Candidate Urban Expansion Area 1.

Dated 26 January 2012

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