

## Local Planning Appeal Tribunal

CASE NO(S):

PL140495  
PL170037

**PROCEEDING COMMENCED UNDER** subsection 17(36) of the *Planning Act*, R.S.O. 1990, c. P.13, as amended

Appellants: Thomas Cavanaugh Construction Ltd.  
Subject: Proposed Official Plan Amendment No. 150  
Municipality: City of Ottawa  
LPAT Case No.: PL140495  
LPAT File No.: PL140495  
LPAT Case Name: Dolan v. Ottawa (City)

**PROCEEDING COMMENCED UNDER** subsection 17(36) of the *Planning Act*, R.S.O. 1990, c. P.13, as amended

Subject: Proposed Official Plan Amendment No. 179  
Municipality: City of Ottawa  
LPAT Case No.: PL170037  
LPAT File No.: PL170037  
LPAT Case Name: Ontario Stone, Sand & Gravel Association v. Ottawa (City)

### AFFIDAVIT OF BRUCE FINLAY

I, **Bruce Finlay**, of the City of Clarence-Rockland, **MAKE OATH AND SAY:**

- 1) I am a Registered Professional Planner, with the Economic Development and Long-Range Planning Branch of the City of Ottawa. Since joining the City, in 2001, I have been involved in the preparation and review of the City of Ottawa's Official Plan and responsible for the preparation of the draft and final versions of the comprehensive amendments to that Plan. I was directly involved with Official Plan Amendment (OPA) 150, and have a working understanding of OPA 179, both of

which are currently before the LPAT. I continue to provide planning policy advice to Council, my colleagues and other City departments.

- 2) In my career I have provided professional land use planning advice to both municipal and private clients and have been recognised by the Ontario Municipal Board and the Local Planning Appeal Tribunal (“LPAT”) as an expert in land use planning for the purpose of giving opinion evidence. My Curriculum Vitae and my Acknowledgement of Expert’s Duty are attached as Exhibits 1 and 2.
- 3) This affidavit provides my evidence regarding:
  - a) the sequence of events leading to, and my professional opinion as to the appropriateness of, the proposed policy changes made by OPA 150;
  - b) my professional opinion regarding the proposed resolution of OPA 150 appeals by Richcraft and Urbandale (and their affiliated companies).
- 4) The Natural Systems Phase also encompasses appeals from OPA 179. My colleague, Nick Stow, will be providing a separate affidavit providing more detail about the background to OPA 179 and his opinion about the proposed resolution to components of that amendment, as well as the resolution of the OPA 150 appeal by Greenspace Alliance of Canada’s Capital.
- 5) The matters at issue in this hearing were summarized as Attachment 4 to the Procedural Order, which is attached hereto as Exhibit 3 for ease of reference.

### **Proposed Settlement**

- 6) As described further in this affidavit and that of Nick Stow, the settlement includes the items summarized in Figure 1.

*Figure 1: Overview of Amendments arising from Settlement*

Change required by the settlement	Settling appeal from OPA:	Appellant to which change pertains	Reference
Further amend Official Plan <b>Schedule L3</b> (Natural Heritage Overlay) to conform with existing development approvals	150	Richcraft and Urbandale	Finlay Affidavit, Exhibit 8 (Document 2) and paras. 9 to 16
Add <b>Annex 16</b> – Core Natural Areas and Natural Landscape Linkages to the Official Plan (not requiring LPAT approval)	150	Greenspace Alliance	Stow Affidavit, Exhibit 11 (at Document 1) and, paras. 16-17
Changes to the Significant Woodlands Guidelines and adoption of a process for consideration of significant woodlands in a future urban boundary expansion, should an expansion be necessary (not requiring LPAT approval)	150	Taggart Group of Companies, R.W. Tomlinson Ltd., and the OSSGA	Stow Affidavit, Exhibit 7 and, paras.10-15
Further amend Official Plan <b>Section 2.4.2 Policy 1.c.iii</b> (definition of Significant Woodlands)	179	Taggart Group of Companies, R.W. Tomlinson Ltd., and the Ontario Sand Stone and Gravel Association	Stow Affidavit, Exhibit 7 and, paras.10-12
Amend Official Plan <b>Section 2.4.2 Policy 3</b> (requirement for an Environmental Impact Statement)	179 <sup>1</sup>	Taggart Group of Companies, R.W. Tomlinson Ltd., and the OSSGA	Stow Affidavit, Exhibit 7 and paras. 10 through 12

### Background to OPA 150 Appeals

- 7) On December 11<sup>th</sup>, 2013 the City adopted Official Plan Amendment 150 (“OPA 150”). This amendment made significant modifications to the policies and

<sup>1</sup> This Policy was amended by OPA 150. The OPA 150 amendment is no longer contended. The parties seek, as part of the settlement of the OPA 179 appeal, a further amendment to the same policy.

mapping in the City's Official Plan. In particular, the City amended policies related to the identification of the City's Natural Heritage System, a system of natural features and areas identified for protection by the Official Plan. The Council had added the schedules, which mapped the Natural Heritage System, to the Official Plan through OPA 109 on 24 October 2012. Amendment 109 responded to direction in the Ontario Municipal Board decision on OPA 76 (OMB PL#100206, April 26, 2012).

- 8) Those changes included, among other things, an amendment to policy 3 in Section 2.4.2 and the update of three map Schedules (L1, L2 and L3) that delineate as much of the Natural Heritage System as can be reasonably identified at the mapping scale chosen. The changes to Schedules L1 through L3 showed the addition of natural linkages identified in the Natural Landscape Linkage Analysis, that was completed by City staff (Document 11 to OPA 150, attached hereto as Exhibit 4). The modifications to these schedules to include the findings of the Natural Landscape Linkage Analysis was a condition of a settlement, with the Greenspace Alliance of its appeal to OPA 76 (OMB PL#100206).

#### **OPA 150 Appeals and Resolution**

- 9) On January 10, 2014 the Ministry of Municipal Affairs and Housing approved OPA 150 without modification. The Minister's approval of OPA 150 was appealed in its entirety by several parties. The appeals of the whole of OPA 150 were eventually dropped, however the Greenspace Alliance of Canada's Capital ("Greenspace Alliance"), Urbandale Corporation, Urbandale Construction, Riverside South Development Corporation, KNL Developments Inc. (the preceding four collectively referred to herein as "Urbandale"), and Richcraft Homes Ltd. and its related entities (collectively "Richcraft") retained appeals of the changes to the Natural Heritage System policies and changes to Schedules L1, L2 and L3.
- 10) My colleague, Nick Stow, has discussed the appeal of and resolution with Greenspace Alliance at paras. 16 and 17 of his affidavit.

- 11) Richcraft and Urbandale disagreed with the identification of specific linkage features on Schedule L3. Richcraft's appeal is attached as Exhibit 5 and Urbandale's appeal is attached as Exhibit 6.
- 12) City Council approved a settlement with Richcraft and Urbandale which would revise the natural linkage features added to Schedule L3 through OPA 150. The Minutes and Report to Council of April 10, 2019 are attached as Exhibits 7 and 8 respectively, the latter of which includes the revised Schedule L3. These changes were made to conform to the registered KNL Phase 8 Plan of Subdivision, the land use plans and registered plans of subdivision in the Riverside South Community Design Plan area, and the changes to the Official Plan shown in Schedule B approved in Kanata Highlands Urban Expansion Area, Official Plan Amendment (OPA) 222.
- 12) I note that as part of the resolution of separate OPA 179 appeals by developer and aggregate companies (not Richcraft and Urbandale), Section 2.4.2 Policy 3, as modified through OPA 150 (deleted text and added text underlined), would be further changed through the addition of the highlighted text:

"Regardless of whether the features are designated in this Plan, an area is identified by the overlay shown in Schedules L1, L2, and L3 of this Plan, an Environmental Impact Statement is required for development proposed within or adjacent to features described in policy 1 above, with the exception of surface and groundwater features. Development and site alteration within or adjacent to these features will not be permitted unless it is demonstrated through an Environmental Impact Statement that there will be no negative impact on the feature or its ecological functions. Where the proposed development or alteration is for the establishment or expansion of mineral aggregate operations within or adjacent to a significant woodland, the demonstration of no negative impact may take into consideration final rehabilitation of the mineral aggregate operation, including any on- or off-site compensation. Rehabilitation of the mineral aggregate operation would need to be planned to occur as soon as possible and be suited to the local natural environment. The Policies regarding Environmental Impact Statements and the definition of terms are contained in Section 4.7.8."

The original language added by OPA 150 to Section 2.4.2 Policy 3 (deleted and underlined text) is no longer under contention by any of the appellants to OPA 150.

- 13) The appellants in the Natural Systems Phase have also appealed mapping changes proposed in OPA 150, being specifically Items 334, 335, and 336. Amend Schedules L1, and L2, combined with Schedule L3 (as amended), depict the Natural Heritage System for the whole City at a useful scale. Through OPA 150 the information, contained in these three maps, was enhanced to include the natural linkages that had been identified through the City's Natural Landscape Linkage Analysis. Identifying this information, in the Official Plan, plays a key role in the development review process by triggering and informing the environmental review process at the time the City considers development proposals. I have described these items in more detail in Exhibit 9 and provided an explanation of each, with copies attached as Exhibits 10 through 12. As a result of the resolution, Items 334, 335, and 336 are no longer in contention.

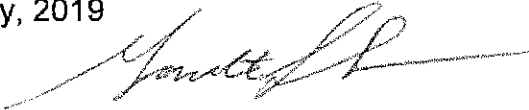
#### **Opinion as to Agreed upon Resolution to OPA 150 and 179 appeals**

- 14) Staff has worked with the appellants and come to agreement with them as to their appeals from OPA 150 and 179. As described above, the resolution includes modifications to the information mapped on Schedule L3 of OPA 150 and changes to Policy 3 in Section 2.4.2, of the Official Plan. Additionally, with respect to the OPA 179 appeals, my colleague Nick Stow has outlined the resolution involving changes to Policy 1.c.iii of section 2.4.2, (the definition of "significant woodland"), Policy 6b of Section 3.11 and policy 3b in Section 3.12.
- 15) The remaining changes, proposed by OPA 150, being mapping changes in Items 334, 335 and 336 are no longer in contention as a result of this resolution.
- 16) In my professional opinion, the changes proposed in the present resolution are consistent with the Provincial Policy Statement, have regard for applicable matters of provincial interest, and represent good planning. Furthermore, the now-undisputed changes proposed by OPA 150 in Items 334, 335, and 336 are, in my

opinion, consistent with the Provincial Policy Statement, have regard for applicable matters of provincial interest, and represent good planning.

17) I recommend approval of OPA 150 as modified by the settlement described above.

SWORN before me in the City of Ottawa,  
in the Province of Ontario, this 27<sup>th</sup> day of  
May, 2019



A Commissioner for the Taking of Oaths, etc.

*Garrett Schramme*

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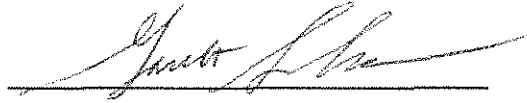


BRUCE FINLAY

This is

**Exhibit 1**

to the affidavit of Bruce Finlay dated May 27, 2019

A handwritten signature in black ink, appearing to read "Garrett Schromm", is written over a solid horizontal line.

GARETT SCHROMM

*A commissioner, etc.*



# BRUCE FINLAY, M.C.I.P, , R.P.P

Planner III,  
Policy Planning Branch  
Planning, Infrastructure & Economic  
Development Dept. City of Ottawa

110 Laurier Avenue West, Ottawa,  
ON, K1P 1J1  
Telephone: (613) 580-2424 ext.  
21850;  
e-mail: Bruce.Finlay@ottawa.ca

## SUMMARY - PROFESSIONAL EXPERIENCE

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### 2005 - 2018 PLANNER III

City of

Ottawa

Responsible for the City's Official Plan, preparation of land use policies and providing advice to Council and staff on land use policy matters. Project lead City's Official Plan update OPA #180 and the update of the City's LEAR system (2016). Project lead City's Official Plan update OPA #150 (2013). Responsible for the Rural policy consultation and review for the City's Official Plan update OPA #76 (2009). Provided professional evidence at the Ontario Municipal Board and LPAT

### 2001 - 2005 PLANNER II

City of Ottawa

Responsible for the City's Official Plan, preparation of land use policies and providing advice to Council and staff on land use policy matters. Responsible for the of the City's Greenspace Master Plan, provided policy advice and interpretation of the City's Official Plan and represented and negotiated on behalf of the City at appeal hearings for the Official Plan

### 1998 -2001 PLANNER II

City of

Kanata

Policy Planner provided policy advice to development approvals planners, prepared policy documents and processed some Official Plan amendments. From mid-1999 onward assisted with the completion of the updated Official Plan for the City of Kanata. Responsible for the interpretation of Official Plan policy and the provision of comments on major development plans leading to Official Plan and Zoning amendments.

### 1993 -1998 PRINCIPAL

Freelance

Consultant

Provided general planning advisory services to rural municipalities and private clients seeking planning approvals. Prepared new and consolidated Official Plans and Zoning By-laws, reviewed applications and responded to Councils with advice applications for development, severance and subdivision proposals and conducted public meetings associated with those proposals. Provided professional evidence for municipal and private clients at the Ontario Municipal Board.

**1989 -1993 SENIOR PLANNER**

J.L. Richards and

Associates Ltd.

J. L. Richards is a large firm of Engineers, Architects and Planners who provide consulting services throughout Eastern and Northern Ontario. Provided planning services to a number of rural municipalities and small towns in Eastern and Northern Ontario and to private individuals and land developers. Prepared Official Plans and Zoning By-laws; reviewed and advised on development, zoning, severance and subdivision applications.

**1981 - 1988 STATUTORY PLANNER**

Sydney,

Australia

Statutory Planner advising the Chief Town Planner and Council on development and subdivision proposals in the City's main commercial and industrial areas. Also responsible for residential re-development and intensification projects in the older areas of Blacktown and Seven Hills. Provided professional evidence at the Land and Environment Court.

**PROFESSIONAL AFFILIATIONS**

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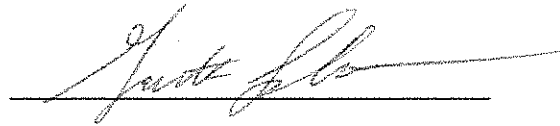
Canadian Institute of Planners (CIP)  
Ontario Professional Planners Institute (OPPI)

Member (RPP)  
Member

This is

**Exhibit 2**

to the affidavit of Bruce Finlay dated May 27, 2019

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GARETT SCHROMM

*A commissioner, etc.*



Ontario

Local Planning Appeal Tribunal  
Tribunal d'appel de l'aménagement local

**ACKNOWLEDGMENT OF EXPERT'S DUTY**

<b>Case Number</b>	<b>Municipality</b>
PL140495	City of Ottawa

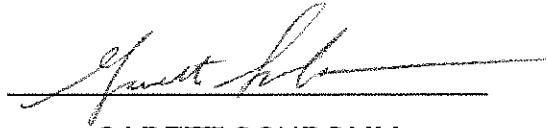
1. My name is Bruce Finlay.  
I live in the City of Clarence-Rockland, in the Province of Ontario.
2. I have been engaged by the City of Ottawa to provide evidence in relation to the above-noted LPAT proceeding.
3. I acknowledge that it is my duty to provide evidence in relation to this proceeding as follows:
  - a. to provide opinion evidence that is fair, objective and non-partisan;
  - b. to provide opinion evidence that is related only to matters that are within my area of expertise; and
  - c. to provide such additional assistance as the LPAT may reasonably require, to determine a matter in issue.
4. I acknowledge that the duty referred to above prevails over any obligation which I may owe to any party by whom or on whose behalf I am engaged.

Date: 27<sup>th</sup> May, 2019.....  
  
 Signature

This is

**Exhibit 3**

to the affidavit of Bruce Finlay dated May 27, 2019

A handwritten signature in cursive script, appearing to read "Garrett Schromm", is written over a solid horizontal line.

GARETT SCHROMM

*A commissioner, etc.*

ATTACHMENT 4

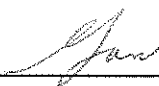
MATTERS AT HEARING

1. OPA 179
2. OPA 150, Items 94, 334, 335, 336, 337

This is

**Exhibit 4**

to the affidavit of Bruce Finlay dated May 27, 2019



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GARETT SCHROMM

*A commissioner, etc.*

## CITY OF OTTAWA NATURAL LANDSCAPE LINKAGE ANALYSIS

### SUMMARY

In the last Official Plan Review, which culminated in Official Plan Amendment 76 in 2009, the City introduced new policies about natural features into Section 2.4.2 of the Official Plan, to ensure consistency with the Provincial Policy Statement (2005). The significant wetlands, woodlands and other identified features need linkages to connect them into a functioning natural heritage system (NHS). While linear features such as watercourses and floodplains are considered potential linkages, and are included on the Natural Heritage System Overlay (Schedules L1, L2 and L3) for that reason, a linkage needs to be identified through planning or environmental studies in order to meet the criteria in the Official Plan. City staff has recently completed a City-wide analysis of linkage features, and is recommending some revisions to Schedules L1, L2 and L3 of the Official Plan as a result. This document describes the process by which staff identified the linkages and the proposed revisions to the NHS Overlay.

As part of a Terms of Settlement with the Greenspace Alliance, signed and dated January 26, 2012, regarding an urban boundary issue before the Ontario Municipal Board as part of Official Plan Amendment 76, the City agreed as follows:

- 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.
- 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.
- 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.
- 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.

City staff has completed a natural landscape linkage analysis. Through this analysis, staff identified natural “linkage” features that qualify as part of the City’s natural heritage system under Policy 2.4.2 (1j). These features consist of remnant woodlands or floodplains lying within existing or potential natural linkage areas identified in the natural linkage analysis. Although they would not necessarily qualify as part of the natural heritage system under other sub-sections of 2.4.2 (1), they contribute to the overall connectivity of the natural heritage system. If these areas are not already designated in the Natural Heritage System Overlay, then staff proposes to add them to Schedules L1, L2 and L3 as part of the current Comprehensive Official Plan Review. Inclusion of these features in Schedules L1, L2 and L3



would not modify any policy of the Official Plan, nor would it alter the underlying land use designation or zoning of any land.

### *Consultation*

The City opened the consultation discussion with a Stakeholder Workshop on the City of Ottawa's Natural Linkages Analysis and the Nature Conservancy of Canada's Ottawa Valley Conservation Plan, held on March 27, 2013. A further Agency Consultation meeting was held on September 11, 2013 on the Natural Linkages Analysis and proposed changes to Schedule L.

In addition, work was also carried out in partnership with The Nature Conservancy of Canada. The City has contributed to the preparation of The Nature Conservancy of Canada's Ottawa Valley Natural Area Conservation Plan, which identified areas of regional connectivity and lands of high ecological value, in both Ontario and Quebec.

### *Summary of Process*

The natural landscape linkage analysis focused on the rural area and the National Capital Greenbelt. The urban natural heritage system linkages are addressed in the Greenspace Master Plan (2006). The Federal Ottawa Airport Authority lands will be addressed in the Airport's Land Use Master Plan.

The natural landscape linkage analysis employed methods and tools commonly used in conservation land use planning for the identification of natural landscape linkages and corridors at a regional scale. The analysis was performed using ESRI ArcGIS 10 software. It generally consisted of a "least cost corridor" analysis, in which 1 km wide linkages were identified between core natural features. Linkages were identified as those connecting landscapes between the features offering the least resistance to the dispersal and movement of plants and animals.

The analysis followed the following guiding principles, which come from research and studies in fields of Landscape Ecology and Conservation Biology:

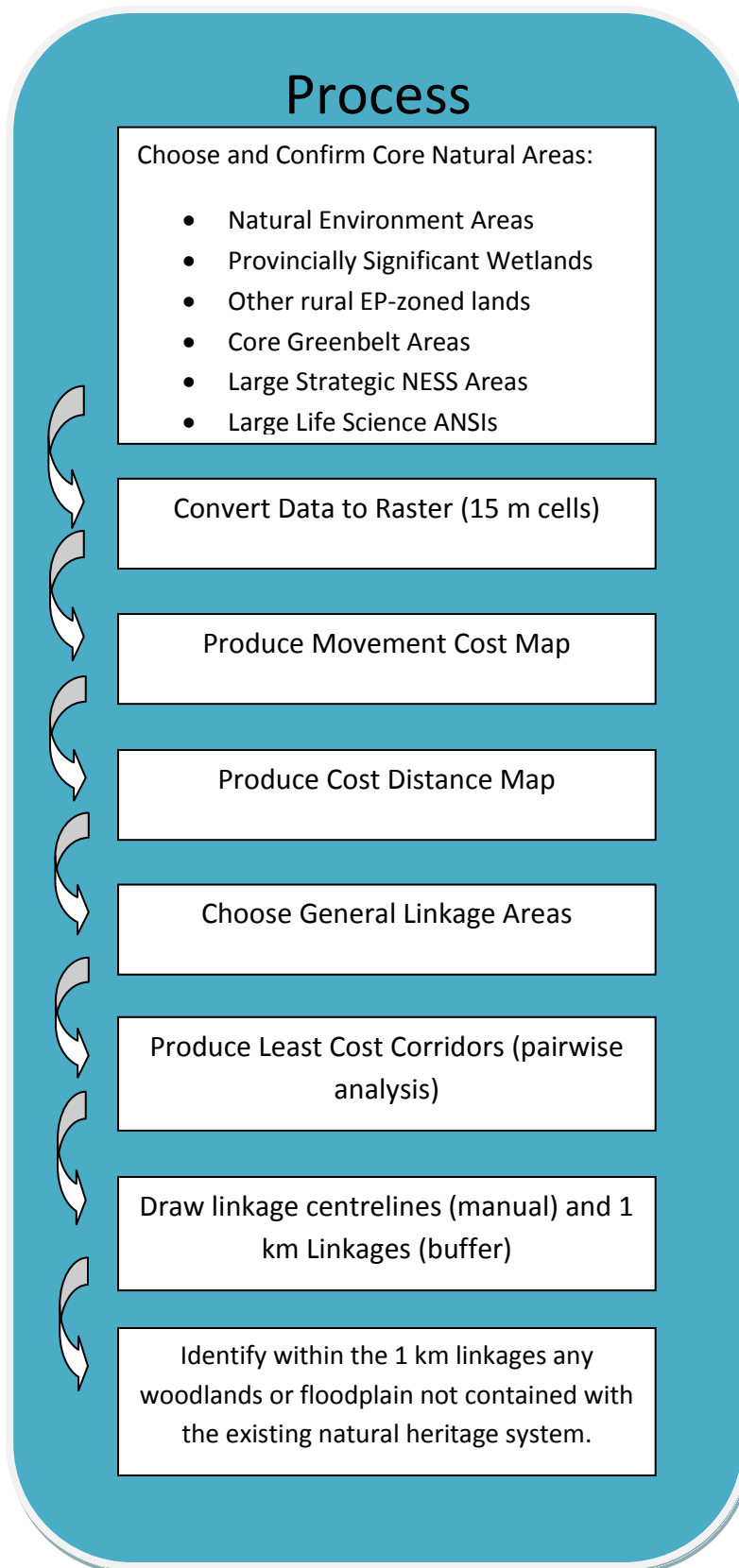
- Short linkages are better than long linkages;
- Wide linkages are better than narrow linkages;
- Continuous linkages are better than discontinuous linkages;
- Straight linkages are better than crooked linkages.
- Linkages function best if they, themselves, provide viable habitat.

These principles are also consistent with the guidance provided by the Ontario Ministry of Natural Resources in the Natural Heritage Reference Manual (2010).

Landscape linkages are often defined in relation to a target species or group of species. In this case, the City did not identify any target species, but based the analysis on a general assessment of the extent to which certain land cover types facilitate or impede the movement of plant and animals.

The landcover mapping used for the project was produced by the environmental consulting company Morrison Hershfield, under contract to the City, using the City's 2011 color aerial photography (20 cm resolution). The land cover map followed a process and standards developed by the Rideau Valley Conservation Authority for use in Eastern Ontario. They are derived from, and consistent with, the Ecological Land Classification (ELC) system and the Southern Ontario Land Resource Inventory System (SOLRIS), which are the standard mapping systems used by the Province of Ontario and Ontario's Conservation Authorities. The landcover map appears as Figure 2 at the end of this document.

Figure 1 outlines the process and methodology that staff followed in conducting the natural landcover linkage analysis. Several concepts are important for understanding the methodology. The process, methodology and concepts are discussed following the figure.



**Figure 1: Natural Landscape Linkage Identification Process**

## Methodology

### *Raster Analysis*

All of the landscape linkage analysis was performed using *raster* maps. A raster map is analogous to a digital photograph, in that the map consists of individual pixels or cells which only become apparent when one zooms in very close to the image (*i.e.* at high resolution). The pixels or cells are square and arranged in rows and columns, similar to a chess board. This analysis used a cell size of 15 m x 15 m, or 225 m<sup>2</sup>. It required 12.7 million pixels to produce a raster map of the City of Ottawa, or the equivalent of a 12.7 megapixel digital photograph.

Once a map has been converted to a raster format, it becomes possible to perform mathematical operations on each pixel in that map using GIS software. This process is analogous to the use of photo-processing software to modify a digital photograph.

### *Core Natural Areas*

Natural heritage systems consist of core natural areas and connecting landscapes (*i.e.* natural linkages). Core natural areas consist of large, contiguous natural vegetation communities such as woodlands, wetlands, natural grasslands, savannas, dunes, rock barrens, *etc....* These areas generally provide sufficient quality habitat to support a diverse range of native flora and fauna.

The boundaries of core natural areas often change over time, as vegetation communities change in response to natural succession, natural disturbances and human disturbances. Therefore, the landscape linkage analysis began with a review of the City's core natural areas and their boundaries. The review included Natural Environment Areas designated in Schedule A of the Official Plan, provincially significant wetlands, rural lands zoned "Environmental Protection" (EP), core natural areas within the National Capital Greenbelt, large features identified in the old Region of Ottawa-Carleton Natural Environment Systems Strategy (NESS), and large Life Science Areas of Natural and Scientific Interest (ANSIs) identified by the Province of Ontario. The identification of core natural areas included consideration of features beyond Ottawa's boundaries, such as the Larose Forest, the Limerick Forest, Gatineau Park, Goodwood Marsh and Pakenham Mountain, to ensure that regional linkages to these external features could also be captured. Each core area was closely examined using 2011 aerial photography, topographic information, and other land use information.

Where the extent of a core natural area had increased or decreased visibly since its original mapping, the boundaries of the feature were revised to reflect the changes. In the NCC Greenbelt, revisions were also guided by natural land designations in the draft Greenbelt Master Plan, which reflect recent ecological studies by the NCC. Core natural areas included areas designated as "Core Natural Areas" in the draft Greenbelt Master Plan, as well as existing, contiguous natural areas within the Greenbelt designated as "Natural Link". The final core natural areas used in the analysis appear in the figures at the end of this document.

In most cases, the boundaries of the core natural areas are already reflected in the existing natural heritage overlay in Schedules L1, L2 and L3. In some cases, however, minor additions to Schedules L1, L2 and L3 are necessary to reflect the revised boundaries. These additions are included in the proposed amendments to Schedules L1, L2 and L3.

#### *Movement Cost*

The first map to be produced in a landscape linkage analysis is a *movement cost map*. In a movement cost map, every pixel in the map is assigned a numerical value representing the cost to an animal of moving through that pixel. These costs are normally set *relative* to each other. For example, on a typical scale from 1 to 100, a forested pixel may be assigned a relative movement cost of 1, an agricultural field may be assigned a relative movement cost of 30, and a fully-developed, urban pixel may be assigned a relative movement cost of 100.

The value of a pixel in a movement cost map may also be modified by multiplication factors representing other considerations, such as foreseeable future uses or land ownership. For example, in identifying lands for long-term protection as natural linkages, preference may be given to lands in public ownership. A multiplication factor of 0.5 might be applied to the movement cost of map pixels in areas of public ownership in order to favour their selection. Table 1 provides the movement costs and multiplication factors used in this natural landscape linkage analysis, using land cover categories from the 2011 land cover mapping and other land use planning data from the City. The movement cost map appears as Figures 3a, 3b and 3c at the end of this document.

Table 1: Movement Costs and Multiplication Factors

2011 City of Ottawa Landcover Category	Movement Cost/Resistance
Natural Cover	
Wooded - Treed	1
Wooded - Hedge	1
Wooded - Plantation	2
Wooded - Island	1
Wooded - Wetland	1
Grassland	5
Rock Outcrop	5
Evaluated Wetland - Swamp	1
Evaluated Wetland - Open Water	5
Evaluated Wetland - Bog	1
Evaluated Wetland - Wetland	1
Evaluated Wetland - Marsh	1
Unevaluated Wetland - Treed Swamp	1
Unevaluated Wetland - Swamp	1
Unevaluated Wetland - Marsh	1
Water	
Water - Lake	20
Water - River	20
Water - Wetland	1
Water - Pond	1
Transportation	
Transportation - Rail	5
Transportation - Road	80
Developed Areas	
Aggregate Site	75
Settled - Pervious	20
Settled - Impervious	100
Settled - Homestead	30
Settled - Residential	80
Agriculture	
Crop and Pasture	30
Crop and Pasture - Peat Moss	30
<b>Land Use Modifiers</b>	<b>Multiplication Factor</b>
Floodplain	0.5
Valley land	0.5
Watercourse/buffer	0.5
Prime Agricultural Area	2
Development Reserve	4
Country Lot Estate	4

### *Cost Distance Map*

A *cost distance map* represents the cumulative movement cost for an animal travelling to a defined destination on a movement cost map. For example, let us assume that an animal must traverse four map pixels (*a*, *b*, *c*, *d*) from its origin (pixel *a*) to the defined destination (pixel *d*). If the movement costs for pixels *a*, *b* and *c* were 1, 5 and 50 respectively, then the total cost distance between pixels *a* and *d* would be  $1 + 5 + 50 = 56$ . Therefore, on the cost distance map, pixel *a* would have a cost distance value of 56. As one moves closer to the destination, the total cost distance decreases. Pixel *b* would have a cost distance value of 55 ( $5 + 50$ ) and pixel *c* would have a cost distance of 50. Pixel *d*, as the assigned destination, would have a cumulative movement cost of 0.

For this natural landscape linkage analysis, the cost distance value for each pixel was calculated as the cumulative movement cost to the nearest core natural area. The cost distance map was used as a screening tool to identify existing and potential natural landscape linkages for a more detailed *least cost corridor analysis*. The cost distance map appears as Figures 4a, 4b and 4c at the end of this document.

### *Least Cost Corridor*

A *least cost corridor* map represents the total movement cost between two defined areas on a map. Unlike a *least cost path* analysis, which traces only a single line of pixels between the defined destinations, a least cost corridor analysis can be used to identify broader linkages. It works by overlapping two cost distance maps – one cost distance map for each destination. Each pixel is then assigned a value equal to the sum of its value from each cost distance map.

For example, let us assume that pixel *a* has a cost distance of 256 relative to destination *A* and a cost distance of 125 relative to destination *B*. The value of the pixel in a least cost corridor analysis for *A* and *B* would be  $256 + 125 = 381$ .

The final step in a least cost corridor analysis is to establish the width of the corridor. This is normally done by restricting the least cost corridor to those pixels below a certain threshold. This is usually done using percentages (or more precisely, quantiles). For example, the least cost corridor may be restricted to the 5% or 10% of pixels with the lowest scores.

Based upon the overall cost distance map, 39 pairs of core natural areas were identified for least cost corridor analyses. Each of the 39 least cost corridor analyses required the preparation of two new least cost distance maps. All of the least cost corridor analyses, including the preparation of the new cost distance maps, were performed at the same spatial extent (824 km<sup>2</sup>) and map scale (1:130,000). The actual area subject to the analyses varied somewhat due to overlap with the City's boundaries (analyses were only performed on areas within the City boundary).

Several pairs of core conservation areas were chosen for least cost corridor analyses even though the overall cost distance map did not show high potential for connectedness. Pinhey Forest, within the National Capital Greenbelt, was chosen for least cost corridor analyses because of the declared intention of the National Capital Commission to identify and improve natural linkages to this important core,

greenbelt area. The Leitrim Wetland and Osgoode Swamp were also chosen for a least cost corridor analysis because the area presents the best opportunity for a north – south linkage on the east side of the Rideau River, particularly in the future when existing mineral aggregate areas are exhausted and rehabilitated.

Figures 5a, 5b and 5c display the 39, overlapping least cost corridor analyses. The figures display the best 10% and 5% solutions.

### *Identification of Linkages*

The next analytical step was the identification of existing and potential linkages. This was a semi-automatic process. First, staff manually drew lines between the core natural areas, following the apparent path of least resistance shown in the least cost corridor analysis. Staff then “buffered” these lines by 500 m on each side to create a 1 km wide linkage area.

The linkages vary in quality from areas that remain entirely natural, through areas that are a mix of natural and non-natural land cover types, to areas that are predominantly non-natural vegetation. The latter linkages are best described as having long-term potential for restoration, generally as a result of restrictive landform features, such as floodplains, valleylands, or escarpments.

Because most of these landscape linkages include some portion of non-natural vegetation, human land uses and non-environmental land use/zoning designations, staff does not propose to identify them in the Natural Heritage Overlay Schedules L1, L2 and L3. Instead, staff recommends identification of only those existing or remnant features that overlap or lie within the linkage areas, and which are not already identified in the Natural Heritage Overlay for other reasons: *i.e.* any non-significant woodlot or forested area overlapping a natural linkage, and any portion of a floodplain contained within a natural linkage.

Figures 6a, 6b and 6c display the landscape linkage network recommended by staff, based upon the landscape linkage analysis.

### *Identification of Linkage Features*

The actual features recommended for inclusion in Schedules L1, L2 and L3 appear in black in Figures 7a, 7b and 7c. These features consist primarily of those woodland and floodplain areas lying within the 1 km linkage areas, that are not already included within the existing natural heritage system overlay. They also include some additions to the core natural areas identified through the review of core natural area boundaries (as discussed above).

The completion of this City-wide analysis does not preclude the likelihood that other linkages exist and may be identified in future, through subsequent environmental or planning studies. Linkages occur at varying scales, and some may only be identified upon closer examination (e.g., through subwatershed studies or even site-specific environmental impact statements). While Schedules L1, L2 and L3 are intended to facilitate the determination of whether an Environmental Impact Statement will be required to support a development application, they remain incomplete and must continue to be treated as a partial map of the natural heritage system. The final determination on whether an Environmental



Impact Statement is needed will continue to be made by staff as part of the pre-application consultation process, in accordance with the City's Environmental Impact Statement Guidelines.

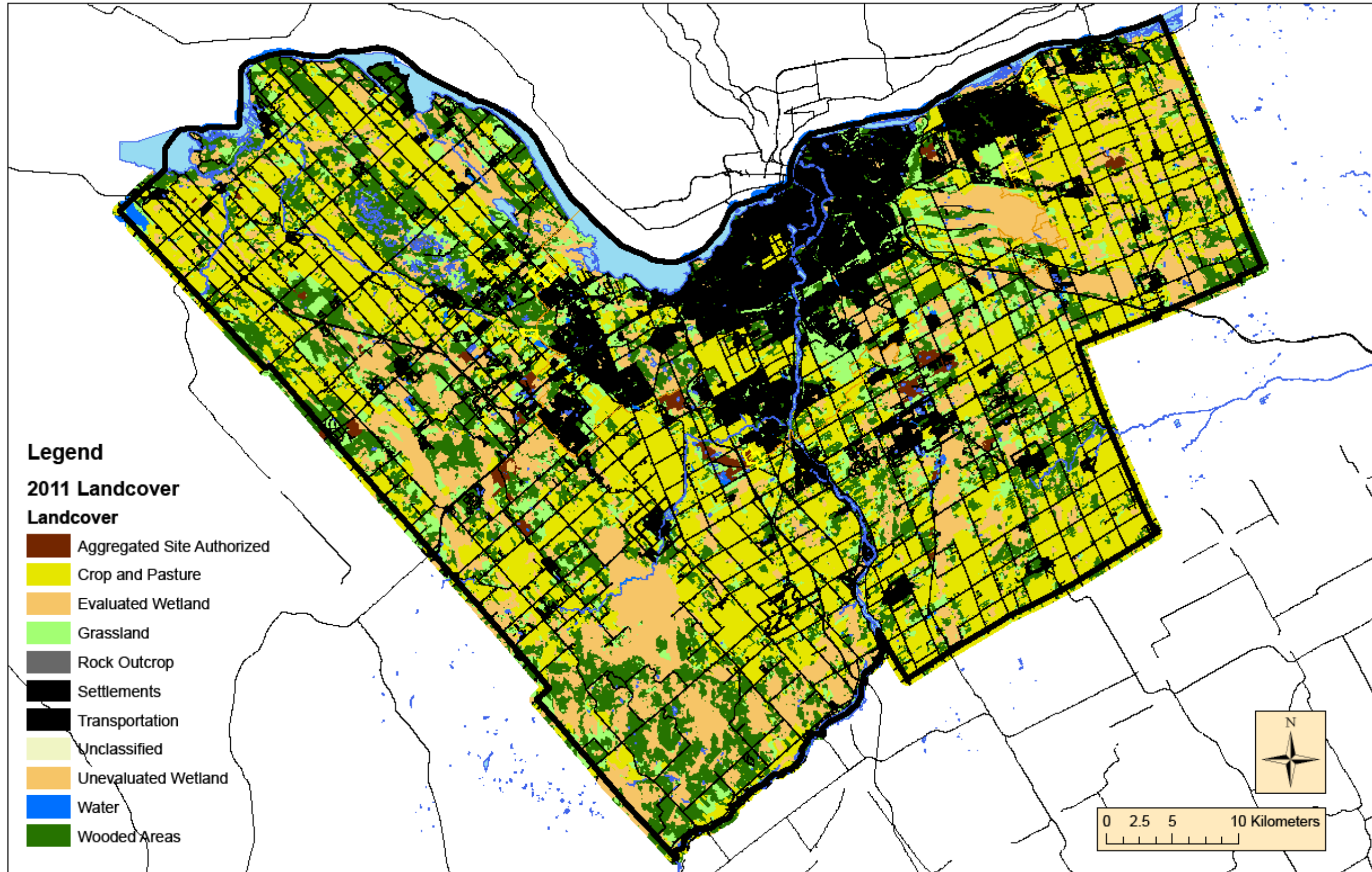


Figure 2: City of Ottawa 2011 Landcover Map.

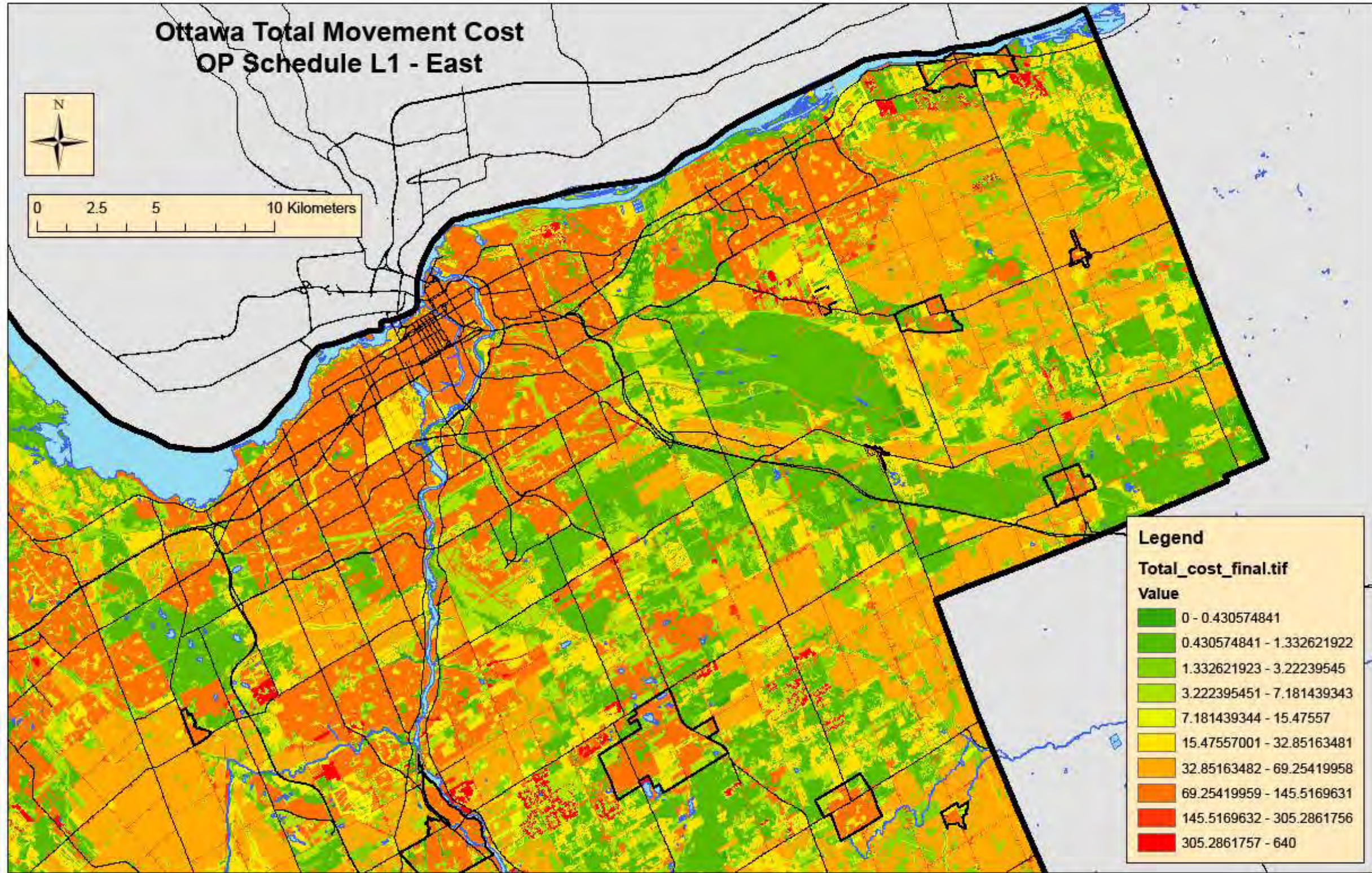


Figure 3a: Movement Cost Map for the area of Schedule L1 – East

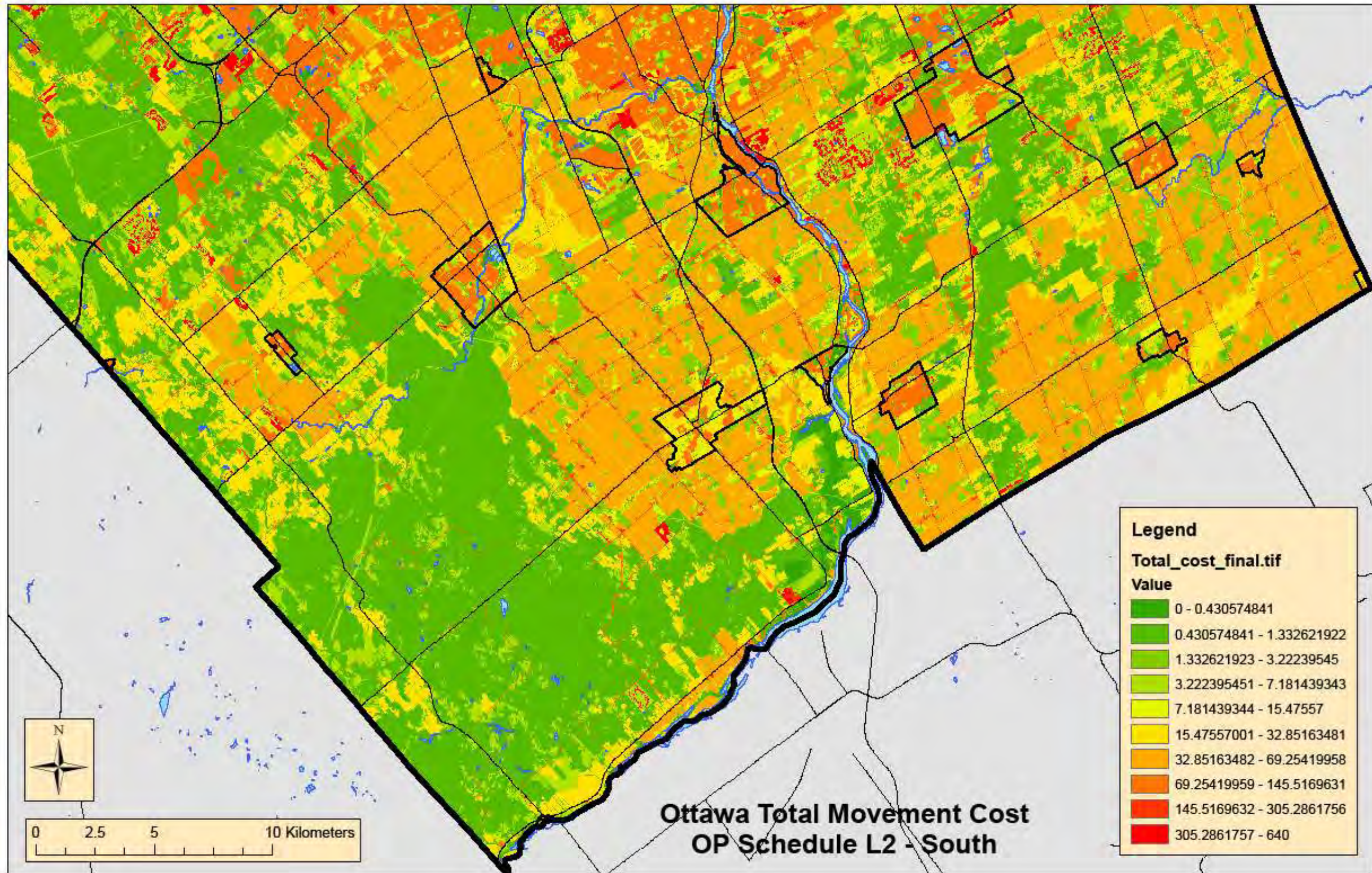


Figure 3b: Movement Cost Map for the area of Schedule L2 – South

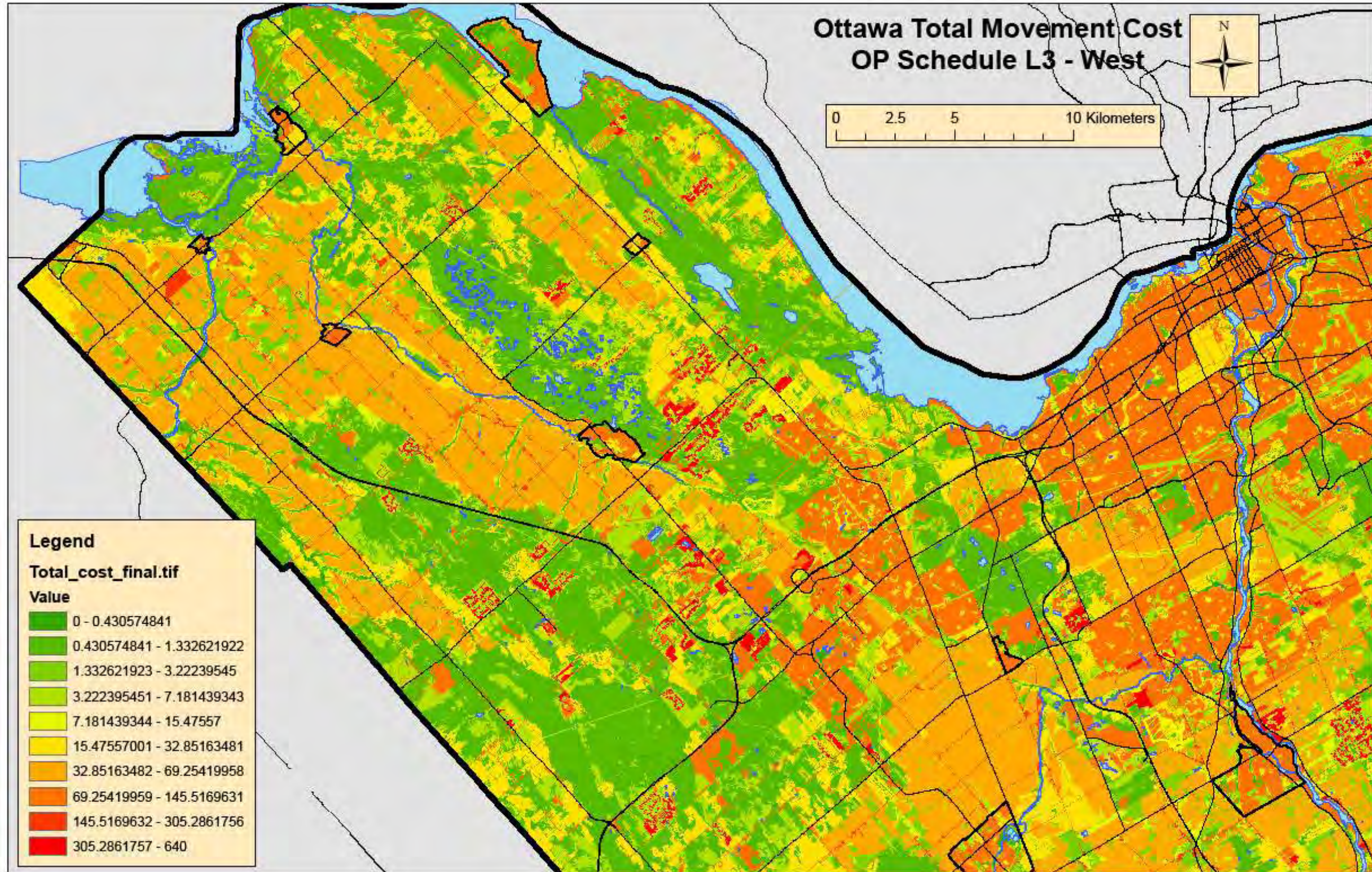


Figure 3c: Movement Cost Map for the area of Schedule L3 – West

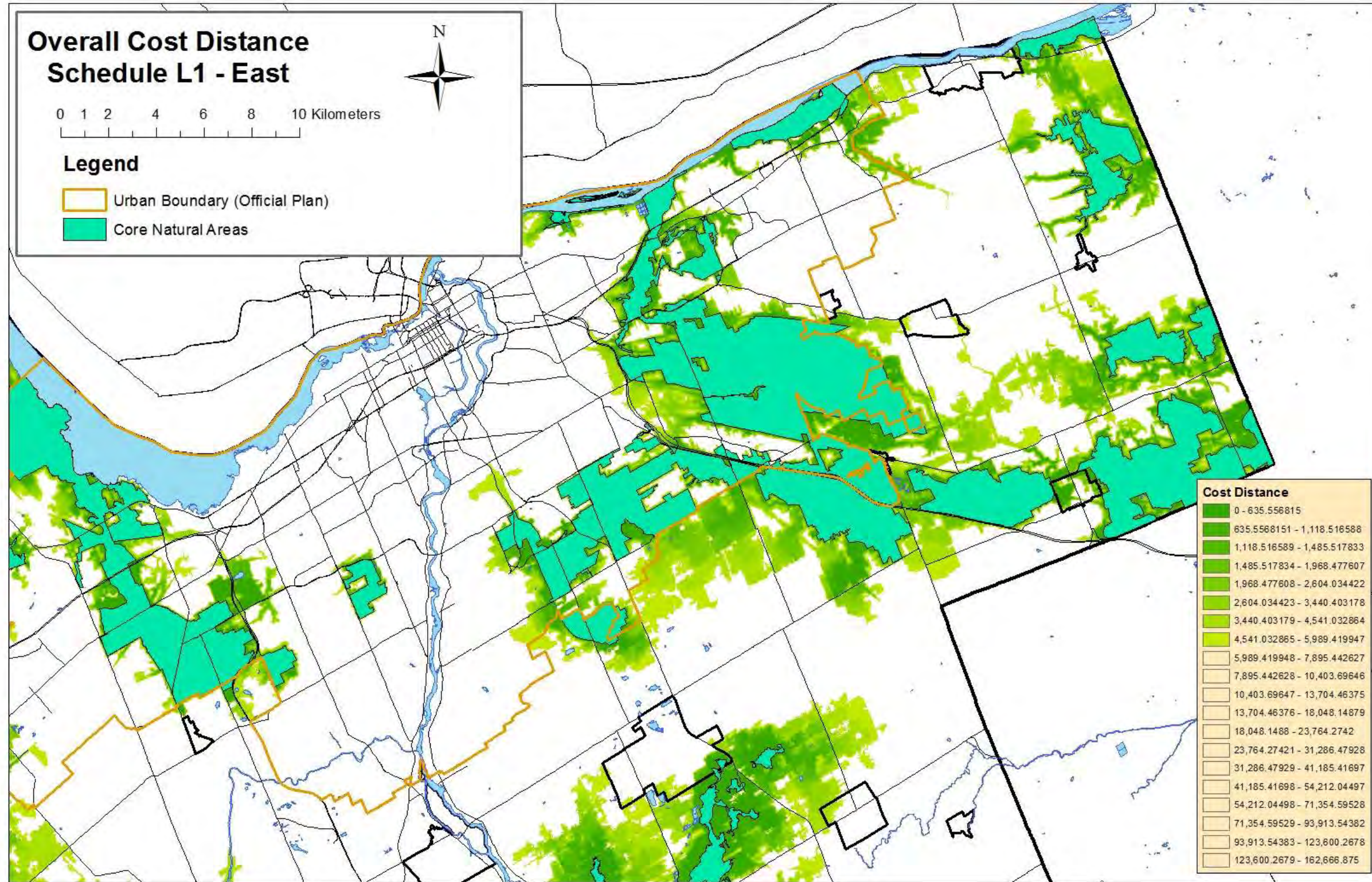


Figure 4a: Cost Distance Map for the area of Schedule L1 – East

(Display limited to lower cost pixels)

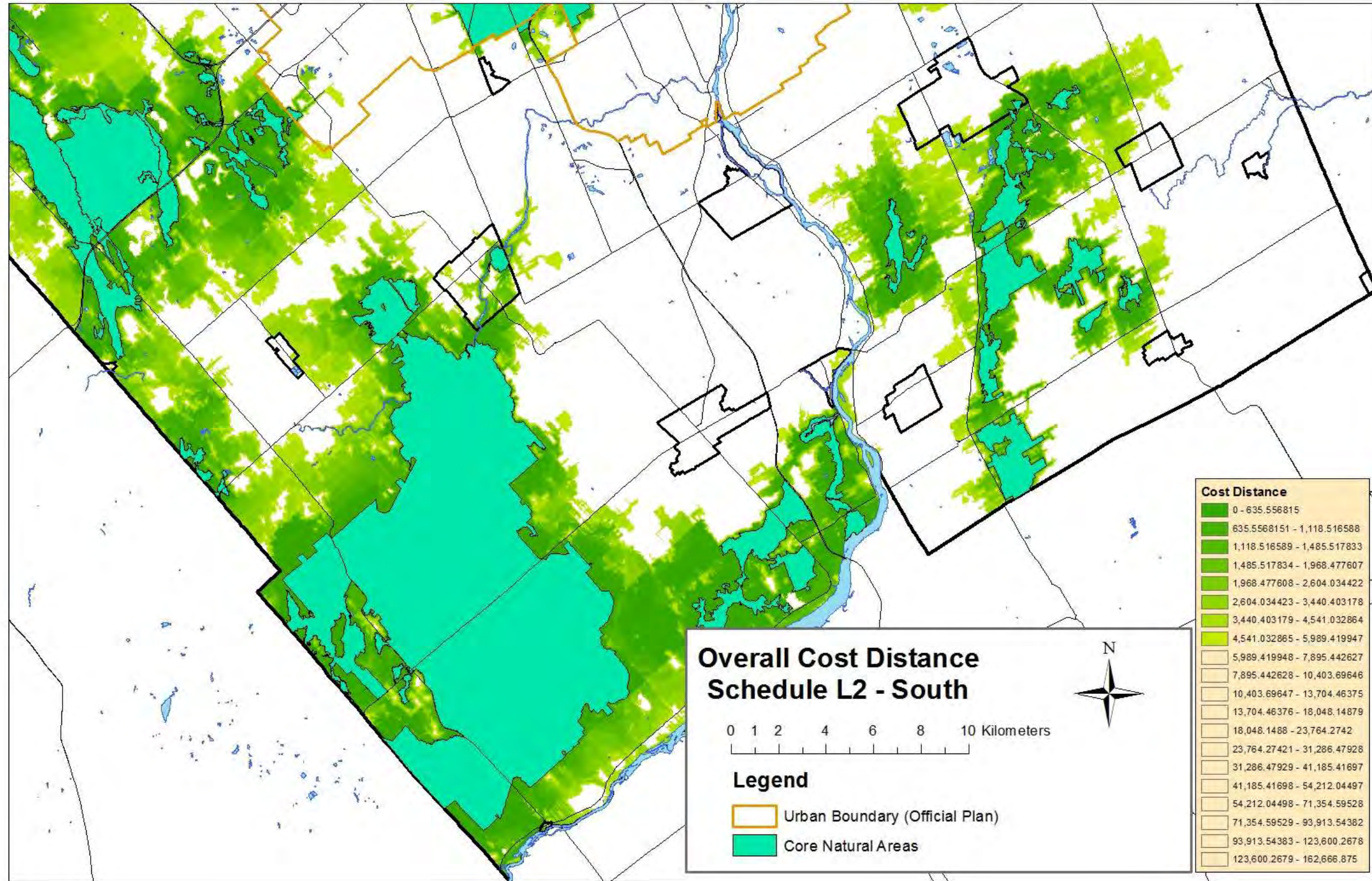


Figure 4b: Cost Distance Map for the area of Schedule L2 – South

(Display limited to lower cost pixels)

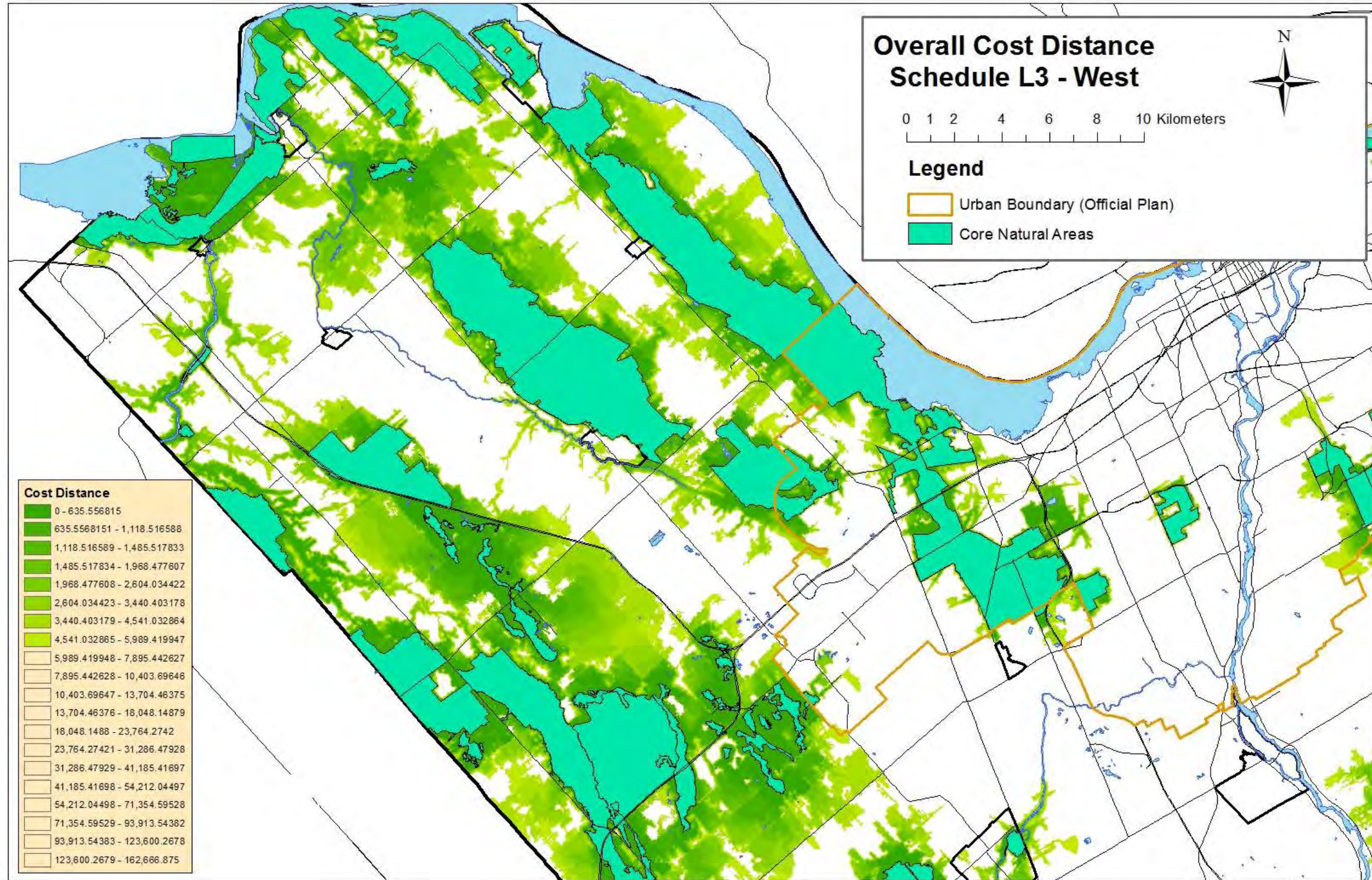


Figure 4c: Cost Distance Map for the area of Schedule L3 – West

(Display limited to lower cost pixels)



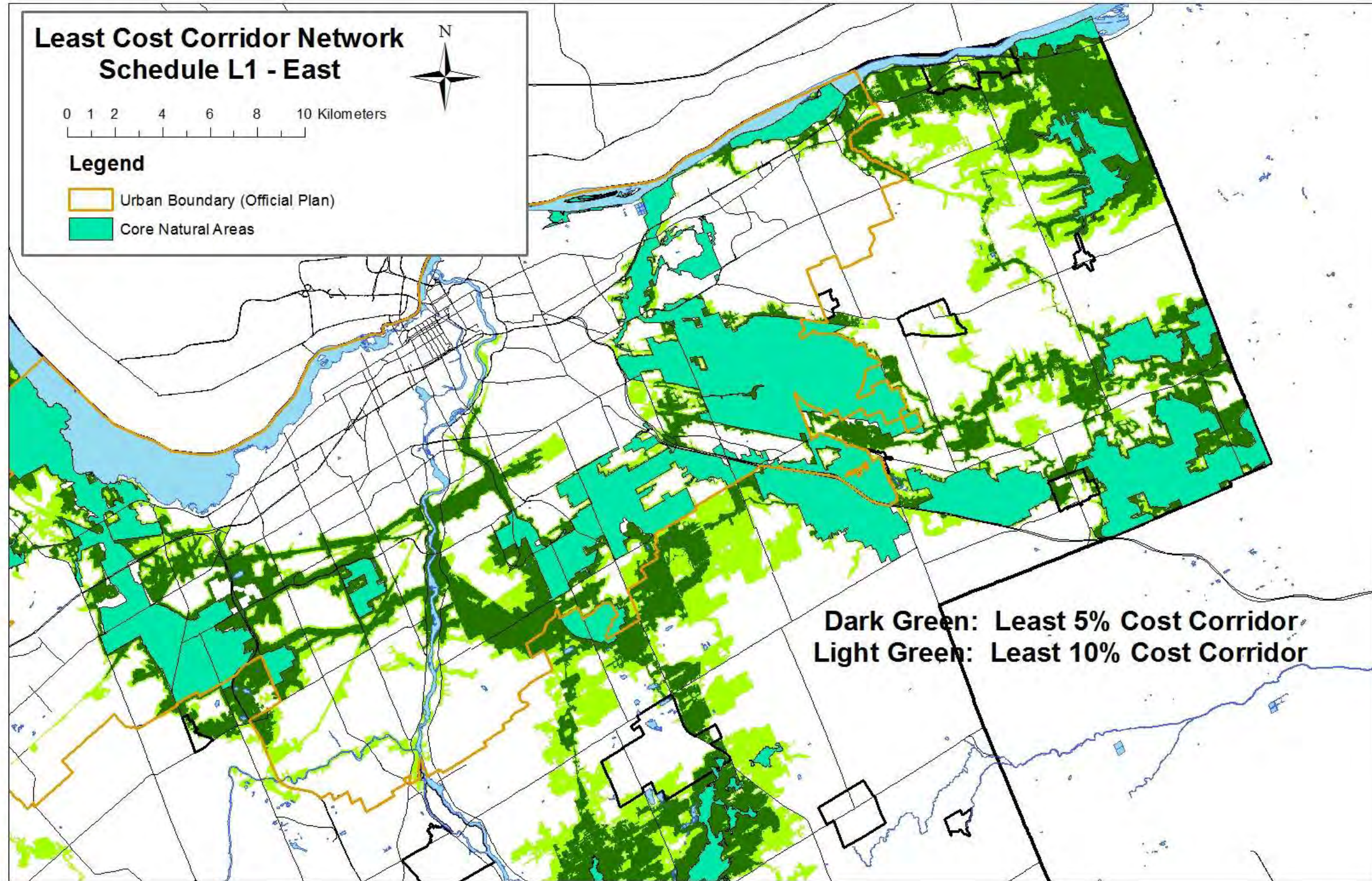


Figure 5a: Least Cost Corridor Map for the area of Schedule L1 – East

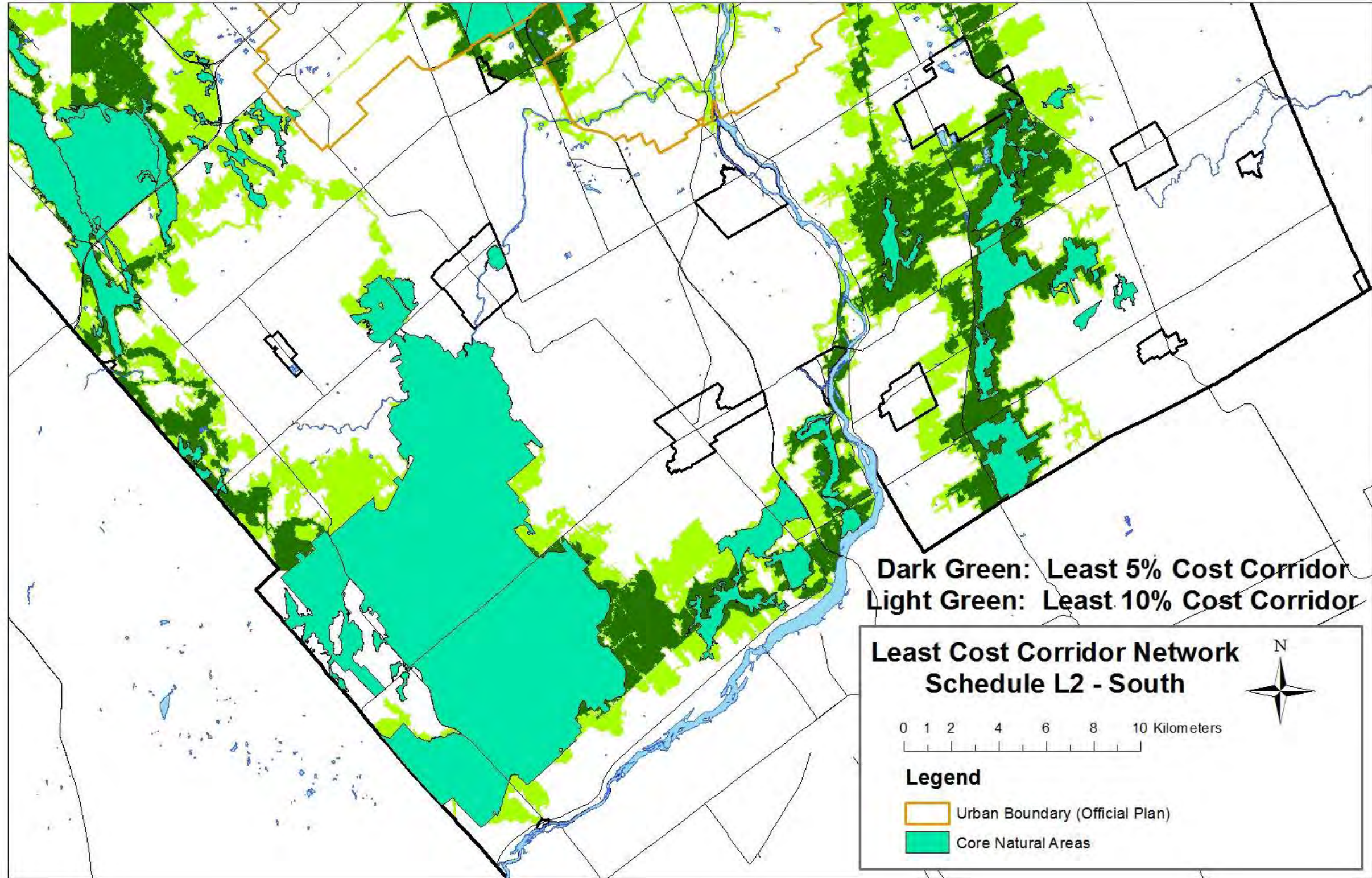


Figure 5b: Least Cost Corridor Map for the area of Schedule L2 - South

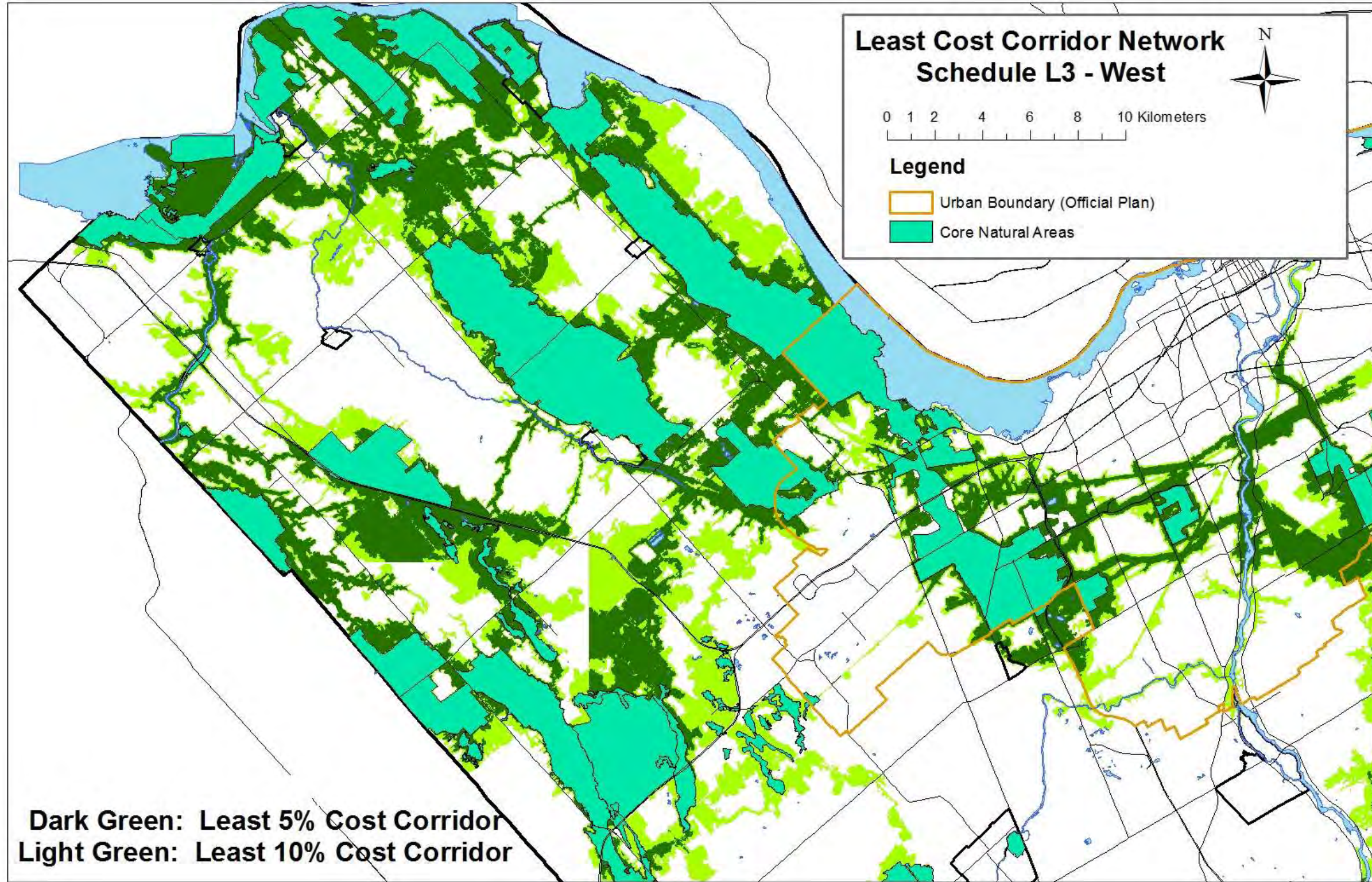


Figure 5c: Least Cost Corridor Map for the area of Schedule L3 – West

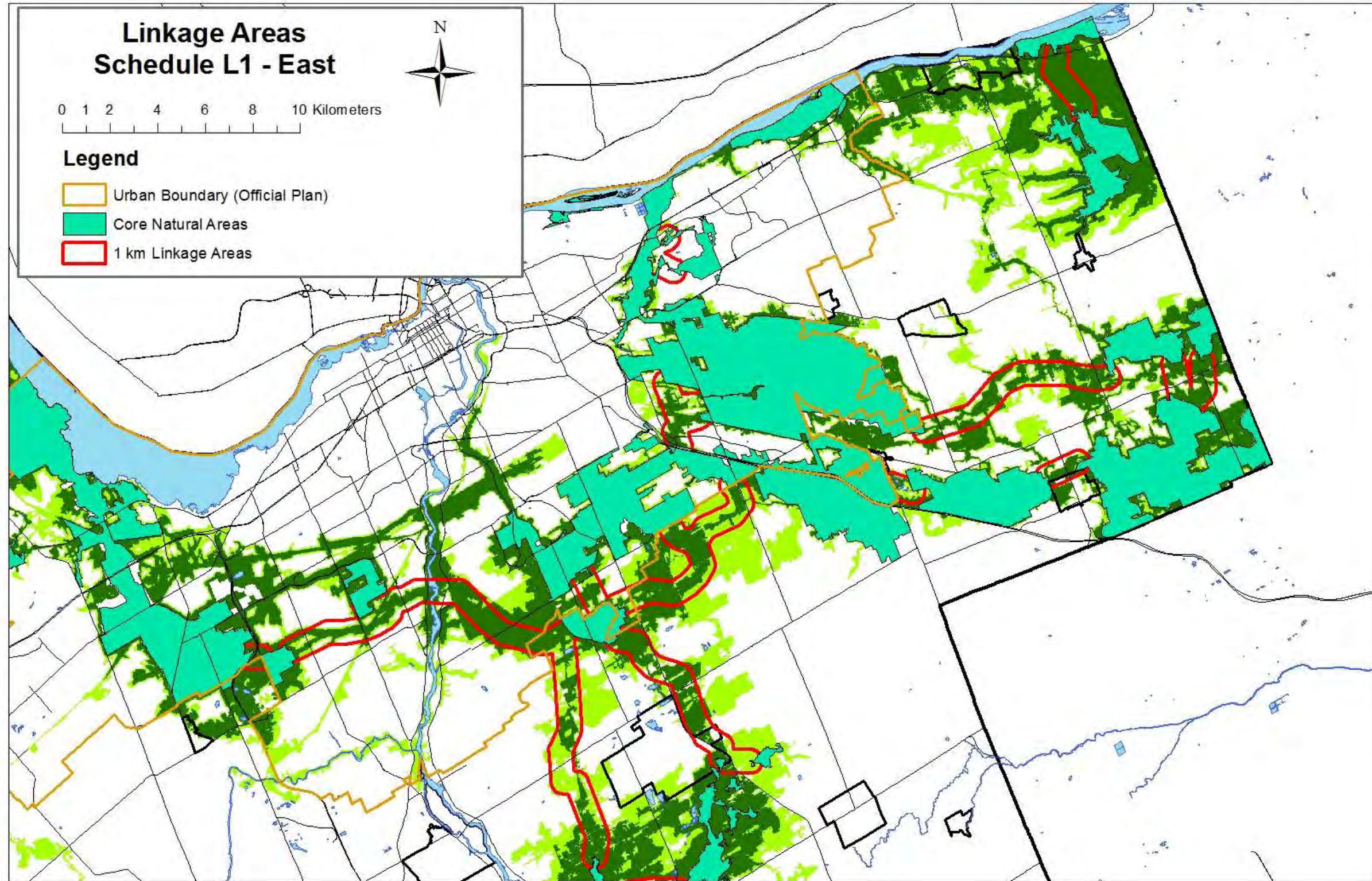


Figure 6a: Recommended Natural Landscape Linkage Network for Area of Schedule L1 – East

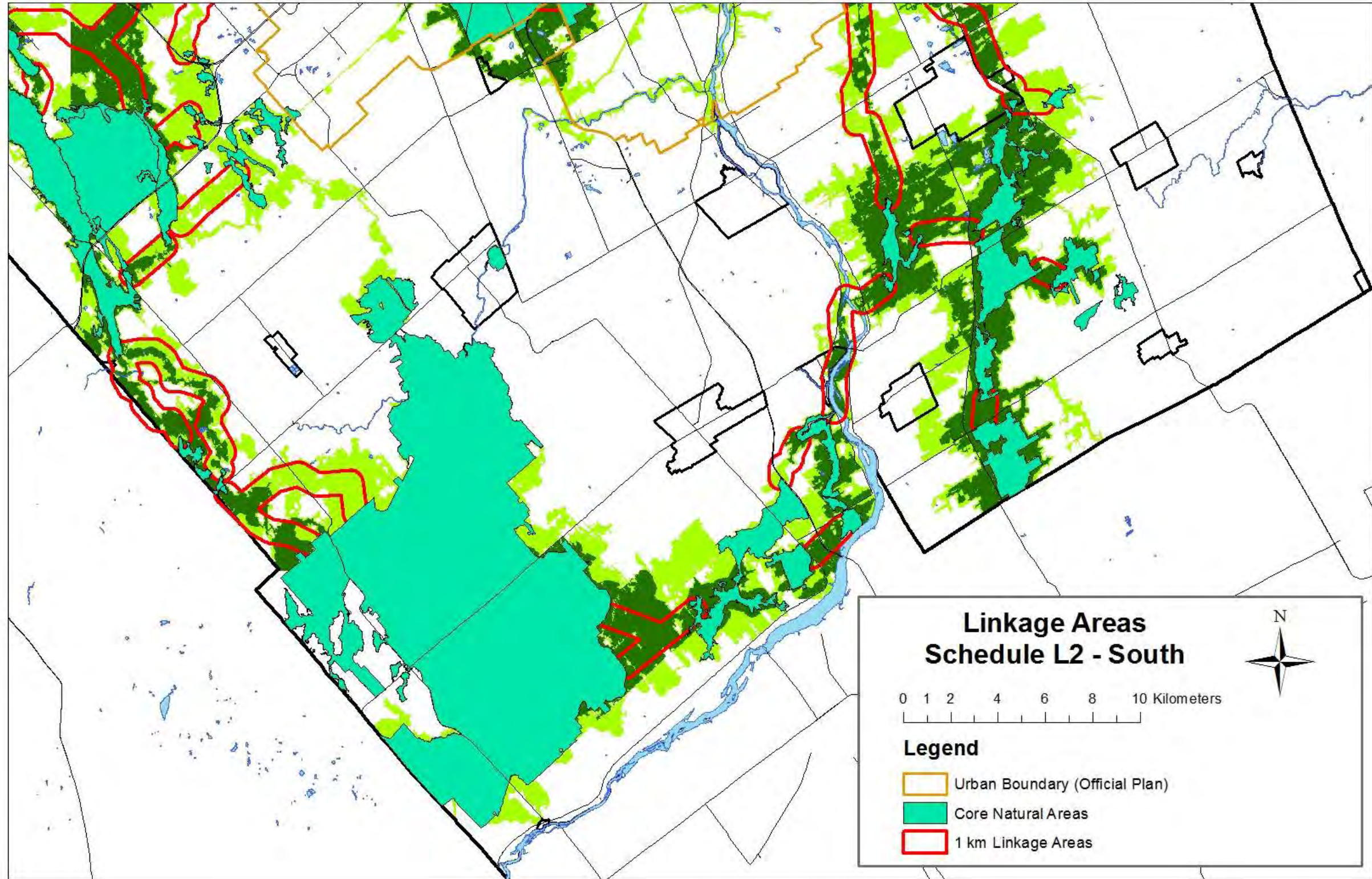


Figure 6b: Recommended Natural Landscape Linkage Network for Area of Schedule L2 – South

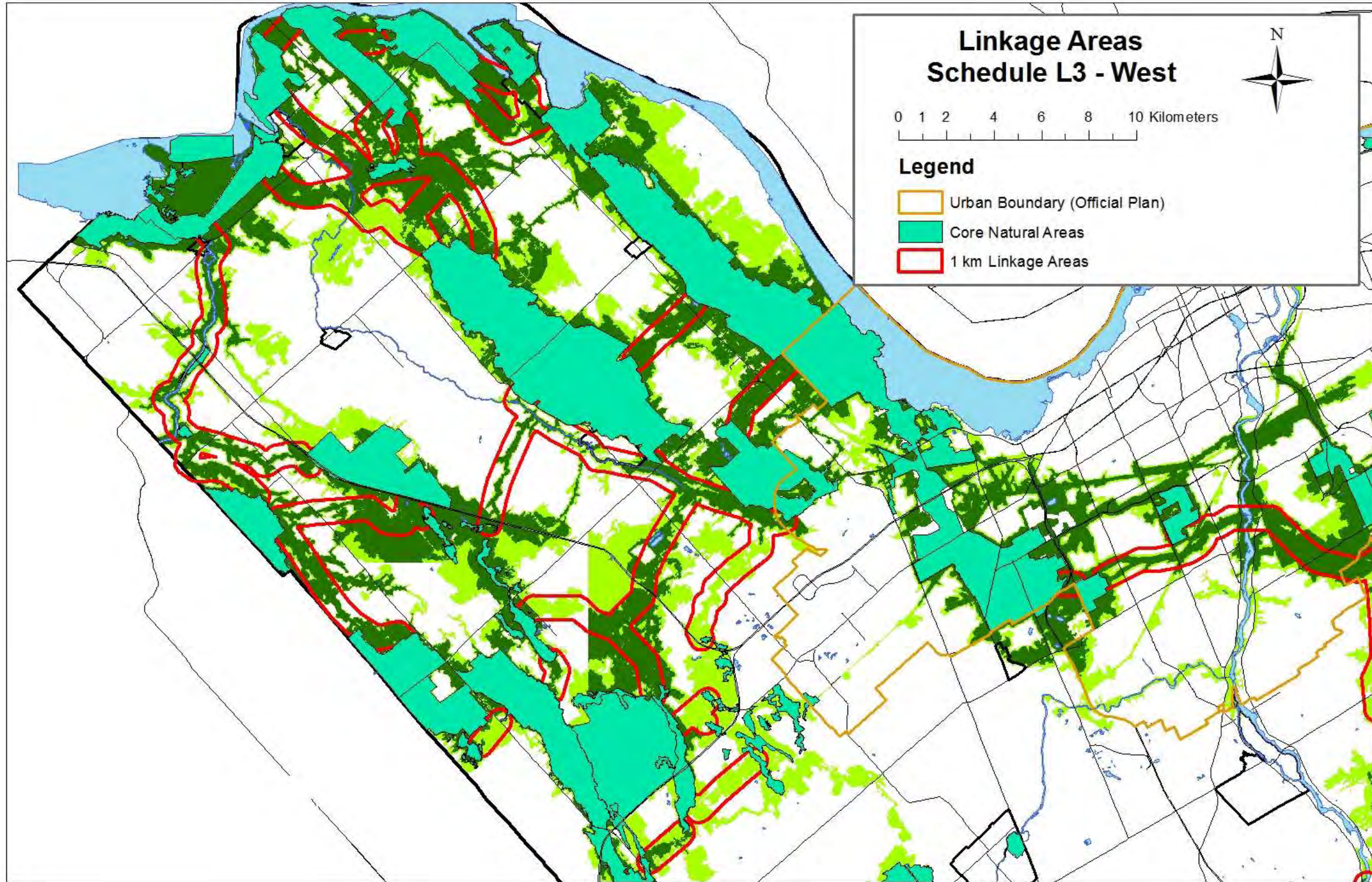


Figure 6c: Recommended Natural Landscape Linkage Network for Area of Schedule L3 – West

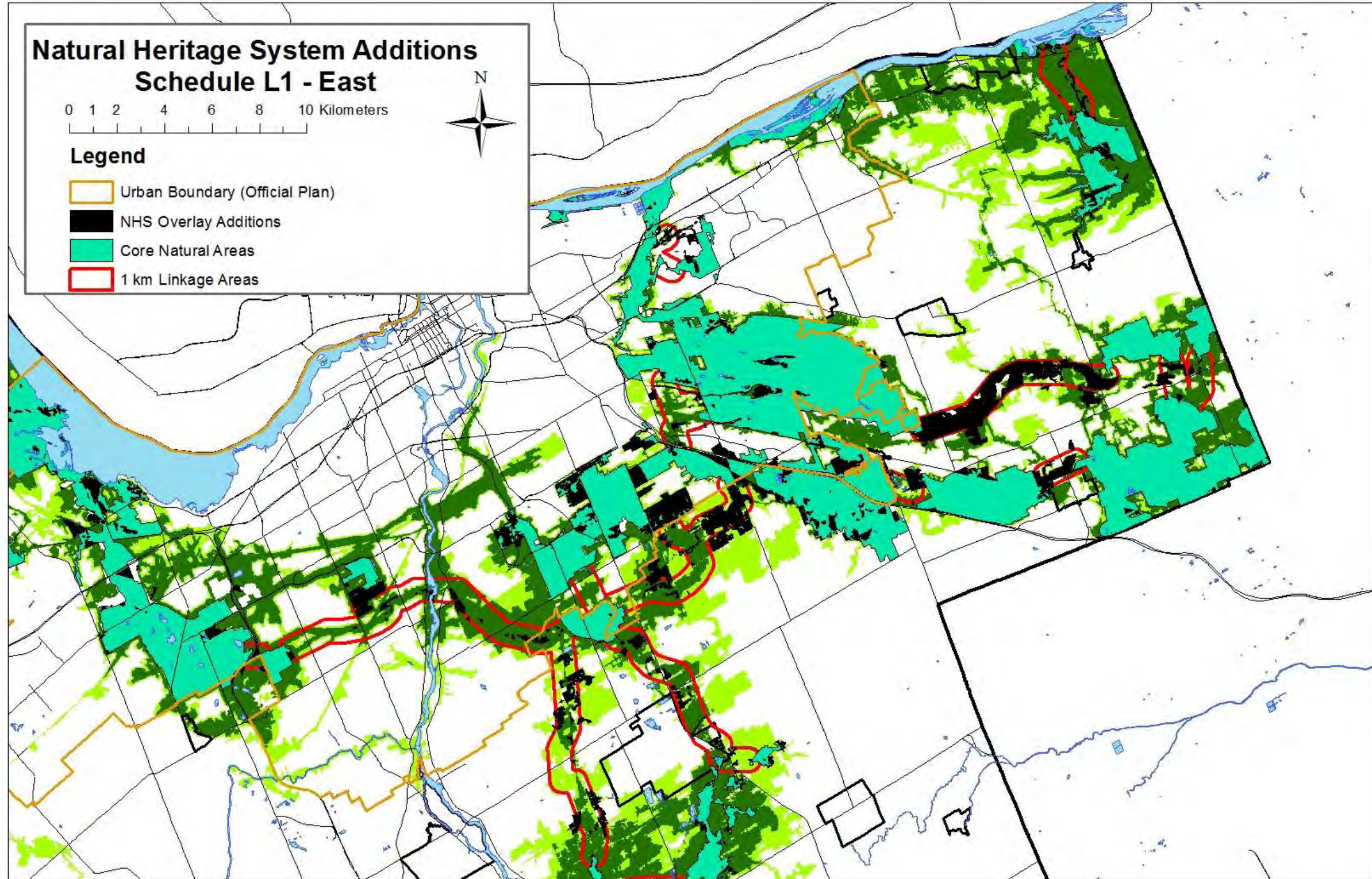


Figure 7a: Recommended Additions to the Natural Heritage System Overlay for Area of Schedule L1 – East

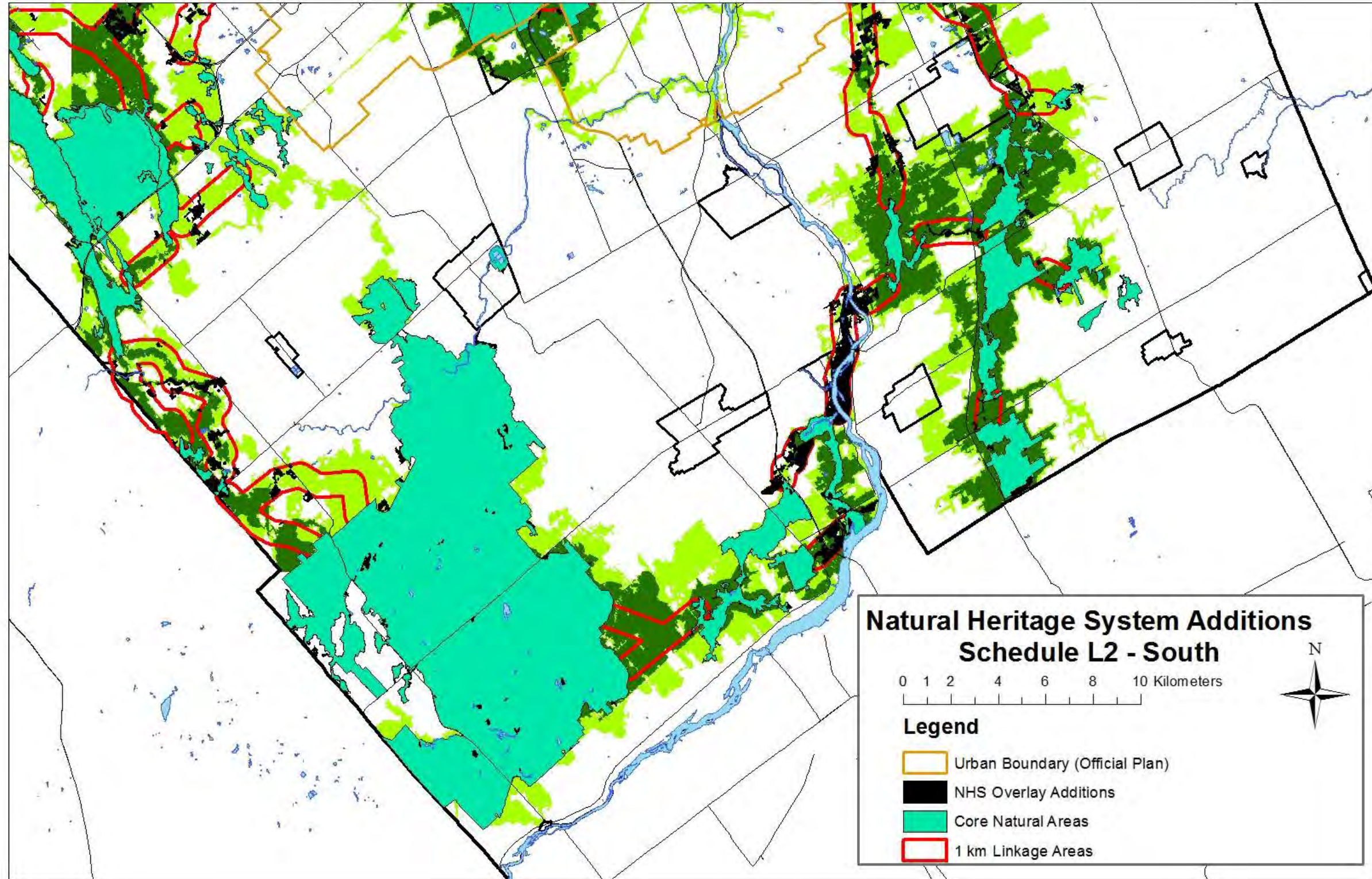


Figure 7b: Recommended Additions to the Natural Heritage System Overlay for Area of Schedule L2 – South



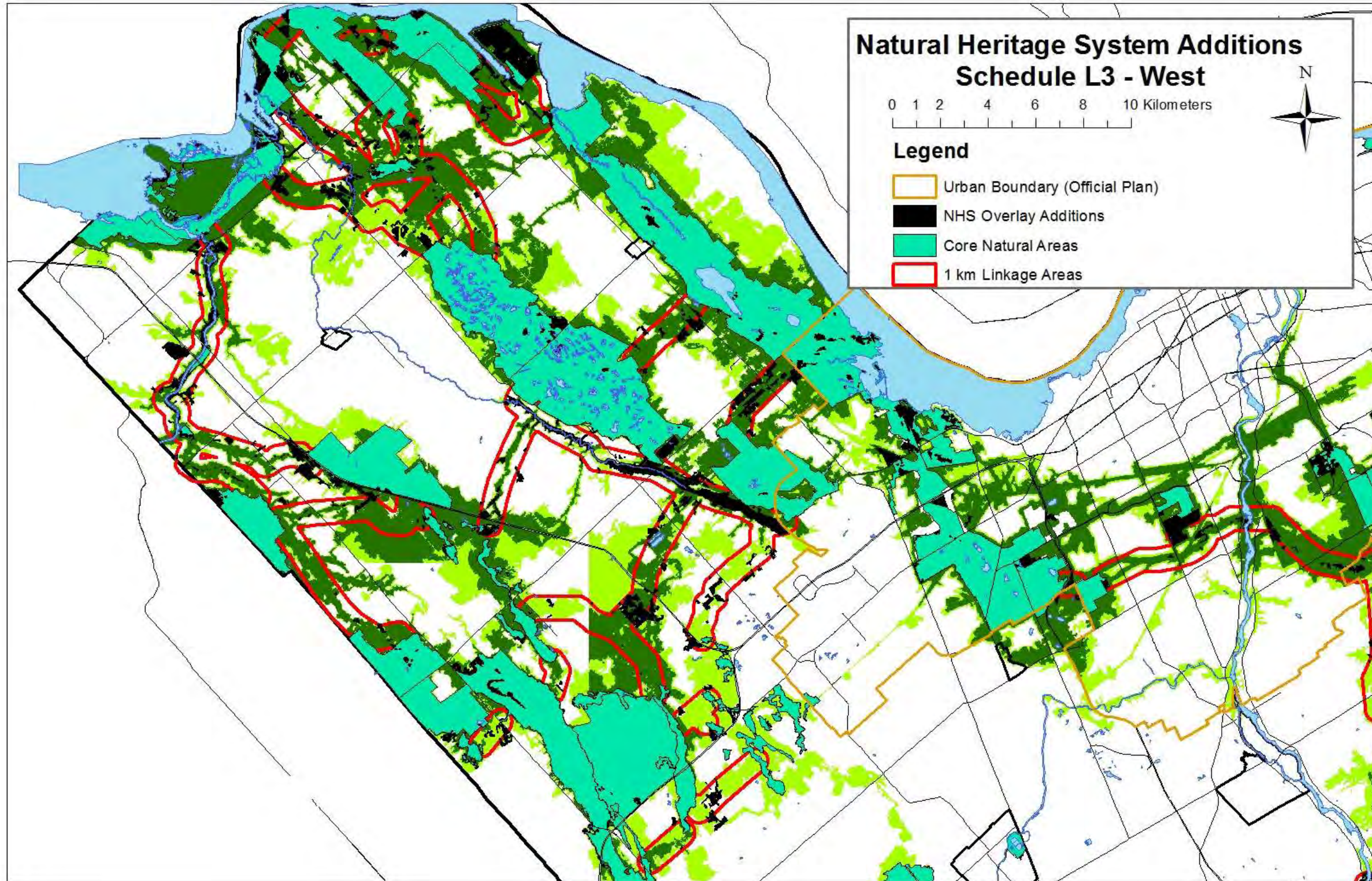
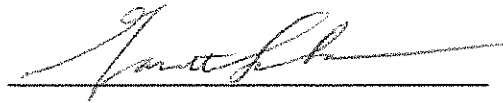


Figure 7b: Recommended Additions to the Natural Heritage System Overlay for Area of Schedule L3 - West

This is

**Exhibit 5**

to the affidavit of Bruce Finlay dated May 27, 2019

A handwritten signature in black ink, appearing to read "Garrett Schromm", is written over a solid horizontal line.

GARETT SCHROMM

*A commissioner, etc.*



Environment and Land Tribunals Ontario  
**Ontario Municipal Board**  
 655 Bay Street, Suite 1500 Toronto, Ontario M5G 1E5  
 TEL: (416) 212-6349 or Toll Free: 1-866-448-2248  
 FAX: (416) 326-5370  
 www.elto.gov.on.ca

**APPELLANT FORM (A1)  
 PLANNING ACT**

**SUBMIT COMPLETED FORM  
 TO MUNICIPALITY/APPROVAL AUTHORITY**

Date Stamp - Appeal Received by Municipality



Receipt Number (OMB Office Use Only)

**Part 1: Appeal Type (Please check only one box)**

SUBJECT OF APPEAL	TYPE OF APPEAL	PLANNING ACT REFERENCE (SECTION)
Minor Variance	<input type="checkbox"/> Appeal a decision	45(12)
Consent/Severance	<input type="checkbox"/> Appeal a decision	53(19)
	<input type="checkbox"/> Appeal conditions imposed	
	<input type="checkbox"/> Appeal changed conditions	53(27)
	<input type="checkbox"/> Failed to make a decision on the application within 90 days	53(14)
Zoning By-law or Zoning By-law Amendment	<input type="checkbox"/> Appeal the passing of a Zoning By-law	34(19)
	<input type="checkbox"/> Application for an amendment to the Zoning By-law – failed to make a decision on the application within 120 days	34(11)
	<input type="checkbox"/> Application for an amendment to the Zoning By-law – refused by the municipality	
Interim Control By-law	<input type="checkbox"/> Appeal the passing of an Interim Control By-law	38(4)
Official Plan or Official Plan Amendment	<input checked="" type="checkbox"/> Appeal a decision	17(24) or 17(36)
	<input type="checkbox"/> Failed to make a decision on the plan within 180 days	17(40)
	<input type="checkbox"/> Application for an amendment to the Official Plan – failed to make a decision on the application within 180 days	22(7)
	<input type="checkbox"/> Application for an amendment to the Official Plan – refused by the municipality	
Plan of Subdivision	<input type="checkbox"/> Appeal a decision	51(39)
	<input type="checkbox"/> Appeal conditions imposed	51(43) or 51(48)
	<input type="checkbox"/> Failed to make a decision on the application within 180 days	51(34)

**Part 2: Location Information**

City-wide \_\_\_\_\_  
 Address and/or Legal Description of property subject to the appeal: \_\_\_\_\_  
 Municipality/Upper tier: \_\_\_\_\_ City of Ottawa \_\_\_\_\_

**Part 3: Appellant Information**

First Name: \_\_\_\_\_

Richcraft Homes Ltd.

Company Name or Association Name (Association must be incorporated – include copy of letter of incorporation)

Professional Title (if applicable): Kevin Yemm - Senior Planner

E-mail Address: \_\_\_\_\_

By providing an e-mail address you agree to receive communications from the OMB by e-mail.

Daytime Telephone #: (613) 739-7111 Alternate Telephone #: \_\_\_\_\_

Fax #: (613) 739-7102

Mailing Address: 201-2280 St. Laurent Blvd. Ottawa  
Street Address Apt/Suite/Unit# City/Town  
ON K1G 4K1  
Province Country (if not Canada) Postal Code

Signature of Appellant: \_\_\_\_\_ Date: \_\_\_\_\_  
(Signature not required if the appeal is submitted by a law office.)

Please note: You must notify the Ontario Municipal Board of any change of address or telephone number in writing. Please quote your OMB Reference Number(s) after they have been assigned.

Personal information requested on this form is collected under the provisions of the *Planning Act*, R.S.O. 1990, c. P. 13, as amended, and the *Ontario Municipal Board Act*, R.S.O. 1990, c. O. 28 as amended. After an appeal is filed, all information relating to this appeal may become available to the public.

**Part 4: Representative Information (if applicable)**

I hereby authorize the named company and/or individual(s) to represent me:

First Name: Ursula Last Name: Melinz

Company Name: Soloway Wright LLP

Professional Title: Partner

E-mail Address: melinzu@solowaywright.com  
By providing an e-mail address you agree to receive communications from the OMB by e-mail.

Daytime Telephone #: 613.782.3214 Alternate Telephone #: \_\_\_\_\_

Fax #: 613.238.8507

Mailing Address: 427 Laurier Avenue West 900 Ottawa  
Street Address Apt/Suite/Unit# City/Town  
ON K1R 7Y2  
Province Country (if not Canada) Postal Code

Signature of Appellant:  Date: May 19, 2014

Please note: If you are representing the appellant and are NOT a solicitor, please confirm that you have written authorization, as required by the Board's Rules of Practice and Procedure, to act on behalf of the appellant. Please confirm this by checking the box below.

I certify that I have written authorization from the appellant to act as a representative with respect to this appeal on his or her behalf and I understand that I may be asked to produce this authorization at any time.

**Part 5: Language and Accessibility**

Please choose preferred language:  English  French

We are committed to providing services as set out in the *Accessibility for Ontarians with Disabilities Act, 2005*. If you have any accessibility needs, please contact our Accessibility Coordinator as soon as possible.

**Part 6: Appeal Specific Information**

1. Provide specific information about what you are appealing. For example: Municipal File Number(s), By-law Number(s), Official Plan Number(s) or Subdivision Number(s):

See attached covering letter

2. Outline the nature of your appeal and the reasons for your appeal. Be specific and provide land-use planning reasons (for example: the specific provisions, sections and/or policies of the Official Plan or By-law which are the subject of your appeal - if applicable). \*\*If more space is required, please continue in Part 9 or attach a separate page.

See attachments

**THE FOLLOWING SECTIONS (a&b) APPLY ONLY TO APPEALS OF ZONING BY-LAW AMENDMENTS UNDER SECTION 34(11) OF THE *PLANNING ACT*.**

a) **DATE APPLICATION SUBMITTED TO MUNICIPALITY:**

*(If application submitted before January 1, 2007 please use the O1 'pre-Bill 51' form.)*

b) Provide a brief explanatory note regarding the proposal, which includes the existing zoning category, desired zoning category, the purpose of the desired zoning by-law change, and a description of the lands under appeal:

*\*\*If more space is required, please continue in Part 9 or attach a separate page.*

**Part 7: Related Matters (if known)**

Are there other appeals not yet filed with the Municipality?

YES  NO

Are there other planning matters related to this appeal?

YES  NO

*(For example: A consent application connected to a variance application)*

If yes, please provide OMB Reference Number(s) and/or Municipal File Number(s) in the box below:

(Please print)

**Part 8: Scheduling Information**

How many days do you estimate are needed for hearing this appeal?  half day  1 day  2 days  3 days  
 4 days  1 week  More than 1 week – please specify number of days: \_\_\_\_\_

How many expert witnesses and other witnesses do you expect to have at the hearing providing evidence/testimony?  
several \_\_\_\_\_

Describe expert witness(es)' area of expertise (For example: land use planner, architect, engineer, etc.):  
\_\_\_\_\_ planner, architect, engineer \_\_\_\_\_

Do you believe this matter would benefit from mediation? YES  NO   
(Mediation is generally scheduled only when all parties agree to participate)

Do you believe this matter would benefit from a prehearing conference? YES  NO   
(Prehearing conferences are generally not scheduled for variances or consents)

If yes, why? \_\_\_The issues should be divided into separate hearings \_\_\_\_\_

**Part 9: Other Applicable Information \*\*Attach a separate page if more space is required.**


**Part 10: Required Fee**

Total Fee Submitted: \$ \_\_\_\_\_ 125.00 \_\_\_\_\_

Payment Method:  Certified cheque  Money Order  Solicitor's general or trust account cheque

- The payment must be in Canadian funds, payable to the Minister of Finance.
- Do not send cash.
- PLEASE ATTACH THE CERTIFIED CHEQUE/MONEY ORDER TO THE FRONT OF THIS FORM.

**Ursula K. Melinz**  
Partner

Direct line: (613)782-3214  
Email address: melinzu@solowaywright.com

FILE NO: 23482-1117

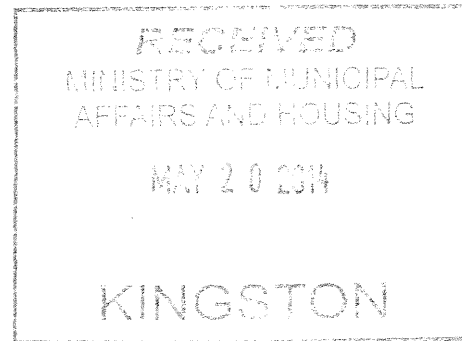
**BY HAND**

May 20, 2014

**Mike Elms, Manager**  
**Ministry of Municipal Affairs & Housing**  
Municipal Services Office- East  
8 Estate Land, Rockwood House  
Kingston, ON K7M 9A8

Attn: Andrea Gummo, Planner

**Re: File no. 6-OP-131492**  
**EBR # 012-0809**  
**City of Ottawa – Official Plan Amendment No. 150**



**Appeal by the Richcraft Group of Companies**

We are the solicitors for Richcraft Homes Ltd. and its related entities (hereinafter referred to as "Richcraft"). Richcraft made submissions to the City of Ottawa during the Official Plan Amendment 150 process.

Pursuant to Section 17(36) of the Planning Act, Richcraft hereby appeals the following elements of Official Plan Amendment 150:

1. OPA Item #94, modifying OP policy 2.4.2(3) Natural Features "Regardless of whether an area is identified by the overlay shown in Sch L1, L2 & L3 the features are designated in this Plan..."
2. OPA Item #337, Amendments to Schedule L3, specifically the additions to the Kanata Highlands (OPA 76 Urban Expansion Area 2) lands. Specifically,
  - (a) Two small features identified by the City on the basis of (i) being mapped as a woodland shown on the City's 2010 Land Use map and (ii) falling within one of the 1 km linkage areas identified in the landscape linkage analysis; and
  - (b) An additional area along the Carp River as a Natural Heritage System Overlay.

3. Regarding the small features identified in the middle of the site, Richcraft submits that the tree stands require further analysis before being shown on Schedule L.
4. Regarding the area along the Carp River, it is already covered by floodplain mapping on Schedule K. It is respectfully submitted that the addition of the area to Schedule L is an unnecessary duplication.
5. The subject area (Area 2) is designated Urban Expansion Study Area, pursuant to the urban expansion approved as part of OPA 76, and the terms of reference for the required community development plan ("CDP") approval have been approved. As part of the CDP, an Environmental Impact Study ("EIS") must be prepared. This study will provide the technical information required to properly inform the mapping to be contained in the Official Plan. Until the EIS is completed, amendments to Schedule L3 as it applies to Area 2, is premature.
6. Richcraft also states its objection to the lack of consultation and opportunity to review and comment on this amendment prior to the November 8, 2013, public meeting. Document 11, being the document that supports the Schedule L changes, was not appended to the November 8<sup>th</sup>, 2013, Planning Committee agenda and there was not public opportunity to discuss it with staff.
7. Regarding Document 11, Richcraft seeks clarification from the City as to the process used, as outlined in Document 11, to understand how it translate to Schedule L changes.

Lastly, Richcraft has read the appeal submitted by the Greater Ottawa Home Builders' Association and Richcraft adopts the appeal in its entirety.

All of which is respectfully submitted.

I trust the enclosed is satisfactory. Do not hesitate to contact me if you have any questions.

Yours very truly,

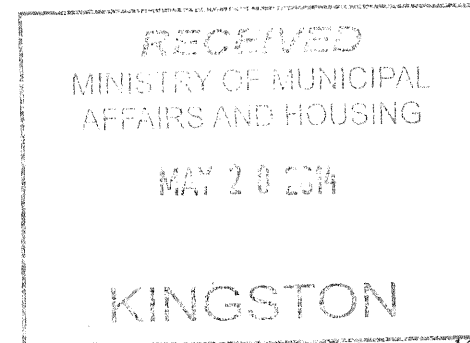


Ursula K. Melinz  
Ursula K. Melinz Professional Corporation

Cc: Kevin Yemm, Richcraft



DATE	REFERENCE NUMBER	MEMO	BALANCE
16 05 2014	05/16/14	23482-1117 Richcraft (16	125.00



16 05 2014 000013813 Minister of Finance

125.00

**SOLOWAY, WRIGHT LLP**  
 BARRISTERS AND SOLICITORS/AVOCATS  
 900-427 LAURIER AVENUE WEST  
 OTTAWA, CANADA K1R 7Y2

ROYAL BANK OF CANADA  
 MAIN BRANCH, 90 SPARKS ST.  
 OTTAWA, ONTARIO K1P 5T6


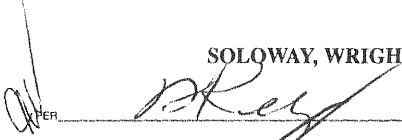

0013813

DATE 16 05 2014  
 D D M M Y Y Y Y

PAY *One Hundred Twenty Five and 00/100 Dollars*

\$ \*\*\*\*\*125.00

TO THE ORDER OF Minister of Finance

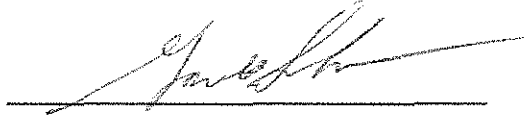
SOLOWAY, WRIGHT LLP   
 PER  \_\_\_\_\_ MP  
 PER  \_\_\_\_\_ MP

⑈0013813⑈ ⑆00006⑈003⑆ 102⑈360⑈5⑈

This is

**Exhibit 6**

to the affidavit of Bruce Finlay dated May 27, 2019

A handwritten signature in cursive script, appearing to read "Garrett Schromm", is written above a solid horizontal line.

GARETT SCHROMM

*A commissioner, etc.*

# Soloway Wright | lawyers

SOLOWAY, WRIGHT LLP  
900 - 427 LAURIER AVENUE WEST  
OTTAWA ON K1R 7Y2

T: 613.236.0111 | 1.866.207.5880

F: 613.238.8507

[www.solowaywright.com](http://www.solowaywright.com)

**Ursula K. Melinz**  
Partner

Direct line: (613)782-3214  
Email address: [melinzu@solowaywright.com](mailto:melinzu@solowaywright.com)

FILE NO: 42009-1040  
/7665-1453

**BY HAND**

May 20, 2014

**Mike Elms, Manager**  
**Ministry of Municipal Affairs & Housing**  
Municipal Services Office- East  
8 Estate Land, Rockwood House  
Kingston, ON K7M 9A8

Attn: Andrea Gummo, Planner



Re: File no. 6-OP-131492  
EBR # 012-0809  
City of Ottawa – Official Plan Amendment No. 150

**Appeal by Urbandale Corporation, RSDC, Urbandale Construction & KNL Developments**

We are the solicitors for Urbandale Corporation, Urbandale Construction, the Riverside South Development Corporation ("RSDC"), and KNL Developments Inc., all corporate entities (hereinafter "Urbandale"). Submissions were made on Urbandale's behalf during the Official Plan Amendment 150 process.

Pursuant to Section 17(36) of the Planning Act, Urbandale hereby appeals the specific policies amended by Official Plan Amendment 150 ("OPA 150") as indicated on the attached appeal chart. Also attached is a copy of a letter that was submitted by Urbandale to the City on November 14, 2013; it outlines additional details associated with Urbandale's appeal.

In addition to Urbandale's appeal to the Employment Land policies [OPA 150 Items 51, 53 to 57 - OP policies 2.2.2(27 to 33)], RSDC supports Motion 65/24 that was carried as part of the OPA 150 process, directing that the Phase 2 employment lands study to be done. RSDC awaits the outcome of the employment study so the assessment of whether, and how much, land in Riverside South will be redesignated from Employment can be determined. RSDC acknowledges that the study is not yet done however, this is the appropriate time (OPA 150 appeal period) to confirm RSDC's intention to seek redesignation of land through the OPA 150 process;

---

Ottawa Office  
900 – 427 Laurier Avenue West, Ottawa ON K1R 7Y2  
T: 613.236.0111 | 1.866.207.5880 | F: 613.238.8507

Kingston Office  
510 – 366 King Street, Kingston ON K7K 6Y3  
T: 613.544.7334 | 1.800.263.4257 | F: 1.800.263.4213

[www.solowaywright.com](http://www.solowaywright.com)

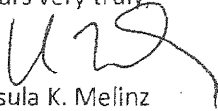
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the study was ordered as part of OPA 150 so implementing the conclusion of the study may be done by a city-initiated amendment to OPA 150 or by way of another new city-initiated official plan amendment.

Urbandale has read the appeal submitted by the Greater Ottawa Home Builders' Association and Urbandale adopts the appeal in its entirety for its own use as part of the OPA 150 general policy appeal process.

I trust the enclosed is satisfactory. Do not hesitate to contact me if you have any questions.

Yours very truly,



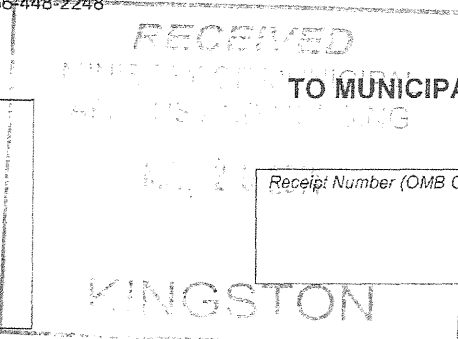
Ursula K. Melinz  
Ursula K. Melinz Professional Corporation

Cc: Mary Jarvis, Urbandale



Environment and Land Tribunals Ontario  
**Ontario Municipal Board**  
 655 Bay Street, Suite 1500 Toronto, Ontario M5G 1E5  
 TEL: (416) 212-6349 or Toll Free: 1-866-448-2248  
 FAX: (416) 326-5370  
 www.elto.gov.on.ca

**APPELLANT FORM (A1)  
 PLANNING ACT**



**SUBMIT COMPLETED FORM  
 TO MUNICIPALITY/APPROVAL AUTHORITY**

Date Stamp - Appeal Received by Municipality

Receipt Number (OMB Office Use Only)

**Part 1: Appeal Type (Please check only one box)**

SUBJECT OF APPEAL	TYPE OF APPEAL	PLANNING ACT REFERENCE (SECTION)
Minor Variance	<input type="checkbox"/> Appeal a decision	45(12)
Consent/Severance	<input type="checkbox"/> Appeal a decision	53(19)
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	<input type="checkbox"/> Failed to make a decision on the application within 90 days	53(14)
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	<input type="checkbox"/> Application for an amendment to the Zoning By-law – failed to make a decision on the application within 120 days	34(11)
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**Part 2: Location Information**

City-wide \_\_\_\_\_  
 Address and/or Legal Description of property subject to the appeal: \_\_\_\_\_  
 Municipality/Upper tier: \_\_\_\_\_ City of Ottawa \_\_\_\_\_

**Part 3: Appellant Information**

Name: Riverside South Development Corporation/Urbandale Corporation

Company Name or Association Name (Association must be incorporated – include copy of letter of incorporation)

Professional Title (if applicable): Mary Jarvis – VP Development

E-mail Address: \_\_\_\_\_  
By providing an e-mail address you agree to receive communications from the OMB by e-mail.

Daytime Telephone #: (613) 731-6331 Alternate Telephone #: \_\_\_\_\_

Fax #:

Mailing Address: 2193 Arch Street Ottawa  
Street Address Apt/Suite/Unit# City/Town  
ON K1G 2H5  
Province Country (if not Canada) Postal Code

Signature of Appellant: \_\_\_\_\_ Date: \_\_\_\_\_  
(Signature not required if the appeal is submitted by a law office.)

**Please note: You must notify the Ontario Municipal Board of any change of address or telephone number in writing. Please quote your OMB Reference Number(s) after they have been assigned.**

Personal information requested on this form is collected under the provisions of the *Planning Act*, R.S.O. 1990, c. P. 13, as amended, and the *Ontario Municipal Board Act*, R.S.O. 1990, c. O. 28 as amended. After an appeal is filed, all information relating to this appeal may become available to the public.

**Part 4: Representative Information (if applicable)**

**I hereby authorize the named company and/or individual(s) to represent me:**

First Name: Ursula Last Name: Melinz

Company Name: Soloway Wright LLP

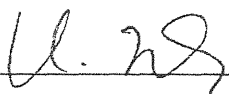
Professional Title: Partner

E-mail Address: melinzu@solowaywright.com  
By providing an e-mail address you agree to receive communications from the OMB by e-mail.

Daytime Telephone #: 613.782.3214 Alternate Telephone #: \_\_\_\_\_

Fax #: 613.238.8507

Mailing Address: 427 Laurier Avenue West 900 Ottawa  
Street Address Apt/Suite/Unit# City/Town  
ON K1R 7Y2  
Province Country (if not Canada) Postal Code

Signature of Appellant:  Date: May 19, 2014

**Please note: If you are representing the appellant and are NOT a solicitor, please confirm that you have written authorization, as required by the Board's Rules of Practice and Procedure, to act on behalf of the appellant. Please confirm this by checking the box below.**

I certify that I have written authorization from the appellant to act as a representative with respect to this appeal on his or her behalf and I understand that I may be asked to produce this authorization at any time.

**Part 5: Language and Accessibility**

Please choose preferred language:  English  French

We are committed to providing services as set out in the *Accessibility for Ontarians with Disabilities Act, 2005*. If you have any accessibility needs, please contact our Accessibility Coordinator as soon as possible.

**Part 6: Appeal Specific Information**

1. Provide specific information about what you are appealing. For example: Municipal File Number(s), By-law Number(s), Official Plan Number(s) or Subdivision Number(s):

See attached covering letter

2. Outline the nature of your appeal and the reasons for your appeal. Be specific and provide land-use planning reasons (for example: the specific provisions, sections and/or policies of the Official Plan or By-law which are the subject of your appeal - if applicable). \*\*If more space is required, please continue in Part 9 or attach a separate page.

See attachments

**THE FOLLOWING SECTIONS (a&b) APPLY ONLY TO APPEALS OF ZONING BY-LAW AMENDMENTS UNDER SECTION 34(11) OF THE PLANNING ACT.**

a) **DATE APPLICATION SUBMITTED TO MUNICIPALITY:**  
(If application submitted before January 1, 2007 please use the O1 'pre-Bill 51' form.)

b) Provide a brief explanatory note regarding the proposal, which includes the existing zoning category, desired zoning category, the purpose of the desired zoning by-law change, and a description of the lands under appeal:  
\*\*If more space is required, please continue in Part 9 or attach a separate page.

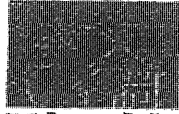
**Part 7: Related Matters (if known)**

Are there other appeals not yet filed with the Municipality? YES  NO

Are there other planning matters related to this appeal? YES  NO   
(For example: A consent application connected to a variance application)

If yes, please provide OMB Reference Number(s) and/or Municipal File Number(s) in the box below:

(Please print)



**Urbandale**  
CORPORATION  
*Established in 1958*

Urbandale Corporation, Executive Office  
2193 Arch Street, Ottawa, Ontario K1G 2H5  
Telephone: (613) 731-6331  
FAX: (613) 731-7835  
www.urbandale.com

November 14<sup>th</sup>, 2013

Chair Egli  
City of Ottawa  
110 Laurier Avenue West  
Ottawa, Ontario  
K1P 1J1

Dear Chair Egli:

**RE: City of Ottawa Official Plan Review – Transportation Master Plan, Cycling Plan and Pedestrian Plan**

Thank you for the opportunity to submit comments on the 2013 Transportation Master Plan, Cycling Plan and Pedestrian Plan.

**Ottawa Cycling Plan 2013**

- Pathways, walkways and linkages should be differentiated between those routes that offers internal connection to local streets and between routes that function as a connection between communities or community facilities such as schools, District Parks, Employment Areas. These commuter route features should be funded through Development Charges
- OCP Recommendation 5.3: (Future Employment Nodes outside the Core Area Exhibit 5.6) The Employment Area in Riverside South, Leirtrim/Findlay Creek and the Ottawa Macdonald Cartier International Airport should be added the list of Future Employment Nodes Outside of the Core Area. We can expect development within these areas within the 2031 Planning Horizon.
- OCP Recommendation 5.5: Clarity is required as multi use pathways Outside of the Core Area, which are largely recreational, are not considered part of the parkland dedication for the community. The use of parkland payments for non parkland uses should be discussed further.
- OCP Annex D:
  - Kanata Feeder from Walden Drive to Kanata North Employment Node should be redirected to a future road link across this active rail line approximately 200 metres west of the current unsignalized crossing. See Project 2-8 for proposed relocated cycling route and the Ottawa Pedestrian Master Plan for the future road connections.
  - Walkley Employment Node – Walkley Spine along Conroy Road should extend south to Bank Street to capture commuters from the Leirtrim/Findlay Creek communities

One Westmount Square, Suite 1249  
Montreal, Quebec H3Z 2W7

307 Lake Avenue  
Lake Worth, Florida 33460



- OCP Annex C:
  - Phase 1 – Goulbourn Forced Road 2014 – 2019: Funding should be assigned to the extension of the bike lanes for this road connection planned for 2014. In addition to approximately 1500 homes, Goulbourn Forced Road will feed two future elementary and one secondary school.

#### **Ottawa Pedestrian Plan 2013**

- Annex A – Summary of Recommendations & Exhibit 3.2 – Proposed OPP 2013 Pedestrian Network Projects
  - Recommendation 7.3 – Include Existing City Roads subject to widening and/urbanization
    - Add to Phase 1 2014- 2019 Sidewalks
      - Ward 4 – Rock Mountain Gate from Kanata Avenue to Maritime Way;  
Goulbourn Forced Road from Keyrock Drive to Terry Fox Drive
      - Ward 22 - Spratt Road from Earl Armstrong Road south to Borbridge Drive; Limebank Road from Earl Armstrong Road to Borbridge Drive(Collector I); Earl Armstrong Road from Limebank to Bowesville Road; Conroy Road from Hunt Club to Bank Street;
    - Add to Phase 2 2020-2025 Sidewalks
      - Ward 22 - Spratt Road from Borbridge Drive to Urban Boundary;  
Limebank Road from Borbridge Drive to Urban Boundary
  - Annex C – Trend Analysis – Figure 8 – Format Error

#### **Ottawa Transportation Master Plan 2013**

- Affordable Road Network Projects by Phase – Exhibit 7.2
  - Phase 1 2014 – 2019 Missing Road Projects
    - Add Goulbourn Forced Road from Keyrock Drive to Terry Fox Drive to the list of Phase 1 Projects. Development in Kanata Lakes will occur within this time period.
  - Phase 3 2026 – 2031
    - Earl Armstrong Road Widening – With the opening of the Strandherd-Armstrong Bridge, Earl Armstrong will be a southerly alternative to Hunt Club Road for those heading to the Ottawa Macdonald Cartier International Airport, the Walkley Employment Node and the 417. Although the current road offers two lanes of traffic, its present condition cannot sustain the growth of traffic from 2014 to 2026 as Riverside South, Barrhaven and Leitrim/Findlay Creek. The current two lane road has deep road side ditches, is unlit and has a significant bend approximately 400 metres from Bowesville Road. This project should be moved to the list of Phase 1 (2014 – 2019) as the demand for an urban four lane cross section will be present immediately following the opening of the bridge over the Rideau River. Advancing this project will support the Ottawa Pedestrian Master Plan and the Ottawa Cycling Master Plan.

- Annex A – Transit Priority, Rapid Transit and Road Projects
  - Goulbourn Forced Road Realignment – The EA is complete and a portion of the road was built by the City in 2010-2011. The potential realignment of the northerly link of the Goulbourn Forced Road has yet to be confirmed. Please revise the note to reflect that the alignment of Goulbourn Forced Road north of Keyrock Drive is approved. A change to the most current EA for Goulbourn Forced Road is not required.
  - Earl Armstrong Road Widening – The 2003 EA for Limebank Road, Earl Armstrong Road and Riverside Drive addressed the portion of this road east of Limebank Road. In addition, a portion of the road east of Limebank Road was built as part of the Federal Stimulus program of 2009. Given the immediate need of an upgraded road, Staff should confirm with the Ministry of the Environment that a revised EA is required.
  - Eliminate the Park and Ride in the Riverside South Community Core given that the south is well served by Park and Ride facilities at Riverview, Bowesville Road and Leitrim. Transit users will rely on aforementioned parking lots until such time as LRT is extended into the Riverside South Community Core. We can expect that much of Riverside South will be built by 2031 and the demand for commuter parking would be shifted south of Rideau Road where commuter traffic could be intercepted by local bus service which would deliver patrons to the LRT. In the interim, commuters will not park at the Community Core Park and Ride only to transfer from the bus onto the train at Bowesville Road. They will park at the Bowesville Park and Ride.
- Map 1 – Rapid Transit and Transit Priority Network – Network Concept
  - BRT – Grade Separated Crossings – East of Huntmar North of Maple Grove: The Alignment should follow the property line between the Urbandale Construction and City of Ottawa parcels and should follow a road grid pattern.
- Map 2 – Rapid Transit and Transit Priority Network – Affordable Network
  - Consider a rail spur to the Ottawa MacDonald Cartier International Airport as shown on Map 1 should be part of the Affordable Network. The OMCIA employs residents in the Riverside South and Leitrim/Findlay Creek communities. Riverside South was designed to be a transit focused community with links to downtown as well as the Airport.
  - Earl Armstrong Road and Bowesville Transit Priority link is supportable. However, we caution that these roads will not support rapid transit in their current condition and ask that improvements to Earl Armstrong Road be advanced to Phase 1 timeframe
  - Eliminate the Park and Ride shown in the Community Core as sufficient parking will be available at the Riverview, Bowesville and Leitrim Park and Ride facilities
- Map 5 Urban Road Network
  - Road Pattern north of Kanata Avenue to Terry Fox Drive does not reflect the Ontario Municipal Board approved plan of subdivision (Proposed Collectors) or the approved EA for Goulbourn Forced Road (Major Collector)
- Map 9 Road Network Network Concept

- Goulbourn Forced Road – New Widened Collector . The alignment does not reflect the alignment approved as part of the EA. It is different from that shown on Map 5 – Urban Road Network. Please adjust.
- Map 10 Road Network Affordable Network
  - Add Goulbourn Forced Road from Keyrock Drive to Terry Fox Drive and Earl Armstrong from Limebank Road to Bowesville Road to the Phase 1 (2014 – 2019) project list
  - New Roads east of Huntmar Road, north of Maple Grove, will be built prior to the end of the Phase 1 time frame as full services will be available in 2016. Please convert all Phase 2 and Phase 3 roads east of Huntmar, north of Maple Grove, to the Phase 1 list.

Generally, we support the direction of the Transportation, Cycling and Pedestrian Master Plans and encourage Council to move forward with the Phase 1 projects as identified by Staff and adjusted as proposed above.

We trust that you will see merits in the requested adjustments or clarifications associated with the three master plans and will adjust the plans accordingly.

Regards



Mary Jarvis  
Urbandale Corporation

DATE	REFERENCE NUMBER	MEMO	BALANCE
16 05 2014	05/16/14	42009-1039 RSDC (56)	125.00



16 05 2014 000013816 Minister of Finance 125.00

**SOLOWAY, WRIGHT LLP**  
 BARRISTERS AND SOLICITORS/AVOCATS  
 900-427 LAURIER AVENUE WEST  
 OTTAWA, CANADA K1R 7Y2

ROYAL BANK OF CANADA  
 MAIN BRANCH, 90 SPARKS ST.  
 OTTAWA, ONTARIO K1P 5T6


0013816

DATE 16 05 2014  
 D D M M Y Y Y Y

PAY *One Hundred Twenty Five and 00/100 Dollars*

\$ \*\*\*\*\*125.00

TO THE ORDER OF Minister of Finance

SOLOWAY, WRIGHT LLP   
 PER *[Signature]* \_\_\_\_\_ MP  
 PER *[Signature]* \_\_\_\_\_ MP

⑈0013816⑈ ⑆00006⑈003⑆ 102⑈360⑈5⑈

	OPA 150	Page	Section	Policy	Comment
			<b>2.2.2</b>	<b>Managing Intensification Within the Urban Area</b>	
(1)	12	2-7		4 <sup>th</sup> paragraph	Add “high-rise’ before apartment in 5 <sup>th</sup> line.
(2)	35	2-13	2.2.2.4	Target areas for intensification	Replace ‘these’ with ‘and’ to link policies
(3)	35	2-14	Figure 2.3	Minimum density requirements	Add Earl Armstrong and Limebank Road as Arterial Mainstreets – beyond Community Core to Leitrim Road and to River Road and Bowesville Road along Earl Armstrong
(4)	40	2-16	2.2.2(11)	Building Heights – Kanata Town Centre; Riverside South Community Core; Kanata West (east of Huntmar, north of Maple Grove)	Increase minimum building heights in Mixed Use Centre/Town Centre to at least 10 to 30 storeys
(5)	40	2-17	2.2.2(13)	High rise buildings	Add - Riverside South Community Core; Kanata CBD Block 9 4M-1325; River Road and Earl Armstrong; Kanata West: east of Huntmar between 417 and Maple Grove, as area where High-rise buildings should be permitted.
(6)	47	2-22	2.2.2(23)	Minimum requirement for singles	Eliminate minimum requirement and reduce maximum requirement.
(7)	51	2-20	2.2.2(27)	<b>Employment</b> “In all urban communities outside the Central Area... a ratio of at least 1.3 jobs per household will be reflected in the amount of land designated for employment and residential development within each of the five urban communities [includes Riverside South]... shown on Fig 2.5.”	Figure 2.5 should be updated to reflect the employment availability in south Ottawa as proposed by the MacDonald Cartier International Airport, in accordance with its recently completed Land Use Plan. The Airport Authority recently came to memorandum of understanding with the National Capital Commission regarding the use of the Airport Authority’s lands. This led to Schedule M, a revision proposed as part of this draft official plan, being the designation of the Airport Lands on its own - removed from the Greenbelt designation. The Airport’s Land Use Plan proposes significant employment opportunity around the airport. The employment on the south and east sides of the Airport Lands is immediately abutting the Riverside

					South community. It is reasonable to connect the employment available adjacent to Riverside South to the overall jobs per household ratio in Riverside South since the area will function as one community.
(8)	53	2-21	2.2.2(29)	Intensification and jobs	Add Riverside South Community Core to first sentence. It is a developing community so there is the opportunity to state that intensification will occur.
(9)	54 to 56	2-21 to 23	2.2.2(30 to 32)		Add Riverside South Community Core to list of target employment areas.
(10)	57	2-22	2.2.2.(33)	Comprehensive Review - employment study	The official plan should refer to the recommendations of the Employment study (Danix Report) including the current supply of urban and rural lands. It should also add reference to the Airport Master Plan and Federal lands in the rural area, within the greenbelt, and in non -typical employment areas in order to more accurately reflect the employment land situation.
(11)	61	2-24	<b>2.3</b>	<b>Providing Infrastructure</b> -end of first paragraph	Include transit priority networks, Arterial Mainstreets and Roads before corridor, and Employment after Mixed Use.
			<b>2.3.1</b>	<b>Transportation</b>	
(12)	69	2-30	2.3.1(10)	“The City will protect corridors... Schedule D...”	The City should add to Schedule D, in Riverside South: collector I; collector J; Spratt Road south and Spratt road east; Earl Armstrong; and Limebank.
			<b>2.5.4</b>	<b>A Strategy for Parks &amp; Leisure</b>	
(13)	109	2-61	2.5.4	Pathway terminology	Use the same terminology as contained in the Ottawa Pedestrian Plan.
(14)	117	2-67 & 68	<b>2.5.6</b>	<b>Collaborative Community Building &amp; Secondary Planning Processes</b>	Is it necessary to have a secondary plan as well as a community design plan and design priority areas with design review?
			<b>3.1</b>	<b>Generally Permitted Uses</b>	
(15)		3-2	3.1(6)	“Day care facilities... will be permitted in areas	Add “Employment Areas and Riverside South

				designated...	Community Core” as areas where Day care facilities are permitted.
			<b>3.6.2</b>	<b>Mixed Use Centres &amp; Town Centres</b>	
(17)	146	3-17	3.6.2(2)	“City is committed to maintaining the Town Centres in Kanata, Barrhaven and Orleans as vital, mixed-use cores...”	-RSDC seeks to add Riverside South to this policy in accordance with the Riverside South Community Design Plan.
(18)	146	3-17	3.6.2(4)	“Except where a secondary plan specifies otherwise or existing zoning permits greater heights, building heights are: (a) max 12 storeys providing transition... & (b)a min of 4 storeys for residential & office. Greater heights may be considered subject an amendment to secondary plan ...”	-This is an example of a policy that creates confusion as to what the approved height limit is. -Also, since CDPs or secondary plans must be consistent with the OP, as an implementing document, how can a different height limit be set in the CDP or secondary plan?
(19)	146	3-17	3.6.2(4)		-Specific reference should be made to Block 9 4M-1325 in the Kanata Town Centre CBD and that fact that high-rise buildings should be allowed as per the policies for Town Centres/Mixed Use Centres/and lands abutting 400 series highways. -Add Riverside south Community Core to the list of locations where greater height will be permitted. -Restriction conflicts with building heights established in the Kanata West Secondary Plan.
			<b>3.6.3</b>	<b>Mainstreets</b>	
(20)	160	3-24	3.6.3(11)(ii)	“On Arterial Mainstreets... Subject to a zoning amendment, taller buildings will be located at the nodes...”	-Remove requirement for zoning amendment application. -Remove from “where the development provides ...[ to] Section 4.11...” - Section 4.11 applies regardless
			<b>3.6.5</b>	<b>Employment Area &amp; Enterprise Area</b>	
(21)	169	3-30	3.6.5 (4)	“The maximum building height permitted ... is a low-rise building up to 4 storeys...(a) mid-rise building up to 9 storeys may be considered.... (b) High-rise A building of 10-30 storeys may be considered...”	-This is another example of how multiple references to height restrictions, but then exceptions and alternatives, found through the Plan, create confusion as to what the permitted height is. -The policy should implement the OP but not also

					require a CDP process or a zoning amendment application.
(22)	170	3-30	3.6.5 (5)	Residential uses in the Enterprise Area “will only be considered once the following criteria are met...”	-The employment before residential restriction may also work to slow or impede development. Frequently, housing is required before jobs will locate in the area. Also, the construction of housing can assist with the building of infrastructure to facilitate employment development.
			<b>4.3</b>	<b>Walking, Cycling, Transit, Roads &amp; Parking Lots</b>	
(24)	244	4-5	4.3(4)(c)	“The City may... establish maximum parking...”	-Remove “inside Greenbelt” reference. The policy should apply to transit priority networks regardless of whether inside or outside of the Greenbelt.
(25)	246	4-6	4.3(9)(g)	“... a multi-use pathway may be provided instead of a sidewalk where determined appropriate for the context.”	-Neither the OP nor the TMP provide further clarity. Request a discussion as to what the ‘appropriate context’ may be.
			<b>4.10</b>	<b>Greenspace Requirements</b>	
(26)		4-50	4.10(3)	“The City shall require the dedication of parks... 5 per cent...’alternative requirement’...”	The City should eliminate the disincentive to construct multiple attached/non-apartment type dwellings due the Parkland Dedication Bylaw application and the resulting dedication that is unduly onerous. An amendment to the parkland dedication bylaw is required to apply the 10 per cent cap for apartments to stacked townhomes or back to back units
				<b>Schedules</b>	
(27)	334 & 335 327 328 332	Sch L1, Sch B, D, E and I	Woodlots	UNA 99 and 100 appear on the Natural Heritage System mapping and Sch B	-Replace the Urban Natural Feature designation with General Urban Area for the Spratt road woodlot (UNA 99). - Alter the limits of Earl Armstrong woodlot (UNA 100) and General Urban Area as per Council approval of MOU with Urbandale/RSDC.
(28)	328	Sch E	Urban Roads	Kanata Lakes community	Road pattern should reflect the 2006 OMB approved draft plan and the road alignment of the Goulbourn Forced Road EA.

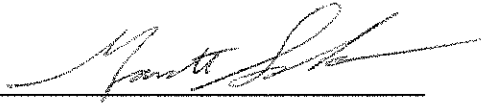


(29)	328	Sch E	Urban Roads	Riverside south community	Extend collector roads to Rideau Road through Rural Area
(30)	337	Sch L3	Natural Heritage Overlay	Kanata Lakes Community	Overlay should exclude lands subject to the 2006 draft approval and zoned for development
(31)	334 & 335	Sch L1	Natural Heritage Overlay	Riverside South Community	Additions to Natural Heritage System include lands designated General Urban Area and/or form part of the LRT corridor. Remove overlay on these lands.
(32)	333	Sch J	Primary cycling Network	Spratt Road – Earl Armstrong to urban boundary: Urban Boundary to Mitch Owens	Spratt road should be included as a Spine Route
(33)	326	Sch C	Primary cycling network	Rapid transit corridors	The rapid transit corridor through Riverside South has a planned multi-purpose path along one side of the corridor. This should be shown to link to the Leitrim/Greenbelt/Bowesville Park and Ride path to the east.
(34)	326	Sch C	Primary Cycling Network	Kanata Lakes	Goulbourn Forced Road alignment does not reflect the OMB draft approved plan or the GFR EA. Linkage to Trillium Woods east of Goulbourn Forced crosses a Spine Route along the railway corridor. Is this proposed Spine Route within the railway right of way owned by the City or on private land? Please confirm
(35)	327	Sch D	Rapid Transit	Riverside South	Add a Transit Station - Bus in the Community Core
(36)	327	Sch D	Rapid Transit	Kanata West	Realign grade separated crossings to have BRT travel along Palladium Drive and then south-west straddling the Urbandale Construction and City of Ottawa property line. This eliminates the irregularly shaped parcels created with the curvilinear BRT alignment.

This is

**Exhibit 7**

to the affidavit of Bruce Finlay dated May 27, 2019

A handwritten signature in cursive script, appearing to read "Garrett Schromm", written in black ink. The signature is positioned above a horizontal line.

GARETT SCHROMM

*A commissioner, etc.*



## **OTTAWA CITY COUNCIL**

**Wednesday, 10 April 2019**

**10:00 am**

**Andrew S. Haydon Hall, 110 Laurier Avenue W.**

**MINUTES 11**

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The Council of the City of Ottawa met at Andrew S. Haydon Hall, 110 Laurier Avenue West, Ottawa, on Wednesday, 10 April 2019 beginning at 10:00 a.m.

The Mayor, Jim Watson, presided and led Council in a moment of reflection.

### **NATIONAL ANTHEM**

The national anthem was performed by Three Good Looking Guys

### **ANNOUNCEMENTS/CEREMONIAL ACTIVITIES**

#### **RECOGNITION - MAYOR'S CITY BUILDER AWARD**

Mayor Watson presented the Mayor's City Builder Award to Sister Lorena Morris in recognition of her community service and her efforts in helping to found the Caldwell Family Centre. After development of a cooking class program to help feed those in need in 1979, a hamper program and English as a second language program for new Canadians was later established. Eventually Sister Lorena Morris would become the Executive Director at the Caldwell Family Centre, developing it into a food bank, learning centre, and community support hub. The Centre continues to serve the community today, feeding over 500

families every month, providing health and wellness education and helping new Canadians settle in the neighbourhood.

**[PROCLAMATION - CARLETON UNIVERSITY RAVENS MEN'S  
CURLING TEAM DAY](#)**

Mayor Watson presented a proclamation declaring April 10, 2019 Carleton University Ravens Men's Curling Team Day to members of the Carleton University Ravens Men's Curling team in recognition of winning their first Canadian Interuniversity Sport Men's Curling Championship national title in Carleton history on March 19, 2019 in Fredericton, New Brunswick. They won the Gold medal with a decisive 10-4 win over the Memorial University Sea-Hawks.

**[ROLL CALL](#)**

All Members were present, except Councillor G. Darouze.

**[CONFIRMATION OF MINUTES](#)**

[Confirmation of the Regular and \*In Camera\* Minutes of the Council meeting of 27 March 2019.](#)

CONFIRMED

**[DECLARATIONS OF INTEREST INCLUDING THOSE ORIGINALLY ARISING  
FROM PRIOR MEETINGS](#)**

See specific Agenda Item for declaration: 2019 Budgets and Special Levies for Business Improvement Areas and Sparks Street Mall Authority (Item 3).

## **COMMUNICATIONS**

The following communications were received:

Association of Municipalities of Ontario (AMO)

- Federal and Provincial Transit Funding Announced Outside Greater Toronto and Hamilton Area

## **REGRETS**

Councillor K. Egli advised that he would be absent from the City Council meeting of April 10, 2019.

## **MOTION TO INTRODUCE REPORTS**

### **MOTION NO 11/1**

Moved by Councillor C. McKenney

Seconded by Councillor J. Sudds

**That Agriculture and Rural Affairs Committee Report 3; Finance and Economic Development Committee Report 3; Planning Committee Report 4; Transportation Committee Report 2; and the report from the City Clerk and Solicitor entitled “Summary of Oral and Written Public Submissions for Items Subject to the *Planning Act* ‘Explanation Requirements’ at the City Council Meeting of March 27, 2019”; be received and considered.**

CARRIED

## COMMITTEE REPORTS

### [AGRICULTURE AND RURAL AFFAIRS COMMITTEE REPORT 3](#)

- |  |
|--|
| 1. <u><a href="#">SETTLEMENT OF APPEALS TO OFFICIAL PLAN AMENDMENT<br/>150 NATURAL HERITAGE SYSTEM SCHEDULES</a></u> |
|--|

#### **PLANNING COMMITTEE RECOMMENDATIONS, AS AMENDED**

**That Council endorse the proposed agreements with the appellants of the amendments made to Natural Heritage System Schedules L1, L2, and L3 in Official Plan Amendment 150 (OPA 150), as approved by Council on 26 November 2013, as described in this report including approval of Documents 1 (a new Annex 16 to the Official Plan) and revised Document 2 (modified Schedule S37 to Official Plan Amendment 150) (set out in motion No PLC 2019 4/1).**

#### **AGRICULTURE AND RURAL AFFAIRS COMMITTEE**

**That Council endorse the proposed agreements with the appellants of the amendments made to Natural Heritage System Schedules L1, L2, and L3 in OPA 150, as approved by Council on 26 November 2013 as described in this report, including approval of Document 1 (a new Annex 16 to the Official Plan).**

The Planning Committee and Agriculture and Rural Affairs Committee Recommendations were put to Council and CARRIED as presented.

FINANCE AND ECONOMIC DEVELOPMENT COMMITTEE  
REPORT 3

2. [LANSDOWNE PARTNERSHIP PLAN ANNUAL REPORT](#)

**COMMITTEE RECOMMENDATIONS**

**That Council receive the following status update report related to the Lansdowne Partnership Plan:**

- 1. The update from the City Manager outlining the delegated authority exercised from Q3 2017 to date by the City Manager, the City Clerk and Solicitor and the City Treasurer, under the finalized and executed Lansdowne Partnership Plan Legal Agreements;**
- 2. The update from the City Manager on the September 27, 2018 Lansdowne Master Partnership Meeting and Meetings Amongst Parties to the Unanimous Shareholder Agreements; and,**
- 3. The status update outlined in this report regarding the operations of the Lansdowne Public-Private Partnership as referenced on Page 12 in the 2017- Procurement Year in Review report (ASC2018-CSD-PRO-0001).**

CARRIED

3. [2019 BUDGETS AND SPECIAL LEVIES FOR BUSINESS IMPROVEMENT AREAS AND SPARKS STREET MALL AUTHORITY](#)

DECLARATION OF INTEREST

Councillor Jan Harder declared a potential, deemed, indirect pecuniary interest on the following report (Item 3 on the City Council Agenda 11): 2019 Budgets and Special Levies for Business Improvement Areas and Sparks Street Mall Authority, as her daughter is the Executive Director of the Barrhaven Business Improvement Area. Councillor Harder did not take part in the discussion or vote on this item.

**COMMITTEE RECOMMENDATIONS**

1. That Council approve the 2019 budgets and special levies, as presented in Document 1, for the following:

- Bank Street BIA
- Barrhaven BIA
- Bells Corners BIA
- ByWard Market BIA
- Carp BIA
- Carp Road Corridor BIA
- Downtown Rideau BIA
- Glebe BIA
- Heart of Orleans BIA
- Kanata Central BIA
- Kanata North Business Park BIA
- Manotick BIA
- Preston BIA
- Somerset Chinatown BIA
- Somerset Village BIA
- Sparks Street BIA



- **Sparks Street Mall Authority**
  - **Vanier BIA**
  - **Wellington West BIA**
  - **Westboro Village BIA**
2. **That Council enact the BIA levy by-laws and the Sparks Street Mall Authority by-law for the BIAs and Mall Authority listed in Recommendation 1 once the 2019 tax ratios are approved by Council.**

**MOTION NO 11/2**

Moved by Councillor J. Suds

Seconded by Councillor E. El-Chantiry

**WHEREAS** after consideration of this report by the Finance and Economic Development Committee on April 2, 2019, it was noted that Document 1 (Summary of BIA and Mall Authority Budgets) required an amendment to correct the following section:

**Kanata North BIA Sources of Financing amount should be broken down as follows: the 2019 proposed levy of four hundred and fifty-one thousand, five hundred dollars (\$451,500), less five thousand dollars (-\$5,000) for vacancy rebates, and less twenty thousand dollars (-\$20,000) for remissions, for a total of four hundred and twenty-six thousand, five hundred dollars (\$426,500).**

**THEREFORE BE IT RESOLVED** that Document 1 in the report from Finance and Economic Development Committee be replaced with the revised Document 1<sup>1</sup> attached to this Motion.

CARRIED

The Committee recommendations, as amended by Motion 11/2, were put to Council and CARRIED.

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<sup>1</sup> See attached revised Document 1 – Annex A to Minutes

4. [INTERDEPARTMENTAL TASK FORCE ON AFFORDABLE HOUSING NEAR TRANSIT STATIONS](#)

**COMMITTEE RECOMMENDATIONS, AS AMENDED**

**That Council:**

1. **Receive the revised report from the Interdepartmental Task Force on Affordable Housing;**
2. **Direct staff to retain the City owned lands identified as having Short Term Development Attributes, as noted in the revised Document 1, for development as affordable housing projects, notwithstanding the Disposal of Real Property Policy, except for sites Site 12 (1490 Youville Drive, long-term) and Site 13 (900 Champlain Street identified as a medium-term priority), and that consideration of these sites as part of the sites identified in Document 1 of the report, be deferred until after the completion of the Orleans Town Centre Secondary Plan;**
3. **Direct Staff to investigate the possible acquisition of the publicly-owned land suitable for affordable housing opportunities and report back to Council; and**
4. **Direct Staff to prepare an implementation strategy for the best candidate sites and report back for Council's consideration.**

CARRIED

PLANNING COMMITTEE REPORT 4

5. [ZONING BY-LAW AMENDMENT – 3930 AND 3960 RIVERSIDE DRIVE](#)

**COMMITTEE RECOMMENDATION**

**That Council approve an amendment to Zoning By-law 2008-250 for 3930 and 3960 Riverside Drive to permit an automobile dealership, apartment dwelling – high-rise and park as detailed in Document 2.**

**MOTION NO 11/3**

Moved by Councillor J. Harder

Seconded by Councillor T. Tierney

**WHEREAS the staff report Zoning By-Law Amendment – 3930 and 3960 Riverside Drive (ACS2019-PIE-PS-0005) identifies transportation improvements south of the proposed new intersection wherein the southbound Riverside Drive right hand turn lane on to Hunt Club Road westbound will be extended northward by over 150 metres, more than doubling existing capacity of the current right-hand turn lane; and**

**WHEREAS the construction of the new signalized intersection and identified right-of-way improvements are to be funded by the developer through a Road Modification Approval process and associated Vacant Land Condominium application; and**

**WHEREAS the transportation related enhancements will also be included within the Draft Plan of Condominium conditions to ensure development of the site is tied to the required transportation infrastructure improvements, and**

**WHEREAS the Development Charge By-law identifies, under ROADS & RELATED SERVICES, a section that deals with development related infrastructure specifically Network Modifications;**

**THEREFORE BE IT RESOLVED** that Council approve the extension of the southbound right turn lane on Riverside Drive, between the new signalized entrance and Hunt Club Road, be considered as a priority project to be funded from the Development Charge Account related to Network Modifications.

CARRIED with Councillors R. Brockington, D. Deans, T. Kavanagh, C. Meehan, and S. Menard dissenting.

The Committee Recommendations, as amended by Motion 11/3, were put to Council and CARRIED with Councillors R. Brockington, D. Deans, T. Kavanagh, C. Meehan, and S. Menard dissenting.

6. [ZONING BY-LAW AMENDMENT – 5331 FERNBANK ROAD](#)

**COMMITTEE RECOMMENDATION**

**That Council approve an amendment to Zoning By-law 2008-250 for 5331 Fernbank Road to permit a large format retail development and associated uses of a car wash and gas bar, as detailed in Document 2.**

**MOTION NO 11/4**

Moved by Councillor J. Harder

Seconded by Councillor A. Hubley

**WHEREAS** the report for the Zoning By-law Amendment – 5331 Fernbank Road (ACS2019-PIE-PS-0025) contains a location map in Document 1; and

**WHEREAS** there is an error in the property line in the location map,

**THEREFORE BE IT RESOLVED** that the Council replace the Location Map in Document 1 with the attached location map<sup>2</sup>.

**AND BE IT FURTHER RESOLVED** that pursuant to the *Planning Act*, Subsection 34(17) no further notice be given.

CARRIED

The Committee recommendations, as amended by Motion 11/4, were put to Council and CARRIED.

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<sup>2</sup> See attached location map – Annex B to Minutes

7. [ZONING BYLAW AMENDMENT – 429 MACLAREN STREET](#)

**COMMITTEE RECOMMENDATION**

**That Council approve an amendment to Zoning By-law 2008-250 for 429 MacLaren Street to permit office, medical facility and personal service business within an existing building, as detailed in Document 2.**

**MOTION NO 11/5**

Moved by Councillor J. Harder

Seconded by Councillor C. McKenney

**WHEREAS the report for the Zoning By-law Amendment – 429 MacLaren Street (ACS2019-PIE-PS-0027) specifies the amending zoning details in Document 2 – Details of Recommended Zoning; and**

**WHEREAS Document 2 is missing a provision in the details under number 2.,**

**THEREFORE BE IT RESOLVED that the Council add an additional sub-letter to number 2, letter “c” with:**

**c. In Column V, add the following text,**

**“The uses listed in Column III are limited to a building that existed as of the date of the passing of this by-law”.**

**AND BE IT FURTHER RESOLVED that pursuant to the *Planning Act*, subsection 34(17) no further notice be given.**

CARRIED

The Committee recommendations, as amended by Motion 11/5, were put to Council and CARRIED.

8. [EXEMPTION TO PERMANENT SIGNS ON PRIVATE PROPERTY  
BY-LAW - MURAL AT 13 O'MEARA AVENUE](#)

**COMMITTEE RECOMMENDATIONS**

**That Council approve an exemption to Section 140 (2) and 141 (b) and (c) of the Permanent Signs on Private Property By-law 2016-326, as amended to:**

- 1. allow a mural on a residential building in a residential zone, which is not adjacent to a commercial, industrial or institutional zone and has not been subject to graffiti, to be located on the side wall at 13 O'Meara Avenue;**
- 2. allow this request beyond the general application process for minor variances found in the delegation of authority provisions By-law 2016-326.**

CARRIED

TRANSPORTATION COMMITTEE REPORT 2

9. [PARK & CYCLE STUDY AND PILOT PROJECT](#)

**COMMITTEE RECOMMENDATIONS**

**That Council:**

- 1. receive the Park & Cycle Study report for information; and,**
- 2. approve the Park & Cycle pilot project at Andrew Haydon Park for up to three years as detailed in this report, subject to the approval of the required zoning by-law amendment by Planning Committee and Council.**

CARRIED

10. [ENHANCEMENTS TO THE TEMPORARY TRAFFIC CALMING MEASURES PROGRAM](#)

**COMMITTEE RECOMMENDATION**

**That Council approve the transfer of \$841,120 from capital project 909547 approved in the 2019 budget for Traffic & Pedestrian Safety Enhancements to the Traffic Services compensation budget to permanently fund 9 FTE's to implement the Temporary Traffic Calming Measures Program.**

CARRIED

11. [AREA TRAFFIC MANAGEMENT \(ATM\) PROGRAM UPDATE: ATM PROCESS UPDATE AND TRAFFIC CALMING DESIGN GUIDELINES](#)

**COMMITTEE RECOMMENDATIONS**

**That Council:**

- 1. approve the new Neighbourhood Traffic Calming Study Process as detailed in this report and attached as Document 4;**
- 2. approve the City of Ottawa Traffic Calming Design Guidelines as detailed in this report and attached as Document 5; and,**
- 3. delegate authority to the General Manager of the Transportation Services Department to approve minor amendments to both the Neighbourhood Traffic Calming Study Process and the Traffic Calming Design Guidelines as required, and to report those amendments through Transportation Services' annual Delegated Authority Report.**

CARRIED

12. [ROAD ACTIVITY BY-LAW – PHASE ONE AMENDMENTS](#)

**COMMITTEE RECOMMENDATIONS**

**That Council approve:**

- 1. the amendments to the Road Activity By-law No. 2003-445 substantially in the form set out in Document 2 and described in this report to come into effect July 1, 2019 and delegate the authority to the General Manager of Planning, Infrastructure and Economic Development and the City Clerk and Solicitor to make minor administrative amendments to the Road Activity By-law No. 2003-445 substantially consistent with this report;**
- 2. the addition of two full-time equivalent (FTE) positions for the Inspections Branch of the Planning, Infrastructure and Economic Development Department, at an approximate annual cost of \$190,000 funded from road cut permit application fee revenue, to address inspection requirements under the Road Activity By-law, as described in this report; and,**
- 3. the purchase of three new vehicles to support the work of Inspections Branch staff in addressing the inspection requirements under the Road Activity By-law at an approximate Capital cost of \$90,000 funded through a one-time contribution from the operating budget of the Right-of-Way, Heritage and Urban Design Service Area, with approximately \$26,000 in annual funding for the operation of the vehicles through road cut permit application fee revenue, as described in this report.**

CARRIED



13. [DELEGATION OF AUTHORITY TO ENTER INTO BIKE SHARING AGREEMENTS](#)

**COMMITTEE RECOMMENDATIONS**

**That Council:**

1. **waive the requirements of the Encroachment By-law (2003-446) to permit the Manager of Right of Way, Heritage and Urban Design to enter into pilot agreements for 2019 to locate bike sharing stations on City ROW and City property sites to ensure compliance with the maintenance and liability provisions of the Encroachment By-Law and subject to concurrence with Legal Services; and**
2. **approve that the normal encroachment fees be reduced to \$250 per year per station and \$1 per bike per month in consideration of fees paid for comparable cycling infrastructure on the right of way;**
3. **approve that should the Province of Ontario permit the legal operation of electric scooters on public roadways, that City staff be directed to study the regulation of electric scooter sharing and parking as part of the aforementioned Bike Parking Strategy and extend the bike sharing pilot provisions to electric scooter sharing companies as well for 2019.**

CARRIED

14. [INSTALLATION OF BIKE RACKS AT BUS STOPS – EXTENSION OF PILOT PROJECT](#)

**COMMITTEE RECOMMENDATION**

**That Council waive the requirements of the City's *Municipal Parking Management Strategy* to install bike racks only in paid parking areas, and extend the pilot project for 2019 to install bike racks at up to an additional 50 OC Transpo bus stops both within and outside paid parking areas, as described in motion n<sup>o</sup> TRC 2/7, to be funded from within the existing Parking Operations budget, on the understanding that any additional funds required will be transferred from the Parking Reserve Fund, to an upset limit of \$30,000.**

CARRIED

Item D on the Bulk Consent Agenda was lifted from the Bulk Consent Agenda for consideration as part of the regular Agenda.

D. [2019 TAX RATIOS AND OTHER TAX POLICIES](#)

**COMMITTEE RECOMMENDATIONS**

**That Council approve:**

- 1. The adoption of the following optional property classes in 2019:**
  - **Shopping Centre property class**
  - **Parking lots and vacant land property class**
  - **Office building property class**
  - **Large industrial property class**

- **New multi-residential property class**
- **Professional sports facility property class**

**2. The adoption of the following tax ratios for 2019:**

Tax Ratios for 2019

Property Class	Ratio**
Residential	1.00000
Multi-Residential	1.39898
New Multi-Residential	1.00000
Farm	0.20000
Managed Forest	0.25000
Pipe line	1.73809
Commercial Broad Class	1.85758
Commercial*	1.82419
Office Building*	2.26366
Parking Lots and Vacant Land*	1.23128
Shopping Centre*	1.46806
Professional Sports Facility	1.82419
Industrial Broad Class	2.43584
Industrial*	2.55110
Large Industrial*	2.19074
Landfill	2.25606

*\* including new construction classes for Business Education Tax rate purposes.*

*\*\* Subject to final minor revisions upon Ontario Property Tax Analysis (OPTA) close-off.*

3. **The adoption of the following tax ratios and by-laws for the mandatory property subclasses and the tax rate percentage reduction for farm land awaiting development:**
  - **Commercial excess land (i.e. commercial, office building and shopping centre property classes): 70% of the applicable commercial property class tax ratio;**
  - **Vacant industrial land, industrial and large industrial excess land: 65% of the applicable industrial property class tax ratio;**
  - **Farm land awaiting development subclass I: 75% of the residential property class tax ratio and the corresponding tax rate percentage reduction for the awaiting residential, multi-residential, commercial and industrial property classes;**
  - **Farm land awaiting development subclass II: no tax rate reduction;**
  - **Small-scale on farm business subclass: 25% of the applicable commercial or industrial property class tax ratio for the first \$50,000 of assessment.**
4. **That the tax rates for 2019 be established based on the ratios adopted herein.**
5. **That the 2019 capping and clawback provisions be as follows:**
  - a. **That capping parameters be approved at the higher of 10% of the previous year's annualized tax or 5% of the 2019 Current Value Assessment (CVA) taxes;**
  - b. **That capped or clawed back properties whose recalculated annualized taxes fall within \$250 of their CVA taxation be moved to their CVA tax for the year and be excluded from any future capping adjustments;**

- c. That properties that have reached their CVA during the current year or crossed over from the clawed back category to the capped category remain at CVA taxes and be excluded from any future capping adjustments; and
        - d. That properties that cross over from the capped category to the clawed back category remain subject to clawback adjustments.
- 6. That the tax level for new construction properties be set at a minimum level of 100% of their CVA taxes for 2019 and future taxation years.
- 7. That the property tax mitigation programs be continued for 2019, including the Charitable Rebate Program, the Farm Grant Program and the Low-Income Seniors and Persons with Disabilities Complete Tax Deferral Program as previously approved by Council.
- 8. That the annual renewal application deadline for the Low-Income Seniors and Persons with Disabilities Complete Tax Deferral Program be extended from February 28th of the relevant year, to July 1st of the relevant tax year.
- 9. That staff implement the technical adjustment for the City of Ottawa prescribed in the property tax related regulations made under the *Municipal Act* by way of by-law.
- 10. That the \$1.5 million in additional tax revenue from additional growth identified through the application of the technical adjustment be added to the 2019 base budget for Roads Winter Maintenance.
- 11. That the interim 2020 property tax and due date provisions be as follows:
  - a. That the interim 2020 property tax billing be set at 50% of the 2019 adjusted/annualized taxes as permitted by legislation;
  - b. That the following tax due dates be approved for

**2020:**

- i) **Interim: March 19, 2020;**
- ii) **Final: June 18, 2020;**
- c. **That the penalty and interest percentage charge on overdue and unpaid tax arrears remain at the rate of 1.25% per month (15% per year) for 2020 unchanged from 2019; and**
- d. **That Council enact a by-law to establish the 2020 interim taxes, tax due dates, penalty and interest charges.**

CARRIED

**BULK CONSENT AGENDA**

**AGRICULTURE AND RURAL AFFAIRS COMMITTEE REPORT 3**

- |  |
|--|
| A. <b><u>AMENDMENTS TO THE ENGINEER'S REPORT O'KEEFE<br/>MUNICIPAL DRAIN BLOCK C, STATION 0+000 TO 0+234</u></b> |
|--|

**COMMITTEE RECOMMENDATION**

**That Council adopt the Engineer's Report prepared by Robinson Consultants Inc., entitled Amendment to the Engineer's Report for the O'Keefe Municipal Drain Block C, Stations 0+000 to 0+234 dated November 2018 and give 1st and 2nd reading to the By-law attached as Document 2 to this report in accordance with Sections 42 and 45 of the *Drainage Act of Ontario*.**

CARRIED

[FINANCE AND ECONOMIC DEVELOPMENT COMMITTEE](#)  
[REPORT 3](#)

B. <a href="#"><u>DISPOSITION OF 2018 TAX AND RATE SUPPORTED</u></a> <a href="#"><u>OPERATING SURPLUS / DEFICIT</u></a>
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**COMMITTEE RECOMMENDATIONS**

**That Council approve:**

- 1. That the \$7.973 million 2018 operating surplus in City Wide be transferred to the Tax Stabilization Reserve.**
- 2. That the \$7.237 million 2018 operating surplus in Drinking Water Services be transferred to the Water Reserve.**
- 3. That the \$7.075 million 2018 operating surplus in Wastewater Services be transferred to the Wastewater Reserve.**
- 4. That the \$379,000 deficit in Stormwater Services be funded from the Stormwater Reserve.**
- 5. That the \$37,000 surplus in Library Services be transferred to the Library Reserve.**
- 6. That \$3.250 million be transferred from the Transit Services Operating Reserve to fully fund the 2018 Transit Services program.**
- 7. That \$215,000 be carried forward from 2018 to 2019 for Phase 3 and 4 of the Rental Accommodation Study.**
- 8. That \$5.0 million be transferred from the City Wide Capital Reserve to the Fleet Reserve.**
- 9. That \$46.633 million be transferred from the Water Reserve to the Stormwater Reserve.**

CARRIED

- C. [REPORT ON BUDGET EXPENSES PURSUANT TO ONTARIO REGULATION 284/09](#)

**COMMITTEE RECOMMENDATION**

**That Council adopt this report.**

CARRIED

- E. [CITY OF OTTAWA 2019 MUNICIPAL ACCESSIBILITY PLAN \(COMAP\) UPDATE REPORT](#)

**COMMITTEE RECOMMENDATION**

**That Council receive the 2019 City of Ottawa Municipal Accessibility Plan Update Report for information.**

RECEIVED

- F. [2018 INFORMATION MANAGEMENT AND ARCHIVES ANNUAL REPORT AND RECORDS RETENTION AND DISPOSITION BY-LAW 2003-527 AMENDMENTS](#)

**COMMITTEE RECOMMENDATION**

**That Council:**

- 1. Receive this report; and**
- 2. Amend the Records Retention and Disposition By-law No. 2003-527 to incorporate the revisions to Schedule "A", as outlined in this report and more specifically described in the Changes to Schedule A, at Document 6.**

RECEIVED and CARRIED



G. [APPOINTMENT TO THE BANK STREET BUSINESS IMPROVEMENT AREA](#)

**COMMITTEE RECOMMENDATION**

**That Council approve the appointment of Dave Boutin to the Bank Street Business Improvement Area Board of Management for the 2018-2022 Term of Council or until a successor is appointed during the next term of Council.**

CARRIED

[PLANNING COMMITTEE REPORT 4](#)

H. [ZONING BY-LAW AMENDMENT – 2723 LANCASTER ROAD](#)

**COMMITTEE RECOMMENDATION**

**That Council approve an amendment to Zoning By-law 2008-250 for 2723 Lancaster Road to permit a place of worship, as detailed in Document 2.**

CARRIED

I. [ZONING BY-LAW AMENDMENT – 380 ROLLING MEADOWS CRESCENT](#)

**COMMITTEE RECOMMENDATION**

**That Council approve an amendment to Zoning By-law 2008-250 for 380 Rolling Meadows Crescent to permit construction of four low-rise apartment buildings, as detailed in Document 2.**

CARRIED

J. [ZONING BY-LAW AMENDMENT – 536 ROCHESTER STREET](#)

**COMMITTEE RECOMMENDATION**

**That Council approve an amendment to Zoning By-law 2008-250 for 536 Rochester Street to permit a restaurant use on the site, as detailed in Document 2.**

CARRIED

K. [HABITAT FOR HUMANITY GREATER OTTAWA  
HOMEOWNERSHIP DOWN PAYMENT ASSISTANCE FOR 6208  
JEANNE D'ARC BOULEVARD](#)

**COMMITTEE RECOMMENDATION**

**That Council approve the allocation of \$400,000, in the form of a revolving loan, to Habitat for Humanity Greater Ottawa under the Provincial Investment for Affordable Housing for Ontario 2014 Extension Program - Homeownership Component as set out in this report.**

CARRIED

L. [REVISED WORKPLAN FOR THE NEW OFFICIAL PLAN](#)

**COMMITTEE RECOMMENDATIONS**

**That Council approve:**

1. the revised work program setting out the process and timelines for completion of the new Official Plan by the end of Q1 2021 as set out in Document 1;
2. increased capital expenditure authority in the amount of \$860,000 funded from development charges to match the 2019 workplan as set out in Document 2;
3. that additional funding in the amount of 1.7 million dollars to fund the accelerated work program be included in the 2019 Development Charges Background Study for the Development Charges By-law up-date to be brought forward to Committee and Council before the end of May 2019.

CARRIED

M. [2018 ANNUAL REPORT PURSUANT TO THE BUILDING CODE ACT](#)

**COMMITTEE RECOMMENDATION**

**That Council receive this report for information.**

RECEIVED

[TRANSPORTATION COMMITTEE REPORT 2](#)

- N. [PROPERTY ACQUISITION – FUTURE FERNBANK PARK AND RIDE – ABBOTT-FERNBANK HOLDINGS INC.](#)

**COMMITTEE RECOMMENDATION**

**That Council approve the fee simple acquisition of a vacant parcel of land required for a future Park and Ride facility consisting of 17,707.7 square metres (4.38 acres) owned by Abbott-Fernbank Holdings Inc., described as Part of Lot 28, Concession 10, geographic Township of Goulbourn, shown as Parcel 1 on attached Document 1 for the consideration of \$2,668,456 plus applicable taxes related to the transaction subject to final adjustments on closing.**

CARRIED

- O. [CENTRAL PARK DRIVE SPEED REDUCTION](#)

**COMMITTEE RECOMMENDATION**

**That Council approve that the speed limit along the entire length of Central Park Drive be reduced from a posted speed limit of 50 km/h to a posted speed limit of 40 km/h.**

[CARRIED](#)

CITY CLERK AND SOLICITOR

- P. SUMMARY OF ORAL AND WRITTEN PUBLIC SUBMISSIONS FOR ITEMS SUBJECT TO THE *PLANNING ACT* 'EXPLANATION REQUIREMENTS' AT THE CITY COUNCIL MEETING OF MARCH 27, 2019

**REPORT RECOMMENDATION**

That Council approve the Summaries of Oral and Written Public Submissions for items considered at the City Council Meeting of March 27, 2019 that are subject to the 'Explanation Requirements' being the *Planning Act*, subsections 17(23.1), 22(6.7), 34(10.10) and 34(18.1), as applicable, as described in this report and attached as Document 1.

CARRIED

**MOTION TO ADOPT REPORTS**

**MOTION NO 11/6**

Moved by Councillor C. McKenney

Seconded by Councillor J. Sudds

That Agriculture and Rural Affairs Committee Report 3; Finance and Economic Development Committee Report 3; Planning Committee Report 4; Transportation Committee Report 2; and the report from the City Clerk and Solicitor entitled "Summary of Oral and Written Public Submissions for Items Subject to the *Planning Act* 'Explanation Requirements' at the City Council Meeting of March 27, 2019"; be received and adopted as amended.

CARRIED

**MOTIONS OF WHICH NOTICE HAS BEEN PREVIOUSLY GIVEN**

**MOTION**

Moved by Councillor S. Menard  
Seconded by Councillor C. McKenney

**WHEREAS City Council approved - on the basis of available information provided by senior staff and external legal counsel - the staff-recommended Stage 2 LRT proponent to construct and maintain the north-south Trillium line at its meeting of March 6, 2019; and,**

**WHEREAS credible information has surfaced in media reports that calls into question the integrity of the procurement process; and**

**WHEREAS Stage 2 LRT is the single largest investment of taxpayer dollars in a capital project in the City's history and is integral to the City's long-term sustainability; and,**

**WHEREAS it is of critical importance that the residents and taxpayers of Ottawa have complete confidence in the transparency and integrity of the Stage 2 LRT procurement process;**

**THEREFORE BE IT RESOLVED that Council request that the City's Auditor General launch an investigation into the procurement process that was executed to award the LRT Stage 2 contracts.**

The above motion, for which notice was previously given at the March 27, 2019 Council meeting, did not proceed. The Mayor advised Council that it was now redundant given the motion approved by Audit Committee on April 8, 2019, which would be rising to the City Council meeting of April 24, 2019.

MOTIONS REQUIRING SUSPENSION OF THE RULES OF PROCEDURE

**MOTION NO 11/7**

Moved by Councillor E. El-Chantiry

Seconded by Councillor J. Sudds

*That the Rules of Procedure be suspended, in order to ensure compliance with applicable by-laws for the mural on 405 Donald B. Munro Drive, to consider the following motion:*

**WHEREAS** a mural on the exterior wall containing the main entrance to the building is not permitted by section 142(3) of the Permanent Signs on Private Property By-law 2016-326; and

**WHEREAS** the owner of 405 Donald B. Munro and the Carp Village BIA wish to commission artist Candice Wei to paint a mural scene to beautify the Village of Carp and represent the strong agricultural history of the area.

**THEREFORE BE IT RESOLVED** that Council approve an exemption to Section 143(2) of the Permanent Signs on Private Property By-law 2016-326, as amended, to permit a mural on the exterior wall containing the main entrance to the building, that is, the north wall at 405 Donald B. Munro Drive.

CARRIED

NOTICES OF MOTION (FOR CONSIDERATION AT SUBSEQUENT MEETING)

**MOTION**

Moved by Councillor R. Brockington

Seconded by Councillor J. Harder

**WHEREAS** the Planning, Infrastructure and Economic Development Department prepares a Year-End Report on a variety of performance measures; and

**WHEREAS** inquiries have been raised by Councillors in the past as to the number of pre-consultation meetings facilitated by Planning Services that have resulted in applications being submitted; and

**WHEREAS Planning Services now charges a fee for pre-consultation meetings, and therefore can track the number of pre-consultation meetings held; and**

**WHEREAS it is recognized that details on pre-consultation meetings are confidential, and are not available to members of the public in order to protect the rights of a property owner until such time as an application has been submitted; and**

**WHEREAS Planning Services will be able to calculate the number of pre-consultations that have resulted in an application within one calendar year and provide these data in the 2019 annual report; and**

**WHEREAS this does not provide a complete picture of how many pre-consultation meetings result in an application, however it does provide relevant data; and**

**WHEREAS this would be helpful information for Councillors to have in addition to knowing the number of applications that come before the Urban Design Review Panel (UDRP);**

**THEREFORE BE IT RESOLVED that the department include in the 2019 Year End Report (and each subsequent year) the number of pre-consultations held, the number of those that resulted in an application within a calendar year, and the number of files that were reviewed by the UDRP.**

#### **MOTION**

Moved by Councillor Fleury

Seconded by Councillor Luloff

**WHEREAS the participation rates of Canadians engaging in healthy physical activities has declined, while inactivity and obesity continues to rise in Canada; and**

**WHEREAS health, physical activity and fitness ought to be promoted and embraced by Canadians of all ages and abilities; and**

**WHEREAS many Canadian cities have taken up the challenge of encouraging and promoting physical activity, including Calgary, Saskatoon, Montréal and Victoria; and**



**WHEREAS** the City of Ottawa promotes active and healthy living through a number of initiatives, including: an ongoing “Try It” campaign for City fitness membership programs, a series of “I Love to” programs to promote swimming, skating, soccer and other sports; and

**WHEREAS** the City of Ottawa Departments (Ottawa Public Health, Recreation, Cultural and Facility Services Department and others) work together on improving the access to physical activity for the residents; and

**WHEREAS** the Recreation, Cultural and Facility Services Department offers a multitude of recreation and leisure programming that promote health, physical activity and fitness; and

**WHEREAS** offering a small incentive to residents to embrace physical activity and fitness by providing 2 for 1 public swimming at all 20 City-operated swimming pools and 2 for 1 at all 17 City-operated weight and cardio rooms in recognition of the 2019 National Health and Fitness Day, would cost the City an estimated \$1,400 in foregone revenues, which staff has advised can be absorbed within existing budgets;

**THEREFORE BE IT RESOLVED** that City Council declare Saturday, June 1, 2019 to be National Health & Fitness day in Ottawa; and

**BE IT FURTHER RESOLVED** that City Council approve that the City offer 2 for 1 public swimming at all 20 City-operated swimming pools and 2 for 1 admission to all 17 City-operated weight and cardio rooms on Saturday, June 1, 2019, in recognition of the 2019 National Health and Fitness Day.

#### **MOTION TO INTRODUCE BY-LAWS**

#### **MOTION NO 11/8**

Moved by Councillor C. McKenney

Seconded by Councillor J. Sudds

**That the by-laws listed on the Agenda under Motion to Introduce By-laws, 1<sup>st</sup> and 2<sup>nd</sup> Reading, be read; and**

**That the by-laws listed on the Agenda under Motion to Introduce By-laws, Three Readings, be read and passed.**

CARRIED

By-Laws

[Councillors C. McKenney and J. Sudds](#)

**1<sup>ST</sup> AND 2<sup>ND</sup> READING**

A by-law of the City of Ottawa to provide for amendments to the existing O'Keefe Municipal Drain in Block C, Station 0+000 to Station 0+234 in the City of Ottawa.

**THREE READINGS**

- 2019-89. A by-law of the City of Ottawa to close a part of Avenue Des Epinettes.
- 2019-90. A by-law of the City of Ottawa to repeal By-law No. 2006-89 and to close a part of Russell Road, City of Ottawa.
- 2019-91. A by-law of the City of Ottawa to establish certain lands as common and public highway and assume them for public use (cercle Metric Circle and croissant Axel Crescent).
- 2019-92. A by-law of the City of Ottawa to amend By-law No. 2008-250 to change the zoning of lands known municipally known as 380 Rolling Meadows Crescent.
- 2019-93. A by-law of the City of Ottawa to amend By-law No. 2008-250 to change the zoning of the lands known municipally as 3930 and 3960 Riverside Drive.
- 2019-94. A by-law of the City of Ottawa to amend By-law No. 2008-250 to change the zoning of the lands known municipally as 429 MacLaren Street.
- 2019-95. A by-law of the City of Ottawa to amend By-law No. 2015-96 respecting the fees for planning applications.
- 2019-96. A by-law of the City of Ottawa to designate certain lands at rue Grand Canal Street on Plan 4M-1577 as being exempt from Part Lot Control.
- 2019-97. A by-law of the City of Ottawa to designate certain lands being Blocks 1 to 5 inclusive on Plan 4M-1623 as being exempt from Part Lot Control.

- 2019-98. A by-law of the City of Ottawa to designate certain lands at place Pingwi Place on Plan 4M-1617 as being exempt from Part Lot Control.
- 2019-99. A by-law of the City of Ottawa to amend By-law No. 2017-180 respecting the appointment of Municipal Law Enforcement Officers in accordance with private property parking enforcement.
- 2019-100. A by-law of the City of Ottawa to amend By-law No. 2008-250 to change the zoning of the lands known municipally as 5331 Fernbank Road.
- 2019-101. A by-law of the City of Ottawa to amend By-law No. 2008-250 to change the zoning of the lands known municipally as 2723 Lancaster Road.
- 2019-102. A by-law of the City of Ottawa to amend By-law No. 2008-250 to change the zoning of the lands known municipally as 536 Rochester Street

CARRIED

**CONFIRMATION BY-LAW**

**MOTION NO 11/9**

Moved by Councillor C. McKenney

Seconded by Councillor J. Sudds

**That the following by-law be read and passed:**

**To confirm the proceedings of the Council meeting of April 10, 2019.**

CARRIED

## INQUIRIES

Councillors J. Leiper, C. McKenney, and S. Menard

*Advertisements for Action Life have recently been purchased on OC Transpo buses that invite pregnant women to “call for help”. It has been asserted that Action Life is not a pregnancy counselling agency. The Canadian Advertising Standards do not allow for misleading advertising. In light of the late 2018 court ruling involving the City of Hamilton and bus shelter ads, would staff provide a current status of the law on such advertising, including any Charter arguments and explain what options and/or processes may be available to OC Transpo and the City with respect to any concerns raised by these ads.*

## ADJOURNMENT

Council adjourned the meeting at 11:13 a.m.

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**CITY CLERK**

---

**MAYOR**

Annex A – Revised Document 1 to Agenda Item 3 - 2019 Budgets and Special Levies for Business Improvement Areas and Sparks Street Mall Authority

**2019 Summary of BIA and Mall Authority Budgets**

**Document 1**

	<b>Bank Street BIA</b>	<b>Barrhaven BIA</b>	<b>Bells Corners BIA</b>	<b>Byward Market BIA</b>	<b>Carp BIA</b>
<b>Expenditures</b>					
Administration	417,950	221,850	121,468	225,500	1,300
Promotions/Maintenance	469,150	148,000	71,959	414,500	18,700
Prior-Year Deficit	0	0	0	0	0
<b>Total Expenditures</b>	<b>887,100</b>	<b>369,850</b>	<b>193,427</b>	<b>640,000</b>	<b>20,000</b>
<b>Sources of Financing</b>					
Contribution From Surplus	0	20,550	13,439	0	7,000
Misc. Revenues (including Grants)	50,500	63,050	1,500	100,000	0
2019 Proposed Levy	886,600	291,250	182,934	550,000	13,000
Vacancy Rebate	-10,000	0	-2,000	-10,000	0
Tax Remissions	-40,000	-10,000	-5,000	0	0
Supplemental Tax Bills	0	5,000	2,554	0	0
<b>Total Revenue</b>	<b>887,100</b>	<b>369,850</b>	<b>193,427</b>	<b>640,000</b>	<b>20,000</b>
2018 Levy	819,650	253,250	177,618	550,000	13,000
Percentage Increase/- Decrease 2018 to 2019	8.17%	15.00%	2.99%	0.00%	0.00%
<b>Disposition</b>					
2017 Audited Surplus/(Deficit)	147,161	100,967	32,821	79,813	-2,095
2017 Audited Reserve Fund	0	0	0	0	0
2018 Year-End Disposition (Unaudited)	41,330	8,796	-5,560	78,587	12,549
2018 Total Disposition (Unaudited)	188,491	109,763	27,261	158,400	10,454
Net Contribution To/(From) 2019 Operating Budget	0	-20,550	-13,439	0	-7,000
<b>2019 Year-End Forecast</b>	<b>188,491</b>	<b>89,213</b>	<b>13,822</b>	<b>158,400</b>	<b>3,454</b>

Annex A – Revised Document 1 to to Agenda Item 3 - 2019 Budgets and Special Levies for Business Improvement Areas and Sparks Street Mall Authority

**2019 Summary of BIA and Mall Authority Budgets**

**Document 1**

	<b>Carp Road Corridor BIA</b>	<b>Downtown Rideau BIA</b>	<b>Glebe BIA</b>	<b>Heart of Orleans BIA</b>	<b>Kanata Central BIA</b>
<b>Expenditures</b>					
Administration	74,300	444,790	339,500	152,570	88,720
Promotions/Maintenance	57,200	712,900	350,500	118,200	153,000
Prior-Year Deficit	0	0	0	0	0
<b>Total Expenditures</b>	<b>131,500</b>	<b>1,157,690</b>	<b>690,000</b>	<b>270,770</b>	<b>241,720</b>
<b>Sources of Financing</b>					
Contribution From Surplus	16,500	130,185	0	25,000	54,220
Misc. Revenues (including Grants)	0	93,900	30,000	27,100	7,500
2019 Proposed Levy	115,000	1,044,605	690,000	230,670	180,000
Vacancy Rebate	0	0	0	-7,000	0
Tax Remissions	0	-112,000	-30,000	-5,000	0
Supplemental Tax Bills		1,000			
<b>Total Revenue</b>	<b>131,500</b>	<b>1,157,690</b>	<b>690,000</b>	<b>270,770</b>	<b>241,720</b>
2018 Levy	115,000	1,008,820	695,000	198,000	150,000
Percentage Increase/- Decrease 2018 to 2019	0.00%	3.55%	-0.72%	16.50%	20.00%
<b>Disposition</b>					
2017 Audited Surplus/(Deficit)	25,798	392,324	380,887	104,625	76,211
2017 Audited Reserve Fund	0	67,960	0	0	0
2018 Year-End Disposition (Unaudited)	20,614	62,485	-65,006	-22,145	-13,623
2018 Total Disposition (Unaudited)	46,412	522,769	315,881	82,480	62,588
Net Contribution To/(From) 2019 Operating Budget	-16,500	-130,185	0	-25,000	-54,220
<b>2019 Year-End Forecast</b>	<b>29,912</b>	<b>392,584</b>	<b>315,881</b>	<b>57,480</b>	<b>8,368</b>

Annex A – Revised Document 1 to Agenda Item 3 - 2019 Budgets and Special Levies for Business Improvement Areas and Sparks Street Mall Authority

**2019 Summary of BIA and Mall Authority Budgets**

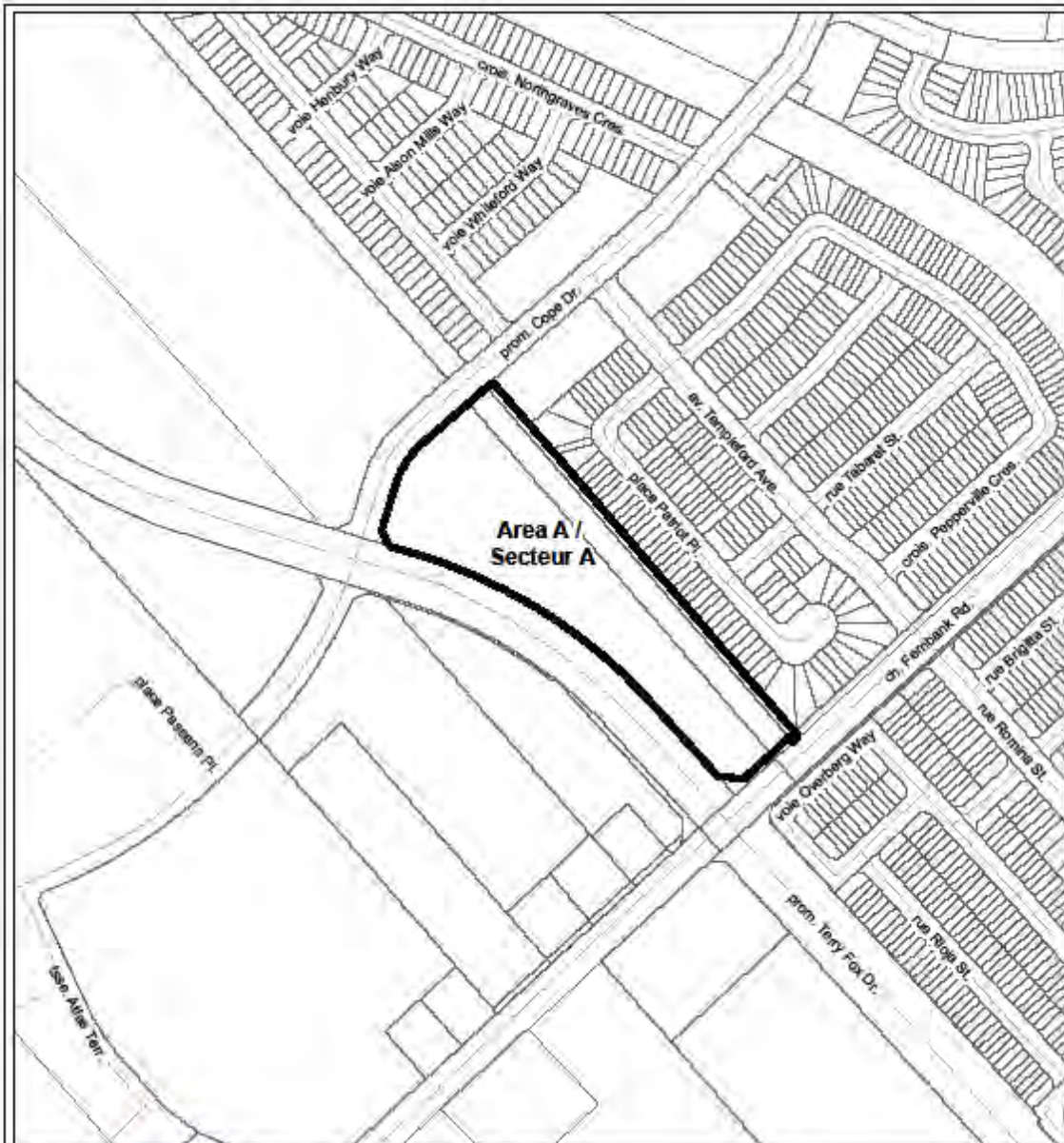
					Document 1
	Kanata North BIA	Manotick BIA	Preston Street BIA	Somerset Chinatown BIA	Somerset Village BIA
<b>Expenditures</b>					
Administration	334,000	110,556	164,563	91,800	12,190
Promotions/Maintenance	274,500	172,665	294,630	85,100	12,300
Prior-Year Deficit	0	7,291	0	0	0
<b>Total Expenditures</b>	<b>608,500</b>	<b>290,512</b>	<b>459,193</b>	<b>176,900</b>	<b>24,490</b>
<b>Sources of Financing</b>					
Contribution From Surplus	0	0	0	0	8,640
Misc. Revenues (including Grants)	182,000	67,346	0	10,000	0
2019 Proposed Levy	451,500	220,166	459,193	169,900	15,850
Vacancy Rebate	-5,000	0	0	0	0
Tax Remissions	-20,000	0	0	-3,000	0
Supplemental Tax Bills	0	3,000	0	0	0
<b>Total Revenue</b>	<b>608,500</b>	<b>290,512</b>	<b>459,193</b>	<b>176,900</b>	<b>24,490</b>
2018 Levy	426,500	214,760	459,193	169,900	14,950
Percentage Increase/- Decrease 2018 to 2019	5.86%	2.52%	0.00%	0.00%	6.02%
<b>Disposition</b>					
2017 Audited Surplus/(Deficit)	115,651	2,043	271,515	555,808	64,949
2017 Audited Reserve Fund	0	0	0	0	0
2018 Year-End Disposition (Unaudited)	73,526	-9,334	53,508	0	-1,456
2018 Total Disposition (Unaudited)	189,177	-7,291	325,023	555,808	63,493
Net Contribution To/(From) 2019 Operating Budget	0	7,291	0	0	-8,640
<b>2019 Year-End Forecast</b>	<b>189,177</b>	<b>0</b>	<b>325,023</b>	<b>555,808</b>	<b>54,853</b>




Annex A – Revised Document 1 to Agenda Item 3 - 2019 Budgets and Special Levies for Business Improvement Areas and Sparks Street Mall Authority

	<b>2019 Summary of BIA and Mall Authority Budgets</b>					<b>Document 1</b>
	<b>Sparks St. Mall Authority</b>	<b>Sparks Street BIA</b>	<b>Vanier BIA</b>	<b>Wellington West BIA</b>	<b>Westboro Village BIA</b>	
<b>Expenditures</b>						
Administration	300,610	256,800	199,550	141,095	215,955	
Promotions/Maintenance	361,950	430,841	201,800	311,577	288,500	
Prior-Year Deficit	0	0	0	0	0	
<b>Total Expenditures</b>	<b>662,560</b>	<b>687,641</b>	<b>401,350</b>	<b>452,672</b>	<b>504,455</b>	
<b>Sources of Financing</b>						
Contribution From Surplus	80,000	15,000	0	0	0	
Misc. Revenues (including Grants)	136,310	155,500	27,000	112,500	23,800	
2019 Proposed Levy	446,250	517,141	375,350	343,172	487,155	
Vacancy Rebate	0	0	-2,000	-3,000	0	
Tax Remissions	0	0	-4,000	0	-7,500	
Supplemental Tax Bills	0	0	5,000	0	1,000	
<b>Total Revenue</b>	<b>662,560</b>	<b>687,641</b>	<b>401,350</b>	<b>452,672</b>	<b>504,455</b>	
		0				
2018 Levy	425,000	497,251	375,450	322,000	483,710	
Percentage Increase/- Decrease 2018 to 2019	5.00%	4.00%	-0.03%	6.58%	0.71%	
<b>Disposition</b>						
2017 Audited Surplus/(Deficit)	615,251	522,473	328,798	58,555	123,868	
2017 Audited Reserve Fund	0	0	0	0	0	
2018 Year-End Disposition (Unaudited)	11,877	87,859	46,175	-11,533	43,375	
2018 Total Disposition (Unaudited)	627,128	610,332	374,973	47,022	167,243	
Net Contribution To/(From) 2019 Operating Budget	-80,000	-15,000	0	0	0	
<b>2019 Year-End Forecast</b>	<b>547,128</b>	<b>595,332</b>	<b>374,973</b>	<b>47,022</b>	<b>167,243</b>	



Annex B – Revised Location Map (Zoning By-Law Amendment – 5331 Fernbank Road)

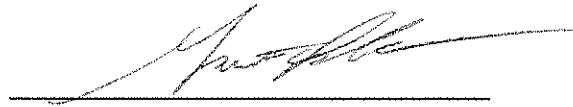


		LOCATION MAP / PLAN DE LOCALISATION ZONING KEY PLAN / SCHÉMA DE ZONAGE	
D02-02-16-0080	19-0353-X	 5331 chemin Fernbank Road	
I:\001\2018\Zoning\Fernbank_5331\...rezone_rev			
<small>                     ©2018 City of Ottawa. All rights reserved. May not be produced without permission.                      THIS IS NOT A PLAN OR SURVEY.                      Tous droits réservés. Toute réimpression ou utilisation non autorisée sans la permission de la Ville d'Ottawa est formellement interdite.                      THIS IS NOT A PLAN OR SURVEY.                 </small>			
Area A to be rezoned from IP[2411] to GM[2411] Le zonage du secteur A sera modifié de IP[2411] à GM[2411]			
REVISION / RÉVISION - 2019 / 04 / 03			

This is

**Exhibit 8**

to the affidavit of Bruce Finlay dated May 27, 2019

A handwritten signature in black ink, appearing to read "Garrett Schromm", is written over a solid horizontal line.

GARETT SCHROMM

*A commissioner, etc.*

**2 SETTLEMENT OF APPEALS TO OFFICIAL PLAN AMENDMENT 150  
NATURAL HERITAGE SYSTEM SCHEDULES**

**RÈGLEMENT D'APPELS RELATIFS AUX ANNEXES SUR LE RÉSEAU DU  
PATRIMOINE NATUREL DE LA MODIFICATION 150 AU PLAN OFFICIEL**

**PLANNING COMMITTEE RECOMMENDATIONS, AS AMENDED**

That Council endorse the proposed agreements with the appellants of the amendments made to Natural Heritage System Schedules L1, L2, and L3 in Official Plan Amendment 150 (OPA 150), as approved by Council on 26 November 2013, as described in this report including approval of Documents 1 (a new Annex 16 to the Official Plan) and revised Document 2 (modified Schedule S37 to Official Plan Amendment 150) (set out in supporting Document 1 below).

**AGRICULTURE AND RURAL AFFAIRS COMMITTEE**

That Council endorse the proposed agreements with the appellants of the amendments made to Natural Heritage System Schedules L1, L2, and L3 in OPA 150, as approved by Council on 26 November 2013 as described in this report, including approval of Document 1 (a new Annex 16 to the Official Plan).

**RECOMMANDATIONS DU COMITÉ DE L'URBANISME, TELLE QUE  
MODIFIÉE**

Que le Conseil souscrive aux accords proposés avec les parties ayant interjeté appel des modifications apportées aux annexes L1, L2 et L3 de la modification 150 au Plan officiel (MPO 150), portant sur le réseau du patrimoine naturel, modifications approuvées par le Conseil le 26 novembre 2013, comme le décrit le présent rapport et comprenant l'approbation des documents 1 (nouvel appendice 16 du Plan officiel) et du document 2 révisé (annexe S37 modifiée de la modification 150 au Plan officiel) (comme l'indique le document 1 à l'appui ci-dessous).

**RECOMMANDATION DU COMITÉ DE L'AGRICULTURE ET DES AFFAIRES  
RURALES**

**Que le Conseil souscrive aux accords proposés avec les parties ayant interjeté appel des modifications apportées aux annexes L1, L2 et L3 de la MPO 150, portant sur le réseau du patrimoine naturel, modifications approuvées par le Conseil le 26 novembre 2013, comme le décrit le présent rapport et comprenant l'approbation du document 1 (nouvel appendice 16 du Plan officiel).**

**DOCUMENTATION/DOCUMENTATION**

1. Document 1 - revised Document 2 (modified Schedule S37 to Official Plan Amendment 150)

Document 1 - Document 2 révisé (annexe S37 modifiée de la modification 150 au Plan officiel).

2. Director's Report, Planning Services, Planning, Infrastructure and Economic Development Department, dated March 11, 2019 (ACS2019-PIE-PS-0005)

Rapport de la directrice, Services de la planification, Direction générale de la planification, de l'Infrastructure et du développement économique, daté le 11 mars 2019 (ACS2019-PIE-PS-0005)

3. Extract of draft Minutes, Planning Committee, April 11, 2019

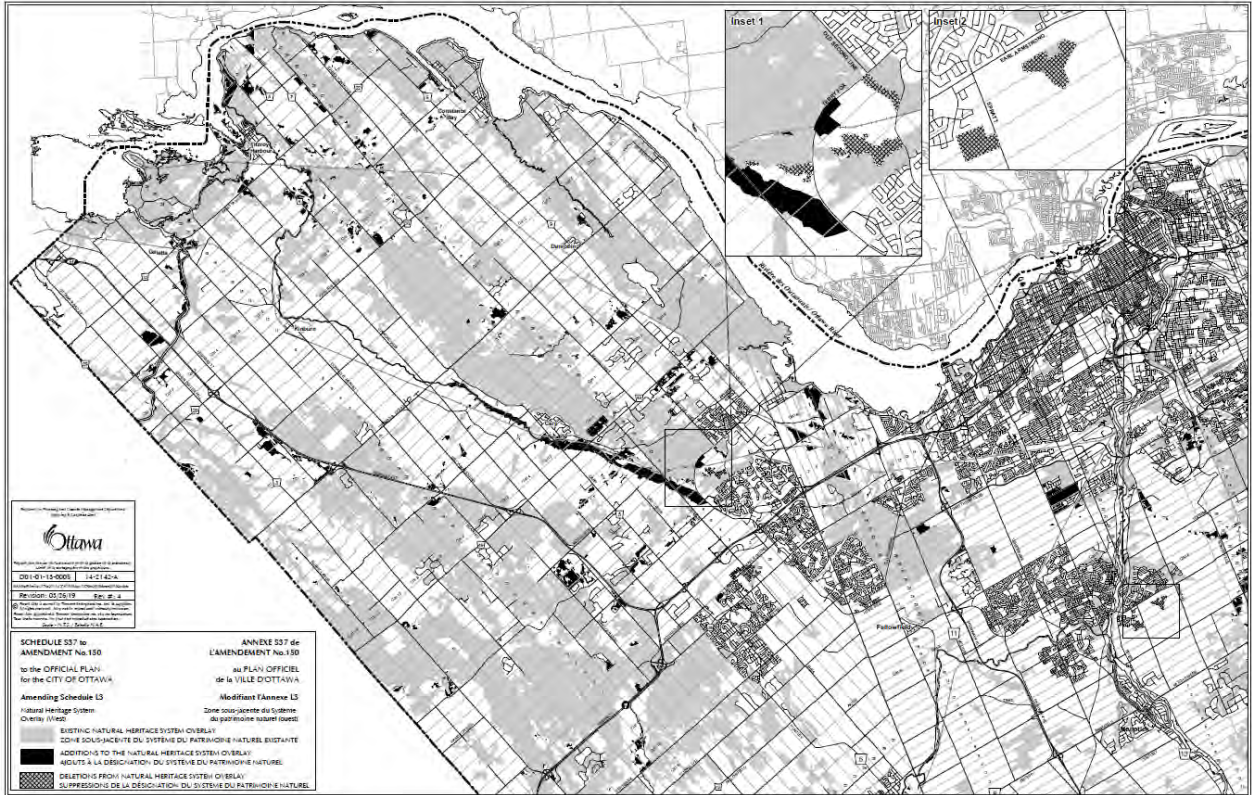
Extrait de l'ébauche du procès-verbal, Comité de l'urbanisme, le 11 avril 2019

4. Summary of Written and Oral Submissions to be issued separately with the Council agenda for its meeting of April 24, 2019, 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 April 10, 2019".

Résumé des observations écrites et orales à distribuer séparément avec

l'ordre du jour de la réunion du 24 avril 2019 du 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 prévue le 10 avril 2019 ».

Document 1 - Revised Document 2 (modified Schedule S37 to Official Plan Amendment 150)



**Agriculture and Rural Affairs  
Committee  
Report 3  
April 10, 2019**

**13**

**Comité de l'agriculture et des  
affaires rurales  
Rapport 3  
le 10 avril 2019**

**Report to  
Rapport au:**

**Planning Committee / Comité de l'urbanisme  
March 28, 2019 / 28 mars 2019**

**and / et**

**Agriculture and Rural Affairs Committee / Comité de l'agriculture et des affaires  
rurales  
April 4, 2019 / 4 avril 2019**

**and Council / et au Conseil  
April 10, 2019 / 10 avril 2019**

**Submitted on March 18, 2019  
Soumis le 18 mars 2019**

**Submitted by  
Soumis par:  
John Smit,**

**Director / directeur**

**Economic Development and Long Range Planning / Développement économique  
et planification à long terme**

**Contact Person**

**Report Author / Auteur du rapport:**

**Nick Stow, Senior Planner/Urbaniste, Natural Systems and Rural Affairs /  
Systèmes naturels et Affaires rurales  
613-580-2424, 13000, Nick.Stow@ottawa.ca**

**Ward: CITY WIDE / À L'ÉCHELLE DE LA  
VILLE**

**File Number: ACS2019-PIE-EDP-0014**

**SUBJECT: Settlement of Appeals to Official Plan Amendment 150 Natural Heritage System Schedules**

**OBJET: Règlement d'appels relatifs aux annexes sur le réseau du patrimoine naturel de la modification 150 au Plan officiel**

#### **REPORT RECOMMENDATIONS**

- 1. That the Planning Committee Recommend that Council endorse the proposed agreements with the appellants of the amendments made to Natural Heritage System Schedules L1, L2, and L3 in Official Plan Amendment 150 (OPA 150), as approved by Council on 26 November 2013, as described in this report including approval of Documents 1 (a new Annex 16 to the Official Plan) and 2 (modified Schedule S37 to Official Plan Amendment 150).**
- 2. That the Agriculture and Rural Affairs Committee Recommend that Council endorse the proposed agreements with the appellants of the amendments made to Natural Heritage System Schedules L1, L2, and L3 in OPA 150, as approved by Council on 26 November 2013 as described in this report, including approval of Document 1 (a new Annex 16 to the Official Plan).**

#### **RECOMMANDATIONS DU RAPPORT**

- 1. Que le Comité de l'urbanisme recommande au Conseil de souscrire aux accords proposés avec les parties ayant interjeté appel des modifications apportées aux annexes L1, L2 et L3 de la modification 150 au Plan officiel (MPO 150), portant sur le réseau du patrimoine naturel, modifications approuvées par le Conseil le 26 novembre 2013, comme le décrit le présent rapport et comprenant l'approbation des documents 1 (nouvel appendice 16 du Plan officiel) et 2 (annexe S37 modifiée de la modification 150 au Plan officiel).**
- 2. Que le Comité de l'agriculture et des affaires rurales recommande au Conseil de souscrire aux accords proposés avec les parties ayant interjeté appel des modifications apportées aux annexes L1, L2 et L3 de la MPO 150, portant sur le réseau du patrimoine naturel, modifications approuvées par le Conseil le 26 novembre 2013, comme le décrit le présent rapport et comprenant l'approbation du document 1 (nouvel appendice 16 du Plan officiel).**



## **BACKGROUND**

Official Plan Schedules L1, L2, and L3 illustrate those features of Ottawa's natural heritage system that can be adequately displayed at a City-wide scale. Council added the schedules to the Official Plan in OPA 109 on 24 October 2012, in response to direction in the Ontario Municipal Board decision on OPA 76 (OMB PL#100206, April 26, 2012).

OPA 150 subsequently modified Schedules L1, L2, and L3 to include natural linkage features, based on a Natural Landscape Linkage Analysis conducted by City staff (Document 11, OPA 150). The Natural Landscape Linkage Analysis and modifications to the schedules were conditions of a settlement with the Greenspace Alliance of its appeal to OPA 76 (OMB PL#100206).

Three parties appealed the modifications to Schedules L1, L2, and L3 in OPA 150. The Greenspace Alliance argued that the addition of discrete "linkage features" – chiefly small woodland areas – did not respect the intent of its settlement with the City. It argued that the broader "landscape linkages" identified in the Landscape Linkage Analysis should be identified and included within the natural heritage system on the schedules. Richcraft Homes and Urbandale Corporation disagreed with the identification of specific linkage features on Schedule L3.

## **DISCUSSION**

Proposed agreements have been reached with the appellants to the changes in Official Plan Schedules L1, L2, and L3 made in OPA 150. The agreement with the Greenspace Alliance would introduce a new Annex 16 – Core Natural Areas and Natural Landscape Linkages (see Document 1) to the Official Plan. The agreement with Richcraft and Urbandale would revise the natural linkage features added to Schedule L3 through OPA 150 (see Document 2) to remove an area identified for development in the KNL Phase 8 Plan of Subdivision and to conform to the changes to Official Plan Schedule B approved in Kanata Highlands Urban Expansion Area Official Plan Amendment (OPA 222).

### **Annex 16**

The Greenspace Alliance has agreed to withdraw its appeal of OPA 150 in return for the display of the Natural Landscape Linkage mapping as Annex 16 to the Official Plan. As an annex, the mapping would not form part of the Official Plan, but would be attached to it for information purposes.

City staff use the Natural Landscape Linkage mapping in the review of planning and development applications. It appears as Appendix E in the recently approved Significant Woodlands Guidelines, where it assists in interpretation of the linkage criteria. Staff also use the mapping to guide voluntary natural stewardship and restoration projects (e.g., the Carp River Wetland Habitat Restoration project) and voluntary environmental land acquisitions (e.g., the partnership with Ducks Unlimited Canada on acquisition of the Honeywell property in the Carp Hills).

Attaching Annex 16 to the Official Plan would not affect current land designations or land uses. It would result in greater transparency, by making the Natural Landscape Linkage mapping more accessible to the public.

Rejection of the proposed settlement would result in the appeal by the Greenspace Alliance going forward to the Local Planning Appeals Tribunal, where the appellant would be asking for the inclusion of the full linkage corridors within the natural heritage system overlay on Schedules L1, L2, and L3.

### **Schedule L3**

Staff have reviewed and support the requested changes by Richcraft and Urbandale to remove the identification of several small features on their properties in Schedule L3. The features in question lie within the Kanata Highlands Concept Plan area (formerly Urban Expansion Study Area 2) and KNL Phase 8. In both cases, the changes reflect the natural heritage system as identified in City-approved plans for the areas. The revisions have no planning implications.

### **RURAL IMPLICATIONS**

The proposed agreements have no implications for the rural area. The changes to Schedule L3 apply in the urban area. Annex 16 applies to the rural area, but is attached to the Official Plan only for information purposes.

### **CONSULTATION**

The proposed agreement has been provided to the other appellants to the natural heritage policies in OPA 150.

### **COMMENTS BY THE WARD COUNCILLORS**

This is a city-wide report - not applicable.

**LEGAL IMPLICATIONS**

There are no legal impediments to the adoption of the recommendations in the report.

**RISK MANAGEMENT IMPLICATIONS**

There are no risk management implications associated with this report.

**ASSET MANAGEMENT IMPLICATIONS**

There are no asset management implications associated with this report.

**FINANCIAL IMPLICATIONS**

There are no direct financial implications.

**ACCESSIBILITY IMPACTS**

Attachment of Annex 16 to the Official Plan will make the Natural Landscape Linkage mapping more accessible to the public.

**ENVIRONMENTAL IMPLICATIONS**

There are no environmental implications.

**TERM OF COUNCIL PRIORITIES**

Resolution of the appeals to the natural heritage policies in OPA 150 supports the following 2015 – 2018 Term of Council priorities:

- Environmental Sustainability;
- A Healthy and Caring Community;
- Planning and Decisions Making.

**SUPPORTING DOCUMENTATION**

Document 1 Annex 16

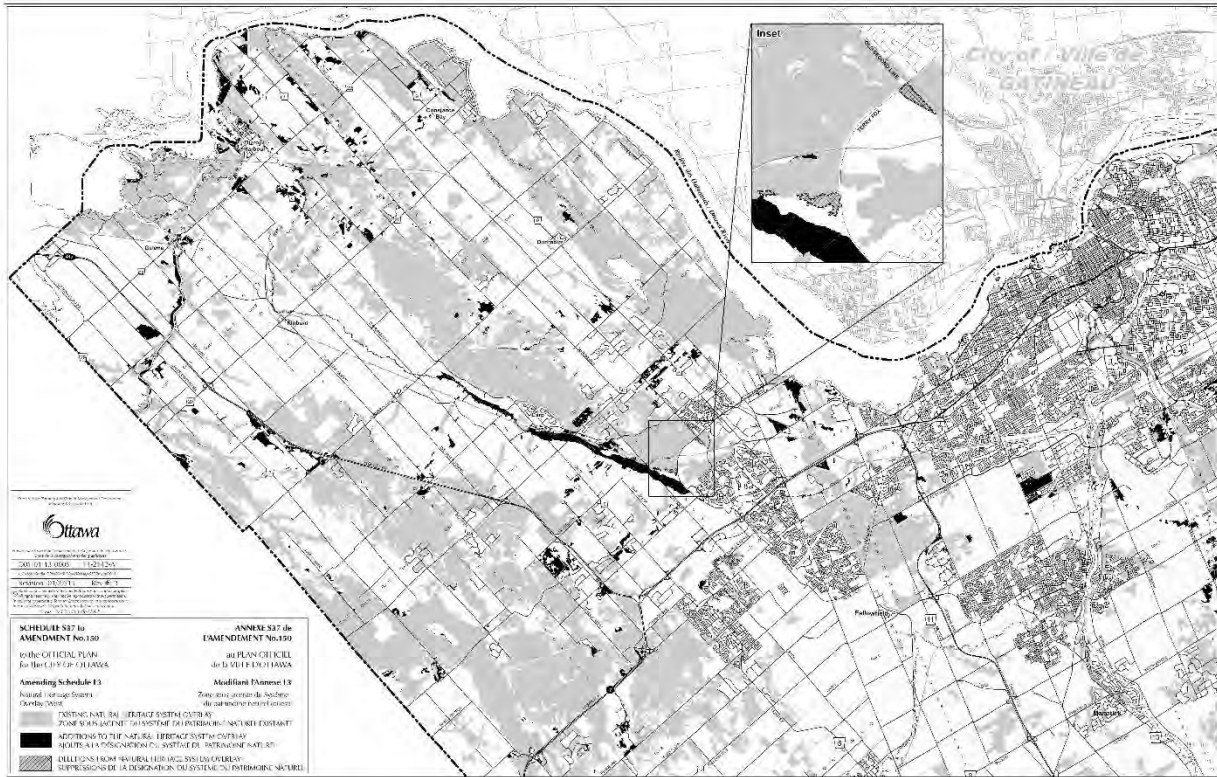
Document 2 Schedule S37 to Official Plan Amendment 150

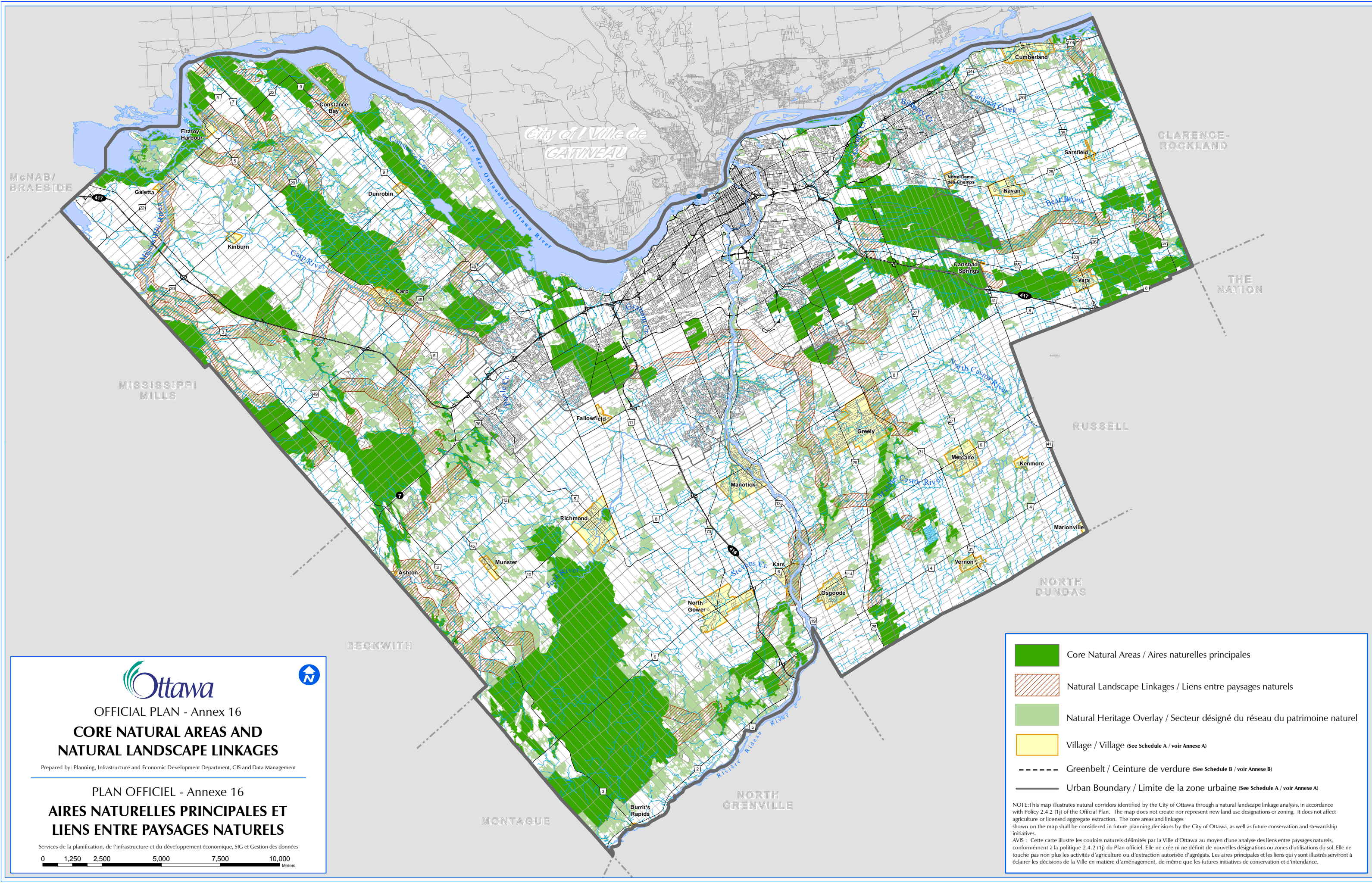
**DISPOSITION**

Legal Services will finalize the agreements and seek OMB approval for Annex 16 and Schedule S37.



Document 2 - Schedule S37 to Official Plan Amendment 150





McNAB/  
BRAESIDE

CLARENCE-  
ROCKLAND

THE  
NATION

MISSISSIPPI  
MILLS

RUSSELL

NORTH  
DUNDAS

BECKWITH

NORTH  
GRENVILLE

MONTAGUE



OFFICIAL PLAN - Annex 16

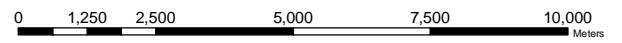
**CORE NATURAL AREAS AND  
NATURAL LANDSCAPE LINKAGES**

Prepared by: Planning, Infrastructure and Economic Development Department, GIS and Data Management

PLAN OFFICIEL - Annexe 16

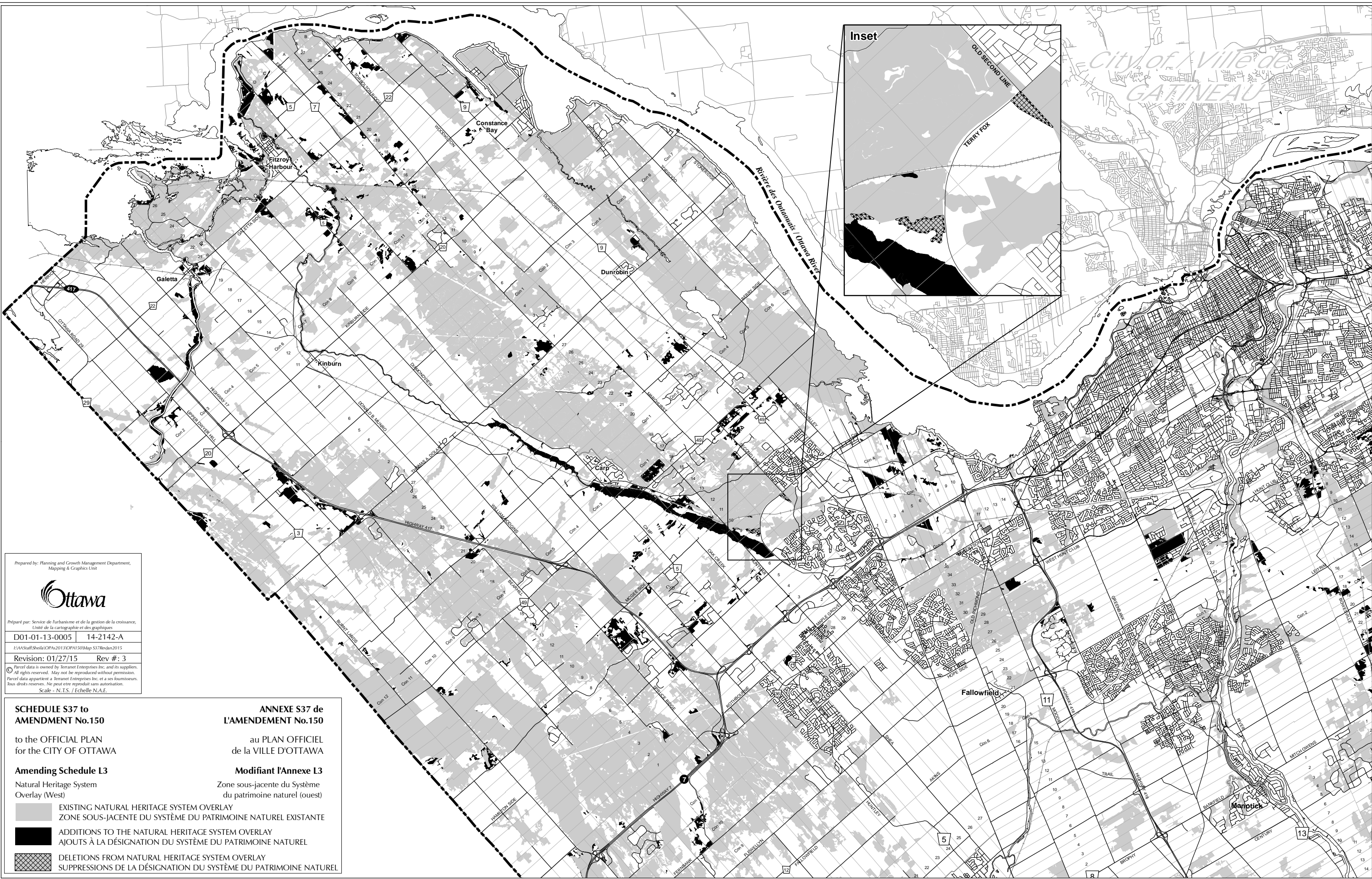
**AIRES NATURELLES PRINCIPALES ET  
LIENS ENTRE PAYSAGES NATURELS**

Services de la planification, de l'infrastructure et du développement économique, SIG et Gestion des données



- Core Natural Areas / Aires naturelles principales
- Natural Landscape Linkages / Liens entre paysages naturels
- Natural Heritage Overlay / Secteur désigné du réseau du patrimoine naturel
- Village / Village (See Schedule A / voir Annexe A)
- Greenbelt / Ceinture de verdure (See Schedule B / voir Annexe B)
- Urban Boundary / Limite de la zone urbaine (See Schedule A / voir Annexe A)

NOTE: This map illustrates natural corridors identified by the City of Ottawa through a natural landscape linkage analysis, in accordance with Policy 2.4.2 (1j) of the Official Plan. The map does not create nor represent new land use designations or zoning. It does not affect agriculture or licensed aggregate extraction. The core areas and linkages shown on the map shall be considered in future planning decisions by the City of Ottawa, as well as future conservation and stewardship initiatives.  
AVIS : Cette carte illustre les couloirs naturels délimités par la Ville d'Ottawa au moyen d'une analyse des liens entre paysages naturels, conformément à la politique 2.4.2 (1j) du Plan officiel. Elle ne crée ni ne définit de nouvelles désignations ou zones d'utilisations du sol. Elle ne touche pas non plus les activités d'agriculture ou d'extraction autorisée d'agrégats. Les aires principales et les liens qui y sont illustrés serviront à éclairer les décisions de la Ville en matière d'aménagement, de même que les futures initiatives de conservation et d'intendance.



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



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

D01-01-13-0005 14-2142-A

EAStaff/Sheila/OPA/2013/OPA150/Map S37/RevJan2015

Revision: 01/27/15 Rev #: 3

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

**SCHEDULE S37 to  
AMENDMENT No.150**

to the OFFICIAL PLAN  
for the CITY OF OTTAWA

**Amending Schedule L3**

Natural Heritage System  
Overlay (West)

EXISTING NATURAL HERITAGE SYSTEM OVERLAY  
ZONE SOUS-JACENTE DU SYSTÈME DU PATRIMOINE NATUREL EXISTANTE

ADDITIONS TO THE NATURAL HERITAGE SYSTEM OVERLAY  
AJOUTS À LA DÉSIGNATION DU SYSTÈME DU PATRIMOINE NATUREL

DELETIONS FROM NATURAL HERITAGE SYSTEM OVERLAY  
SUPPRESSIONS DE LA DÉSIGNATION DU SYSTÈME DU PATRIMOINE NATUREL

**ANNEXE S37 de  
L'AMENDÉMENT No.150**

au PLAN OFFICIEL  
de la VILLE D'OTTAWA

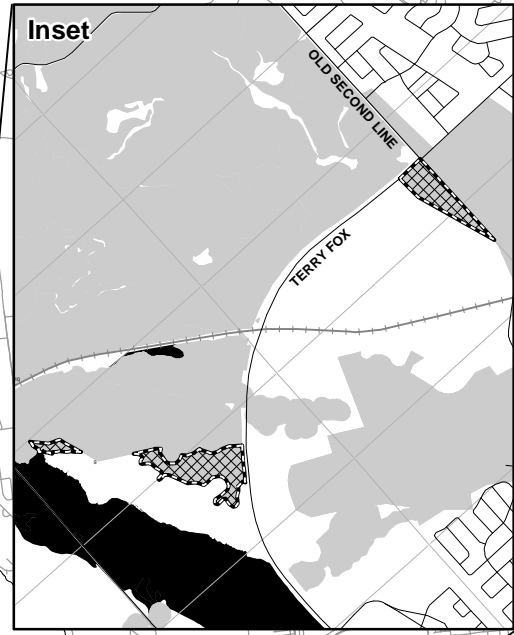
**Modifiant l'Annexe L3**

Zone sous-jacente du Système  
du patrimoine naturel (ouest)

EXISTING NATURAL HERITAGE SYSTEM OVERLAY  
ZONE SOUS-JACENTE DU SYSTÈME DU PATRIMOINE NATUREL EXISTANTE

ADDITIONS TO THE NATURAL HERITAGE SYSTEM OVERLAY  
AJOUTS À LA DÉSIGNATION DU SYSTÈME DU PATRIMOINE NATUREL

DELETIONS FROM NATURAL HERITAGE SYSTEM OVERLAY  
SUPPRESSIONS DE LA DÉSIGNATION DU SYSTÈME DU PATRIMOINE NATUREL

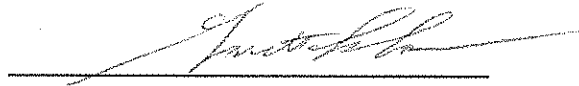


City of / Ville de  
**GATINEAU**

This is

**Exhibit 9**

to the affidavit of Bruce Finlay dated May 27, 2019

A handwritten signature in black ink, appearing to read "Garrett Schromm", is written over a solid horizontal line.

GARETT SCHROMM

*A commissioner, etc.*



Changes Proposed by OPA 150

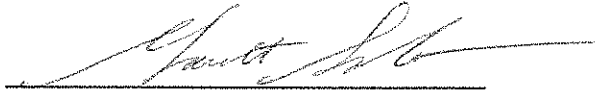
Item	Sect	Original OPA#150 Text	Proposed Settlement Revision	Resulting Policy (with settlement revision)
94	2.4.2	<p><b>Amend Policy 3 by deleting the words</b> “an area is identified by an overlay shown in Schedules L1, L2, and L3 of this Plan”, and replacing them with the words “the features are designated in this Plan.”</p>	<p><b>Further amend Policy 3 by adding the following after the second to last sentence:</b> Where the proposed development or alteration is for the establishment or expansion of mineral aggregate operations within or adjacent to a significant woodland, the demonstration of no negative impact may take into consideration final rehabilitation of the mineral aggregate operation, including any on- or off-site compensation. Rehabilitation of the mineral aggregate operation would need to be planned to occur as soon as possible and be suited to the local natural environment.</p>	<p>“Regardless of whether an area is identified by an overlay shown in Schedules L1, L2, and L3 of this Plan, the features are designated in this Plan, an Environmental Impact Statement is required for development proposed within or adjacent to features described in policy 1 above, with the exception of surface and groundwater features. Development and site alteration within or adjacent to these features will not be permitted unless it is demonstrated through an Environmental Impact Statement that there will be no negative impact on the feature or its ecological functions. Where the proposed development or alteration is for the establishment or expansion of mineral aggregate operations within or adjacent to a significant woodland, the demonstration of no negative impact may take into consideration final rehabilitation of the mineral aggregate operation, including any on- or off-site compensation. Rehabilitation of the mineral aggregate operation would need to be planned to occur as soon as possible and be suited to the local natural environment. The Policies regarding Environmental Impact Statements and the definition of terms are contained in Section 4.7.8.”</p>
334	Schedule L1 –	<p>Schedule L1, is hereby amended by adding the “Additions to the</p>	<p>None</p>	<p>See Schedule S 35 (no change) see Exhibit 10</p>

	Natural Heritage System Overlay (East)	Natural Heritage System Overlay" as indicated on Schedule S35.		
335	Schedule L1 – Natural Heritage System Overlay (East)	Schedule L1, is hereby amended by changing the Natural Heritage System Overlay by adding the "Additions to the Natural Heritage System Overlay" and removing the "Deletions from the Natural Heritage System Overlay" as indicated on Schedule S59.	None	See Schedule S59 (no change) see Exhibit 11
336	Schedule L2 – Natural Heritage System Overlay (South)	Schedule L2, is hereby amended by adding the "Additions to the Natural Heritage System Overlay" as indicated on Schedule S36.	None	See Schedule S36 (no change) see Exhibit 12
337	Schedule L3 – Natural Heritage System Overlay (West)	Schedule L3, is hereby amended by adding the "Additions to the Natural Heritage System Overlay" as indicated on Schedule S37.	Further amend Scheudle L3 as per the drawing attached to the Council report at Exhibit 7 Document 1	Schedule L3 as modified per the settlement, see Exhibit 8 Document 2

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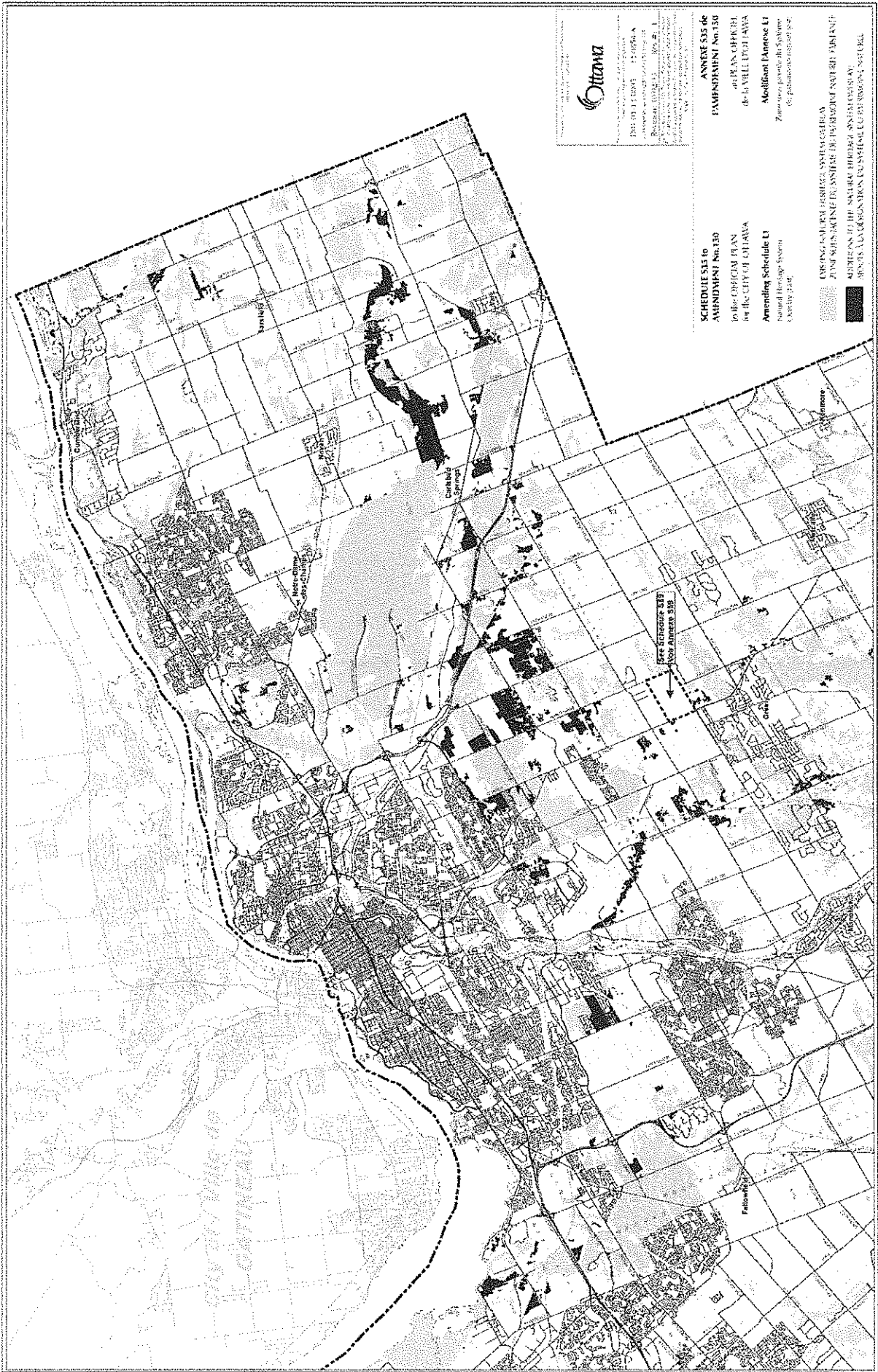
**Exhibit 10**

to the affidavit of Bruce Finlay dated May 27, 2019

A handwritten signature in black ink, appearing to read "Garrett Schromm", written over a horizontal line.

GARETT SCHROMM

*A commissioner, etc.*




  
 1-800-387-4636

**ANNEXE S16-06**  
**AMENDMENT NO. 130**  
**PLANS OFFERTS**  
**de LA VILLE D'OTTAWA**  
**Modifications**  
 Zonage pour le District de Schawane  
 et pour le District de St-Jacques

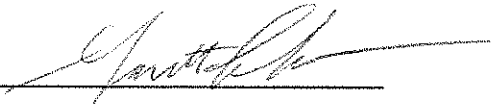
**SCHEDULE S16-06**  
**AMENDMENT No. 130**  
**to the ZONING PLAN**  
**for the CITY OF OTTAWA**  
**Amending Schedule L1**  
 District de Schawane  
 District de St-Jacques

**USING NATURAL RESOURCES SUSTAINABLY**  
**UTILISER LES RESSOURCES NATURELLES DURABLEMENT**  
**ADDITION TO THE SCHEDULE OF ZONING REGULATIONS BY**  
**APPORTS AU RÉGIME D'USAGE DU SOL ET DE ZONAGE LOCAL**

This is

**Exhibit 11**

to the affidavit of Bruce Finlay dated May 27, 2019



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**GARETT SCHROMM**

*A commissioner, etc.*



Prepared by: Planning & Councils Management Department  
Mapping & Graphics Unit



Préparé par: Service de la planification et de la gestion de la croissance  
Unité de la cartographie et des graphiques

D01-01-13-0005 13-0585-A

E:\AAS\GIS\Shells\OPAs 2013\GIS\150-Map S59

Revision: 10/23/13 Rev #:

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Scale - M 1:6,125 (1:50,000 N.A.E.)

**SCHEDULE S59 to  
AMENDMENT NO.150**

to the OFFICIAL PLAN  
for the CITY OF OTTAWA

**Amending Schedule L1**


Natural Heritage System Overlay (East)


**ANNEXE S59 de  
L' AMENDEMENT No.150**


au PLAN OFFICIEL  
de la VILLE D'OTTAWA

**Modifiant l'Annexe L1**

Zone sous-jacente du Système du patrimoine naturel (est)

 EXISTING NATURAL HERITAGE SYSTEM OVERLAY  
ZONE SOUS-JACENTE DU SYSTÈME DU PATRIMOINE NATUREL EXISTANTE

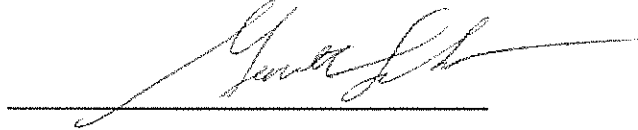
 ADDITIONS TO THE NATURAL HERITAGE SYSTEM OVERLAY/  
AJOUTS À LA DÉSIGNATION DU SYSTÈME DU PATRIMOINE NATUREL

 DELETIONS FROM THE NATURAL HERITAGE SYSTEM OVERLAY/  
SUPPRESSIONS DANS LA DÉSIGNATION DU SYSTÈME DU PATRIMOINE NATUREL

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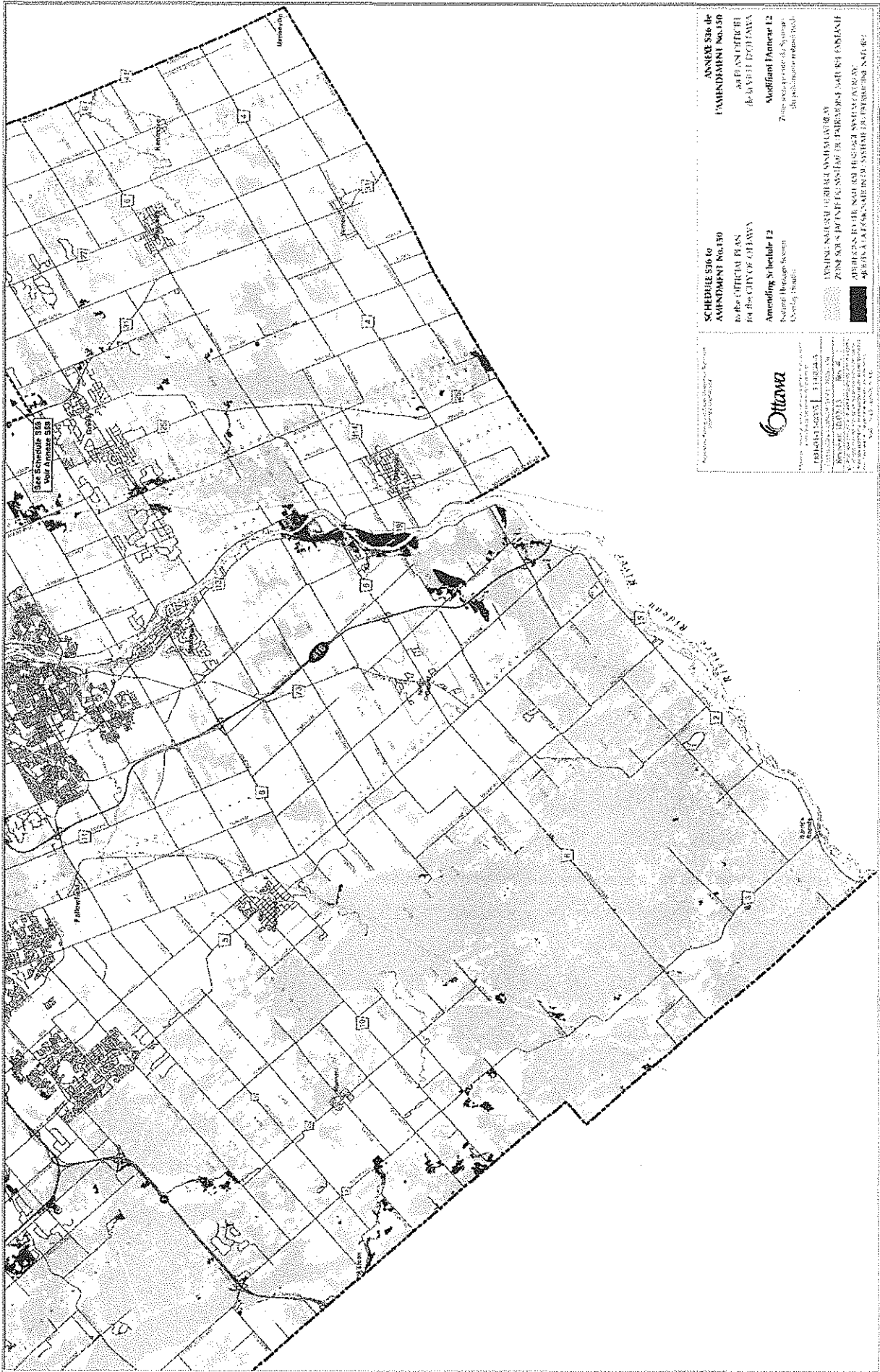
**Exhibit 12**

to the affidavit of Bruce Finlay dated May 27, 2019

A handwritten signature in black ink, appearing to read "Garrett Schromm", is written over a solid horizontal line.

GARETT SCHROMM

*A commissioner, etc.*



ANNEXE 576 de  
L'AMENDMENT NO. 50  
ARÈTES DÉLIMITAIRES  
DE LA VILLE D'OTTAWA  
Modifiant l'Annexe 12  
Zoning des zones de systèmes  
de chauffage central (ZC)

SCHEDULE 576 to  
AMENDMENT NO. 50  
to the OFFICIAL PLAN  
for the CITY OF OTTAWA  
Amending Schedule 12  
Central Heating System  
Zoning District


  
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 613-822-4700

LEGISLATION EN FRANÇAIS  
ZONING DES ZONES DE SYSTÈMES DE CHAUFFAGE CENTRAL (ZC)  
ARÈTES DÉLIMITAIRES DE LA VILLE D'OTTAWA  
MODIFIANT L'ANNEXE 12  
ZONING DES ZONES DE SYSTÈMES DE CHAUFFAGE CENTRAL (ZC)