



December 2, 2016

ACS2016-PIE-PGM-0176

## **NOTICE OF PLANNING COMMITTEE**

Dear Sir/Madam:

**Re: Official Plan Amendment – Significant Woodlands Policies**

This is to advise you that the above-noted matter will be considered by the City of Ottawa Planning Committee on **Tuesday, December 13, 2016**.

The Planning Committee meeting will begin at 9:30 a.m. in the Champlain Room, City Hall, 110 Laurier Avenue West, Ottawa. You are welcome to attend the meeting and present your views.

Attached is a copy of the report outlining the Departmental recommendations, including a copy of the proposed Official Plan Amendment.

The Planning Committee will consider any written submissions in respect to this matter if provided to the Committee Co-ordinator of the Planning Committee at 110 Laurier Avenue West, Ottawa, K1P 1J1 or by fax at 613-580-9609 or by e-mail at [Melody.Duffenais@ottawa.ca](mailto:Melody.Duffenais@ottawa.ca).

If you wish to speak to the Committee please call the Committee Coordinator, Melanie Duffenais at 613-580-2424, extension 20113 in advance of the meeting and

If you wish to listen to this meeting via audiocast on Ottawa.ca, you may do so by accessing the URL below when the meeting is underway:

[http://app05.ottawa.ca/sirepub/agendaminutes/index\\_en.aspx](http://app05.ottawa.ca/sirepub/agendaminutes/index_en.aspx)

If you wish to be notified of the adoption of the proposed Official Plan Amendment, or of the refusal of the request to amend the official plan, you must make a written request to the City of Ottawa to the attention of Nick Stow, Planning, Infrastructure and Economic Development Department, 110 Laurier Avenue West, 4<sup>th</sup> floor, Ottawa, Ontario K1P 1J1 by facsimile at 613-580-2576, or e-mail at [Nick.Stow@ottawa.ca](mailto:Nick.Stow@ottawa.ca).

If a person or public body does not make oral submissions at the public meeting or make written submissions to the City of Ottawa before the proposed official plan amendment the person or public body is not entitled to appeal the decision of the Council of the City of Ottawa to the Ontario Municipal Board.

If a person or public body does not make oral submissions at the public meeting, or make written submissions to the City of Ottawa before the proposed official plan amendment the person or public body may not be added as a party to the hearing of an appeal before the Ontario Municipal Board unless, in the opinion of the Board, there are reasonable grounds to add the person or public body as a party.

If you wish to be notified of the adoption of the proposed Official Plan Amendment, or of the refusal of the request to amend the official plan, you must make a written request to the City of Ottawa to the attention of Nick Stow, Planning, Infrastructure and Economic Development Department, 110 Laurier Avenue West, 4<sup>th</sup> floor, Ottawa, Ontario K1P 1J1 by facsimile at 613-580-2576, or e-mail at [Nick.Stow@ottawa.ca](mailto:Nick.Stow@ottawa.ca).

For information on the item itself, please contact the undersigned at 613-580-2424, extension 13000 or e-mail at [Nick.Stow@ottawa.ca](mailto:Nick.Stow@ottawa.ca)

Yours truly,

*Original signed by*

Nick Stow, Planner

Planning, Infrastructure and Economic Development Department

Attach.



Le 2 décembre 2016

ACS2016-PIE-PGM-0176

## AVIS DE RÉUNION DU COMITÉ DE L'URBANISME

### **Objet**    **Modification au Plan officiel – Politiques sur les boisés d'importance**

Madame, Monsieur,

La présente vise à vous informer que le Comité de l'urbanisme de la Ville d'Ottawa étudiera l'article cité sous rubrique le **mardi 13 décembre 2016**.

La réunion du Comité de l'urbanisme commencera à 9 h 30 dans la salle Champlain, hôtel de ville, 110, avenue Laurier Ouest, Ottawa. Nous vous invitons à assister à la réunion et à présenter votre point de vue.

Veillez trouver ci-joint une copie du rapport comprenant la recommandation du Service et une copie de la modification proposée du Plan officiel.

La réunion du Comité de l'urbanisme étudiera les rapports écrits traitant de la question qui sont présentés à la coordinatrice du Comité de l'urbanisme, 110, avenue Laurier Ouest, Ottawa, par télécopieur au 613-580-9609 ou par courrier électronique à [Melanie.Duffenais@ottawa.ca](mailto:Melanie.Duffenais@ottawa.ca).

Si vous souhaitez prendre la parole devant le Comité, veuillez téléphoner au coordonnateur du Comité, Melanie Duffenais au 613-580-2424, poste 20113, avant la réunion et préférablement avant 16 h 30 la journée précédant la réunion.

Si vous souhaitez écouter la réunion à l'aide de la diffusion audio sur [ottawa.ca](http://ottawa.ca), vous n'avez qu'à accéder au lien URL ci-dessous lorsque la réunion aura commencé :

[http://app05.ottawa.ca/sirepub/agendaminutes/index\\_fr.aspx](http://app05.ottawa.ca/sirepub/agendaminutes/index_fr.aspx)

Si vous désirez être avisé de l'adoption de la modification proposée au Plan officiel ou du rejet de la demande de modification, vous devez présenter une demande par écrit en ce sens à la Ville d'Ottawa, à l'attention de Lise Guevermont, Service de la planification, de l'infrastructure et du développement économique, 110, avenue Laurier Ouest, 4<sup>e</sup> étage, Ottawa (Ontario) K1P 1J1, par télécopieur au 613-580-2576, ou par courrier électronique à [Lise.Guevermont@ottawa.ca](mailto:Lise.Guevermont@ottawa.ca).

Si une personne ou un organisme public ne présente pas d'exposé oral à la réunion publique ou ne présente pas d'exposé écrit à la Ville d'Ottawa avant l'adoption de la modification au Plan officiel, la personne ou l'organisme public ne pourra pas interjeter appel de la décision du Conseil de la Ville d'Ottawa devant la Commission des affaires municipales de l'Ontario.

Si une personne ou un organisme public ne présente pas d'exposé oral à la réunion publique ou ne présente pas d'exposé écrit à la Ville d'Ottawa avant l'adoption de la modification au Plan officiel, la personne ou l'organisme public ne pourra être joint en tant que partie à l'audition de l'appel devant la Commission des affaires municipales de l'Ontario à moins que, de l'avis de la Commission, il existe des motifs raisonnables de le faire.

Pour obtenir des renseignements sur l'article même, veuillez communiquer avec la personne soussignée, au 613-580-2424, poste 27784 ou par courriel à [Lise.Guevermont@ottawa.ca](mailto:Lise.Guevermont@ottawa.ca).

Veillez agréer, Madame, Monsieur, l'expression de mes sentiments les meilleurs.

*Original signé par*

Lise Guèvremont, Urbaniste

Service de la planification, de l'infrastructure et du développement économique

p.j.



**ITEM NO  
NUMÉRO DE L'ARTICLE**

**Request to speak form  
Fiche de demande d'intervention**

**Please complete the Request to Speak form and give the Committee Coordinator at the beginning of the meeting or sent it to by Fax at 613-580-9609.**

**Veillez remplir la fiche de Demande d'intervention et la remettre à la coordinatrice/au coordonateur du Comité de la réunion ou l'envoyer par Facsimile au (613)580-9609.**

**Committee and Meeting Date  
Comité et date de la réunion**

**Subject/objet**

**Please indicate your position with respect to the report recommendation:**

**I agree                      I oppose**

**Veillez donner votre opinion sur la recommandation du rapport :**

**Je suis d'accord              Je suis en désaccord**

**Name/nom**

**Company, Agency or Community Organization (if applicable)  
Société, agence ou organisme communautaire (s'il y a lieu)**

**Street and/or e-mail address, Postal Code and Telephone/Adresse municipal et/ou courriel, code postal et numéro de téléphone**

**Personal Information contained on this form is collected pursuant to s.75 (4) of By-Law No. 2002-247, and will be used as a record of, and possible follow up to, participation in this meeting. Questions about this collection should be directed to the Manager, Council and Committee Services, 110 Laurier Avenue, Ottawa, Ontario K1P 1J1. Telephone (613) 580-2424, ext. 26836. /**

**Les renseignements personnels contenus dans le présent formulaire sont recueillis en vertu du p.75(4) du Règlement municipal 2001-20, et seront utilisés à des fins de référence et de suivi éventuel à la participation à cette réunion. Toute question concernant cette collecte de renseignements doit être adressée au Gestionnaire des services au Conseil et aux Comités, 110, avenue Laurier Ouest, Ottawa (Ontario) K1P 1J1. Téléphone (613) 580-2424, poste 26836**

**Report to  
Rapport au:**

**Planning Committee / Comité de l'urbanisme  
December 13, 2016 / 13 décembre 2016**

**and Council / et au Conseil  
January 25, 2017 / 25 janvier 2017**

**Submitted on December 1, 2016  
Soumis le 1 décembre 2016**

**Submitted by  
Soumis par:**

**Lee Ann Snedden,**

**Acting Director / Directrice par intérim**

**Planning Services / Services de la planification**

**Planning, Infrastructure and Economic Development Department / Service de la  
planification, de l'Infrastructure et du développement économique**

**Contact Person**

**Personne ressource:**

**Nick Stow, Planner / urbaniste / Policy Planning , Politique de la planification/  
Planning, Infrastructure and Economic Development Department / Service de la  
planification, de l'Infrastructure et du développement économique  
(613) 580-2424, 13000, Nick.Stow@ottawa.ca**

**Ward: CITY WIDE / À L'ÉCHELLE DE LA VILLE      File Number: ACS2016-PIE-PGM-0176**

**SUBJECT: Official Plan Amendment – Significant Woodlands Policies**

**OBJET: Modification au Plan officiel – Politiques sur les boisés d'importance**

## REPORT RECOMMENDATIONS

That the Planning Committee:

1. Recommend that Council approve amendments to the Official Plan policies for Significant Woodlands, Urban Expansion Study Areas, and Developing Communities, as detailed in Document 1;
2. Direct the Planning, Infrastructure and Economic Development Department to have these new policies only affect those development applications where there is not yet agreement on the existing natural heritage system conditions, as of the date of the adoption of this amendment;
  - a) Direct the Planning, Infrastructure and Economic Development Department to return to Council within 12 months with a review of policy 6b in Official Plan Section 3.11 – Urban Expansion Study Areas and policy 3b in Official Plan Section 3.12 – Developing Community (Expansion Area), and with recommendations for any necessary changes to implement the directions proposed in Building Better and Smarter Suburbs and to implement effectively the Official Plan policies for Greenspaces (Section 2.4.5), Drainage and Stormwater Management Services (Section 2.3.3), and Air Quality and Climate Change (Section 2.4.1), with the review and recommendations to be conducted and developed in consultation with community and industry stakeholders;
  - b) Direct the Planning, Infrastructure and Economic Development Department to return to Council within 12 months with proposed revisions to the City’s Environmental Impact Statement Guidelines to include a new section on the evaluation of the social and economic values of urban natural heritage system features, as consistent with the Provincial Policy Statement and Official Plan policies contained in this amendment for effective and resilient land use, and as developed in consultation with community and industry stakeholders; and
  - c) Approve the Consultation Details Section of this report be included as part of the ‘brief explanation’ in the Summary of Written and Oral Public Submissions, to be prepared by the City Clerk and Solicitor’s Office and submitted to Council in the report titled, Summary of Oral and Written Public Submissions for Items Subject to Bill 73 ‘Explanation Requirements’ at the City Council Meeting of 25 January 2017, subject to submissions

received between the publication of this report and the time of Council's decision

## RECOMMANDATIONS DU RAPPORT

Que le Comité de l'urbanisme :

1. recommande au Conseil d'approuver les modifications aux politiques du Plan officiel, décrites dans le document 1, relatives aux boisés d'importance, aux secteurs d'expansion urbaine à l'étude et aux communautés en développement;
2. demande à la Direction générale de la planification, de l'infrastructure et du développement économique de n'appliquer ces nouvelles politiques qu'aux demandes d'aménagement pour lesquelles aucun accord, au moment de l'adoption de la présente modification, n'a été conclu relativement aux paramètres actuels du système du patrimoine naturel;
  - a) demande à la Direction générale de la planification, de l'infrastructure et du développement économique de revoir, dans les douze prochains mois, en consultation avec la population et l'industrie, la politique 6b de la sous-section 3.11 du Plan officiel sur les secteurs d'expansion urbaine à l'étude et la politique 3b de la sous-section 3.12 du Plan officiel sur les communautés en développement (secteur d'expansion), et, au besoin, de recommander des changements au Conseil pour mettre en œuvre les conclusions du rapport *Bâtir des banlieues meilleures et plus intelligentes* et assurer l'application efficace des politiques du Plan officiel relatives aux espaces verts (sous-section 2.4.5), aux services de gestion du drainage et des eaux pluviales (sous-section 2.3.3) et à la qualité de l'air et au changement climatique (sous-section 2.4.1);
  - b) demande à la Direction générale de la planification, de l'infrastructure et du développement économique de revoir, dans les douze prochains mois, en consultation avec la population et l'industrie, les lignes directrices de la Ville concernant les études d'impact sur l'environnement et d'y ajouter une nouvelle section sur l'évaluation de la valeur sociale et économique des éléments du système patrimoine naturel urbain, conformément à la Déclaration de principes provinciale (DPP) et aux politiques du Plan officiel touchées par la présente modification et visant l'aménagement efficace et durable du territoire;



- c) **donne son approbation à ce que la section du présent rapport consacrée aux consultations soit incluse en tant que “brève explication” dans le résumé des observations écrites et orales, qu’elle soit rédigée par le Bureau du greffier municipal et avocat général et soumise au Conseil dans le rapport intitulé, “Résumé des observations orales et écrites du public sur les questions assujetties aux ‘exigences d’explication’ aux termes du projet de loi 73”, à la réunion du Conseil municipal du 25 janvier 2017 à la condition que les observations aient été reçues entre le moment de la publication du présent rapport et le moment de la décision du Conseil.**

## **EXECUTIVE SUMMARY**

### **Assumptions and Analysis**

The Provincial Policy Statement (PPS) requires the use of Provincial criteria for the identification of significant woodlands. The City’s current policies do not use the Provincial criteria, nor do they identify significant woodlands in the urban area. The Official Plan Amendment would change the Official Plan policies for significant woodlands to conform to the new requirements of the PPS 2014.

The Official Plan Amendment and the recommendations in the staff report have changed since public notice of the Planning Committee meeting and external circulation of the OPA. These changes reflect comments received from stakeholders. They defer for further study those components of the originally proposed Official Plan Amendment that are not necessary for compliance with the PPS, in particular proposed changes to the policies requiring conveyance of significant woodlands to the City in Urban Expansion Study Areas (OP Section 3.11) and Developing Communities (OP Section 3.12).

In the rural area, the policy changes would require the use of all of the criteria from the Province’s Natural Heritage Reference Manual 2010 (NHRM) to identify significant woodlands. In the urban area and urban expansion study areas, the policies would identify as significant any urban woodland of 0.8 hectares or larger which is 40 years of age or older, based upon the NHRM criteria for economic and social functional values. Urban woodlands less than 40 years of age at time of evaluation would be excluded in order to avoid the creation of new development constraints on urban expansion lands, brownfield sites, or other lands which may have been held vacant because of their suitability for future urban expansion or intensification. This latter policy is deemed necessary in the Ottawa context to address other PPS directions regarding efficient and resilient development and land use.

The Official Plan policies for Urban Expansion Study Areas (Section 3.11) and Developing Communities (Section 3.12) would be changed to eliminate the current, two step evaluation process for significant woodlands.

The policy changes regarding woodlands in the urban area acknowledge and reflect the growing understanding that most urban woodlands are more valuable for their social and economic functions than their biological functions. Consequently, these policy changes would also affect the criteria against which development proposals within and adjacent to urban significant woodlands would be evaluated under the “no negative impact” standard in the PPS.

Since the last urban boundary expansion under OPA 76, significant planning has occurred for most of the City’s new urban expansion study areas. The new policies are not intended to re-visit decisions already made through these planning processes with respect to the identification of the natural heritage system. Therefore, this report recommends that Council direct the Planning, Infrastructure and Economic Development Department to apply these policies to development applications where the City and the proponent have not reached agreement on the existing natural heritage system conditions prior to approval of these policies by Council.

This report also recommends that Council direct the Planning, Infrastructure and Economic Development Department to work with community and industry stakeholders to review policy 6b in Official Plan Section 3.11 – Urban Expansion Study Areas and policy 3b in Official Plan Section 3.12 – Developing Community (Expansion Area). Staff would be required to return within 12 months with recommendations for any necessary changes to implement the directions proposed in Building Better and Smarter Suburbs and to implement effectively the Official Plan policies for Greenspaces (Section 2.4.5), Drainage and Stormwater Management Services (Section 2.3.3), and Air Quality and Climate Change (Section 2.4.1).

Finally, the report recommends that Council direct the Planning, Infrastructure and Economic Development Department to work with community and industry stakeholders to revise the City’s Environmental Impact Statement Guidelines (EIS Guidelines) to include a new section covering the evaluation and impact assessment of natural heritage system features in the urban area, including significant woodlands. Staff would be required to return within 12 months with a new section that would provide guidance on the assessment of impacts on the social and economic value of urban natural heritage system features, within the context of the overall PPS and Official Plan policies for effective and resilient land use.



## **Financial Implications**

The objectives of the proposed policies include reducing the financial liabilities and risks associated with the low-quality woodlots. The resulting financial implications to the City will be determined through the upcoming work and will be included in the report back to Council.

## **Public Consultation/Input**

The City has carried out targeted consultations with key critical stakeholders. Since August 2015, City staff have met with representatives of the Greater Ottawa Home Builders Association, the Ministry of Natural Resources and Forestry, a group of environmental and community stakeholders (the three Conservation Authorities, the National Capital Commission, Ecology Ottawa, and the Greenspace Alliance representing the Federation of Community Associations), and the Ontario Woodlot Owners Association. The City has received comments from all stakeholders and responded to them as outlined in Document 2.

A memo was given to Agriculture and Rural Affairs Committee members to update them on this Official Plan amendment on November 24, 2016.

## **RÉSUMÉ**

### **Hypothèses et analyse**

En vertu de la Déclaration de principes provinciale, les critères provinciaux doivent être utilisés pour la désignation des boisés d'importance. Les politiques actuelles de la Ville n'utilisent pas ces critères et ne désignent pas les boisés d'importance dans le secteur urbain. La modification assurerait la conformité des politiques du Plan officiel sur les boisés d'importance aux nouvelles exigences de la Déclaration de principes provinciale (DPP) de 2014.

Des changements ont été apportés à la modification au Plan officiel et aux recommandations du rapport du personnel en réponse aux commentaires d'intervenants suivant l'avis public de la réunion du Comité de l'urbanisme et la diffusion à l'externe du document de la modification. Les éléments facultatifs à la conformité au DPP, notamment les changements proposés aux politiques prévoyant l'intégration des boisés d'importance aux secteurs d'expansion urbaine à l'étude (sous-section 3.11 du Plan officiel) et aux communautés en développement (sous-section 3.12 du Plan officiel), ont été retirés et seront étudiés plus en profondeur. Dans le secteur rural, en vertu des modifications, les boisés d'importance devraient être désignés en fonction de

tous les critères prévus dans le *Natural Heritage Reference Manual* (manuel de référence sur le patrimoine naturel de 2010) de l'Ontario. Dans le secteur urbain et les secteurs d'expansion urbaine à l'étude, les boisés d'au moins 0,8 hectare âgés de 40 ans ou plus seraient désignés boisés d'importance, en fonction des critères du manuel de référence sur la valeur fonctionnelle sociale et économique. Les boisés urbains de moins de 40 ans au moment de l'évaluation seraient exclus afin d'éviter l'ajout de contraintes d'aménagement dans les secteurs d'expansion urbaine, les friches industrielles et les terrains qui pourraient avoir été maintenus vacants en vue d'une future expansion ou densification urbaine. Cette dernière politique est jugée nécessaire dans le contexte d'Ottawa compte tenu des autres orientations de la DPP quant à l'aménagement efficient et durable du territoire.

Les politiques du Plan officiel sur les secteurs d'expansion urbaine à l'étude (sous-section 3.11) et sur les communautés en développement (sous-section 3.12) seraient également modifiées afin que soit éliminé le processus d'évaluation actuel en deux étapes.

Les modifications aux politiques visant les boisés urbains tiennent davantage compte du fait que la plupart de ces boisés ont une plus grande valeur sur le plan social et économique que sur le plan biologique. Par conséquent, ces modifications auraient aussi une incidence sur les critères permettant d'évaluer si les projets d'aménagement dans des boisés urbains d'importance ou adjacents à ceux-ci auraient un impact négatif au sens de la DPP.

Depuis la dernière expansion des limites du secteur urbain, mise en place par la modification au Plan officiel 76, la plupart des nouveaux secteurs d'expansion urbaine à l'étude de la Ville ont connu d'importants aménagements. Les nouvelles politiques ne visent pas à revoir les décisions prises dans le cadre de ces processus d'aménagement concernant la désignation des éléments du système du patrimoine naturel. Par conséquent, le rapport recommande que le Conseil demande à la Direction générale de la planification, de l'infrastructure et du développement économique d'appliquer ces politiques aux demandes d'aménagement pour lesquelles la Ville et le promoteur n'ont pas, avant l'approbation des politiques par le Conseil, conclu d'accord relativement aux paramètres actuels du système du patrimoine naturel.

Le rapport recommande également que le Conseil demande à la Direction générale de la planification, de l'infrastructure et du développement économique de revoir, en consultation avec la population et l'industrie, la politique 6b de la sous-section 3.11 du Plan officiel sur les secteurs d'expansion urbaine à l'étude et la politique 3b de la sous-

section 3.12 du Plan officiel sur les communautés en développement (secteur d'expansion). Au besoin, dans les douze mois suivants, le personnel recommanderait des changements au Conseil pour mettre en œuvre les conclusions du rapport *Bâtir des banlieues meilleures et plus intelligentes* et assurer l'application efficace des politiques du Plan officiel relatives aux espaces verts (sous-section 2.4.5), aux services de gestion du drainage et des eaux pluviales (sous-section 2.3.3) et à la qualité de l'air et au changement climatique (sous-section 2.4.1).

Enfin, le rapport recommande aussi que le Conseil demande à la Direction générale de la planification, de l'infrastructure et du développement économique de revoir, en consultation avec la population et l'industrie, les lignes directrices de la Ville concernant les études d'impact sur l'environnement et d'y ajouter une nouvelle section sur l'évaluation, notamment de l'impact sur l'environnement, des éléments du système du patrimoine naturel dans le secteur urbain, y compris dans les boisés d'importance. Dans les douze mois suivants, le personnel soumettrait au Conseil la nouvelle section qui donnerait des orientations sur l'évaluation des incidences sur la valeur sociale et économique des éléments du système du patrimoine naturel urbain, dans le contexte global de la DPP et des politiques du Plan officiel visant l'aménagement efficace et durable du territoire.

### **Répercussions financières**

Les objectifs des politiques proposées sont notamment la réduction du passif financier et des risques liés aux boisés de faible qualité. Les prochains travaux permettront de déterminer les répercussions financières qui en résultent pour la Ville, et celles-ci figureront dans le rapport qui sera présenté au Conseil.

### **Consultation publique/commentaires**

La Ville a effectué des consultations ciblées auprès d'intervenants clés. Depuis août 2015, le personnel de la Ville a rencontré des représentants de la Greater Ottawa Home Builders' Association, le ministère des Richesses naturelles et des Forêts, un groupe d'intervenants du secteur environnemental et de la collectivité (les trois offices de protection de la nature, la Commission de la capitale nationale, Écologie Ottawa, et l'Alliance pour les espaces verts de la capitale du Canada représentant la Fédération des associations civiques d'Ottawa), et l'Ontario Woodlot Association. La Ville a reçu des commentaires de tous les intervenants et elle a répondu à tous, comme l'indique le document 2.

Les membres du Comité de l'agriculture et des affaires rurales ont été avisés des dernières nouvelles sur la modification proposée au Plan officiel au moyen d'une note de service envoyée le 24 novembre 2016.

## **BACKGROUND**

Council approved the current Official Plan policies for significant woodlands as part of OPA 76 on June 24, 2009. They were approved by the Ontario Municipal Board (OMB) on April 26, 2013 (OMB File # PL100206). Subsequently, the Government of Ontario issued an update to the Provincial Policy Statement (PPS) which came into effect on April 30, 2014. Among the changes to the PPS, the Province included the requirement to identify significant woodlands, "using criteria established by the Ontario Ministry of Natural Resources". The City's current policies do not conform to this requirement.

Council approved policies for Urban Expansion Study Areas and Developing Communities as part of OPA 76 on June 24, 2009. The policies were subsequently modified by the Province and approved by the Ontario Municipal Board on September 7, 2011 (Ministerial Modification #46, OMB File # PL100206).

The Province is currently considering Bill 68, which would amend several *Acts*, including the *Municipal Act*. One of the changes under consideration is the addition of a requirement in Subsection 270 that municipalities establish policies setting out, "the manner in which the municipality will protect and enhance the tree canopy and natural vegetation in the municipality." Both the City's current and proposed policies meet this requirement.

## **DISCUSSION**

### **Need and Objectives**

Staff recommends revision of the Official Plan policies for significant woodlands in order to conform to the PPS (see Document 1). Demonstration of conformity with the PPS is particularly important at this time in the context of upcoming OMB hearings on OPA 150, regarding which lack of conformity with the PPS on other policies has been an issue before the Board. In addition, the Ministry of Municipal Affairs and Housing has advised the City that it must revise its significant woodlands policies, or have the Province modify the Official Plan at the next opportunity. The changes recommended by staff to the significant woodland policies are consistent with the PPS.

In addition, staff recommends that the City work with community and industry stakeholders on the development of new approaches and policies for urban expansion

study areas and developing community to address several issues that have arisen since OPA 76. These are:

- The potential for low quality urban woodlands to come into City ownership;
- The risk of pre-emptive clearing of high quality, peri-urban woodlands by property owners;
- Reduced land use efficiency;
- Delays in planning and approvals.

Together, the objectives of the proposed policies and recommendations are:

- To conform to the PPS;
- To protect high quality urban woodlots and enhance the urban canopy;
- To provide real environmental benefits to urban communities.
- To expedite planning and approvals;
- To improve land use efficiency;
- To support and facilitate the directions proposed under Building Better and Smarter Suburbs and the Infrastructure Standards Review;
- To eliminate or reduce the financial and legal liabilities associated with low quality urban woodlots.

### **Current and Proposed Policies for Significant Woodlands**

The Provincial Policy Statement states the following:

2.1.5 Development and site alteration shall not be permitted in:

- b) significant woodlands... unless it has been demonstrated that there will be no negative impacts on the natural features or their ecological functions.

Until 2014, the PPS did not specify what criteria planning authorities had to use to evaluate and identify significant woodlands. The City's current Official Plan policies, written in 2009, identify significant woodlands according to the following criteria.



2.4.2 (1) The natural heritage system in Ottawa comprises the following significant features and the natural functions they perform:

- c. Significant woodlands defined in the rural area as woodlands that combine all three features listed below in a contiguous, forested area:
  - i. Mature stands of trees 80 years of age or older; and
  - ii. Interior forest habitat located more than 100 metres inside the edge of a forest patch; and
  - iii. Woodland adjacent to a surface water feature such as a river, stream, drain, pond or wetland, or any groundwater feature including springs, seepage area, or areas of groundwater upwelling.

The City's current policies do not identify significant woodlands in the urban area. In the urban area, the City carried out the Urban Natural Areas Environmental Evaluation Study in 2005 – 2006 to identify important urban natural areas. Using a minimum size threshold of 0.8 hectares (2 acres), the UNAEES evaluated the ecological rating of urban natural areas as low, moderate or high, based on the following ecological criteria:

- Connectivity;
- Absence of Disturbance;
- Habitat Maturity;
- Natural Communities;
- Regeneration;
- Representative Flora;
- Significant Flora and Fauna;
- Size and Shape; and
- Wildlife Habitat.

In general, the City has tried to protect those urban natural areas with a moderate or high rating through a combination of land use planning and acquisition. Unfortunately, the strict UNAESS interpretation of what is ecologically sustainable within an urban context was somewhat unrealistic. It concentrated too much on ecological values that were certain to be degraded or lost over time within the urban environment, while neglecting the social, cultural and economic values of urban woodlands within their surrounding communities. Consequently, substantial time and resources have often been spent trying to protect woodlots with low potential for long-term benefit in their communities, while smaller woodlots with greater potential for benefit have been lost.

In 2014, the Province released an update to the PPS. Among the changes to the PPS was a new requirement to use, “criteria established by the Ontario Ministry of Natural Resources” for the identification of significant woodlands. Staff from the Kemptville District Office of the Ministry of Natural Resources and Forestry have advised the City that this requirement refers to the significant woodland criteria published in the Province’s Natural Heritage Reference Manual (2<sup>nd</sup> Edition) (NHRM)

The NHRM identifies four sets of criteria for the identification of significant woodlands:

1. Woodland Size Criteria
2. Ecological Functions Criteria
  - a. Woodland interior
  - b. Proximity to other woodlands or other habitats
  - c. Linkages
  - d. Water protection
  - e. Woodland diversity
3. Uncommon Characteristics Criteria:
  - a. Unique species composition
  - b. Provincial significant vegetation community
  - c. Habitat of a rare, uncommon, or [range] restricted woodland species
  - d. Characteristics of older woodlands or woodlands with larger tree size structure

#### 4. Economic and Social Functional Values Criteria

- a. High productivity in terms of economically valuable products
- b. A high value in special services, such as air quality improvement or recreation
- c. Important identified appreciation, education, cultural or historical value

The NHRM suggests a size range for each criterion, ranging as low as 0.2 hectares in some cases.

The NHRM states that:

Woodlands that meet a suggested minimum standard for any one of the criteria listed in table 7.2 should be considered significant. This evaluation approach will avoid overlooking sites that are outstanding in terms of only one criterion (p. 67).

The City has received comments from some stakeholders suggesting that Criterion 1, Woodland Size, is intended as a screening criterion: i.e. only woodlands meeting the size criterion would be subject to the other criteria. That interpretation directly contradicts the NHRM and the advice provided to the City by the Ministry of Natural Resources and Forestry.

Application of the NHRM criteria for significant woodlands requires that the City identify an appropriate planning scale and planning units, based on local factors and needs. It also says that municipalities can apply the criteria differently in different land use contexts: e.g. rural, agricultural, urban.

#### Definition of Woodlands

The City's current significant woodland policies do not define woodlands. However, the City's Environmental Impact Statement Guidelines require the use of the Province's Ecological Classification System for Southern Ontario (ELC) for vegetation community mapping. Under the ELC, woodlands can be defined as "cultural ecosites" rather than forest where,

... the trees have been planted, or on sites recently disturbed or actively managed by human activity and in the process of regeneration by woody species; site has a legacy of non-treed land use....

This approach has created a loophole in the City's significant woodland policies, whereby densely wooded areas, functioning in every way as forest, have been

classified by development proponents as cultural ecosites. In order to close this loophole, staff propose a definition of woodlands that references the *Forestry Act* in addition to the ELC: i.e., “any treed area meeting the definition of woodlands in the *Forestry Act*, R.S.O. 1990, c. F.26 or forest in the Ecological Land Classification for Southern Ontario”. This approach is consistent with the NHRM.

As discussed below, the potential negative impact of this policy change on land use efficiency in the urban areas will be balanced by a policy setting a minimum age threshold for significant woodlands of 40 years.

### Rural Policies

In the rural area, staff proposes that the City continue to follow the recommendations of the Provincial Policy Statement and the Natural Heritage Manual which suggest “landscape approach” to natural heritage planning, with an emphasis on the use of watersheds as the planning unit. The Official Plan also identifies subwatersheds as the preferred natural heritage planning unit. Environment Canada recommends subwatersheds in the range of 500 – 1000 square kilometres. Staff has proposed five subwatershed-based planning units for the rural area, each within this size range (see Document 3).

Using these subwatershed planning units, the City would apply the NHRM significant woodland criteria using the range of thresholds recommended in the Manual. Staff would review and update the subwatershed conditions and thresholds periodically to reflect trends in land use and land cover, in consultation with community, industry and agency stakeholders.

Staff do not anticipate significant impacts of this policy change in the rural area. The City will update its landcover mapping and significant woodland mapping in 2017. It is anticipated that the total area of significant woodlands will increase slightly, based upon comparisons to preliminary mapping of NHRM significant woodlands by the Ministry of Natural Resources and Forestry. The changes would have no impact on existing rural land uses and would not limit the clearing of rural lands for agricultural uses. They would have no impact on aggregate resources or licensed aggregate operations, for which the NHRM provides an exception to the natural heritage system policies. Staff is not aware of any development application in the rural area that has been unable to proceed strictly because of significant woodlands. It has been staff’s experience that it has always been possible to modify rural development applications to protect the values of significant woodlands.

## Urban Policies

In the urban area, it is proposed that any woodland of 0.8 hectares in size and 40 years of age would automatically be considered significant under NHRM Criteria 4 – Economic and Social Functional Values. This policy acknowledges the current research showing that urban trees and woodlands have measurable and significant benefit to residents in terms of air quality and climate change adaptation, physical health (measurable increases in life expectancy), mental health (reduced levels of anxiety), social cohesion (neighbourhood identity), security (reduced crime rates), and property values. These benefits accrue from accessibility as much as size. The NHRM states that woodlands as small as 0.2 hectares can be identified as significant on the basis of these criteria.

Staff recommend 0.8 hectares as a size threshold for three reasons. First, City Council has already endorsed 0.8 hectares as a threshold for potential significance. Since 2004, urban natural areas have been evaluated against the criteria in the Council-approved Urban Natural Areas Environmental Evaluation Study (UNAEES). That study established 0.8 hectares as the size threshold for consideration of ecological significance. Second, exploratory mapping by staff suggests that 0.8 hectares strikes a balance between too much and too little woodland. A smaller size threshold begins to capture linear wooded areas along roads, rights-of-way, backyard fence lines, etc that are best addressed through the Urban Tree Conservation By-law. A larger threshold begins to exclude features like small, wooded parks, which clearly have significance within their communities. Third, a 0.8-hectare woodland generally has sufficient width to allow someone to stand near the center and not see the edge. Intuitively, this seems to align with our sense of what distinguishes a woodlot from a cluster of trees.

The 40 year age threshold for significant urban woodlands balances the PPS policies for significant woodlands against the PPS policies for efficient land use. Examination of land uses adjacent to Ottawa's urban boundary shows that most of the peri-urban area has substantial constraints to urban expansion. These constraints include proximity to existing villages and country lot subdivisions, provincially significant wetlands, Areas of Natural and Scientific Interest, Natural Environment Areas, areas of unstable soils, and Agricultural Resource Areas. In the event that future urban expansion becomes necessary to meet Provincial requirements, the most suitable expansion areas appear to be marginal and abandoned agricultural lands, pasture lands, and other old fields. In many cases, however, the abandonment of these lands has led to the regeneration of shrub and tree communities, which could meet the definition of woodland. Exclusion of these communities from the developable area of urban expansion lands would be

inefficient and would only increase pressures for urban expansion in less suitable areas. Staff recommend 40 years as the age threshold because it takes approximately 40 years for abandoned land to regenerate fully as forest, and because there are many examples of 40 year-old woodlands in the urban area that serve significant social functions in their surrounding communities.

One potential drawback of the proposed 40 year threshold for significant urban woodlands is that it would create a financial incentive for property owners to clear mature, forested urban and peri-urban lands in advance of urban expansion or development applications. The City's Urban Tree Conservation By-law does not currently apply to peri-urban lands, and the possible penalties under the City's Urban Tree Conservation By-law for clearing of urban lands provide little deterrent in comparison to the market value of unconstrained urban development land. In addition, vegetation clearing often includes the chipping of shrubs and trees and the removal or grinding of stumps, which can make enforcement of the Tree Conservation By-law very difficult. Consequently, as part of the recommended review of approaches and policies for significant woodlands in Urban Expansion Study Areas and Developing Communities (see below), staff will work with stakeholders to consider methods of deterring such pre-emptive clearing.

Preliminary mapping by City staff suggests that within the core urban area and developed suburbs, most of the urban woodlands captured by the new policies are already in public ownership by the City or the Federal government. In most newly-developing areas, significant woodlands and other natural heritage system features have already been identified in planning documents (see Policy Implementation). Where planning decisions have not yet been made regarding significant woodlands, examination of historical aerial photography suggests that most wooded areas are younger than the proposed 40 year age threshold. Staff does not anticipate that the new policies will lead to substantial new development constraints within the existing urban area (see Document 4).

### **Policy Changes and Recommendations for Urban Expansion Study Areas and Developing Communities**

OPA 76 introduced policies for Urban Expansion Study Areas and Developing Communities that require the conveyance of any natural heritage system feature to the City for \$1, prior to development approval. With respect to significant woodlands, the policies state that any significant woodlands would be subject to a further evaluation, "consistent with the Urban Natural Areas Environmental Evaluation Study." Staff have

interpreted this policy to mean that any urban woodlands meeting the current Official Plan definition of significant woodlands would only be considered as part of the Natural Heritage System if they also scored moderate or high under the UNAEEES.

The current Official Plan policies no longer meet the PPS requirement to use the NHRM criteria for identification of significant woodlands. The new proposed significant woodland policies would rectify this situation.

Staff also believes that the policies requiring conveyance of significant woodlands to the City for \$1 could have the unintended consequence of conserving and bringing into City ownership woodlands that would have little or no benefit to the surrounding community, and which may create a long-term financial or legal liability for the City. On further analysis, staff have noted that many urban and peri-urban woodlots have characteristics that limit public access, and which may actually create a public nuisance or hazard. For example, a woodlot with abundant poison ivy or very dense growth may provide little or no public access, except through expensive, on-going management by the City. Without public access, the social and cultural benefits of the woodlot may be minimal. In another example, a woodlot may contain seasonally-flooded areas, which generate large numbers of floodplain mosquitoes. In the rural area, these flooded areas would likely have a significant ecological function as amphibian habitat. In the urban area, that function may be greatly reduced or eliminated by loss of supporting habitats and human impacts, while the production of mosquitoes may actually increase. Such a circumstance can greatly detract from outdoor activities and from the quality of life of surrounding residents. In the context of climate change and the spread of mosquito-borne diseases, it may even create a long-term health hazard.

Recognition of these limitations does not imply that urban woodlands have no biological value. It acknowledges that these values depend greatly on the physical characteristics and context of urban woodlands. An urban woodland that remains connected to a larger natural area, such as a significant valleyland or a provincially significant wetland, may retain much of its former ecological value. Some woodlands may be inherently more valuable biologically due to their maturity or some other uncommon characteristic. These woodlands should be retained and protected for those values. Other urban woodlands, however, have little potential to retain their biological functions once surrounded by urban development. They may be small, isolated, or heavily impacted by invasive species. They may already have very low habitat value or biodiversity. In these cases, there may very little biological value in retaining them in their unmodified state.

The current policy does not respond to different conditions, because it is inflexible: It creates an “all or nothing” situation, in which all of a woodlot is conveyed to the City, or none of it is conveyed. This approach contradicts other City initiatives, like Building Better and Smarter Suburbs, the Infrastructure Standards Review, and the Parks and Pathway Manual, which are intended to provide a more flexible and cohesive design process for new suburban communities.

Staff recommends a review of the Official Plan policies for significant woodlands in urban expansion study areas and developing communities to consider a more pragmatic and flexible process for where and how much significant woodlands is retained and conveyed to the City. Working with community and industry stakeholders, staff would develop new proposed policies and supporting tools to evaluate the biological, social and economic values of significant woodlands within the context of overall urban tree canopy, considering the directions in Building Better and Smarter Suburbs and the City’s policies for Greenspaces (Section 2.4.5.), Drainage and Stormwater Management Services (Section 2.3.3), and Air Quality and Climate Change (Section 2.4.1). The review would include an explicit focus on the importance and accessibility of urban woodlands to vulnerable populations, such as children, seniors, and low income households.

### **Policy Implementation**

Since the last urban boundary expansion under OPA 76, significant planning has occurred for most of the City’s new urban expansion study areas and developing communities. In one area, Urban Expansion Area 11 (Cardinal Village), planning has been completed for most of the area and construction is underway. In other areas, such as Urban Expansion Area 1 (Kanata North), high level planning has been concluded, including the identification of the natural heritage system, but further subdivision applications and implementing zoning applications are still required. The new proposed policies are not intended to re-visit decisions already made through these planning processes with respect to the identification of the natural heritage system. In most cases, these decisions have influenced municipal servicing plans, transportation networks, the locations of parks and pathways, landowner agreements, and a host of smaller, related decisions. Therefore, this report recommends that Council direct the Planning Infrastructure and Economic Development Department to apply these policies only to planning and development applications where the City and the proponent have not reached explicit agreement on the existing natural heritage system conditions prior to approval of these policies by Council. In areas where the City and the proponents have already reached agreement on the natural heritage system, the previous decisions



would stand. This includes applications for plans of subdivision and zoning that are consistent with, and intended to implement, existing development plans.

The new policies would apply to urban areas where a complete community or neighbourhood re-design is proposed, usually in the context of a new Community Design Plan or Secondary Plan. In those cases, a re-assessment of the natural heritage system is warranted to establish how conditions might have changed since the original planning for the area.

### **Environmental Impact Statement Guidelines**

Under the City's Official Plan, any development within or adjacent to significant woodlands requires the preparation of an Environmental Impact Statement (EIS) demonstrating that the development will have "no negative impact" on the values for which the woodlot has been deemed significant. The City's Environmental Impact Statement Guidelines is a Council-approved document setting out the City's requirements for EIS reports, as well as supporting information. It was last revised in October 2016, to reflect changes in Provincial Species at Risk processes.

#### Rural Area

In the rural area, the EIS Guidelines will continue to apply to significant woodlands as they have in the past. The no negative impact test will apply to the NHRM criteria for which woodlands have been identified as significant. Special consideration will continue to be given to agricultural uses and mineral aggregate resources, as directed by the NHRM.

#### Agricultural Uses

Municipalities need to ensure that agricultural uses, secondary uses and agriculture-related uses are permitted in appropriate locations, consistent with the PPS, when planning for natural heritage systems... (p. 9).

#### Mineral Aggregate Uses

Rehabilitation of mineral aggregate operations, implemented under the *Aggregate Resources Act*, may be taken into consideration for the demonstration of no negative impacts (see PPS policies 2.1.4 and 2.1.6) where rehabilitation of ecological functions is scientifically feasible and is conducted consistent with Policy 2.5.3 and other government standards (p. 11).

As stated previously, staff are not aware of any rural development application within or adjacent to significant woodlands, where the proponent was unable to meet the no negative impact test.

### Urban Area

Application of the EIS Guidelines and the no negative impact test would change substantially in the urban area under the proposed policies. In general, throughout the urban area, development applications would need to assess potential impacts to significant woodlands more on the basis of social and economic functional values and less on ecological values. In particular, an EIS would need to assess the relative impact of removal or modification of the woodlot on such things as urban canopy cover, accessible greenspace, and air quality/climate change adaptation. The evaluation could include the long-term effects of mitigation measures, such as enhanced street tree planting, low impact stormwater design, publicly accessible private property, green roofs, and use of reflective surfaces. Dual-purposing of woodlands could be considered where appropriate, such as the use of low, moist forests or swamp areas for storage of major stormwater flows. Overall, proponents would need to demonstrate to the City's satisfaction that such mitigation measures would provide a net, long-term benefit to the community in order to meet the no negative impact test. Existing community use of woodlands would need to factor strongly into such an assessment.

The emphasis on social and economic functions does not mean that biological values can be ignored. In particular, woodlands associated with other natural heritage system features or uncommon characteristics would still continue to require assessment and protection from negative impacts under those NHRM criteria.

In response to comments received from stakeholders during consultation on the proposed policies, staff recommends that Council direct the Planning Infrastructure and Economic Development Department to work with community and industry stakeholders to revise the EIS Guidelines to include a new section on the assessment of impacts to urban natural heritage system features within the context of the overall PPS and Official Plan policies for effective and resilient land use. The EIS Guidelines focus mainly on the assessment of impacts on the natural values of features. They give little attention to the assessment of social impacts. In addition, while they acknowledge the importance of considering all PPS and Official Plan policies, they provide little guidance on how different policies should be balanced. The new section would provide such guidance. It would also include a "toolbox" of planning tools, software programs, and best practices

for the assessment and mitigation of impacts on significant urban woodlands and their functions.

## **RURAL IMPLICATIONS**

As discussed above, staff do not anticipate any substantial impact of the new policies in the rural area. The total amount of rural area designated as significant woodland may increase slightly. However, the significant woodlands designation only applies in the case of development applications. It does not affect existing land uses. In addition, the NHRM provides exceptions for the two major non-residential land uses: agriculture and mineral aggregate resource extraction. Staff is not aware of any development application where a significant woodland designation prevented a project from proceeding. Finally, development pressures on significant woodlands have declined substantially with the removal of country estate lot policies from the Official Plan.

## **CONSULTATION**

Staff has followed a direct consultation approach for this Official Plan Amendment, meeting directly with the most relevant stakeholders and have met with the following groups:

- Greater Ottawa Home Builders Association.
- Greenspace Alliance (also representing the Federation of Community Associations).
- Ecology Ottawa.
- Mississippi Valley Conservation Authority, South Nation Conservation, Rideau Valley Conservation Authority.
- Ministry of Natural Resources and Forestry.
- Ontario Woodlot Owners Association.

In addition to these targeted consultations, City staff has also received comments from two members of the aggregate industry. Staff has met with one large urban property owner in a Developing Community land designation potentially affected by the proposed policies and offered to meet with three additional larger property owners in Urban Expansion Study Areas potentially affected by the proposed policies. Details of the consultations are attached to this report as Document 2.

## **COMMENTS BY THE WARD COUNCILLORS**

City-wide – not applicable.

## **LEGAL IMPLICATIONS**

As noted in the report, to ensure consistency with the 2014 Provincial Policy Statement, it is necessary to adopt revised policies in respect of Significant Woodlands. Should the Official Plan Amendment resulting from this report be appealed to the Ontario Municipal Board, it is anticipated that a three to five day hearing would result that could likely be conducted within staff resources.

## **RISK MANAGEMENT IMPLICATIONS**

There are no risk implications.

## **FINANCIAL IMPLICATIONS**

The objectives of the proposed policies include reducing the financial liabilities and risks associated with the low-quality woodlots. The resulting financial implications to the City will be determined through the upcoming work and will be included in the report back to Council.

## **ACCESSIBILITY IMPACTS**

There are no accessibility impacts.

## **ENVIRONMENTAL IMPLICATIONS**

The proposed policies bring the Official Plan into compliance with the Natural Heritage System policies of the Provincial Policy Statement 2014.

## **TERM OF COUNCIL PRIORITIES**

This project addresses the following Term of Council Priorities:

ES1 – Support an Environmentally Sustainable Ottawa

HC1 – Advance Equity and Inclusion for the City's Diverse Population

FS1 – Demonstrate Sound Financial Management.

## **SUPPORTING DOCUMENTATION**

Document 1 Amendment to the Official Plan of the City of Ottawa

Document 2 Public Consultation

Document 3 Subwatershed Map

Document 4 Application to the Urban Area

Document 5 Table of Policy Changes

## **DISPOSITION**

Planning Infrastructure and Economic Department will report to Planning Committee within 12 months with recommendations for revisions to the significant woodland policies in Official Plan Sections 3.11 and 3.12, and with recommendations for revisions to the Environmental Impact Statement Guidelines.

Planning Infrastructure and Economic Development will prepare the implementing by-laws, forward to Legal Services and undertake the statutory notification.

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