

## 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

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 NICK STOW

I, **Nick Stow**, of the City of Ottawa, **MAKE OATH AND SAY:**

1. I am an environmental planner with the Policy Planning Branch of the Planning, Infrastructure, and Economic Development Department of the City of Ottawa. Since joining the City in 2009, I have been involved in the preparation and review of amendments and Comprehensive Amendments to Ottawa's Official Plan. I have been directly involved with Official Plan Amendments (OPA) 150 and 179 that are currently before the Local Planning Appeals Tribunal. I continue to provide planning policy advice to Council, my colleagues, and other City departments.
2. I have provided environmental planning advice to both municipal and private clients and have been recognized by the Ontario Municipal Board (now the Local Planning Appeal Tribunal,

“LPAT”) as an expert for the purpose of giving evidence in this field. My Curriculum Vitae and my Acknowledgement of Experts Duty are attached as Exhibits 1 and 2.

3. This affidavit provides my evidence with respect to:
  - a) the sequence of events leading to the adoption of Bill 179;
  - b) my professional opinion as to the appropriateness of a settlement with the appellants with respect to OPA 179; and
  - c) my professional opinion with respect to the resolution of the appeal of Greenspace Alliance from OPA 150.
4. OPA 179 appeals have been consolidated with certain aspects of appeals from OPA 150 in the “Natural Systems Phase” of consolidated Ottawa OPA appeals. My colleague, Bruce Finlay, will be providing a separate affidavit providing more detail about the background of OPA 150 and his opinion about the proposed resolution with Richcraft and Urbandale (and their affiliated companies).
5. The proposed settlement would finally resolve the remaining issues in the Natural Heritage Phase of the consolidated OPA appeals.

**Proposed Settlement Overview**

6. As described further in this affidavit and that of Bruce Finlay, the settlement includes the items summarized in Figure 1.

*Figure 1: Overview of Amendments arising from Settlement*

<b>Change required by the settlement</b>	<b>Settling appeal from OPA:</b>	<b>Appellant to which change pertains</b>	<b>Reference</b>
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

<b>Change required by the settlement</b>	<b>Settling appeal from OPA:</b>	<b>Appellant to which change pertains</b>	<b>Reference</b>
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 179 and Appeals**

7. On December 14<sup>th</sup> 2016, Council adopted OPA #179, which:

- a) Amended the definition of significant woodlands in Section 2.4.2, Policy 1.c.iii; and
- b) amended references to significant woodlands in Section 3.11, Policy 6b - Urban Expansion Study Area) and Section 3.12, Policy 3b - Developing Community (Expansion Area) of the Official Plan to be consistent with the new definition.

<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.

8. These changes were required to comply with 2014 changes to the Provincial Policy Statement which modified the definition of "significant" woodlands to include, "these [significant woodlands] are to be identified using criteria established by the Ministry of Natural Resources" (PPS 2014, p. 48). Prior to OPA 179, Ottawa's Official Plan did not use the Provincial criteria for the identification of significant woodlands; nor did it identify significant woodlands in the urban area.
9. Three parties appealed OPA 179. The Taggart Group of Companies in its appeal attached hereto as Exhibit 3, argued that OPA 179, as a whole, exceeded the intent and requirements of the Provincial Policy Statement. R.W. Tomlinson Ltd. and the Ontario Sand Stone and Gravel Association appealed changes to the definition of significant woodlands in the rural area. Their appeals are attached, respectively, as Exhibits 4 and 5.

#### **Resolution of OPA 179 appeals**

10. A proposed settlement has now been reached with each of the appellants to OPA 179.
11. The proposed settlement was approved by City Council on March 6, 2019. The relevant Council Minutes and Staff report are attached as Exhibits 6 and 7 to this affidavit.
12. Under the proposed settlements of OPA 179 appeals:
  - a) Policy 2.4.2 Policy 1.c.iii, as approved by Council in OPA 179, would change as highlighted:

"1.c. Significant Woodlands defined as the following.... iii. In the urban area, any area 0.8 hectares in size or larger, supporting woodland 40 60 years of age and older at the time of evaluation"
  - b) Section 2.4.2 Policy 3, as modified through OPA 150 (underlined), would change as highlighted:

"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.”

13. Also as part of the settlement, on March 6, 2019 City Council approved
  - a) Significant Woodlands Guidelines, being the relevant minutes from the meeting of Council and the Staff Report with the Guidelines; and,
  - b) a process for consideration of significant woodlands in a future urban boundary expansion, should an expansion be necessary.
14. The above guidelines do not form part of the Official Plan. Changes to the guidelines were achieved through the decision of Council and LPAT approval is not required for these aspects of the settlement.
15. The changes proposed by OPA 179 and the settlement are summarized for ease of reference in Exhibit 8 hereto.

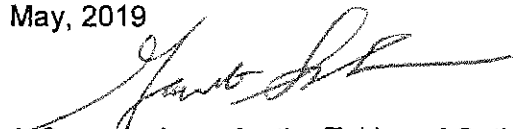
#### **Resolution of Greenspace Alliance appeal from OPA 150**

16. The history of OPA 150 is discussed in detail in the Affidavit of Bruce Finlay. Among other changes, OPA 150 added discrete “linkage features” – chiefly small woodland areas – shown in the proposed revision to Schedules L1 through L3. Greenspace Alliance of Canada’s Capital (“Greenspace Alliance”) argued that the addition of these “linkage features” 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. Greenspace Alliance’s appeal is attached as Exhibit 9 hereto.
17. On April 10, 2019 City Council approved a resolution which would introduce a new Annex 16 – Core Natural Areas and Natural Landscape Linkages to the Official Plan. Minutes of April 10, 2019 and the Report to Council, including the new Annex 16, are attached hereto as Exhibits 10 and 11 respectively. As Annex 16 is for informational purposes and does not amend the Official Plan, the adoption of Annex 16 was achieved through the decision of Council and does not require LPAT approval.

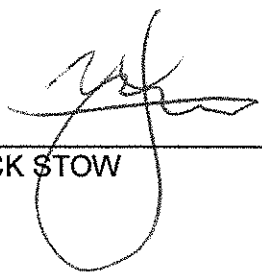
**Opinion as to Agreed-upon Resolution**

- 18. Staff has worked with the appellants and come to agreement with them as to their appeals from OPA 150 and 179. I have addressed above, with respect to the OPA 179 appeals, the resolution involving changes to Section 2.4.2 Policy 1.c.iii (the definition of "significant woodland") and the changes to Section 2.4.2 Policy 3 as previously amended through OPA 150.
- 19. In my professional opinion, above-described resolution with the OPA 179 appellants is consistent with the Provincial Policy Statement, has regard for applicable matters of provincial interest, and represents good planning.
- 20. It is also my professional opinion that the resolution of Greenspace Alliance's appeal to OPA 150, described above, is consistent with the Provincial Policy Statement, has regard for applicable matters of provincial interest, and represents good planning.
- 21. I recommend approval of OPA 179 as modified by the settlement described above.

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

  
A Commissioner for the Taking of Oaths, etc.  
*Garrett Schramm*

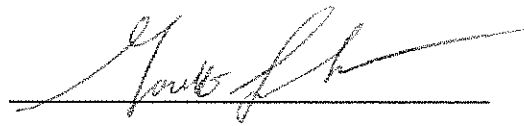
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NICK STOW

This is

**Exhibit 1**

to the affidavit of Nick Stow dated May 27, 2019

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**GARETT SCHROMM**

*A commissioner, etc.*

**Dr. Nicholas Stow**  
EP, B.A., B.Sc., Ph.D.

**RESUME**

**Professional Experience**

May 2009 to Present	<p><b>Senior Planner, Land Use and Natural Systems</b> <i>City of Ottawa</i> Ottawa, Ontario Canada To provide leadership in natural heritage and environmental planning in the Land Use and Natural Systems Group.</p> <ol style="list-style-type: none"><li>1. To manage and coordinate subwatershed studies.</li><li>2. To support junior and intermediate planners in the preparation of environmental management plans.</li><li>3. To develop strategies, policies and tools for the identification and protection of Ottawa's natural heritage system, significant wildlife habitat, and habitat for species at risk (e.g Official Plan Policies, Environmental Impact Statement Guidelines, Wildlife Strategy).</li><li>4. To lead other environmental studies as required (e.g. wetland evaluations).</li><li>5. To support other Branches, Programs and Units as required.</li></ol>
May 2008 to Feb 2009	<p><b>Senior Ecologist and Env. Sciences Team Leader</b> <i>Jacques Whitford Stantec Limited</i> Ottawa, Ontario Canada To lead a seven person Environmental Sciences Team in the Ottawa office, and to provide land use, stewardship and natural heritage planning services to private sector and public sector clients in Ottawa and throughout Ontario.</p> <ol style="list-style-type: none"><li>1. To manage the Environmental Sciences team and market its services to public sector and private sector clients.</li><li>2. To provide professional leadership, direction, training and mentoring to junior and intermediate Environmental Sciences staff.</li><li>3. To participate in the strategic planning and business development activities of the Ottawa office and Central Region.</li><li>4. To provide Project Management on large and small projects, including contract management, budgeting and financial management, work planning and management, human resource management, and project monitoring.</li><li>5. To lead multi-disciplinary teams in land use, stewardship, and natural heritage planning at scales ranging from local site assessments to regional studies.</li><li>6. To provide comprehensive ecological expertise to land use and natural heritage studies, including subwatershed studies, stormwater management studies, aggregate resource studies, waste management studies, and conservation planning studies.</li><li>7. To work with planners, engineers, geologists, hydrogeologists, soil scientists, air and noise scientists and other technical experts on a wide range of projects and studies, from comprehensive Federal Environmental Assessments to site-specific environmental impact statements.</li><li>8. To provide natural sciences expertise in the evaluation and conservation of terrestrial features and ecosystems, wetland features and ecosystems, riparian corridors, aquatic features and ecosystems, as well as wildlife and wildlife habitat.</li></ol>

	<p>9. To educate and advise public and private sector clients on stewardship opportunities, and to provide technical support and coordination for stewardship programs and projects.</p> <p>10. To provide wetland evaluation services as a certified Wetland Evaluator under the Ontario Wetland Evaluation System (OWES).</p> <p>11. To prepare permit applications for federal, provincial and municipal regulating agencies, including permits under Ontario Regulation 97/04 (Generic Regulation).</p> <p>12. To provide leadership in the application of Geographic Information Systems (GIS) to land use and natural heritage planning in the Ottawa office and Central Region.</p> <p>13. To maintain current knowledge of applicable research, legislation, land use planning and environmental policies in Ottawa, Ontario, and Canada.</p> <p>14. As Senior Reviewer, to provide Quality Assurance and Quality Control on natural sciences methodologies, proposals, studies and reports, and to take leadership in innovation.</p>
<p>May 2005 to Apr 2008</p>	<p><b>Senior Ecologist</b>  <b>Gartner Lee - AECOM</b>  Ottawa, Ontario Canada</p> <p>To provide land use and natural heritage planning services to private sector and public sector clients in Ottawa and throughout Ontario.</p> <ol style="list-style-type: none"> <li>1. To provide professional leadership, direction, training and mentoring to junior and intermediate Environmental Sciences staff.</li> <li>2. To participate in the strategic planning and business development activities of the Ottawa office and Ontario Region.</li> <li>3. To provide Project Management on large and small projects, including contract management, budgeting and financial management, work planning and management, human resource management, and project monitoring.</li> <li>4. To lead multi-disciplinary teams in land use and natural heritage planning at scales ranging from local site assessments to regional studies.</li> <li>5. To provide comprehensive ecological expertise to land use and natural heritage studies, including subwatershed studies, stormwater management studies, aggregate resource studies, waste management studies, and conservation planning studies.</li> <li>6. To work with planners, engineers, geologists, hydrogeologists, soil scientists, air and noise scientists and other technical experts on a wide range of projects and studies, from comprehensive Federal Environmental Assessments to site-specific environmental impact statements.</li> <li>7. To provide natural sciences expertise in the evaluation and conservation of terrestrial features and ecosystems, wetland features and ecosystems, riparian corridors, aquatic features and ecosystems, as well as wildlife and wildlife habitat.</li> <li>8. To educate and advise public and private sector clients on stewardship opportunities, and to provide technical support and coordination for stewardship programs and projects.</li> <li>9. To provide wetland evaluation services as a certified Wetland Evaluator under the Ontario Wetland Evaluation System (OWES).</li> <li>10. To prepare permit applications for federal, provincial and municipal regulating agencies, including permits under Ontario Regulation 97/04 (Generic Regulation).</li> <li>11. To maintain current knowledge of applicable research, legislation, land use planning and environmental policies in Ottawa, Ontario, and Canada.</li> <li>12. As Senior Reviewer, to provide Quality Assurance and Quality Control on</li> </ol>

	natural sciences methodologies, proposals, studies and reports, and to take leadership in innovation.
Oct 2004 to Apr 2005	<p><b>Ecological Consultant</b>  <b>Stow Ecology - Sole Proprietorship</b>  Ottawa, Ontario Canada</p> <p>As an independent consultant, I provided land use and natural heritage planning services to public sector clients. My main clients during this period were H2O Chelsea (a community-based water quality monitoring program) and the Park Establishment Branch of the Parks Canada Agency</p> <ol style="list-style-type: none"> <li>1. Analysis and interpretation of water quality monitoring data (lake data, stream data, well data) from H2O Chelsea.</li> <li>2. Preparation of the Year 2 Report for H2O Chelsea.</li> <li>3. Preparation of a land cover map for the Greater Nahanni Park Ecosystem utilizing imagery and land classifications from the Canadian Centre for Remote Sensing in a GIS environment.</li> <li>4. Compilation of a digital database of conservation values for the Greater Nahanni Park Ecosystem.</li> <li>5. Conservation values mapping of the Greater Nahanni Park ecosystem.</li> <li>6. Modeling of expansion options for the Nahanni Park Reserve, using the GIS-based SITES Ecoregional Planning Tool, conservation values mapping, and NRCan's Minerals and Energy Resource Analysis (MERA) report.</li> </ol>
Jun 2003 to Sep 2004	<p><b>Wetland Biologist - Contract</b>  <b>Ontario Ministry of Natural Resources</b>  Peterborough &amp; Kemptville, Ontario Canada</p> <p>Working within the Wetlands Program of the Planning Branch, I provided guidance, advice and expertise on the mapping, management, protection and stewardship of wetlands in Ontario.</p> <ol style="list-style-type: none"> <li>1. Provided policy, technical and ecological expertise in the use of the Ontario Wetland Evaluation System as a member of the MNR Wetland Evaluation Technical Team.</li> <li>2. Provided business area support and ecological expertise to development of the Ontario Wetland Evaluation Information Management System.</li> <li>3. Represented the Ontario Ministry of Natural Resources on interdepartmental and intergovernmental organizations and working groups, including the Great Lakes Wetland Conservation Action Plan (GLWCAP).</li> <li>4. Conducted a review of wetland boundaries and complexes in the City of Ottawa for the Kemptville District Office.</li> <li>5. Provided ecological expertise to the steering committee of the Southern Ontario Land Resource Information System (SOLRIS).</li> <li>6. Managed the Lambton County Enhanced Wetland Mapping and Evaluation Project: a \$90,000 partnership between the Ministry of Natural Resources, the Rural Lambton Stewardship Network and the County of Lambton to test a remote-sensing and GIS-based system for mapping and evaluating wetlands.</li> <li>7. Provided statistical and ecological analysis of a Wetland Rapid Assessment Technique developed by Ducks Unlimited Canada, and proposed for use by the District Municipality of Muskoka in its official plan.</li> <li>8. Provided ecological expertise and recommendations regarding revision of the Provincial Policy Statement and supporting natural heritage documents.</li> </ol>
May 1992 to Aug 2000	<p><b>Manager, Plant Ecology Laboratory</b>  <b>University of Ottawa</b>  Ottawa, Ontario Canada</p> <p>While completing my B.Sc. and my Ph.D. in Ecology, I worked in the Plant Ecology Laboratory, beginning as a Research Assistant and finishing as the</p>

	<p>Laboratory Manager.</p> <ol style="list-style-type: none"> <li>1. Administration of the Plant Ecology Laboratory.</li> <li>2. Facilitation of undergraduate and graduate ecological research.</li> <li>3. Maintenance of facilities and equipment.</li> <li>4. Maintenance of long-term ecological experiments.</li> </ol>
Apr 1990 to Apr 1992	<p><b>Constituency Assistant</b>  <b>Constituency Office of Evelyn Gigantes</b>  Ottawa, Ontario Canada</p> <ol style="list-style-type: none"> <li>1. Represented the Minister at meetings, public events, and to Constituents.</li> <li>2. Public consultation.</li> <li>3. Media relations.</li> <li>4. Prepared briefing notes for the Minister.</li> <li>5. Conducted research on matters of public policy.</li> </ol>

### Professional Designations and Certifications

<ol style="list-style-type: none"> <li>1. Certified Canadian Environmental Practitioner</li> <li>2. Ontario Wetland Evaluator (Ontario Wetland Evaluation System)</li> </ol>
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### Education

May 1995 to Jan 2003	<p><b>Ecology</b>  <b>Doctorate</b>  <i>University of Ottawa</i>  Ottawa, Ontario Canada</p>
Sep 1991 to Apr 1995	<p><b>Biology</b>  <b>Bachelors (Including Honours)</b>  <i>University of Ottawa</i>  Ottawa, Ontario Canada</p>
Sep 1979 to Apr 1984	<p><b>Sociology</b>  <b>Bachelors</b>  <i>University of British Columbia</i>  Vancouver, British Columbia Canada</p>

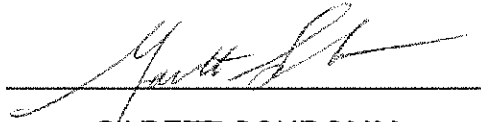
### Training

<ol style="list-style-type: none"> <li>1. CEAA Environmental Assessment Training: Orientation to the Canadian Environmental Assessment Act (completed October 2004); Screenings under the Canadian Environmental Assessment Act (completed December 2004).</li> <li>2. Ontario Wetland Evaluation System course (MNR 2004).</li> <li>3. Temperate Wetland Restoration course (MNR 2003).</li> <li>4. Wetland Plant Identification training course (MNR 2004).</li> <li>5. Data Sensitivity Training Course (Natural Heritage Information Centre 2003)</li> <li>6. ArcGIS</li> <li>7. Mediation/conflict resolution (Alberta Ministry of Social Services).</li> <li>8. Individual counselling (Alberta Ministry of Social Services).</li> </ol>
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This is

**Exhibit 2**

to the affidavit of Nick Stow dated May 27, 2019

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GARETT SCHROMM

*A commissioner, etc.*

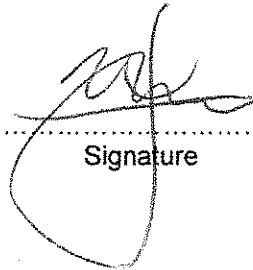


**ACKNOWLEDGMENT OF EXPERT'S DUTY**

<b>Case Number</b>	<b>Municipality</b>
PL140495, PL170037	City of Ottawa

1. My name is Nick Stow. I live in the City of Ottawa, 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 may owe to any party by whom or on whose behalf I am engaged.

Date..... May 27, 2019.....

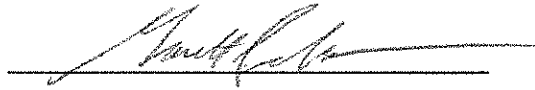


Signature

This is

**Exhibit 3**

to the affidavit of Nick Stow dated May 27, 2019

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GARETT SCHROMM

*A commissioner, etc.*

(Delivered)  
Taggart  
zakem

January 5, 2017

**BY COURIER and E-MAIL**

Our Matter No. 110315

City Clerk  
Ottawa City Hall  
110 Laurier Avenue West  
Ottawa, ON K1P 1J1



**Attention: M. Rick O'Connor, City Clerk**

Dear Mr. O'Connor:

**Re: Notice of Appeal  
Official Plan Amendment 179 to the Official Plan of the City of Ottawa**

Appeal of OPA 179 (Significant Woodlands OPA)

We act on behalf of the Taggart Group of Companies and related corporate entities ("Taggart"). On behalf of Taggart we hereby appeal Official Plan Amendment 179 ("OPA 179") to the Official Plan of the City of Ottawa to the Ontario Municipal Board ("OMB") in its entirety pursuant to subsection 17(24) to the *Planning Act*.

Background re: OPA 150 and Related OMB / City Process

By way of background, the City of Ottawa previously undertook and completed a 5-year comprehensive review of its Official Plan pursuant to section 26 of the *Planning Act*, which culminated in Ministerial approval of Official Plan Amendment 150 ("OPA 150") by Notice of Decision dated April 30, 2014. For various reasons, Taggart, along with a number of other appellants, appealed OPA 150 (and related, subsequent, amendments) to the Board (OMB File No. PL140495 et al).

At the direction of the Board in a decision dated February 23, 2016, that proceeding has been adjourned while the City of Ottawa completes certain studies (LEAR review and Employment Lands Study), including with a view to ensuring consistency with the 2014 Provincial Policy Statement ("PPS").

Since then, City staff have brought forward, or are in the process of bringing forward, the following two Official Plan Amendments which are, as Taggart understands it, intended to incorporate the Board's direction as found in its February 23, 2016 decision: Official Plan Amendment 2016 ("OPA 2016"), related to the results of the LEAR review and Employment Lands Study; and OPA 179, related to significant woodlands policies in the City's Official Plan, including their consistency with the PPS 2014.

Correspondence to Council re: OPA 179 (Significant Woodlands OPA)

On December 12, 2016, we wrote to City of Ottawa Planning Committee and Council, expressing our client's concern that the proposed OPA 179, which City staff were recommending for approval, did not appropriately implement or reflect the PPS 2014. A copy of this letter is enclosed.

Notwithstanding that the public notice indicated that Council would consider the matter at its meeting on January 25, 2017, on December 13, 2016, Planning Committee indicated that "there is a need for the proposed (OPA 179) policies to be approved concurrent with Council's consideration of OPA 2016 (ACS2016-PIE-PGM-0183), scheduled to proceed to Council on December 14, 2016, in order to demonstrate conformity with the PPS 2014". Council proceeded to consider and adopt OPA 179 at its meeting on December 14, 2016. To date, OPA 2016 has not been adopted by City Council. Our client continues to monitor that process.

Reasons for Appeal of OPA 179

Taggart's concerns with OPA 179 were not addressed prior to Council's adoption of same. OPA 179, as adopted, goes beyond the intention and requirements of the PPS, and does not reflect an appropriate balancing of a number of the important directions in the PPS, including the promotion of efficient development and cost-effective development patterns. In this respect, the City's approach to identifying significant woodlands is overly broad in scope; and the policy direction that "no development" will be permitted within the natural heritage system (including significant woodlands) is substantially, and unjustifiably, more restrictive than policy 2.1.5 of the PPS.

Conclusion

Accordingly, as noted, we hereby appeal Ottawa City Council's decision to approve OPA 179 in its entirety pursuant to subsection 17(24) of the *Planning Act*.

Please find enclosed an executed OMB Appellant Form (A1) and a cheque of \$300.00 made payable to the Minister of Finance, representing the OMB filing fee.

Finally, we reserve the right to augment the foregoing grounds and/or to add additional grounds of appeal pending further review.

Thank you.

January 5, 2017  
Page 3

Yours very truly,

AIRD & BERLIS LLP



Per: Steven A. Zakem  
SAZ/AS

cc: Andrea Skinner  
Ted Phillips  
Wendy Nott  
Tim Marc  
Nick Stow

Encl.

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Environment and Land Tribunals  
Ontario

Ontario Municipal Board

655 Bay Street, Suite 1500  
Toronto ON M5G 1E5  
Telephone: (416) 212-6349  
Toll Free: 1-866-448-2248  
Fax: (416) 326-5370  
Website: www.elto.gov.on.ca

Tribunaux de l'environnement et de  
l'aménagement du territoire Ontario

Commission des affaires municipales  
de l'Ontario

655 rue Bay, suite 1500  
Toronto ON M5G 1E5  
Téléphone: (416) 212-6349  
Sans Frais: 1-866-448-2248  
Télécopieur: (416) 326-5370  
Site Web: www.elto.gov.on.ca



## Instructions for preparing and submitting the Appellant Form (A1)

### NOTICE – APPEAL FEE CHANGE

Effective July 1, 2016, Ontario Municipal Board (OMB) appeal fees are changing from \$125 to \$300. Appeals received and date-stamped by the municipality/approval authority on or after July 1, 2016, are subject to the new appeal fee.

- The fee of \$25 for each additional consent appeal filed by the same appellant against connected consent applications does not change.
- The fee of \$25 for each additional variance appeal filed by the same appellant against connected variance applications does not change.

OMB appeal fees are still \$125 for appeals with date-stamps from before July 1, 2016.

- Complete one form for each type of appeal you are filing.
- Please print clearly.
- A filing fee of \$300 is required for each type of appeal you are filing. To view the Fee Schedule, visit the Board's website.
- The filing fee must be paid by certified cheque or money order, in Canadian funds, payable to the Minister of Finance.
- If you are represented by a solicitor the filing fee may be paid by a solicitor's general or trust account cheque.
- Do not send cash.
- Professional representation is not required but please advise the Board if you retain a representative after the submission of this form.
- Submit your completed appeal form(s) and filing fee(s) by the filing deadline to either the Municipality or the Approval Authority as applicable. Do NOT send directly to the Ontario Municipal Board.
- The Municipality/Approval Authority will forward your appeal(s) and fee(s) to the Ontario Municipal Board.
- The *Planning Act* and the *Ontario Municipal Board Act* are available on the Board's website.



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**

**Numerous parcels throughout the City of Ottawa that would be affected by OPA 179**  
 Address and/or Legal Description of property subject to the appeal:

Municipality/Upper tier: City of Ottawa

**Part 3: Appellant Information**

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

**Taggart Group of Companies**

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

Professional Title (if applicable): \_\_\_\_\_

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

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

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

Fax #: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

Street Address

Apt/Suite/Unit#

City/Town

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: Steven A. Last Name: Zakem

Company Name: Aird & Berlis LLP

Professional Title: Solicitor

E-mail Address: szakem@airdberlis.com

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

Daytime Telephone #: 416-865-3440 Alternate Telephone #: \_\_\_\_\_

Fax #: 416-863-1515

Mailing Address: 181 Bay Street Suite 1800 Toronto

Street Address

Apt/Suite/Unit#

City/Town

Ontario

Province

Country (if not Canada)

M5J 2T9

Postal Code

Signature of Appellant:  Date: January 5, 2017

For Steven A. Zakem

*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):

Appeal of Ottawa City Council's decision on December 14, 2016 to adopt Official Plan Amendment No. 179.

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.

Please see covering letter.

**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.

**Bill 73 - This question applies only to official plans/amendments, zoning by-laws/amendments and minor variances that came into effect/were passed on or after July 1, 2016.**

- 1. Is the 2-year no application restriction under section 22(2.2) or 34(10.0.0.2) or 45(1.4) applicable?
  - a. No
  - b. Yes

**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:

This appeal relates to the OPA 150 proceeding, which is currently before the Board under File No. PL140495.

**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?  
Two

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

Land Use Planner, Ecologist

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? To determine the parties, issues and possible resolutions

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

Please see covering letter.

**Part 10: Required Fee**

Total Fee Submitted: \$ 300.00

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

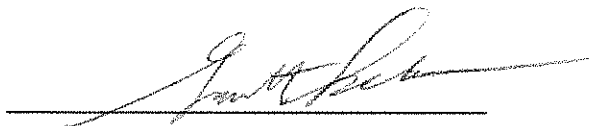
- The payment must be in Canadian funds, payable to the Minister of Finance.
- Do not send cash.
- PLEASE ATTACH THE CERTIFIED CHEQUE/MONEY ORDER TO THE FRONT OF THIS FORM.

28057463.1

This is

**Exhibit 4**

to the affidavit of Nick Stow 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.*

January 9, 2017

File No. 2017-010

E-Mail Address: dgmeeds@viceandhunter.ca

**BY HAND**

City of Ottawa  
City Clerk's Office  
110 Laurier Avenue West  
Ottawa, ON K1P 1J1

CITY OF OTTAWA  
VILLE D'OTTAWA  
Client Service Centre  
Centre du Service à la clientèle

REC'D  
REQU JAN 09 2017

Initiale/Initiales

PA

**Attention: M. Rick O'Connor, City Clerk and Solicitor**

Dear Mr. O'Connor

Re: Notice of Appeal, Section 17(24) of the *Planning Act*  
City of Ottawa Official Plan Amendment No. 179  
Appeal by R. W. Tomlinson Ltd.

City of Ottawa  
Ville d'Ottawa  
JAN 10 2017  
City Clerk's Office  
Bureau du Greffe

We act as solicitors for R. W. Tomlinson Ltd., which made written submissions to Council with regards to the above-referenced matter prior to adoption.

On December 14, 2016, Council adopted Amendment 179 to the Official Plan of the City of Ottawa, purporting to bring the Official Plan policies for significant woodlands into compliance with the Provincial Policy Statement 2014 (PPS).

Our client hereby appeals as against the definition of significant woodlands in the rural area introduced by the following amendment to Section 2.4.2 Policy 1c.ii:

“In the rural area, meeting any one of the criteria in the Natural Heritage Reference Manual, as assessed in a subwatershed planning context and applied in accordance with Council-approved guidelines, where such guidelines exist”.

The reasons for the appeal include:

1. Section 2.1.3 of the Provincial Policy Statement 2014 (PPS) requires that the City of Ottawa Official Plan identify natural heritage systems, including significant woodlands. Official Plan Amendment No. 179 (“OPA 179”) does not achieve consistency with the PPS as it does not clearly define significant woodlands such that they can be identified;

J. Peter Vice, Q.C.  
Lynn Le Mesurier

William R. Hunter  
Jean-François Lalonde

D. Gregory Meeds  
Patrick R. Simon

2. The City of Ottawa has not produced mapping that clearly identifies what the City of Ottawa considers to be significant woodlands on the basis of applying its definition;
3. The policy under appeal refers to a Ministry of Natural Resources and Forestry manual which does not provide a definition of significant woodlands, but rather provides direction for criteria and outlines possible approaches for consideration in identifying significant woodlands. The "definition" proposed by the policy under appeal fails to achieve consistency with the PPS requiring identification of significant woodlands, as the inherent ambiguity and flexibility in the manual leads to a range of possible identification outcomes;
4. The policy under appeal refers to future "Council-approved guidelines", creating further uncertainty and ambiguity in identifying significant woodlands as required by the PPS;
5. Consistency with the PPS cannot be achieved as the amendment is currently drafted, and cannot be achieved without additional clarity with regards to the criteria to be applied, and providing mapping showing what woodlands have been determined to be significant upon application of criteria; and
6. Such further and other reasons as counsel may advise at or prior to the hearing of this matter.

We enclose herewith Appeal Form A1, together with our firm cheque in the amount of \$300.00 payable to the Minister of Finance, representing the required appeal fee.

Yours very truly,

**VICE & HUNTER LLP**

per:



**D. Gregory Meeds**

DGM:nc  
encls



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**

**TO  
 MUNICIPALITY/APPROVAL  
 AUTHORITY**

**FORM**

ate 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**

Various properties throughout the City of Ottawa

Municipality/Upper tier: City of Ottawa

**Part 3: Appellant Information**

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

R. W. Tomlinson Ltd.

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

Professional Title (if applicable): \_\_\_\_\_

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

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

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

Fax #: \_\_\_\_\_

Mailing Address: c/o Vice & Hunter LLP (below)  
Street Address Apt/Suite/Unit# City/Town

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: Greg Last Name: Meeds

Company Name: Vice & Hunter LLP

Professional Title: \_\_\_\_\_

E-mail Address: dmeeds@viceandhunter.ca

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

Daytime Telephone #: 613-232-5773 Alternate Telephone #: \_\_\_\_\_

Fax #: 613-232-3509

Mailing Address: 85 Plymouth Street 101 Ottawa  
Street Address Apt/Suite/Unit# City/Town

Ontario K1S 3E2  
Province Country (if not Canada) Postal Code

Signature of Appellant:  Date: 01/09/17

**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):

City of Ottawa Official Plan Amendment 179, paragraph 2a), inserting a new definition for Significant Woodland in the rural area.

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.

Please see cover letter.

**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.

**Bill 73 - This question applies only to official plans/amendments, zoning by-laws/amendments and minor variances that came into effect/were passed on or after July 1, 2016.**

1. Is the 2-year no application restriction under section 22(2.2) or 34(10.0.0.2) or 45(1.4) applicable?  
a. No

**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?  
Two (2) expert witnesses

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

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? \_\_\_\_\_

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

Large empty rectangular area with horizontal lines for providing additional information.

[Empty rectangular box]

**Part 10: Required Fee**

Total Fee Submitted: \$ 300.00

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.

**List of names, addresses and telephone number of all appellants**

Steven A. Zakem **on behalf of**

**Taggart Group of Companies and related corporate entities ("Taggart")**

Aird & Berlis LLP

181 Bay Street

Suite 1800

Toronto, Ontario

M5J 2T9

Phone number: 416-865-3440

D. Gregory Meeds **(on behalf of**

**Ontario Stone, Sand & Gravel Association)**

Vice & Hunter LLP

85 Plymouth Street

Suite 101

Ottawa, Ontario

K1S 3E2

Phone number: 613-232-5773

D. Gregory Meeds **(on behalf of**

**R. W. Tomlinson Ltd.)**

Vice & Hunter LLP

85 Plymouth Street

Suite 101

Ottawa, Ontario

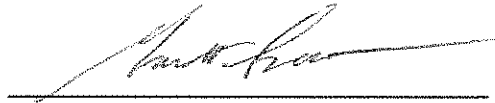
K1S 3E2

Phone number: 613-232-5773

This is

**Exhibit 5**

to the affidavit of Nick Stow 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.*

January 9, 2017

File No. 2015301

E-Mail Address: dgmeeds@viceandhunter.ca

CITY OF OTTAWA  
VILLE D'OTTAWA  
Client Service  
Centre du Service

**BY HAND**

City of Ottawa  
City Clerk's Office  
110 Laurier Avenue West  
Ottawa, ON K1P 1J1

REC'D  
REGU  
JAN 09 2017

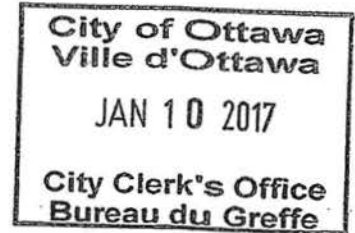
Initiale/Initiales

PA

**Attention: M. Rick O'Connor, City Clerk and Solicitor**

Dear Mr. O'Connor

Re: **Notice of Appeal, Section 17(24) of the *Planning Act*  
City of Ottawa Official Plan Amendment No. 179  
Appeal by Ontario Stone, Sand & Gravel Association**



We act as solicitors for the Ontario Stone, Sand & Gravel Association, which made written submissions to Council with regards to the above-referenced matter prior to adoption.

On December 14, 2016, Council adopted Amendment 179 to the Official Plan of the City of Ottawa, purporting to bring the Official Plan policies for significant woodlands into compliance with the Provincial Policy Statement 2014 (PPS).

Our client hereby appeals as against the definition of significant woodlands in the rural area introduced by the following amendment to Section 2.4.2 Policy 1c.ii:

“In the rural area, meeting any one of the criteria in the Natural Heritage Reference Manual, as assessed in a subwatershed planning context and applied in accordance with Council-approved guidelines, where such guidelines exist”.

The reasons for the appeal include:

1. Section 2.1.3 of the Provincial Policy Statement 2014 (PPS) requires that the City of Ottawa Official Plan identify natural heritage systems, including significant woodlands. Official Plan Amendment No. 179 (“OPA 179”) does not achieve consistency with the PPS as it does not clearly define significant woodlands such that they can be identified;

J. Peter Vice, Q.C.  
Lynn Le Mesurier

William R. Hunter  
Jean-François Lalonde

D. Gregory Meeds  
Patrick R. Simon

# VICE & HUNTER LLP

BARRISTERS & SOLICITORS AVOCATS


2. The City of Ottawa has not produced mapping that clearly identifies what the City of Ottawa considers to be significant woodlands on the basis of applying its definition;
3. The policy under appeal refers to a Ministry of Natural Resources and Forestry manual which does not provide a definition of significant woodlands, but rather provides direction for criteria and outlines possible approaches for consideration in identifying significant woodlands. The "definition" proposed by the policy under appeal fails to achieve consistency with the PPS requiring identification of significant woodlands, as the inherent ambiguity and flexibility in the manual leads to a range of possible identification outcomes;
4. The policy under appeal refers to future "Council-approved guidelines", creating further uncertainty and ambiguity in identifying significant woodlands as required by the PPS;
5. Consistency with the PPS cannot be achieved as the amendment is currently drafted, and cannot be achieved without additional clarity with regards to the criteria to be applied, and providing mapping showing what woodlands have been determined to be significant upon application of criteria; and
6. Such further and other reasons as counsel may advise at or prior to the hearing of this matter.

We enclose herewith Appeal Form A1, together with our firm cheque in the amount of \$300.00 payable to the Minister of Finance, representing the required appeal fee.

Yours very truly,

VICE & HUNTER LLP

per:



**D. Gregory Meeds**

DGM:nc  
encls



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

**FORM**

**APPELLANT FORM (A1)  
 PLANNING ACT**

**SUBMIT COMPLETED**

**TO  
 MUNICIPALITY/APPROVAL  
 AUTHORITY**

Site 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**

Various properties throughout the City of Ottawa



Address and/or Legal Description of property subject to the appeal:

Municipality/Upper tier: City of Ottawa

**Part 3: Appellant Information**

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

Ontario Stone, Sand & Gravel Association  
Company Name or Association Name (Association must be incorporated – include copy of letter of incorporation)

Professional Title (if applicable): \_\_\_\_\_

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

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

Fax #: \_\_\_\_\_

Mailing Address: c/o Vice & Hunter LLP (below)  
Street Address Apt/Suite/Unit# City/Town

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.

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

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

First Name: Greg Last Name: Meeds

Company Name: Vice & Hunter LLP

Professional Title: \_\_\_\_\_

E-mail Address: dgmeeds@viceandhunter.ca  
By providing an e-mail address you agree to receive communications from the OMB by e-mail.

Daytime Telephone #: 613-232-5773 Alternate Telephone #: \_\_\_\_\_

Fax #: 613-232-3509

Mailing Address: 85 Plymouth Street 101 Ottawa  
Street Address Apt/Suite/Unit# City/Town

Province Country (if not Canada) Postal Code

Signature of Appellant:  Date: Jan 9/17

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):

City of Ottawa Official Plan Amendment 179, paragraph 2a), inserting a new definition for Significant Woodland in the rural area.

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.

Please see cover letter.

**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.

**Bill 73 - This question applies only to official plans/amendments, zoning by-laws/amendments and minor variances that came into effect/were passed on or after July 1, 2016.**

1. Is the 2-year no application restriction under section 22(2.2) or 34(10.0.0.2) or 45(1.4) applicable?  
a. No

**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)



**Part 10: Required Fee**

Total Fee Submitted: \$ 300.00

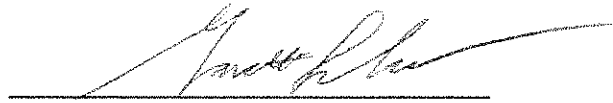
Payment Method:  Certified cheque  Money Order  Solicitor's general or trust account cheque

- 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.

This is

**Exhibit 6**

to the affidavit of Nick Stow dated May 27, 2019

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

GARETT SCHROMM

*A commissioner, etc.*



## **OTTAWA CITY COUNCIL**

**Wednesday, 06 March 2019**

**10:00 am**

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

### **MINUTES 9**

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The Council of the City of Ottawa met at Andrew S. Haydon Hall, 110 Laurier Avenue West, Ottawa, on Wednesday, 06 March 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 a grade 5 class at St. Benedict School.

#### **ANNOUNCEMENTS/CEREMONIAL ACTIVITIES**

##### [RECOGNITION - MAYOR'S CITY BUILDER AWARD](#)

Mayor Watson presented the Mayor's City Builder Award to Ms. Barb Hayduk and Ms. Mary Ellen Henniger, two volunteer representatives with Bereaved Families of Ontario – Ottawa Region Bereaved Families of Ontario – Ottawa Region helps families grieve the loss of loved ones. Ms. Hayduk and Ms. Henniger are both volunteer group facilitators. Each has lost a loved one and relied on Bereaved Families Ontario before. With the help, advice, compassion and guidance of Ms. Hayduk and Ms. Henniger, families are able to have a deeper exploration of their grief and realize they are not alone.

## **ROLL CALL**

All Members were present, except Councillor G. Darouze.

## **CONFIRMATION OF MINUTES**

[Confirmation of the Minutes of the regular and Special City Council meetings of February 27, 2019.](#)

## **DECLARATIONS OF INTEREST INCLUDING THOSE ORIGINALLY ARISING FROM PRIOR MEETINGS**

See specific Agenda Items for declarations: 2019 Draft Operating and Capital Budgets - Roadmap Motion, Motion No. 9/3 Recommendations 6.B., 6.C.i.(a and b) 6.C.ii. (a.b.c.), and 6.C.v.a).

## **COMMUNICATIONS**

The following communications were received

Association of Municipalities of Ontario (AMO)

- [Taking Action for Universal Broadband Access](#)
- [Government Announces New Health Care Plan](#)

Response to Inquiries:

- [OCC 13-18 - Spring Street Sweeping](#)
- [OCC 01-19 - LRT Stage 2](#)

## **REGRETS**

[Councillor G. Darouze advised that he would be absent from the City Council meeting of March 6, 2019.](#)

## **MOTION TO INTRODUCE REPORTS**

### **MOTION NO 9/1**

Moved by Councillor A. Hubley

Seconded by Councillor C. McKenney

**That the following reports be received and considered:**

- 1. the report from the Deputy City Treasurer entitled “2019 Draft Operating and Capital Budgets”;**
- 2. the report from the Committee of Adjustment entitled “2019 Draft Operating Estimates – Committee of Adjustment”;**
- 3. the report from Crime Prevention Ottawa entitled “Crime Prevention Ottawa 2019 Draft Budget”;**
- 4. the report from the Ottawa Police Services Board entitled “Ottawa Police Service 2019 Operating and Capital Budgets”;**
- 5. Agriculture and Rural Affairs Committee Report 1A;**
- 6. Audit Committee Report 1;**
- 7. Community and Protective Services Committee Report 1A;**
- 8. Standing Committee on Environmental Protection, Water and Waste Management Report 1A;**
- 9. Information Technology Sub-Committee Report 1;**
- 10. Planning Committee Report 2A;**
- 11. Planning Committee Report 3;**



**12. Transit Commission Report 1B;**

**13. Transportation Committee Report 1;**

**14. the report from the General Manager, Transportation Services Department entitled “Contract Award of Ottawa’s Stage 2 Light Rail Transit Projects and Related Matters”;**

**15. the report from the General Manager, Corporate Services Department entitled “Long Range Financial Plan Transit Update”; and**

**16. the report from the City Clerk and Solicitor’s Office entitled “Summary of Oral and Written Public Submissions for Items Subject to the *Planning Act* ‘Explanation Requirements’ at the City Council Meeting of February 27, 2019”; and**

**That the *Rules of Procedure* be suspended to consider the following, as they relate to Council’s approval of the 2019 Budget:**

- a. the report from the Ottawa Board of Health entitled “2019 Draft Operating Budget for the Ottawa Board of Health”; and**
- b. the report from the Ottawa Public Library Board entitled “Ottawa Public Library: Approval of 2019 Draft Budget Estimates”; and**
- c. Finance and Economic Development Committee Report 2;**

**And that Council waive Subsection 33(4) of the Procedure By-law to permit Response to Inquiry OCC 01-19 to be listed on today’s Agenda without having to be listed at Standing Committee first, as it directly pertains to the Stage 2 LRT Report listed on today’s Agenda**

CARRIED

[Council considered Items 16 and 17 prior to resolving into Committee of the Whole to consider the 2019 Draft Budget Reports.](#)

## [RESOLVING INTO COMMITTEE OF THE WHOLE](#)

### **MOTION NO 9/2**

Moved by Councillor A. Hubley

Seconded by Councillor C. McKenney

**That City Council resolve to move into Committee of the Whole pursuant to Sections 52 and 53 of the *Procedure By-law*.**

CARRIED

## **2019 DRAFT OPERATING AND CAPITAL BUDGETS**

### DECLARATIONS OF INTEREST

Councillor Catherine McKenney declared a potential, deemed, pecuniary interest on the following portions of the 2019 Draft Operating and Capital Budget for the Ottawa Board of Health:

Document 1, Page 5, as follows:

- Ministry of Health and Long-Term Care Programs & Standards – Infectious and Communicable Diseases; and
- Supplementary Programs – Provincial Programs – Aids Bureau, Supervised Consumption Services

As her spouse is on the Board of Directors of Ottawa Inner City Health, an organization that will receive funding from, or would be eligible to receive funding from, these budget line items.

Councillor Catherine McKenney also declared a potential, deemed, pecuniary interest on the following portions of the Community and Protective Services Committee Draft Operating and Capital Budget (Item 9 on the Agenda)

- Housing Services Operating Resource Requirement (Page 63 of CPSC Budget Book) as follows:

- Community Homelessness Prevention Initiative;
- Home for Good
- Reaching Home

as her spouse is employed by Options Bytown, an organization that will receive funding from, or would be eligible to receive funding from, these budget line items.

Councillor Diane Deans declared a potential, deemed indirect pecuniary interest on the following portions of the 2019 Community and Protective Services Committee Draft Operating and Capital Budget:

- Children's Services, as follows:
  - i) User fees (p. 62);
  - ii) Municipal Child Care Centres Operating Resource Requirement (p. 60)
- Child Care Capital Budget (p. 81) [Individual projects listed on pages 143-146]

as her daughter works at the Centre Éducatif Tournesol Municipal Child Care Centre, which receives funding from these budget line items.

Councillors Deans and McKenney did not participate in discussion, debate or vote on the above-noted items.

#### POINT OF PERSONAL PRIVILEGE

Councillor Keith Egli rose on a point of personal privilege, as follows:

My spouse is a member of the Nepean, Rideau and Osgoode Community Resource Centre Board of Directors, an organization that receives funding from the City. While I have no pecuniary or financial interest under the Municipal Conflict of Interest Act, I have decided to declare this relationship to provide transparency in the spirit of Section 1 of the Code of Conduct and to fulfil my responsibilities under Section 243 of the Municipal Act in participating in this debate and voting on the matter. In addition, I have filed with the Clerk's Office, a copy of the Integrity Commissioner's memorandum on this matter.

The following budget reports were considered as part of the Roadmap Motion for Consideration of the 2019 Budget (Motion No. 9/3).

[CORPORATE SERVICES](#) DEPARTMENT

- |                                                                    |
|--------------------------------------------------------------------|
| 1. <u><a href="#">2019 DRAFT OPERATING AND CAPITAL BUDGETS</a></u> |
|--------------------------------------------------------------------|

**REPORT RECOMMENDATIONS**

1. That City Council receive and table the Draft 2019 Operating and Capital Budgets at its meeting of February 6, 2019 for subsequent consideration by Council in Committee of the Whole to be held March 6, 2019.
2. That City Council refer the relevant portions of the 2019 Operating and Capital Budgets to each Standing Committee of Council, IT Sub-Committee and the Transit Commission for their consideration and recommendation to Council sitting in Committee of the Whole to be held March 6, 2019.

See the Roadmap Motion for consideration of the 2019 Budget (Motion No. 9/3) below.

[COMMITTEE OF ADJUSTMENT](#)

- |                                                                                    |
|------------------------------------------------------------------------------------|
| 2. <u><a href="#">2019 DRAFT OPERATING ESTIMATES – COMMITTEE OF ADJUSTMENT</a></u> |
|------------------------------------------------------------------------------------|

**REPORT RECOMMENDATION**

**That City Council receive and table the Committee of Adjustment Draft 2019 Operating Budget at its meeting on February 6, 2019, for subsequent consideration by Council in Committee of the whole to be held March 6, 2019.**

See Motion No. 9/3 below (Recommendation 1)

[CRIME PREVENTION OTTAWA](#)

3. [CRIME PREVENTION OTTAWA 2019 DRAFT BUDGET](#)

**REPORT RECOMMENDATIONS**

**That City Council receive and table the Crime Prevention Ottawa Draft 2019 Operating Budget at its meeting of February 6, 2019 for subsequent consideration by Council in Committee of the Whole to be held March 6, 2019.**

See Motion No. 9/3 below (Recommendation 2)

[OTTAWA POLICE SERVICES BOARD](#)

4. [OTTAWA POLICE SERVICE 2019 OPERATING AND CAPITAL BUDGETS](#)

**REPORT RECOMMENDATION**

**That the City of Ottawa Council approve the Ottawa Police Service 2019 Draft Operating and Capital Budgets.**

See Motion No. 9/3 below (Recommendation 3)

[OTTAWA PUBLIC LIBRARY BOARD](#)

5. [OTTAWA PUBLIC LIBRARY: APPROVAL OF 2019 DRAFT BUDGET](#)

[ESTIMATES](#)

**REPORT RECOMMENDATION**

**That City Council approve the 2019 Ottawa Public Library Operating and Capital Budget.**

See Motion No. 9/3 below (Recommendation 5)

[OTTAWA BOARD OF HEALTH](#)

6. [2019 DRAFT OPERATING BUDGET FOR THE OTTAWA BOARD OF HEALTH](#)

**BOARD OF HEALTH RECOMMENDATION**

**That City Council approve the 2019 Draft Operating Budget for the Ottawa Board of Health, outlined at Document 1.**

See Motion No. 9/3 below (Recommendation 6)

[AGRICULTURE AND RURAL AFFAIRS COMMITTEE REPORT 1A](#)

7. [2019 DRAFT OPERATING AND CAPITAL BUDGET – AGRICULTURE AND RURAL AFFAIRS COMMITTEE](#)

**COMMITTEE RECOMMENDATIONS**

**That Council, sitting as Committee of the Whole, approve the Agriculture and Rural Affairs Committee 2019 Draft Operating and Capital Budget as follows:**

1. **Development Review Process (Rural) Operating Resource**

- Requirement (p. 5).**
- 2. Rural Affairs Office**
    - i) Rural Affairs Office – User Fees (p. 7);**
    - ii) Operating Resource Requirement (p. 6)**
  - 3. The Agriculture and Rural Affairs Committee Capital Program (p. 8) [individual projects listed p. 16-25].**

See Motion No. 9/3 below (Recommendation 7.A.)

[AUDIT COMMITTEE REPORT 1](#)

- |                                                                                            |
|--------------------------------------------------------------------------------------------|
| <p>8. <a href="#"><u>2019 DRAFT OPERATING AND CAPITAL BUDGET – AUDIT COMMITTEE</u></a></p> |
|--------------------------------------------------------------------------------------------|

**COMMITTEE RECOMMENDATION**

**That Council, sitting as Committee of the Whole, approve the Audit Committee 2019 Draft Budget - Operating Resource Requirement (p. 3).**

See Motion No. 9/3 below (Recommendation 7.B.)

COMMUNITY AND PROTECTIVE SERVICES COMMITTEE  
REPORT 1A

- |                                                                                                 |
|-------------------------------------------------------------------------------------------------|
| 9. <u>2019 DRAFT OPERATING AND CAPITAL BUDGET – COMMUNITY AND PROTECTIVE SERVICES COMMITTEE</u> |
|-------------------------------------------------------------------------------------------------|

**COMMITTEE RECOMMENDATIONS**

**That Council, sitting as Committee of the Whole, approve the Community and Protective Services Committee 2019 Draft Operating and Capital Budgets as follows:**

- 1. Emergency and Protective Services Budget, as follows:**
  - a) General Manager’s Office and Business Support Services - Operating Resource Requirement (p. 37);**
  - b) Security and Emergency Management, as follows:**
    - i) User Fees (P. 39);**
    - ii) Operating Resource Requirement (P. 38);**
  - c) Fire Services, as follows:**
    - i) User fees (p. 41 - 43);**
    - ii) Operating Resource Requirement (p. 40);**
  - d) Paramedic Service, as follows:**
    - i) User Fees (p. 45);**
    - ii) Operating Resource Requirement (p. 44);**
  - e) By-Law and Regulatory Services, as follows:**
    - i) User fees (p. 47-55);**



- ii) Operating Resource Requirement (p. 46).
  - f) Public Policy Development –Operating Resource Requirement (p. 56)
2. Community and Social Services Budget, as follows:
- a) General Manager’s Office and Business Support Services Operating Resource Requirement (p. 58);
  - b) Employment and Social Services Operating Resource Requirement (p. 59);
  - c) Children’s Services, as follows:
    - i) User fees (p. 62);
    - ii) Municipal Child Care Centres Operating Resource Requirement (p. 60)
    - iii) Remaining Operating Resource Requirement (p. 60-61);
  - d) Housing Services Operating Resource Requirement, as follows:
    - i) Community Homelessness Prevention Initiative (p. 63);
    - ii) Home for Good (p. 63)
    - iii) Reaching Home (p. 63)
    - iv) Housing and Homelessness Investment Plan (p. 63)
    - v) Remaining Housing Services Operating Resource Requirement (p. 63);
  - e) Long Term Care Operating Resource Requirement (p. 64);
  - f) Partner and Stakeholder Initiatives, as follows:



- a) **Child Care Capital Budget (p. 81) [Individual projects listed on pages 143-146]**
- b) **Remaining Community and Protective Services Committee Capital Budget (p. 81-84) [Individual projects listed on pages 138-202].**

See Motion No. 9/3 below (Recommendation 4 and 7.C.)

[STANDING COMMITTEE ON ENVIRONMENTAL PROTECTION,  
WATER AND WASTE MANAGEMENT REPORT 1](#)

- |                                                                                                                                                                          |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 10. <u><a href="#">2019 DRAFT OPERATING AND CAPITAL BUDGET – TAX AND RATE SUPPORTED - STANDING COMMITTEE ON ENVIRONMENTAL PROTECTION, WATER AND WASTE MANAGEMENT</a></u> |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

**COMMITTEE RECOMMENDATIONS AS AMENDED**

**That Council, sitting as Committee of the Whole, approve:**

- 1. **The Standing Committee on Environmental Protection, Water and Waste Management 2019 Tax-supported Draft Operating and Capital Budget, as follows:**
  - a. **Infrastructure Services as follows:**
    - i. **User Fees (p. 9);**
    - ii. **Operating Resource Requirement (p. 8).**
  - b. **Resiliency and Natural Systems Policy Operating Resource Requirement (p. 10);**
  - c. **Solid Waste Services as follows:**
    - i. **User Fees (pp. 12-13);**
    - ii. **Operating Resource Requirements (p. 11);**

- d. **Forestry Services as follows:**
  - i. **User Fees (p. 15);**
  - ii. **Operating Resource Requirement (p. 14).**
- e. **Standing Committee on Environmental Protection, Water and Waste Management Capital Budget p. 16 (individual projects listed pp. 34-35, pp. 37-45).**

See Motion No. 9/3 below (Recommendation 7.D. and 10)

**2. The Standing Committee on Environmental Protection, Water and Waste Management 2019 Rate-supported Draft Operating and Capital Budget, including amended pages 23-25B and 115-119B, as follows:**

- a. **Drinking Water Services as follows:**
  - i. **User Fees (pp. 9-13);**
  - ii. **Operating Resource Requirement (p. 8).**
- b. **Wastewater Services as follows:**
  - i. **User Fees (pp. 15-17)**
  - ii. **Operating Resource Requirement (p. 14);**
- c. **Stormwater Services as follows:**
  - i. **User Fees (pp. 19-22), amended as noted below;**
  - ii. **Operating Resource Requirements (p. 18) as amended, as follows:**

**That the planned capital investment in stormwater services (page 18 of the Rate-Supported Budget Book, Operating Resource Requirement, Non-Departmental) be reduced by \$410,000, with the result being that the 2019 stormwater rate increase would be 9.8%, and that staff be directed to amend the rates on page 21 (Stormwater Services-User Fees) to reflect that change;**

- d. **The Standing Committee on Environmental Protection, Water and Waste Management Rate-Supported Capital Budget (pp. 23-25B, as amended, individual projects listed on pp. 39-64, 66-69, 71-92 and 94-114).**
3. **That any surplus in the Hydro Ottawa dividend received in the 2018-2022 Term of Council, that is the amount the exceeds the projected amount in the long range financial plan, be directed toward energy efficiency, conservation or renewable energy programs within Ottawa, with specific projects to be recommended by staff and approved by the Standing Committee on Environmental Protection, Water & Waste Management and Council once the specific dollar amount, if any, is known.**

See Motion No. 9/3 below (Recommendations 7.f.)

[FINANCE AND ECONOMIC DEVELOPMENT COMMITTEE  
REPORT 2](#)

- |                                                                                                                     |
|---------------------------------------------------------------------------------------------------------------------|
| 11. <a href="#"><u>2019 DRAFT OPERATING AND CAPITAL BUDGET – FINANCE<br/>AND ECONOMIC DEVELOPMENT COMMITTEE</u></a> |
|---------------------------------------------------------------------------------------------------------------------|

**COMMITTEE RECOMMENDATIONS, AS AMENDED**

**That Council, sitting as Committee of the Whole, approve the Finance and Economic Development Committee 2019 Draft Operating and Capital Budget, as follows:**

1. **Elected Officials - Operating Resource Requirement (p. 33);**
2. **City Clerk and Solicitor Budget, as follows;**
  - i) **User fees (p. 35-36);**

- ii) **Operating Resource Requirement (p. 34);**
- 3. **City Manager's Office - Operating Resource Requirement (p. 37);**
- 4. **Transportation Services Budget, as follows:**
  - a) **O-Train Construction as follows:**
    - i) **User fees (p. 39-41);**
    - ii) **Operating Resource Requirement (p. 38);**
  - b) **O-Train Planning – Operating Resource Requirement (p. 42);**
- 5. **Planning, Infrastructure and Economic Development Department Budget, as follows:**
  - a) **General Manager's Office and Business Support Services – Operating Resources Requirement (p. 43);**
  - b) **Economic Development and Long Range Planning Operating Resource Requirement (p.44);**
  - c) **Marchés d'Ottawa Markets User Fees (additional pages 44-A, 44-B and 44-C)**
- 6. **Service Innovation and Performance Department Budget, as follows:**
  - a) **General Manager's Office and Business Support Services – Operating Resources Requirement (p. 45);**
  - b) **Services Transformation – Operating Resources Requirement (p. 46)**
  - c) **Public Information and Media Relations - Operating Resource Requirement (p. 47);**
  - d) **Human Resources - Operating Resource Requirement (p. 48);**

- e) **Service Ottawa as follows:**
  - i) **User fees (p. 50);**
  - ii) **Operating Resource Requirement (p. 49);**
- 7. **Corporate Services Department Budget, as follows:**
  - a) **General Manager's Office and Business Support Services - Operating Resource Requirement (p. 51);**
  - b) **Revenue Services, as follows:**
    - i) **User fees (p. 53-54);**
    - ii) **Operating Resource Requirement (p. 52);**
  - c) **Corporate Finance – Operating Resource Requirement (p. 55);**
  - d) **Supply Services - Operating Resource Requirement (p. 56);**
  - e) **Corporate Real Estate Office, as follows:**
    - i) **User fees (p. 58);**
    - ii) **Operating Resource Requirement (p. 57);**
- 8. **Non-Departmental - Operating Resource Requirement (p. 59-61), as amended by the following:**
  - a) **approve that the One Time Funding from the City's Tax Rate Stabilization Reserve Fund (page 112) be amended to reduce the contribution to the Ottawa Police Services by \$2.4M, and that the Transfers/Grants/Financial Charges line of the Affordable Housing budget of the Planning Committee (page 53) be increased by \$2 million, and that the Recreation, Cultural and Facility Services budget, Business & Technical Support Services budget of the Community and Protective Services**

**Committee (page 124) be increased by \$395,000 for Cultural and Recreation Community grants.**

9. **Finance and Economic Development Committee Capital Budget (p. 62, individual projects listed on pages 115-120).**

See Motion No. 9/3 below (Recommendations 4 and 7.J.)

**[INFORMATION TECHNOLOGY SUB-COMMITTEE REPORT 1](#)**

- |                                                                                                                                                                  |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <ol style="list-style-type: none"><li>12. <b><u><a href="#">2019 DRAFT OPERATING AND CAPITAL BUDGET – INFORMATION TECHNOLOGY SUB-COMMITTEE</a></u></b></li></ol> |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------|

**SUB-COMMITTEE RECOMMENDATION**

**That Council, sitting as Committee of the Whole, approve the ITSC portion of the 2019 Draft Operating and Capital Budget, as follows:**

1. **The Information Technology Services Budget as follows:**
  - a. **Information Technology Services Operating Resource Requirement (pp. 3-4 of the ITSC budget book);**
  - b. **ITSC Capital Budget (p. 5 of the ITSC budget book), individual projects listed on page 11.**

See Motion No. 9/3 below (Recommendation 7.I.)



[PLANNING COMMITTEE REPORT 2A](#)

13. [2019 DRAFT OPERATING AND CAPITAL BUDGET – PLANNING COMMITTEE](#)

**COMMITTEE RECOMMENDATION, AS AMENDED**

That Council, sitting as Committee of the Whole, approve the Planning Committee 2019 Draft Operating and Capital Budget, as follows:

- 1) The Planning, Infrastructure and Economic Development Budget, including amended pages 21 and 22, as follows:
  - a) Right of Way, Heritage and Urban Design, as follows:
    - i) User Fees (p. 13-18);
    - ii) Operating Resource Requirement (p.12);
  - b) Planning Services (excluding Building Code Services – Ontario Building Code), as follows:
    - i) User Fees (p.20-30);
    - ii) Operating Resource Requirement (p. 19);
  - c) Building Code Services - Ontario Building Code, as follows:
    - i) User Fees (p. 32-37);
    - ii) Operating Resource Requirement (p. 31);
  - d) Long Range Planning - Operating Resource Requirement (p. 38).
- 2) Community and Social Services, Affordable Housing Operating Resource Requirement (p. 39).
- 3) The Planning Committee Capital Budget (p. 40) [individual projects listed p. 57, 59, 60].

See Motion No. 9/3 below (Recommendation 4 and 7.G.)

[TRANSIT COMMISSION REPORT 1B](#)

- |                                                                                         |
|-----------------------------------------------------------------------------------------|
| 14. <u><a href="#">2019 DRAFT OPERATING AND CAPITAL BUDGET – TRANSIT COMMISSION</a></u> |
|-----------------------------------------------------------------------------------------|

**COMMISSION RECOMMENDATIONS**

That Council, sitting as Committee of the Whole, approve the Transit Commission 2019 Draft Operating and Capital Budget, as follows:

1. Transit Services as follows:
  - a) User fees (pp. 4-6);
  - b) Operating Resource Requirement (p. 3);
2. Transit Commission Capital Budget (pp. 7 and 8, individual projects listed pp. 15-37).

See Motion No. 9/3 below (Recommendation 7.H.)

[TRANSPORTATION COMMITTEE REPORT 1](#)

- |                                                                                               |
|-----------------------------------------------------------------------------------------------|
| 15. <u><a href="#">2019 DRAFT OPERATING AND CAPITAL BUDGET – TRANSPORTATION COMMITTEE</a></u> |
|-----------------------------------------------------------------------------------------------|

**COMMITTEE RECOMMENDATIONS, AS AMENDED**

That Council, sitting as Committee of the Whole, approve the Transportation Committee 2019 Draft Operating and Capital Budget, as follows:

1. The Public Works and Environmental Services (PWES) Budget, as follows:
  - a) General Manager's Office and Business Support

- Services - Operating Resource Requirement (page 13);**
- b) **Roads Services, as follows:**
  - i) **User Fees (page 15);**
  - ii) **Operating Resource Requirement (page 14);**
- c) **Parking Services, as follows:**
  - i) **User Fees (pages 17-21);**
  - ii) **Operating Resource Requirement (page 16);**
- 2. **The Transportation Services Budget, as follows:**
  - d) **Traffic Services, as follows:**
    - i) **User Fees (pages 23-24);**
    - ii) **Operating Resource Requirement (page 22);**
  - e) **Transportation Planning Operating Resource Requirement (page 25);**
  - f) **Corporate Services Department - Fleet Services, as follows:**
    - i) **User Fees (page 27);**
    - ii) **Operating Resource Requirement (page 26);**
- 3. **Transportation Committee Capital Budget (pages 28-31) [Individual projects are listed on pages 51-142].**
- 4. **That staff identify options for permanent traffic calming measures on King Edward Avenue, including reducing the curb lanes width from 4.5 m to 3.5 m in both directions of King Edward Avenue north of Rideau St., including associated funding requirements, and report back to Transportation Committee.**

**MOTION NO 9/3**

**ROADMAP MOTION FOR CONSIDERATION OF 2019 BUDGET**

Moved by Councillor L. Dudas

Seconded by Councillor M. Luloff

**BE IT RESOLVED THAT City Council, as Committee of the Whole, receive and consider the Draft 2019 Operating and Capital Budgets as recommended by the Committee of Adjustment, Crime Prevention Ottawa, the Ottawa Police Services Board, the Ottawa Public Library Board, the Ottawa Board of Health and by the Standing Committees, Transit Commission and Information Technology Sub-Committee, and the 2019 Rate-Supported Operating and Capital Budgets as recommended by the Standing Committee on Environmental Protection, Water and Waste Management, as listed in the Council Agenda and incorporating all amended budget books and pages, including the amended Ottawa Police Services Board budget; amended pages 23-25B and 115-199B of the Standing Committee on Environmental Protection, Water and Waste Management Rate-Supported budget book, additional pages 44A, 44B and 44C of the Finance and Economic Development Committee Budget Book, and amended pages 21 and 22 of the Planning Committee Budget book; and**

**BE IT FURTHER RESOLVED that Council, sitting as Committee of the Whole, receive and consider the following motion:**

**That the Committee of the Whole recommends that Council:**

- 1. Approve the 2019 Draft Operating Budget for the Committee of Adjustment;**
- 2. Approve the 2019 Draft Operating Budget for Crime Prevention Ottawa;**
- 3. Approve the 2019 Ottawa Police Service Draft Operating and Capital Budgets, as recommended by, and as amended by the Ottawa Polices Services board on February 25, 2019 by the following:**

**A. THEREFORE BE IT RESOLVED that the Ottawa Police Services Board approve a \$2.4. million adjustment in the 2019 Budget consisting of:**

- A \$0.6 million reduction in pay as go you contributions made up**

**of \$0.4 million in General Reserve Fund and \$0.2 million Fleet capital reserve fund (p. 98)**

- **A reduction in Overtime expenses of \$0.3 million**
  - **An increase to the Gapping target of \$0.5 million**
  - **An increase in Paid Duty revenue of \$0.4 million**
  - **A revenue reduction of \$0.4 million in Background Check Fees (Nonprofit Adjustment)**
  - **A reduction to the Fuel provision \$0.2 million**
  - **A total reduction to the budgets for Travel, Training, Supplies, Services of \$0.4 million**
  - **A reduction to New Services: Community Development, Legal Costs totaling \$0.2 million**
  - **A reduction of the Criminal Investigation Directorate project fund of \$0.1 million**
  - **A reduction to the Carbine Armouring provision of \$0.1 million**
4. **Approve that the One Time Funding from the City's Tax Rate Stabilization Reserve Fund (page 112) be amended to reduce the contribution to the Ottawa Police Services by \$2.4M, and that the Transfers/Grants/Financial Charges line of the Affordable Housing budget of the Planning Committee (page 53) be increased by \$2 million, and that the Recreation, Cultural and Facility Services budget, Business & Technical Support Services budget of the Community and Protective Services Committee (page 124) be increased by \$395,000 for Cultural and Recreation Community grants.as recommended by the Finance and Economic Development Committee (FEDC).**
5. **Approve the 2019 Ottawa Public Library Board Draft Operating and Capital Budgets as recommended by the Ottawa Public Library Board;**
6. **Approve the 2019 Ottawa Board of Health Draft Operating Budget as recommended by the City of Ottawa's Board of Health, as follows:**

- A. Ministry of Health and Long-Term Care Programs & Standards - Infectious and Communicable Diseases;**
  - B. Supplementary Programs - Provincial Programs - Aids Bureau, Supervised Consumption Services (Page 5 of the Ottawa Board of Health Budget Book)**
  - C. Remaining 2019 Ottawa Public Health Operating Budget;**
- 7. Approve the 2019 Draft Operating and Capital Budgets as recommended by the Standing Committees of Council, Transit Commission and Information Technology Sub-Committee as follows:**
- A. The Agriculture and Rural Affairs Committee portion of the 2019 Draft Operating and Capital Budget;**
  - B. The Audit Committee portion of the 2019 Draft Operating Budget;**
  - C. The Community and Protective Services Committee (CPSC) portion of the 2019 Draft Operating and Capital Budget, as follows:**
    - i. Children's Services Operating Resource Requirement, as follows:**
      - a) User fees (p. 62 of the CPSC budget book);**
      - b) Municipal Child Care Centres Operating Resource Requirement (p. 60 of the CPSC budget book)**
    - ii. Housing Services Operating Resource Requirement (p. 63 of the CPSC budget book), as follows:**
      - a) Community Homelessness Prevention Initiative;**
      - b) Home for Good;**
      - c) Reaching Home;**
      - d) Housing and Homelessness Investment Plan;**
    - iii. Partner and Stakeholder Initiatives, Community Funding (p. 65 of the CPSC budget book)**

- iv. **The remaining 2019 CPSC Draft Operating Budget, as amended to add an additional \$395,000 for Cultural and Recreation Community grants as recommended by FEDC,**
  - v. **The 2019 Community and Protective Services Committee Draft Capital Budget, as follows:**
    - a) **Child Care Capital Budget (p. 81 of the CPSC budget book)**
    - b) **Remaining 2019 CPSC Capital Budget**
- D. The Standing Committee on Environmental Protection, Water and Waste Management (Tax-supported) portion of the 2019 Draft Operating and Capital Budget;**
- E. The Transportation Committee portion of the 2019 Draft Operating and Capital Budget;**
- F. The Standing Committee on Environmental Protection, Water and Waste Management (Rate-supported) portion of the 2019 Draft Operating and Capital Budget, as follows:**
- i. **Standing Committee on Environmental Protection, Water and Waste Management (Rate-supported) Operating and Capital Budget, as amended by the following:**
    - a. **That the planned capital investment in stormwater services (page 18 of the Rate-Supported Budget Book, Operating Resource Requirement, Non-Departmental) be reduced by \$410,000, with the result being that the 2019 stormwater rate increase would be 9.8%, and that staff be directed to amend the rates on page 21 (Stormwater Services-User Fees) to reflect that change, as recommended by the Standing Committee on Environmental Protection, Water and Waste Management**





**amount the exceeds the projected amount in the long range financial plan, be directed toward energy efficiency, conservation or renewable energy programs within Ottawa, with specific projects to be recommended by staff and approved by the Standing Committee on Environmental Protection, Water & Waste Management and Council once the specific dollar amount, if any, is known; and**

11. **Approve, as recommended by the Transportation Committee, that staff identify options for permanent traffic calming measures on King Edward Avenue, including reducing the curb lanes width from 4.5 m to 3.5 m in both directions of King Edward Avenue north of Rideau St., including associated funding requirements, and report back to Transportation Committee.**

Recommendations 1-11 of Motion No. 9/3, Roadmap Motion for consideration of the 2019 Budget, were put to Council, as follows:

The following Motion to amend Recommendation 1 was put to Council:

**MOTION NO 9/4**

Moved by Councillor J. Harder

Seconded by Councillor T. Tierney

**WHEREAS the Committee of Adjustment's 2019 Draft Operating Estimates were tabled at the City Council meeting of February 6, 2019 as part of the 2019 Draft Budget; and**

**WHEREAS the fees charged for Committee of Adjustment applications includes the portion charged to recover Committee of Adjustment Expenses, as shown in the Committee of Adjustment Budget, as well as well as a Planning Review fee charged by Planning, Infrastructure and Economic Development and contained in the Planning Committee Budget;**

**WHEREAS the Committee of Adjustment User Fee Schedule included an effective date of March 7, 2019, and the other planning application fees contained in the Planning Committee Budget have an effective date of April 1, 2019; and**

**WHEREAS in order to avoid confusion for the public and minimize clerical and administrative inefficiencies, it would be preferable to have these fee changes take effect on the same date;**

**THEREFORE BE IT RESOLVED that the draft Committee of Adjustment User Fee Schedule Committee (Page 4 of the Committee of Adjustment Budget book) be amended to reflect a revised User Fee Schedule effective date of April 1, 2019<sup>1</sup>.**

CARRIED

Recommendation 1 CARRIED as amended by Motion No. 9/4.

Recommendation 2 CARRIED

Recommendation 3 CARRIED with Councillor M. Fleury dissenting on page 91 of the Police Services Board Budget (Community Relations and Frontline Specialized Support – Operating Resource Requirement)

The following Motion to amend Recommendation 4 was put to Council:

**MOTION NO 9/5**

Moved by Councillor T. Tierney

Seconded by Mayor J. Watson

**WHEREAS on March 5, 2019 the Finance and Economic Development Committee approved a motion to reduce the one-time funding contribution from the City's Tax Rate Stabilization Reserve Fund to the Ottawa Police Services by \$2.4M, and accordingly allocate \$2 million to Affordable Housing and \$395,000 to Cultural and Recreation Community grants (as set out in Item 4 on Council's Roadmap Motion for Consideration of the 2019 Budget); and**

**WHEREAS the amount to be allocated to for Cultural and Recreation Community grants was intended to be \$400,000, which when added to the \$2 Million for Affordable housing adds up to the \$2.4 Million now available from the Reserve;**

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<sup>1</sup> See attached revised User Fee Schedule – Annex A

**THEREFORE BE IT RESOLVED the Finance and Economic Development Committee Recommendation (Item 4 on the Roadmap Motion) be amended to replace \$395,000 with \$400,000.**

CARRIED

Recommendations 4 CARRIED as amended by Motion No. 9/5.

Recommendations 5, 6.A., 6.B., and 6.C. CARRIED.

Recommendations 7.A., 7.B., 7.C.i.a., and 7.C.i.B. CARRIED.

Recommendation 7.C.ii.a. CARRIED with Councillor M. Fleury dissenting.

Recommendations 7.C.ii.b., 7.C.ii.c, 7.C.ii.d, 7.C.iii., 7.C.iv., 7.C.v.a. and 7.C.v.b. CARRIED.

The following Motions to amend Recommendation 7.D. were put to Council:

**MOTION NO 9/6**

Moved by Councillor C. McKenney

Seconded by Councillor R. Brockington

**WHEREAS Council approved a long-term community target to reduce Greenhouse Gas (GHG) emissions by 80% below 2012 baseline levels by 2050; and**

**WHEREAS GHG inventories provide insight into potential emissions reduction opportunities, highlighting the most significant sources of emissions and key opportunities for reductions; and**

**WHEREAS the City has already committed to completing a corporate GHG inventory annually as part of the 2014 Air Quality and Climate Change Management Plan (AQCCMP) and a member of EnviroCentre's Carbon 613 program; and**

**WHEREAS the City has already committed to completing a community-wide greenhouse gas inventory every four years as part of the 2014 AQCCMP and the 2016 commitment to the Global Covenant of Mayors for Climate and Energy; and**

**WHEREAS City staff are expected to provide an update on the 2014 AQCCMP, which is to include an assessment of the frequency of undertaking and reporting on GHG inventories, in Q2 2019; and**

**WHEREAS** staff estimate a cost of \$50K-\$75K for a corporate and community GHG inventory based on the Federation of Canadian Municipalities (FCM) Partners for Climate Protection (PCP) Program; and

**WHEREAS** the results obtained from the community based GHG inventory will serve to help further inform the Energy Evolution strategy;

**THEREFORE IT BE RESOLVED THAT** Council approve the allocation of \$60,000 of new funding to complete annual community and corporate GHG inventories, with the first inventory being completed by the end of Q4 2019, with the financial requirement coming from the dividends from Hydro Ottawa that exceed projections in the Long Range Financial Plan.

CARRIED

#### **MOTION NO 9/7**

Moved by Councillor C. McKenney

Seconded by Councillor J. Leiper

**WHEREAS** the City's Urban Forest Management Plan was approved in June 2017 and the plan identified the need for improved tree protection and tree by-law enforcement in the urban area;

**AND WHEREAS** construction and development has outpaced expectations in the inner urban area leading to the need for additional tree by-law enforcement measures;

**AND WHEREAS** there has been substantial tree loss in Ottawa's inner urban area in the last decade;

**AND WHEREAS** a review of the City's tree by-laws is currently underway and not scheduled for completion until early 2020;

**AND WHEREAS** the Mayor underlined the importance of tree protection and using the City's full abilities to issue fines under our tree by-laws in his 2019 State of the City Address;

**BE IT THEREFORE RESOLVED THAT** Council support the addition of one temporary position in 2019, which will be funded through internal vacancies, dedicated to enforcing tree protection under the City's tree by-laws (Municipal Trees and Natural Areas Protection By-law and the Urban Tree Conservation By-

**law). The new position will be housed within the Parks, Forestry and Stormwater Services Branch of the Public Works and Environmental Services Department.**

**BE IT FURTHER RESOLVED THAT Council will consider and support the resourcing and funding needed to accomplish the recommendations outlined in the first management period of the Urban Forest Management Plan through this Term of Council's priority setting process, taking place later this year, and through the 2020 draft budget process and beyond.**

CARRIED

Recommendation 7.D. CARRIED as amended by Motion Nos. 9/6 and 9/7.

The following Motion to amend Recommendation 7.E. was put to Council:

**MOTION NO 9/8**

Moved by Councillor M. Fleury

Seconded by Mayor J. Watson

**WHEREAS, on March 1, 2019, the Transportation Committee received the draft 2019 Operating and Capital Budgets; and,**

**WHEREAS, the Traffic Services User Fees on p. 23 and p. 24 did not include an inflationary adjustment; and,**

**WHEREAS, the staff cost of providing the service has increased by 2%;**

**THEREFORE BE IT RESOLVED that the Transportation Committee 2019 budget be amended, with the result being that the Traffic Services revenue budget be increased by \$19,000 and that the increased revenue be allocated to the Tax Stabilization Reserve<sup>2</sup>.**

CARRIED

Recommendation 7.E. CARRIED as amended by Motion No. 9/8.

Recommendations 7.F.i.a., 7.F.ii., and 7.G. CARRIED.

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<sup>2</sup> See attached User Fee Schedule – Annex B

The following Motions to amend Recommendation 7.H.i. were put to Council:

**MOTION NO 9/9**

Moved by Councillor G. Gower

Seconded by Councillor S. Menard

**WHEREAS the LRT handover deadline has been extended by RTG, and**

**WHEREAS transit users have experienced a very difficult year in anticipation of the launch of LRT,**

**THEREFORE BE IT RESOLVED THAT City staff report back on any potential delay of the LRT Stage 1 launch date and report back to the Transit Commission and Council on how the remaining transit fares could be frozen and funded to correspond with that future launch date.**

CARRIED

**MOTION NO 9/10**

Moved by Councillor T. Kavanagh

Seconded by Councillor C. McKenney

**WHEREAS the EquiPass, Community Bus Pass and Access Pass are limited to persons on low incomes; and**

**WHEREAS the proposed 2.5% fare increase in the 2019 City Budget would provide hardship for these low-income persons; and**

**WHEREAS these passes are subsidized by Community and Social Services and the revenue associated with the 2.5% increase from the currently unsubsidized portion is \$81K;**

**THEREFORE BE IT RESOLVED THAT the fare structure proposed in the Transit Commission 2019 Budget be amended so that the EquiPass, the Community Bus Pass and Access Pass remain at 2018 fare levels and that the Community Bus Passes and EquiPass Program be increased by \$81K and that this be paid for from an increase to Investment Income – Page 108 FEDCO Budget.**

CARRIED

Recommendation 7.H.i. CARRIED as amended by Motion Nos. 9/9 and 9/10.

Recommendations 7.H.ii., 7.I., 7.J., 8, 9, 10, and 11 CARRIED.

**MOTION TO RISE AND REPORT**

**MOTION NO 9/11**

Moved by Councillor A. Hubley

Seconded by Councillor C. McKenney

**That the Committee of the Whole rise and report to City Council.**

CARRIED

**MOTION TO ADOPT 2019 BUDGET REPORTS**

**MOTION NO 9/12**

Moved by Councillor A. Hubley

Seconded by Councillor C. McKenney

**That the 2019 Draft Operating and Capital Budgets, listed as items 1- 15 on the Agenda as set out below, and including all matters approved in Committee of the Whole through the Roadmap Motion, be received and adopted as amended:**

- 1. the report from the Deputy City Treasurer entitled “2019 Draft Operating and Capital Budgets”;**
- 2. the report from the Committee of Adjustment entitled “2019 Draft Operating Estimates – Committee of Adjustment”;**
- 3. the report from Crime Prevention Ottawa entitled “Crime Prevention Ottawa 2019 Draft Budget”;**
- 4. the report from the Ottawa Police Services Board entitled “Ottawa Police Service 2019 Operating and Capital Budgets”;**
- 5. the report from the Ottawa Board of Health entitled “2019 Draft Operating Budget for the Ottawa Board of Health”; and**
- 6. the report from the Ottawa Public Library Board entitled “Ottawa Public Library: Approval of 2019 Draft Budget Estimates”; and**

7. **Item 1 of Agriculture and Rural Affairs Committee Report 1A;**
8. **Item 2 of Audit Committee Report 1,**
9. **Community and Protective Services Committee Report 1A;**
10. **Standing Committee on Environmental Protection, Water and Waste Management Report 1A;**
11. **Finance and Economic Development Committee Report 2;**
12. **Information Technology Sub-Committee Report 1;**
13. **Planning Committee Report 2A;**
14. **Transit Commission Report 1B; and**
15. **Item 2 of Transportation Committee Report 1; and**

**That any dissents and declarations of interest recorded during the Committee of the Whole session be deemed to be recorded in the Council session.**

CARRIED

## **REPORTS**

### [TRANSPORTATION SERVICES DEPARTMENT](#)

- |                                                                                                               |
|---------------------------------------------------------------------------------------------------------------|
| 16. <u><a href="#">CONTRACT AWARD OF OTTAWA'S STAGE 2 LIGHT RAIL TRANSIT PROJECTS AND RELATED MATTERS</a></u> |
|---------------------------------------------------------------------------------------------------------------|

## **REPORT RECOMMENDATIONS**

1. **That City Council receive and table the “Contract Award of Ottawa’s Stage 2 Light Rail Transit Projects and Related Matters” report at its Special meeting of February 27, 2019, for subsequent consideration by Council at its regular meeting of March 6, 2019;**
2. **That, at its regular meeting of March 6, 2019, City Council:**



- a. **Receive the results of the Request for Proposals (RFP) for the Stage 2 Ottawa Light Rail Transit project, as described in this report and as overseen by a Fairness Commissioner, and related matters, including the status associated with the Environmental Assessments and approvals, and the progress achieved to date through the Memorandum of Understanding related to vehicles and maintenance for the Confederation Line East and West, as described in this report;**
- b. **Approve the selection of TransitNEXT as the Preferred Proponent to design, build, finance and maintain the Trillium Line Extension Project, including the bundled projects and civic works, in the manner described in this report, including as follows:**
  - i. **The Trillium Line Extension Project;**
  - ii. **The bundled projects and civic works as follows: the Ellwood Diamond Grade Separation; the Rideau River Pedestrian Bridge; the Dow's Lake Tunnel Rehabilitation; the Rideau River Trillium Line Bridge Rehabilitation; conduits; the Carleton University Tunnel; the Trinity Pedestrian Bridge and Station at Bayview Avenue; the power pack and transmission overhaul; the year-8 Alstom vehicle overhaul; the existing Trillium Line Station enhancements; the Trillium Line Bridge over Sawmill Creek; and, the Trillium Line signal upgrades; and**
  - iii. **The Airport Link.**
- c. **Approve the selection of the East-West Connectors as the Preferred Proponent to design, build and finance the Confederation Line Extension Project,**

**including the bundled projects and civic works, in the manner described in this report, including as follows:**

- i. The Confederation Line East and West Extensions;**
  - ii. The Confederation Line East Extension bundled works and civic projects, as follows: Montreal Road Bridge; Jeanne D'arc / OR 174 Bridge Repairs; Trim Park and Ride; OR 174 / Shefford Road Watermain Crossing; OR 174 Non-OLRT Culverts; OR 174 Integrated OLRT Culverts; OR 174 Sound Barriers; Pedestrian and/or Cycling Projects Outside LRT Scope; OR 174 Concrete Removal; OR 174 / Greens Creek culvert replacement; OR 174 Intelligent Transportation Systems; City Traffic Operations – Fibre-optic Breakout Points; Bus layups on Jeanne d'Arc Boulevard; and**
  - iii. The Confederation Line West Extension bundled projects and civic works, as follows: West Transitway North and South Rock Wall; Storm/Sanitary Sewer Upgrades Pinecrest Creek; Storm/Sanitary Sewer Upgrades for Richmond Road Complete Streets; Baseline Station Surface Improvements; Goldenrod Bridge; City Traffic Operations – Fibre-optic Breakout Points; Woodroffe Avenue Stormwater Pond (Design, EA, Implementation); Bridge enhancements at Moodie Drive; and, Algonquin College Pedestrian Bridge; and**
  - d. Direct staff to continue to review and evaluate the Stage 2 Light Rail Transit project to achieve cost savings through design efficiencies.**
- 3. Approve the budgets and funding sources for the Stage 2**

**Light Rail Transit project as follows, and subject to funding received from the federal and provincial governments and the execution of the related contribution agreements, and other sources, as described in this report.**

- a. The \$4,657,445,229 Ottawa's Stage 2 Light Rail Transit Projects budget and funding sources as outlined in this report;**
  - b. The funding model for the 3.4 kilometre Limebank Road extension for the Trillium Line, as described in this report and including a \$50 million contribution from the Province of Ontario and an additional \$30 million contribution through area-specific development charges;**
- 4. Delegate authority to the City Manager to negotiate, finalize, execute, deliver, amend and extend the Trillium Line Extension and Confederation Line Extension Project Agreements and associated ancillary agreements, including executing the federal and provincial contribution agreements, for the Stage 2 Ottawa Light Rail Transit project, in accordance with, and subject to, the conditions described in this report;**
- 5. Approve the City's payment and other related obligations under the Project Agreements for Confederation Line Extension and Trillium Line Extension Projects, both during the construction term, and the maintenance and service term for Trillium Line, as described in this report;**
- 6. Delegate authority to the City Treasurer to take any further steps, and carry out any further acts, as may be necessary to give effect to the approved budgets and funding sources for the Stage 2 Ottawa Light Rail Transit project, and the transition and the project contingency, subject to the terms and conditions described in this report;**
- 7. Receive the summaries of the key terms of the complex**

**agreements with the National Capital Commission, Canadian Property Holdings (South Keys) Inc. and Calloway REIT (South Keys) Inc., and the Ottawa Macdonald-Cartier International Airport Authority as described in Appendix 1, and approved under delegated authority and approve the following:**

- a. Delegate to the City Manager with the concurrence of the General Manager, Corporate Services and City Treasurer the authority to execute a Memorandum of Agreement with Carleton University as described in this report and summarized in Appendix 1.**
  - b. Delegate to the City Manager with the concurrence of the General Manager, Corporate Services and City Treasurer the authority to execute an Agreement with Algonquin College as described in this report and summarized in Appendix 1.**
  - c. Delegate to the City Manager with the concurrence of the General Manager, Corporate Services and City Treasurer the authority to execute a Memorandum of Agreement with Public Works and Government Services Canada as described in this report and summarized in Appendix 1.**
  - d. Delegate to the City Manager with the concurrence of the General Manager, Corporate Services and City Treasurer the authority to execute a Crossing Agreement with VIA Rail Canada Inc. to permit the construction of a grade separation at Ellwood as described in this report and summarized in Appendix 1.**
- 8. Delegate to the General Manager, Planning, Infrastructure and Economic Development Department, the authority to finalize and execute the financing agreement with Riverside South Development Corporation in respect of the Trillium Line Extension Project of Light Rail to Limebank Road, as**

described in this report.

9. **Approve the following measures to facilitate the construction of the Stage 2 Ottawa Light Rail Transit project, as described in this report:**
  - a. **Delegate the authority to the General Manager, Transportation Services, to negotiate, approve, execute, deliver, amend and extend the Utility Works Infrastructure Letter of Agreement with Hydro Ottawa Limited, subject to the terms described in this report;**
  - b. **Approve the tipping fee structure for soil and excavated material as outlined in this report; and**
  - c. **Delegate the authority to the City Clerk and Solicitor to amend any by-laws, processes or policies to give effect to the decisions of Council related to this project, and to place any resulting amending by-law on the agenda of the City Council meeting in Q2, 2019, for enactment to amend Light Rail Regulation By-law 2015-301 as described in the report.**

The following motion was put to Council and LOST:

**MOTION NO 9/13**

Moved by Councillor C. McKenney

Seconded by Councillor J. Leiper

**WHEREAS on Friday, February 22, 2019, the Report titled: Contract Award of Ottawa's Stage 2 Light Rail Transit Projects and Related matters was first made public; and**

**WHEREAS, Council is being asked to receive the results of the Request for Proposals (RFP) for the Stage 2 Light Rail Transit Project on March 6, 2019; and**

**WHEREAS, Council is being asked to approve the Report recommendations for Stage 2 LRT on March 6th; and**

WHEREAS this 12-day timeframe does not allow for meaningful consultation with the residents of Ottawa; and

WHEREAS there are significant outstanding questions from both Councillors and residents about some of the report's implications; and

WHEREAS the commercial close deadline for the Trillium Line is Friday, March 29th, 2019;

THEREFORE BE IT RESOLVED that the report be deferred until the Council meeting of Wednesday, March 27<sup>th</sup>, 2019.

LOST, on a division of 6 YEAS and 16 NAYS, as follows:

YEAS (6): Councillors R. Chiarelli, C. McKenney, C. Meehan, S. Menard, J. Leiper, D. Deans

NAYS (16): Councillors J. Harder, G. Gower, K. Egli, M. Luloff, J. Sudds, R. Brockington, L. Dudas, J. Cloutier, T. Kavanagh, M. Fleury, A. Hubley, S. Moffatt, E. El-Chantiry, T. Tierney, S. Blais, Mayor J. Watson

**MOTION NO 9/14**

Moved by Councillor S. Menard

Seconded by Councillor C. McKenney

That City Council resolve to move into Committee of the Whole.

CARRIED

**MOTION NO 9/15**

Moved by Councillor A. Hubley

Seconded by Councillor C. McKenney

That the Committee of the Whole rise and report to City Council.

CARRIED

The report recommendations, as presented above, were put to Council and CARRIED on a division of 19 YEAS and 3 NAYS, as follows:

YEAS (19): Councillors J. Harder, G. Gower, C. McKenney, K. Egli, M. Luloff, J. Sudds, R. Brockington, C. Meehan, L. Dudas, J. Cloutier, T. Kavanagh, M. Fleury, A. Hubley, S. Moffatt, E. El-Chantiry, J. Leiper, T. Tierney, S. Blais, Mayor J. Watson

NAYS (3): Councillors R. Chiarelli, S. Menard, D. Deans

DIRECTION TO STAFF:

That the Planning, Infrastructure and Economic Development Department modify its Secondary Plan for Place d'Orléans (planned to start in 2019) to capture the eastern Stage 2 LRT corridor of potential Transit Oriented Development sites as one coordinated plan.

CORPORATE SERVICES DEPARTMENT

17. <u>LONG RANGE FINANCIAL PLAN TRANSIT UPDATE</u>
-----------------------------------------------------

**REPORT RECOMMENDATION**

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

RECEIVED

## COMMITTEE REPORTS

### AUDIT COMMITTEE REPORT 1

18. [2018 ERNST & YOUNG AUDIT PLAN](#)

### COMMITTEE RECOMMENDATION

That Council receive this report for information.

RECEIVED

### PLANNING COMMITTEE REPORT 3

19. [APPOINTMENTS TO THE URBAN AND SUBURBAN PANELS OF THE COMMITTEE OF ADJUSTMENT](#)

### COMMITTEE RECOMMENDATIONS, AS AMENDED

That, further to deliberations of the Selection Panel, the Planning Committee recommend Council approve:

1. the following appointments of individuals to the Urban and Suburban Panels of the Committee of Adjustment, including waiver of Section 2.1 of the Appointment Policy as described in this report. All terms to be effective on May 1, 2019, for the 2018-2022 Term of Council:

Panel 1 (Urban):

John Blatherwick

~~Scott Hindle~~ Michael Wildman

Heather MacLean

Bonnie Oakes Charron

Stanley Wilder



**Panel 2 (Suburban)**

**Nadine Tischhauser**

**Anne Tremblay**

**Colin White**

**Kathleen Willis**

**~~Michael Wildman~~ Scott Hindle**

2. the following unranked pool of reserve members from which the Selection Panel may recommend appointments should a vacancy arise during the 2018-2022 Term of Council:

**Robert Brocklebank**

**Kieran Watson**

CARRIED

20. <a href="#"><u>ZONING BY-LAW AMENDMENT – 1740 WOODROFFE AVENUE</u></a>
----------------------------------------------------------------------------

**COMMITTEE RECOMMENDATION**

**That Council approve an amendment to Zoning By-law 2008-250 for a portion of the Greenbelt Research Farm at 1740 Woodroffe Avenue to permit a production studio, as detailed in Document 2 and 3.**

CARRIED

21. [DESIGNATION OF THE BOOTH STREET COMPLEX, 552-568 BOOTH STREET AND 405 ROCHESTER STREET, UNDER PART IV OF THE ONTARIO HERITAGE ACT](#)

**COMMITTEE RECOMMENDATION, AS AMENDED**

That Council issue a Notice of Intention to Designate the Booth Street Complex, 552-568 Booth Street and 405 Rochester Street, as a property of cultural heritage value under Part IV of the *Ontario Heritage Act* according to the revised Statement of Cultural Heritage Value, attached as Document 10

CARRIED

22. [OFFICIAL PLAN AND ZONING BY-LAW AMENDMENT – 552 BOOTH STREET](#)

**COMMITTEE RECOMMENDATIONS, AS AMENDED**

That Council approve:

1. an amendment to the Preston-Carling District Secondary for 552 Booth Street to create a new land use character area and other site specific required amendments, as detailed in Document 2; and
2. an amendment to Zoning By-law 2008-250 for 552 Booth Street to permit a mixed-use development, including heritage buildings, retail, office, residential and open space land uses as detailed in Document 3, as amended by the following:
  - a. that the 5th bullet in number 2, letter “d” be replaced with: “Any part of a building above 15 metres must be

**setback at least 2 metres from the property line abutting the street”;**

- b. **that, pursuant to the *Planning Act*, subsection 34(17), no further notice be given.**

CARRIED

23. [SIGNIFICANT WOODLANDS GUIDELINES](#)

**COMMITTEE RECOMMENDATIONS**

**That Council:**

- 1. endorse the proposed settlement with the appellants of the Significant Woodlands policies approved by Council on 14 December 2016, as described in this report; and**
- 2. approve the attached Document 1, Significant Woodlands: Guidelines for Identification, Evaluation, and Impact Assessment [Significant Woodlands Guidelines].**

CARRIED

24. [ZONING BY-LAW AMENDMENT – 54 LOUISA STREET](#)

**COMMITTEE RECOMMENDATION**

**That Council approve an amendment to Zoning By-law 2008-250 for 54 Louisa to permit a temporary parking lot and temporary parking garage, as detailed in Document 2.**

CARRIED with Councillors K. Egli, M. Fleury, J. Leiper, C. McKenney and S. Menard dissenting.

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

F. [ZONING BY-LAW AMENDMENT – 807 RIVER ROAD AND 4720 SPRATT ROAD](#)

### **COMMITTEE RECOMMENDATION**

**That Council approve an amendment to Zoning By-law 2008-250 for 807 River Road and 4720 Spratt Road to permit residential development and associated uses, as detailed in Document 2.**

### **MOTION NO. 9/16**

Moved by Councillor J. Harder

Seconded by Councillor T. Tierney

**WHEREAS Report ACS2019-PIE-PS-0023 recommends Planning Committee recommend Council approve an amendment to Zoning By-law 2008-250 for 807 River Road and 4720 Spratt Road; and**

**WHEREAS Document 2 incorrectly references 4650 Spratt Road, 4800 Spratt Road and an unaddressed parcel between River Road and Southbridge Street;**

**THEREFORE BE IT RESOLVED that Council approve that Document 2 be amended by replacing “4650 Spratt Road, 4800 Spratt Road and an unaddressed parcel between River Road and Southbridge Street” with the following:**

**“807 River Road and 4720 Spratt Road”**

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

CARRIED

The Committee recommendation, as amended by Motion 9/16 was put to Council and CARRIED.

## **BULK CONSENT AGENDA**

### **AGRICULTURE AND RURAL AFFAIRS COMMITTEE REPORT 1A**

A. <a href="#"><u>APPOINTMENTS TO THE RURAL PANEL OF THE COMMITTEE OF ADJUSTMENT</u></a>
------------------------------------------------------------------------------------------

#### **COMMITTEE RECOMMENDATION**

**That, further to deliberations of the Selection Panel, Council approve the following appointments of individuals to the Rural Panel of the Committee of Adjustment, including waiver of Section 2.1 of the Appointment Policy as described in this report. All terms to be effective on May 1, 2019, for the 2018-2022 Term of Council:**

**Panel 3 (Rural):**

**Martin Vervoort**

**Steven Lewis**

**Terry Otto**

**Jocelyn Chandler**

**Fabian Poulin**

CARRIED

### **AUDIT COMMITTEE REPORT 1**

B. <a href="#"><u>AUDIT COMMITTEE TERMS OF REFERENCE</u></a>
--------------------------------------------------------------

#### **COMMITTEE RECOMMENDATION**

**That Council approve its Terms of Reference, as outlined in this report and attached at Document 1.**

CARRIED

PLANNING COMMITTEE REPORT 3

C. [ZONING BY-LAW AMENDMENT – 3798 BANK STREET](#)

**COMMITTEE RECOMMENDATION**

**That Council approve an amendment to Zoning By-law 2008-250 for 3798 Bank Street to permit an environmental preserve and education area and forestry operation, as detailed in Document 2.**

CARRIED

D. [CAPITAL ILLUMINATION PLAN 2017-2027](#)

**COMMITTEE RECOMMENDATION**

**That Council designate the General Manager, Planning, Infrastructure and Economic Development to be a signatory to the Charter of the Capital Illumination Plan, 2017-2027**

CARRIED

E. [ZONING BY-LAW AMENDMENT – 3598 INNES ROAD](#)

**COMMITTEE RECOMMENDATION**

**That Council approve an amendment to Zoning By-law 2008-250 for 3598 Innes Road to permit a Car Wash establishment, as detailed in Document 2.**

CARRIED

- G. [ZONING BY-LAW AMENDMENT – 4650 SPRATT ROAD, 4800 SPRATT ROAD AND AN UNADDRESSED PARCEL BETWEEN RIVER ROAD AND SOUTHBRIDGE STREET](#)

**COMMITTEE RECOMMENDATION**

**That Council approve an amendment to Zoning By-law 2008-250 for 4650 Spratt Road, 4800 Spratt Road and an unaddressed parcel between River Road and Southbridge Street to permit residential development and associated uses, as detailed in Document 2.**

CARRIED

- H. [MOTION - DIRECTION TO STAFF REGARDING ALIGNMENT OF OFFICIAL PLAN POLICY AND ZONING BY-LAW WITH FEDERAL LAND USE APPROVAL \(2016\) FOR 1426 ST. JOSEPH BOULEVARD](#)

**COMMITTEE RECOMMENDATION**

**That Council approve that the Planning, Infrastructure and Economic Development department be directed to bring forward to Planning Committee, in accordance with the notice requirements of the *Planning Act*, City-initiated Official Plan and Zoning By-law amendments to align the City's Official Plan and Zoning Bylaw with the federal Campus Master Plan (2015) and National Capital Commission Federal Land Use Approval (2016) for the RCMP site at 1426 St. Joseph Boulevard.**

CARRIED

TRANSPORTATION COMMITTEE REPORT 1

I. [TRANSPORTATION COMMITTEE TERMS OF REFERENCE](#)

**COMMITTEE RECOMMENDATION**

**That Council approve its Terms of Reference, as outlined in this report and attached as Document 1.**

CARRIED

CITY CLERK AND SOLICITOR

J. [SUMMARY OF ORAL AND WRITTEN PUBLIC SUBMISSIONS FOR ITEMS SUBJECT TO THE \*PLANNING ACT\* 'EXPLANATION REQUIREMENTS' AT THE CITY COUNCIL MEETING OF FEBRUARY 27, 2019](#)

**REPORT RECOMMENDATIONS**

**That Council approve the Summaries of Oral and Written Public Submissions for items considered at the City Council Meeting of February 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. 9/17**

Moved by Councillor A. Hubley

Seconded by Councillor C. McKenney

**That the remaining following reports, excluding those items previously adopted by Council as part of the Budget, be received and adopted as amended, :**

- 1. Agriculture and Rural Affairs Committee Report 1A;**
- 2. Audit Committee Report 1;**
- 3. Planning Committee Report 3;**
- 4. Transportation Committee Report 1;**
- 5. the report from the General Manager, Transportation Services Department entitled “Contract Award of Ottawa’s Stage 2 Light Rail Transit Projects and Related Matters”;**
- 6. the report from the General Manager, Corporate Services Department entitled “Long Range Financial Plan Transit Update”; and**

**The report from the City Clerk and Solicitor’s Office entitled “Summary of Oral and Written Public Submissions for Items Subject to the *Planning Act* ‘Explanation Requirements’ at the City Council Meeting of February 27, 2019”.**

CARRIED

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

**MOTION NO. 9/18**

Moved by Councillor S. Moffatt

Seconded by Councillor S. Menard

**WHEREAS under the *Clean Water Act*, a Source Protection Committee representing multiple stakeholders is required for each source protection region in Ontario; and**

**WHEREAS the Source Protection Committee (SPC) oversees the source protection program and the composition ensures that a variety of local interests are represented at the decision-making table; and**

**WHEREAS the City of Ottawa is a member of the Mississippi-Rideau Source Protection Committee (SPC); and**

**WHEREAS the City of Ottawa has had one member on the Mississippi-Rideau SPC since May 2017, and previously had two members since 2007; and**

**WHEREAS the Mississippi-Rideau SPC membership is undergoing a renewal in 2018 and 2019 to ensure that it remains in compliance with Ontario Regulation 288/07, the regulation that governs Source Protection Committees under Ontario's *Clean Water Act*; and**

**WHEREAS the City of Ottawa received a letter from the Mississippi-Rideau Source Protection Region on January 29, 2019 requesting the City to submit the name of the Council appointed member to the SPC before March 29, 2019; and**

**WHEREAS Michel Kearney is the City's current representative and is willing to remain on the SPC for another term.**

**THEREFORE be it resolved that Council approve the selection of Michel Kearney to sit as the representative for the City of Ottawa on the Mississippi-Rideau Source Protection Committee and direct the City Clerk and Solicitor to provide a copy of this resolution to the SPC before March 29, 2019.**

CARRIED

## **MOTIONS REQUIRING SUSPENSION OF THE RULES OF PROCEDURE**

### **MOTION NO. 9/19**

Moved by Councillor M. Fleury

Seconded by Councillor J. Harder

***That the Rules of Procedure be suspended to consider the following Motion, in order that the property owner may address these issues as soon as possible, and the next Council meeting is not until March 27, 2019***

**WHEREAS the building at 240, 242, 244 Ferland Street / 43, 43A Joliette Avenue is in an advanced state of disrepair; and**

**WHEREAS there are neighbourhood concerns related to criminal activity in the building on the property; and**

**WHEREAS given the dilapidated condition of the building and the community's safety concerns it would be in the public interest to demolish the building; and**

**WHEREAS there is currently no building permit application for a replacement building;**

**THEREFORE BE IT RESOLVED that Council approve demolition control for the existing building on the property subject to the following conditions;**

- 1. That until the time of the construction of the first replacement building, the registered Owner shall landscape the property to the satisfaction of the General Manager of Planning Infrastructure and Economic Development. The registered Owner shall prohibit the use of the property for other interim uses and maintain the property in accordance with the Property Standards By-law;**
- 2. The landscaping of the property shall be finalized in collaboration with City staff;**
- 3. The Owner shall pay one hundred percent securities to the City for the value of landscaping the property, with the securities to be released once these works are completed;**
- 4. The Owner agrees that to the discretion of the General Manager, Planning, Infrastructure and Economic Development Department, a replacement building must be substantially completed within five years from the date of this approval and in default thereof, the City Clerk shall enter on the collector's roll the sum of \$5,000 for the residential dwelling to be demolished;**

5. **The registered Owner shall enter into an Agreement with the City of Ottawa to include the foregoing conditions and pay all costs associated with the registration of said Agreement. At such time as a building permit is issued to redevelop the site and the replacement building is in place, the Agreement will become null and void and will be released upon request of the Owner. The Owner shall pay all costs associated with the release of the agreement;**
6. **The Owner agrees that a demolition permit will not be issued and the building cannot be demolished until such time that the agreement referenced herein has been executed and registered on title;**
7. **This approval is considered null and void if the Agreement is not executed within six months of Council's approval.**

CARRIED

**MOTION NO. 9/20**

Moved by Councillor El-Chantiry  
Seconded by Mayor J. Watson

***That the Rules of Procedure be waived in order to consider the following motion:***

**WHEREAS at the Council meeting of February 27, 2019, City Council considered the report titled "Appointment – Ottawa Police Services Board"; and**

**WHEREAS a technical amendment motion was approved at the Council meeting, replacing the report recommendation as follows:**

**"That the appointment of Leo A. (Sandy) Smallwood to the Ottawa Police Services Board be approved with an amended term too expire in two years"; and**

**WHEREAS upon reviewing the staff notes from the Selection Panel meeting held on January 15, 2019 with Councillors Deans, El-Chantiry and Meehan and Robyn Guest, as representative of the Mayor's Office, it was determined that the notes were consistent with the appointment report; and**

**WHEREAS Mr. Smallwood expressed a willingness to serve a four-year term as well as has years of experience and an understanding of the Ottawa Police Services Board;**

**THEREFORE BE IT RESOLVED Council approve the appointment of Leo A. (Sandy) Smallwood to the Ottawa Police Services Board, including waiver of Section 2.1 of the Appointment Policy, for the term of Council.**

CARRIED, on a division of 19 YEAS and 3 NAYS, as follows:

YEAS (19): Councillors J. Harder, G. Gower, C. McKenney, K. Egli, M. Luloff, J. Sudds, R. Brockington, L. Dudas, J. Cloutier, T. Kavanagh, S. Menard, M. Fleury, A. Hubley, S. Moffatt, E. El-Chantiry, J. Leiper, T. Tierney, S. Blais, Mayor J. Watson

NAYS (3): Councillors R. Chiarelli, C. Meehan, D. Deans

#### **NOTICES OF MOTION (FOR CONSIDERATION AT SUBSEQUENT MEETING)**

Moved by Councillor S. Menard

Seconded by Councillor R. Brockington

**WHEREAS the Ottawa Sports and Entertainment Group (OSEG) would like to use firework related smoke devices at Ottawa Fury Games at TD Place and;**

**WHEREAS OSEG has developed procedures to ensure the safety of staff and patrons of the events and;**

**WHEREAS the City of Ottawa prohibits the use of smoke devices in By-law No. 2003-237, being the Fireworks By-law and;**

**WHEREAS OSEG has used smoked devices in 2017 and 2018 with prior approval by City Council and received no complaints and;**

**WHEREAS Ottawa Fire Services has been consulted on the smoke devices and believes these devices can be used safely;**

**THEREFORE BE IT RESOLVED that the City of Ottawa grant an exemption to By-law No. 2003-237 to the Ottawa Sports and Entertainment Group (“OSEG”), to allow for the use of smoke devices for Fury Games starting April 1, 2019 until**

**December 31, 2022, for home games and playoff games, if required, and granting OSEG an exemption from Section 17 of the By-law, which requires a permit application to be made 30-days in advance to the proposed use, subject to OSEG meeting all other permit requirements of the By-law, including Section 18, to the satisfaction of the Fire Chief.**

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

### **MOTION NO 9/21**

Moved by Councillor A. Hubley

Seconded by Councillor C. McKenney

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

CARRIED

## **BY-LAWS**

### **THREE READINGS**

- 2019-44. A by-law of the City of Ottawa to govern the proceedings of its Advisory Committees and to repeal By-law No. 2007-104.
- 2019-45. A by-law of the City of Ottawa to set the instalment due dates and the interest and penalty rates applicable to the collection of property taxes for 2019.
- 2019-46. A by-law of the City of Ottawa to designate certain lands at 121 and 123 voie Boundstone Way on Plan 4M-1556 as being exempt from Part Lot Control.
- 2019-47. A by-law of the City of Ottawa to designate certain lands at privé Peridot Private on Registered Plan 32 as being exempt from Part Lot Control.
- 2019-48. A by-law of the City of Ottawa to amend By-Law No. 2018-33 to authorize the payment of rebates to individuals who make contributions to candidates for office on the municipal council.

- 2019-49. 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 3598 Innes Road.
- 2019-50. A by-law of the City of Ottawa to amend By-law No. 2008-250 to change the zoning of part of the lands known municipally as 3798 Bank Street.
- 2019-51. 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 1740 Woodroffe Avenue.
- 2019-52. A by-law of the City of Ottawa to amend the Preston-Carling District Secondary Plan of Volume 2A of the Official Plan of the City of Ottawa to add site specific policies for the lands municipally known as 552 Booth Street.
- 2019-53. 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 552 Booth Street.
- 2019-54. A by-law of the City of Ottawa to establish certain lands as common and public highway and assume them for public use (promenade CitiGate Drive).
- 2019-55. 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 54 Louisa Street.
- 2019-56. 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 4650 and 4800 Spratt Road and an unaddressed parcel between River Road and Southbridge Street.
- 2019-57. 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 807 River Road and 4720 Spratt Road.

CARRIED

**CONFIRMATION BY-LAW**

**MOTION NO 9/22**

Moved by Councillor A. Hubley  
Seconded by Councillor C. McKenney

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

**To confirm the proceedings of the Council meeting of March 6<sup>th</sup>, 2019.**

CARRIED

**ADJOURNMENT**

Council adjourned the meeting at 4:51 pm.

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**CITY CLERK**

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**MAYOR**





## Annex B

City of Ottawa

#REF!

## Traffic Services - User Fees

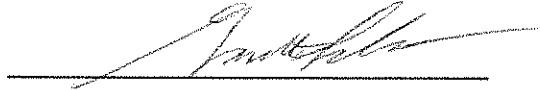
	2017 Rate \$	2018 Rate \$	2019 Rate \$	% Change Over 2018	% Change Over 2017	Effective Date	2019 Revenue (\$000)
Traffic Count Information Fee – file copies	108.00	108.00	110.00	1.9%	1.9%	Jan 1 2019	
<b>Variable Message Board</b>							
Per sign per day equipment rental charge	100.00	100.00	102.00	2.0%	2.0%	Jan 1 2019	
Set up/takedown fee (actual hourly cost of staff time)	actual cost	actual cost	actual cost	N/A	N/A	Jan 1 2019	
<b>ATR - Numetric Plate Data Collection</b>							
Per plate per hour equipment rental charge	0.50	0.50	0.51	2.0%	2.0%	Jan 1 2019	
Equipment maintenance fee – per plate	5.50	5.50	5.61	2.0%	2.0%	Jan 1 2019	
Set up/takedown fee (actual hourly cost of staff time)	actual cost	actual cost	actual cost	N/A	N/A	Jan 1 2019	
<b>ATR – Pneumatic Tube Data collection</b>							
Per hour equipment rental charge	0.50	0.50	0.51	2.0%	2.0%	Jan 1 2019	
Equipment maintenance fee - per data collection device deployed	10.00	10.00	10.20	2.0%	2.0%	Jan 1 2019	
Set up/takedown fee (actual hourly cost of staff time)	actual cost	actual cost	actual cost	N/A	N/A	Jan 1 2019	
<b>Miovison Data Collection</b>							
Device rental charge per hour per camera	6.00	6.00	6.12	2.0%	2.0%	Jan 1 2019	
Processing charges – intersection, small roundabout count, large roundabout count, midblock volume (vehicles only), pathway volume	actual cost	actual cost	actual cost	N/A	N/A	Jan 1 2019	
Video storage	actual cost	actual cost	actual cost	N/A	N/A	Jan 1 2019	
Set up/takedown fee (actual hourly cost of staff time)	actual cost	actual cost	actual cost	N/A	N/A	Jan 1 2019	



This is

**Exhibit 7**

to the affidavit of Nick Stow 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.*

**7. Significant Woodlands Guidelines**  
**Lignes directrices sur les boisés d'importance**

**COMMITTEE RECOMMENDATIONS**

**That Council:**

- 1. endorse the proposed settlement with the appellants of the Significant Woodlands policies approved by Council on 14 December 2016, as described in this report; and**
- 2. approve the attached Document 1, Significant Woodlands: Guidelines for Identification, Evaluation, and Impact Assessment [Significant Woodlands Guidelines].**

**RECOMMANDATIONS DU COMITÉ**

**Que le Conseil :**

- 1. souscrive à l'entente proposée avec les parties ayant interjeté appel des politiques relatives aux boisés d'importance approuvées par le Conseil le 14 décembre 2016 et décrites dans le présent rapport; et**
- 2. approuve le document 1 ci-joint, intitulé Boisés d'importance : Lignes directrices en matière de désignation, d'évaluation et d'étude d'impact [Lignes directrices sur les boisés d'importance].**

**FOR THE INFORMATION OF COUNCIL:**

The Planning Committee also approved:

- 1. the following report recommendation:**

That Planning Committee direct the Planning, Infrastructure, and Economic Development staff to initiate a review of the implementation of the Significant Woodlands Guidelines within three years of approval.

- 2. the following motion :**

That Planning Committee amend the staff report, Document 3, before it

rises to Council, to include the summary and responses to the eight additional public submissions, as detailed and distributed to committee members in a staff memorandum on February 26, 2019.

POUR LA GOUVERNE DU CONSEIL

Le comité a également approuvé :

1. la recommandation du rapport suivante :

Que le Comité de l'urbanisme charge la Direction générale de la planification, de l'infrastructure et du développement économique de procéder à l'examen de la mise en œuvre des Lignes directrices sur les boisés d'importance dans les trois années suivant leur approbation.

2. la motion suivante :

Que le Comité de l'urbanisme modifie le document 3 du rapport du personnel avant qu'il ne soit présenté au Conseil, en y ajoutant une synthèse des huit commentaires du public et les réponses, présentées dont il est question dans une note de service distribuée aux membres du Comité le 26 février 2019.

DOCUMENTATION/DOCUMENTATION

1. Director's Report, Economic Development and Long Range Planning Services, Planning, Infrastructure and Economic Development Department, dated February 14, 2019 (ACS2019-PIE-EDP-0003)

Rapport du directeur, Services de Développement économique et planification à long terme, Direction générale de la planification, de l'Infrastructure et du développement économique, daté le 14 février 2019 (ACS2019-PIE-EDP-0003)

2. Extract of draft Minutes, Planning Committee, February 28, 2019

Extrait de l'ébauche du procès-verbal, Comité de l'urbanisme, le 28 février 2019

**Report to  
Rapport au:**

**Planning Committee / Comité de l'urbanisme  
February 28, 2019 / 28 février 2019**

**and Council / et au Conseil  
March 6, 2019 / 6 mars 2019**

**Submitted on February 14, 2019  
Soumis le 14 février 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-0003**

**SUBJECT: Significant Woodlands Guidelines**

**OBJET: Lignes directrices sur les boisés d'importance**

**REPORT RECOMMENDATIONS**

**That the Planning Committee:**

- 1. Recommend that Council endorse the proposed settlement with the appellants of the Significant Woodlands policies approved by Council on**



14 December 2016, as described in this report.

2. **Recommend that Council approve the attached Document 1, Significant Woodlands: Guidelines for Identification, Evaluation, and Impact Assessment [Significant Woodlands Guidelines].**
3. **Direct the Planning, Infrastructure, and Economic Development staff to initiate a review of the implementation of the Significant Woodlands Guidelines within three years of approval.**

## **RECOMMANDATIONS DU RAPPORT**

**Que le Comité de l'urbanisme :**

1. **Recommande au Conseil de souscrire à l'entente proposée avec les parties ayant interjeté appel des politiques relatives aux boisés d'importance approuvées par le Conseil le 14 décembre 2016 et décrites dans le présent rapport.**
2. **Recommande au Conseil d'approuver le document 1 ci-joint, intitulé Boisés d'importance : Lignes directrices en matière de désignation, d'évaluation et d'étude d'impact [Lignes directrices sur les boisés d'importance].**
3. **Charge la Direction générale de la planification, de l'infrastructure et du développement économique de procéder à l'examen de la mise en œuvre des Lignes directrices sur les boisés d'importance dans les trois années suivant leur approbation.**

## **EXECUTIVE SUMMARY**

The Significant Woodlands Guidelines in Document 1 implements the significant woodlands policies approved by Council on 14 December 2016. The changes were required to provide for consistency with the Provincial Policy Statement 2014 (PPS).

This report and the guidelines respond to direction given by Council at the December 14, 2016 meeting to work with community and industry stakeholders to:

- Review Urban Expansion Study Area Policy 3.11(6b) [since renumbered to Policy 3.11(4b)] and Developing Community Policy 3.12(3b), and to return with recommendations for any necessary changes to implement the directions proposed in Building Better and Smarter Suburbs, Greenspaces policies,



Drainage and Stormwater Management policies, and Air Quality and Climate Change policies.

- Return with recommendations for revisions to the City's Environmental Impact Statement Guidelines.

Three parties have appealed the Official Plan Amendment. The Local Planning Appeals Tribunal is scheduled to hear the appeals in June 2019. Staff have reached agreements with the appellants, conditional upon approval by Council. Under the agreements, Policy 2.4.2(1.c.iii) would change as highlighted:

1.c. Significant Woodlands defined as the following... iii. In the urban area, any area 0.8 hectares in size or larger, supporting woodland ~~40~~ 60 years of age and older at the time of evaluation

Policy 2.4.2(3) would change as highlighted:

Regardless of whether 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.

The agreement includes the changes made to the Significant Woodlands Guidelines in response to comments and suggestions from the Greater Ottawa Home Builders Association (GOHBA), of which one of the Appellants is a member. It also includes the process for consideration of significant woodlands

in a future urban boundary expansion, as outlined in this report, should an expansion be necessary.

### **Assumptions and Analysis**

On December 14, 2016, Council approved an Official Plan Amendment to change the definition of significant woodlands in Section 2.4.2 (1c) of the Official plan, and to amend Sections 3.11 – Urban Expansion Study Areas and 3.12 – Developing Communities for consistency with the new definition. The changes were required for consistency with the Provincial Policy Statement 2014 (PPS).

When it approved the Official Plan amendment, Council directed staff to work with community and industry stakeholders as noted above.

In response to the directions from Council:

- Staff do not recommend any further changes to Official Plan Policies 3.11 and 3.12.
- Staff have prepared Significant Woodlands Guidelines (Document 1) as a proposed replacement for the current guidelines in Appendix 8 of the City's Environmental Impact Statement Guidelines.

The new Significant Woodlands Guidelines provide detailed guidance on the application of the significant woodlands policies in the rural and urban areas. In the opinion of City staff, the proposed Significant Woodlands Guidelines:

- Reflect the current scientific knowledge regarding the multiple ecosystem benefits provided by urban woodlands.
- Implement the approved policies in a way that is consistent with the PPS and which will lead to more effective protection of significant woodlands and their ecological functions.

### **Public Consultation/Input**

Over the past two years, staff have consulted with a 10-member working group of City staff and stakeholders from industry and the community to develop the Significant Woodlands Guidelines. Staff also consulted with other City Branches and Departments as required.

The guidelines were posted to Ottawa.ca on November 23, 2018, for three weeks of public review and comment.

Staff provided the guidelines directly to the appellants of the significant woodlands policies, as well as other major stakeholders and contributors. Staff made direct presentations on the new guidelines to the following groups and agencies:

- The Federation of Citizens Associations.
- The Greater Ottawa Home Builders.
- The Ontario Ministry of Natural Resources and Forestry (Kemptville District Office).

Staff reviewed all input and comments, which resulted in changes and improvements to the guidelines.

## **RÉSUMÉ**

Les Lignes directrices sur les boisés d'importance, figurant dans le document 1, mettent en œuvre les politiques relatives aux boisés d'importance approuvées par le Conseil le 14 décembre 2016. Les modifications apportées étaient nécessaires pour en assurer la conformité à la Déclaration de principes provinciale (DPP) de 2014.

Le présent rapport et les lignes directrices font suite à la directive, fournie par le Conseil lors de la réunion du 14 décembre 2016, de travailler de concert avec la collectivité et les intervenants de l'industrie aux fins suivantes :

- Examiner la politique 3.11(6b) relative au Secteur d'expansion urbaine à l'étude [depuis renumérotée politique 3.11(4b)] et la politique 3.12(3b) relative aux collectivités en développement, en vue de recommander des modifications à apporter pour mettre en œuvre les orientations proposées dans *Bâtir des banlieues meilleures et plus intelligentes*, ainsi que dans les politiques relatives aux espaces verts, à la gestion du drainage et des eaux pluviales et à la qualité de l'air et au changement climatique.
- Recommander des révisions aux Lignes directrices de la Ville en matière d'études d'impact sur l'environnement.

Trois parties ont interjeté appel de la modification au Plan officiel. Le Tribunal d'appel de l'aménagement local devrait examiner ces appels en juin 2019. Le personnel a

conclu avec ces parties des ententes, conditionnelles à l'approbation du Conseil, en vertu desquelles la politique 2.4.2(1.c.iii) ferait l'objet de la modification suivante (en surbrillance) :

1.c. Terrains boisés d'importance ainsi définis .... iii. En secteur urbain, toute zone d'une superficie d'au moins 0,8 hectare, où se trouve un boisé dont le peuplement est âgé d'au moins 40 60 ans au moment de l'évaluation

La politique 2.4.2(3) ferait l'objet de la modification suivante (en surbrillance) :

Que les caractéristiques soient désignées ou non dans le présent Plan, une étude d'impact sur l'environnement est exigée pour tout aménagement proposé dans les caractéristiques décrites précédemment à la politique 1 ou les jouxtant, sauf dans le cas des plans d'eau de surface et d'eau souterraine. L'aménagement et la modification d'un site situé dans ces caractéristiques ou les jouxtant sont interdits à moins de démontrer, dans le cadre d'une étude d'impact sur l'environnement, qu'il n'y aura pas de répercussions négatives sur la caractéristique ou sur ses fonctions écologiques. Si l'aménagement ou la modification d'un site vise la création ou l'expansion d'opérations d'extraction d'agrégats dans un boisé d'importance ou le jouxtant, la preuve d'absence de répercussions néfastes peut prendre en compte la remise en état définitive des exploitations de ressources minérales en agrégats, y compris toute compensation sur site ou hors site. La remise en état des exploitations de ressources minérales en agrégats devrait être mise au calendrier le plus tôt possible et adaptée au milieu naturel environnant. Les politiques relatives aux études d'impact sur l'environnement et les définitions des termes se trouvent à la section 4.7.8.

L'entente comprend les modifications apportées aux Lignes directrices sur les boisés d'importance par suite des commentaires et des suggestions de la Greater Ottawa Home Builders Association (GOHBA), dont l'un des appelants est membre. Elle décrit également la pratique à adopter pour prendre en compte les boisés d'importance en cas d'éventuelle expansion des limites urbaines, comme le décrit le présent rapport, si une telle expansion était nécessaire.

## Hypothèses et analyse

Le 14 décembre 2016, le Conseil municipal approuvait une modification au Plan officiel visant à modifier la définition des boisés d'importance proposée à la section 2.4.2 (1c) du Plan officiel, et à modifier les sections 3.11 – Secteurs d'expansion urbaine à l'étude et 3.12 – Collectivités en développement, à des fins de cohérence avec cette nouvelle définition. Ces modifications sont nécessaires pour en assurer la conformité à la Déclaration de principes provinciale (DPP) de 2014.

Lors de l'approbation de cette modification au Plan officiel, le Conseil a chargé le personnel de travailler de concert avec la collectivité et les intervenants de l'industrie, comme il est mentionné plus haut.

Par suite des directives du Conseil :

- Le personnel ne recommande aucune autre modification aux politiques 3.11 et 3.12 du Plan officiel.
- Le personnel a élaboré des Lignes directrices sur les boisés d'importance (document 1) en remplacement éventuel des lignes directrices actuelles figurant à l'appendice 8 des Lignes directrices de la Ville en matière d'études d'impact sur l'environnement.

Les nouvelles Lignes directrices sur les boisés d'importance fournissent des directives détaillées sur l'application des politiques relatives aux boisés d'importance dans les zones rurales et urbaines. Le personnel de la Ville estime que les lignes directrices proposées sur les boisés d'importance :

- tiennent compte des connaissances scientifiques actuelles concernant les multiples avantages pour les écosystèmes découlant de la présence de boisés urbains;
- permettent l'application conforme à la DPP des politiques approuvées, une application qui offrira une meilleure protection des boisés d'importance et de leurs fonctions écologiques.

### **Consultation publique et commentaires**

Au cours des deux dernières années, le personnel a consulté un groupe de travail de dix membres, formé d'employés de la Ville et de représentants de l'industrie et de la collectivité, en vue d'élaborer les Lignes directrices sur les boisés d'importance. Le

personnel a également consulté, au besoin, les employés d'autres directions et directions générales.

Ces lignes directrices ont été affichées pendant trois semaines sur le site Ottawa.ca à partir du 23 novembre 2018, aux fins d'examen et de commentaires.

Le personnel a directement transmis les lignes directrices aux parties ayant interjeté appel des modifications aux politiques sur les boisés d'importance, ainsi qu'aux autres principaux intervenants et collaborateurs. Le personnel a fait des présentations directes aux groupes et agences suivants au sujet des nouvelles lignes directrices :

- la Fédération des associations civiques
- la Greater Ottawa Home Builders Association
- le ministère des Richesses naturelles et des Forêts de l'Ontario (bureau de district de Kemptville)

Le personnel a examiné l'ensemble des commentaires reçus, qui ont donné lieu à des modifications et à des améliorations aux lignes directrices.

## **BACKGROUND**

On December 14, 2016, Council approved an Official Plan Amendment to change the definition of significant woodlands in Section 2.4.2 (1c) of the Official plan, and to amend Sections 3.11 – Urban Expansion Study Areas and 3.12 – Developing Communities for consistency with the new definition. When it approved the Official Plan amendment, Council directed staff to work with community and industry stakeholders to:

- Review Urban Expansion Study Area Policy 3.11(6b) [since renumbered to Policy 3.11 (4b)] and Developing Community Policy 3.12(3b), and to return with recommendations for any necessary changes to implement the directions proposed in Building Better and Smarter Suburbs, Greenspaces policies, Drainage and Stormwater Management policies, and Air Quality and Climate Change policies.
- Return with recommendations for revisions to the City's Environmental Impact Statement Guidelines.

## DISCUSSION

The Significant Woodlands Guidelines in Document 1 implement the significant woodlands policies approved by Council on December 14, 2016, and respond to direction given by Council at that meeting. Staff are also seeking Council approval of proposed settlement of the appeals to those policies.

### Council Direction and Response

On December 14, 2016, Council approved an Official Plan amendment to change the definition of significant woodlands in Section 2.4.2 (1c) of the Official Plan, and to amend Sections 3.11 – Urban Expansion Study Areas and 3.12 – Developing Communities for consistency with the new definition. The changes were required for consistency with the Provincial Policy Statement 2014 (PPS).

Under the policies approved on 14 December 2016, significant woodlands were defined as:

- i. Any treed area meeting the definition of woodlands in the *Forestry Act*, R.S.O. 1990, c. F.26 or forest in the Ecological Land Classification for Southern Ontario; and
- ii. In the rural area, meeting any one of the criteria in the Natural Heritage Reference Manual, as assessed in a subwatershed planning context and applied in accordance with Council-approved guidelines, where such guidelines exist; or
- iii. In the urban area, any area 0.8 hectares in size or larger, supporting woodland 40 years of age and older at the time of evaluation;

Three parties appealed the significant woodlands policies. Two parties from the aggregate industry sought clarity regarding the application of the policies to existing aggregate licenses and planning applications for new or expanded aggregate operations. The third party from the development industry argued that the 40-year exemption for significant urban woodlands was not long enough to achieve its intended purpose of protecting urban land supply within and adjacent to the urban boundary.

The proposed settlement with the appellants from the aggregate industry recognizes and reflects the specific guidance provided by the Province in the Natural Heritage Reference Manual (NHRM) regarding the application of the Provincial Policy Statement

to conflicts between natural heritage features and aggregate resources. The NHRM says that rehabilitation of aggregate resource licenses may be considered in the evaluation of natural heritage impacts.

The proposed settlement with the appellant from the development industry also responds to similar concerns raised by some members of the Significant Woodlands Working Group and by other members of the Greater Ottawa Home Builders Association. These parties expressed concern that the 40-year exemption might still capture very young woodlands which, though meeting the technical definition of a woodland, would not meet the intent of the policy. For example, 40 years ago some densely regenerating old fields may have met the definition of woodland under the Ecological Land Classification but consisted entirely of saplings under 4.5 meters in height. The parties argued that a longer time period would better achieve the intended outcome. Following discussion and consideration of these concerns, staff support a change to 60 years.

When it approved the Official Plan amendment, Council directed staff to work with community and industry stakeholders to:

- Review Urban Expansion Study Area Policy 3.11(6b) [since renumbered as Policy 3.11(4b)] and Developing Community Policy 3.12(3b), and to return with recommendations for any necessary changes to implement the directions proposed in Building Better and Smarter Suburbs, Greenspaces policies, Drainage and Stormwater Management policies, and Air Quality and Climate Change policies.
- Return with recommendations for revisions to the City's Environmental Impact Statement Guidelines.

Over the past two years, staff have consulted with a working group of stakeholders to carry out these directions. The Working Group consisted of representatives from the following groups:

- The Greater Ottawa Home Builders Association (two representatives);
- An environmental consultant recommended by the Greater Ottawa Home Builders Association;
- The Federation of Citizens Associations;



- Ottawa Public Health;
- The City of Ottawa's Natural Systems Unit (two Environmental Planners and one Planning Forester);
- The City of Ottawa's Zoning and Interpretation Unit.

Staff consulted with other City Branches and Departments as required.

The Working Group operated on the basis of consensus, on the understanding that no member of the group would be obliged or expected to support the final recommendations from staff. The discussions were very constructive, with positive contributions from all members.

In response to the directions from Council:

- Staff do not recommend any further changes to Official Plan Policies 3.11 and 3.12.
- Staff have prepared the attached Significant Woodlands Guidelines (Document 1) as a proposed replacement for the current guidelines in Appendix 8 of the City's Environmental Impact Statement Guidelines.

The new Significant Woodlands Guidelines provide detailed guidance on the application of the significant woodlands policies in the rural and urban areas. In response to requests made by community and industry stakeholders when Planning Committee recommended the policies, the guidelines:

- Include a flowchart illustrating the significant woodlands evaluation process.
- Establish planning areas and thresholds for application of the Province's Natural Heritage Reference Manual (NHRM) criteria in the rural area;
- Address the application of the NHRM criteria to aggregate licenses and aggregate-related development applications in the rural area;
- Address the application of the significant woodlands policies in the context of other PPS and Official Plan policies related to matters such as urban intensification and efficiency of land use;
- Reconfirm respect for past planning decisions;

- Address the interpretation and application of the PPS's "no negative impact" test, especially in the urban area;
- Provide examples illustrating the application of the guidelines in the urban area;
- Describe how the guidelines reflect and capture the full suite of ecosystem services provided by urban woodlands.

In the opinion of City staff, the proposed Significant Woodlands Guidelines implement the approved policies in a way that is consistent with the PPS and which will lead to more effective protection of significant woodlands and their ecological functions.

**Evaluation Criteria and the Natural Heritage Reference Manual**

The Provincial Policy Statement 2014 requires municipalities to evaluate significant woodlands using criteria in the Natural Heritage Reference Manual (2010). The NHRM contains 13 criteria organized into four categories: size, ecological functions, uncommon characteristics (chiefly biodiversity), and economic and social functions. The NHRM recommends that a woodland meeting any one of the criteria should be considered significant.

<b>Criterion</b>	<b>Sub-criteria</b>
1. Size	Woodland size
2. Ecological Functions	Woodland interior
	Proximity to other natural heritage features
	Ecological linkages
	Water protection
	Woodland diversity
3. Uncommon Characteristics	Unique species composition
	Provincially significant vegetation community
	Rare, uncommon, or restricted plant species
	Older woodlands
4. Economic and social values	High productivity of economically valuable products (while maintaining native natural attributes)

	High value in special services, such as air-quality improvement or recreation at a sustainable level
	Important identified appreciation, education, cultural or historical value

Several of the criteria have their own size thresholds. For example, a woodland that does not meet the minimum threshold for significance based on size alone may still qualify as significant on the basis of woodland diversity or maturity (or any other criterion), provided that it meets the smaller, minimum size thresholds for those criteria. The NHRM suggests that minimum size thresholds for the different criteria should be based on overall forest cover in the surrounding planning area. It suggests that planning areas should reflect watershed and subwatershed boundaries, whenever possible.

The Significant Woodlands Guidelines splits the City into six planning areas: five watershed-based, rural planning areas, and the urban area. For each of the rural planning areas, the Guidelines provide size thresholds for each criterion, based upon forest cover in the planning area. Using these size thresholds, proponents will be required to apply all of the NHRM criteria in the evaluation of rural woodlands.

For the urban area, the Guidelines reflect the significant woodland policies in the Official Plan (as proposed for modification), which define any urban woodland of at least 60 years of age and 0.8 hectares in size to be significant solely based on economic and social values. This definition reflects an ecosystem approach to the valuation of urban woodlands.

### **Urban Woodlands and Ecosystem Services**

#### *Ecosystem Services Toolkit*

The adoption of an ecosystem services approach to the evaluation of urban woodlands follows directly from the rationale for the 2016 Official Plan definition of urban woodlands. Based on current science, that definition presumes that any woodlands in an urban area qualify as significant for their social, cultural, and economic benefits to the surrounding community, and for their contribution to the urban tree canopy, in addition to any biological values.

In order to determine which ecosystem services are most applicable to the evaluation of urban woodlands, the Working Group followed the approach and process recommended in the Ecosystem Services Toolkit (Value of Nature to Canadians Study Task Force, 2017) published by the Federal, Provincial and Territorial Governments of Canada. In particular, the Working Group used worksheets 1 to 4 of the Toolkit to assist in the identification and characterization of the important ecosystem services:

- Worksheet 1: Define the Issue and Context.
- Worksheet 2: Ecosystem Services Priority Screening Tool.
- Worksheet 3: Summarize Screening Results and Confirm Priority Ecosystem Services.
- Worksheet 4: Characterize the Priority Ecosystem Services.

The Working Group found the Toolkit invaluable for establishing a common understanding of the project objectives, for establishing a common vocabulary, for setting out a comprehensible process, and for arriving at an agreed set of ecosystem services.

The main outcomes of this approach were: (a) a list of ecosystems services and, (b) a matrix identifying measures and indicators for each service (Table 4 of the Significant Woodlands Guidelines, Document 1).

### *No Negative Impact*

Policy 2.1.5 of the Provincial Policy Statement 2014 says that:

Development and Site Alteration shall not be permitted in...

(b) significant woodlands in Ecoregions 6E and 7E (excluding islands in Lake Huron and the St. Marys River)...

unless it has been demonstrated that there will be no *negative impacts* on the natural features or their *ecological functions*.

Application of no negative impacts policy poses substantial challenges in an urban land use context, especially in circumstances where:

- Previous planning decisions have created a legal right of development or reasonable expectation of development;

- A woodland has been identified under the new City of Ottawa definition as significant solely on its social, cultural, and economic values;
- A woodland has come into the urban area through an urban boundary expansion.

In the first case, after consideration of all PPS policies and priorities, there are instances where Council has made prior planning decisions that conferred development rights on a property prior to its identification as significant woodland. Ontario Municipal Board decisions have established in respect of lands in the urban area prior to OPA 76 that the City cannot remove those rights in order to protect significant woodlands except through acquisition of the affected land (e.g. Official Plan Policy 5(cii)). If acquisition of the land is not a viable option for the City, then it would have to approve development.

In the second case, the City may have identified an urban woodland as significant for its socio-economic and cultural benefits, even though it does not qualify as significant under any biological or ecological criteria. Under some conditions, modification of a woodlot might increase its socio-economic and cultural benefits. Conversely, retention of some woodlots may have unintended impacts on urban form, land use efficiency, transportation, or public health and safety that could result in a net, socio-economic loss to the community.

In the third case, a small woodland may come into the urban area through expansion of the urban boundary to include the surrounding lands. In such a case, the development of the surrounding lands will have unavoidable, long-term impacts on the physical condition of the woodland and its ecological functions, simply through the isolation of the woodland within an urbanized landscape.

Attempts to adhere strictly to the *no negative impact* standard in such cases will likely result in failure or in superficial measures with little real benefit. However, a focus on ecosystem services – especially socio-economic and cultural benefits – allows the identification of trade-offs: mitigation and compensation measures that could provide greater community benefits than would otherwise result from an inflexible approach. In the first case, for example, the City would have the authority and power to require enhanced tree planting, green roofs, or publicly accessible private space to replace some of the ecosystem services formerly provided by the woodland. In the second and third cases, the City could approve modifications to the woodlands to make them more accessible and functional for the public, even while changing their physical size or form.

Such an approach is more consistent with the overall intent of the PPS, than strict adherence to the *no negative impact* standard.

#### *Integration with other Official Plan Policies*

In many cases, urban woodlands fall under several environmental policies, which may provide equal or greater protection than designation as significant woodlands. In particular, woodlands frequently lie within hazard lands or watercourse setbacks. Examples include:

- Woodlands in valleylands or ravine lands: e.g., Voyager Creek, Green's Creek, Stillwater Creek.
- Woodlands in floodplains: e.g., the Shirley's Brook Corridor
- Woodlands within watercourse setbacks (e.g., the Thomas Gamble Drain, Riverside South).

The City is not obligated to purchase such woodlands in order to protect them. In the event of a development application, they would be conveyed to the City as constrained lands.

#### **Consideration of Significant Woodlands in an Urban Expansion Process**

Any requirements for future urban expansion will be determined through the Official Plan review process. Should that process identify the need for urban expansion, then it is in the public interest to retain forested areas in potential urban expansion areas until they can be evaluated for their potential as significant urban woodlands. However, retention of potential significant urban woodlands in an area should not prejudice the consideration of that area for urban expansion, notwithstanding other constraints.

Should the Official Plan review process identify the need for urban expansion, the following process will be followed.

1. Identification and screening of potential urban expansion lands:
  - a. Woodland cover will not be used for the preliminary screening and scoring of potential urban expansion areas.
2. Final screening and selection (determination of developable area):

- a. The City will contract an independent forestry consultant to identify and map the forest in each candidate urban expansion area that meets the definition of urban woodland (*i.e.* 60 years of age and 0.8 ha), independent of property boundaries.
  - b. The amount of such woodland will be subtracted from the developable area, up to a limit of 15% of the gross area, independent of property boundaries.
3. Post-expansion process (*i.e.* concept plan, community design plan, *etc.*):
- a. The determination of the final area and boundaries of significant woodlands will be determined through the evaluation process described in the significant woodlands guidelines. The total, retained area of significant woodland may be less than 15% of the gross area.

The 15% limit for significant woodlands is based upon the Official Plan target for accessible greenspace of 16% to 20% of the gross urban area, after accounting for parkland dedication.

### **Three-Year Review**

Staff recommends a review and report on the implementation of the Significant Woodlands Guidelines no later than three years after their adoption by Council. A three-year review will provide accountability to the current Council, while providing sufficient time and experience with the Guidelines to allow an informed assessment of their effectiveness.

### **Future Workplan**

Approval of the Significant Woodlands Guidelines, along with improvements to the City's mapping of wetlands and forests, makes possible three subsequent changes to the City's policies and procedures for rural land use and development applications.

#### *Standard Conditions for Low-risk, Rural Development Applications*

The City's Official Plan requires the preparation of Environmental Impact Statements (EIS) for several types of low-risk, rural development applications, such as severances and site plans adjacent to, but outside of, natural heritage features. Many of these EIS reports result in exactly the same recommendations, consisting chiefly of mitigation measures to protect the adjacent natural features. In many cases, the applicants are individual, rural property owners, for whom the cost of an Environmental Impact Statement may be burdensome. The Natural Systems and Rural Affairs Unit will work

with industry and the Development Review Branch on a set of standard conditions for development approvals and development agreements to replace the requirement for an EIS on low-risk, rural development applications.

#### *Update of Natural Heritage Schedules L1, L2, and L3*

Official Plan Schedules L1, L2, and L3 already identify a natural heritage system in the rural area, including significant woodlands. Some changes to significant woodland boundaries will result from the revised significant woodlands criteria and the receipt of new city-wide, forest cover mapping (anticipated March 2019). Staff will bring forward a subsequent Official Plan Amendment to reflect the changes in the natural heritage system overlay in Schedules L1, L2, and L3 of the Official Plan.

#### *Elimination of the Rural Natural Feature Land Use Designation*

The Rural Natural Feature designation in the Official Plan serves as a trigger for the preparation of an Environmental Impact Statement. Rural Natural Features were drawn to follow artificial boundaries, such as roads or lot and concession lines, in order to encompass and protect areas of natural or semi-natural landscape where the boundaries of natural features were poorly defined. However, now that the City has reliable, current information on the location and boundaries of woodlands, wetlands, and other natural features (as represented in Official Plan Schedules L1, L2 and L3), the Rural Natural Feature designation serves little purpose. The Natural Systems and Rural Affairs Unit, and the Policy Planning Branch, will investigate elimination of the Rural Natural Feature designation as part of the current comprehensive Official Plan Review.

### **RURAL IMPLICATIONS**

The report has minimal implications for the rural area. Official Plan Schedules L1, L2, and L3 already identify a natural heritage system in the rural area, including significant woodlands. Some changes to significant woodland boundaries may occur. The new guidelines will provide greater clarity in the evaluation of significant woodlands, where required under the Official Plan and the Site Alteration By-law.

### **CONSULTATION**

Over the past two years, staff have consulted with a working group of industry and community stakeholders to develop the Significant Woodlands Guidelines. The Working Group consisted of representatives from the following groups:



- The Greater Ottawa Home Builders Association (two representatives);
- An environmental consultant recommended by the Greater Ottawa Home Builders Association;
- The Federation of Citizens Associations;
- Ottawa Public Health;
- The City of Ottawa's Natural Systems Unit (two Environmental Planners and one Planning Forester);
- The City of Ottawa's Zoning and Interpretation Unit.

Staff consulted with other City Branches and Departments as required.

The guidelines were posted to Ottawa.ca on November 23, 2018, for three weeks of public review and comment.

Staff provided the guidelines directly to the appellants of the significant woodlands policies. In addition, staff provided the guidelines directly to the following major stakeholders and contributors:

- All members of the working group.
- The Rideau Valley Conservation Authority, the Mississippi Valley Conservation Authority, and the South Nation Conservation Authority.
- The Ministry of Natural Resources and Forestry.
- The National Capital Commission.
- Smart Prosperity (University of Ottawa).
- Environment Canada.
- Dr. Andrew Kenney, University of Toronto.
- Tom Hilditch, Savanta Consulting.

Staff made direct presentations on the new guidelines to the following groups and agencies:

- The Federation of Citizens Associations.

- The Greater Ottawa Home Builders.
- The Ontario Ministry of Natural Resources and Forestry (Kemptville District Office).

Staff has reviewed and considered all of the input and comments received from the public and stakeholders. Document 2 summarizes the City's response and the resulting improvements to the Significant Woodlands Guidelines.

### **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 Guidelines. It is anticipated that reference to the Guidelines will be made during the upcoming Natural Systems Phase of the hearings on Official Plan Amendments 150 and 179.

### **RISK MANAGEMENT IMPLICATIONS**

There are no risk management implications associated with this report.

### **ASSET MANAGEMENT IMPLICATIONS**

There are no direct asset management implications with recommendations of this report.

### **FINANCIAL IMPLICATIONS**

There are no direct financial implications.

### **ACCESSIBILITY IMPACTS**

Staff anticipate that implementation of the Significant Woodlands Guidelines will result in more effective consideration of accessibility impacts in the planning and management of significant woodlands within the urban area.

### **ENVIRONMENTAL IMPLICATIONS**

Staff anticipate that implementation of the Significant Woodland Guidelines will result in more effective environmental protection and management of woodlands and enhancement of their ecosystem services. The guidelines are consistent with the City's

other environmental initiatives, in particular the Urban Forest Management Plan, low impact development, and promotion of a healthy built environment.

### **TERM OF COUNCIL PRIORITIES**

This project supports the following 2015 – 2018 Term of Council priorities:

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

### **SUPPORTING DOCUMENTATION** (*distributed separately*)

Document 1 Significant Woodlands Guidelines -- English

Document 2 Significant Woodlands Guidelines -- French.

Document 3 Summary of Public Comments and Responses.

### **DISPOSITION**

Planning, Infrastructure, and Economic Development will be responsible for implementing the new Significant Woodlands Guidelines.

# Significant Woodlands: Guidelines for Identification, Evaluation, and Impact Assessment.

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## 1. Purpose

The following guidelines explain the significant woodland policies of the City of Ottawa and how they shall be implemented in the City's planning processes. They supplement

and form part of the City’s broader Environmental Impact Statement Guidelines. These guidelines provide detailed, Council-approved direction on the interpretation and application of the City’s significant woodland policies, for use by the public, City staff, and other parties in land use planning, review of development applications, and application of the City’s By-laws.

## 2. How to Use these Guidelines

The City of Ottawa’s guidelines for the identification and evaluation of significant woodlands reflect a comprehensive set of provincial and municipal policies. They also set out different evaluation criteria and requirements for different parts of the City. Familiarity with these policies, criteria, and requirements will help to ensure that woodlands are identified and evaluated correctly, reducing the risks of delays in review and approval.

Sections 3 and 4 of these guidelines provide essential definitions and policy background. Section 5 and Appendix A provide an overview and flowchart of the process for identification and evaluation of significant woodlands in Ottawa’s rural, peri-urban, and urban areas. Section 6 and Appendix B provide direction on the application of identification and evaluation criteria. Appendices C and D provide examples of evaluations in Urban Expansion Study Areas, Developing Communities, and the existing urban area.

If you:

<p><b>Are preparing an Environmental Impact Statement for submission to the City of Ottawa the first time.</b></p>	<p>Please read the full Environmental Impact Statement Guidelines before proceeding further.</p>
<p><b>Are identifying and evaluating significant woodlands in Ottawa for the first time under these guidelines.</b></p>	<p>Please read the full Significant Woodland Guidelines before proceeding further.</p>
<p><b>Are familiar with these guidelines and are identifying and evaluating significant woodlands in the City of Ottawa.</b></p>	<p>Proceed to Appendix A to identify the appropriate evaluation process for your case.</p>

## 3. Official Plan Definition of Significant Woodlands

Section 2.4.2 of the City’s Official Plan, as amended by Official Plan Amendment 179 (under appeal as of October 2018) defines significant woodlands as:

- i. Any treed area meeting the definition of woodlands in the *Forestry Act*, R.S.O. 1990, c. F.26 or forest in the Ecological Land Classification for Southern Ontario; and
- ii. In the rural area, meeting any one of the criteria in the Natural Heritage Reference Manual, as assessed in a subwatershed planning context and applied in accordance with Council-approved guidelines, where such guidelines exist; or
- iii. In the urban area, any area 0.8 hectares in size or larger, supporting woodland 60 years of age and older at the time of evaluation.

OPA 179 brought the Official Plan definition of significant woodlands into compliance with the Provincial Policy Statement 2014 (PPS).

When applying these policies, a tree will be defined as a woody plant, usually with a single main stem and capable, under the right conditions, of reaching a height of 4.5 meters.

## 4. Policy Background

### 4.1. Provincial Policy Statement 2014

The Provincial Policy Statement (PPS) under the *Planning Act*, “provides policy direction on matters of provincial interest related to land use planning and development” (p. 1). Section 3 of the *Planning Act* states that planning decisions, “shall be consistent with” policy statements issued under the Act, including the PPS.

Section 2.1 of the PPS provides policies for the management of natural heritage resources, including significant woodlands. With respect to significant woodlands, the policies say that:

- “Natural features and areas shall be protected for the long-term.”
- The “diversity and connectivity” of natural features, their “ecological function and biodiversity”, and their linkages to the water system should be, “maintained, restored or, where possible, improved...”
- Their landscape context (e.g., settlement area, rural, agricultural) should be recognized and reflected.
- There shall be no development within or adjacent to them unless it has been demonstrated that there will be, “no negative impacts on the natural features or their functions.”

The PPS says that significant woodlands, “are to be identified using criteria established by the Ontario Ministry of Natural Resources.

#### 4.2. Natural Heritage Reference Manual 2010

The Natural Heritage Reference Manual (NHRM), “represents the Province’s recommended technical criteria and approaches for being consistent with the PPS in protecting natural heritage features and areas and natural heritage systems in Ontario” (p. 1).

The manual states that, “woodlands that meet a suggested minimum standard for any one of the criteria listed below should be considered significant” (p. 67).

These criteria are:

**Table 1. NHRM Criteria**

<b>Criterion</b>	<b>Sub-criteria</b>
1. Size	Woodland size
2. Ecological Functions	Woodland interior
	Proximity to other natural heritage features
	Ecological linkages
	Water protection
	Woodland diversity
3. Uncommon Characteristics	Unique species composition
	Provincially significant vegetation community
	Rare, uncommon, or restricted plant species
	Older woodlands
4. Economical and social values	High productivity of economically valuable products (while maintaining native natural attributes)
	High value in special services, such as air-quality improvement or recreation at a sustainable level
	Important identified appreciation, education, cultural or historical value

#### 4.3. Urban Expansion Study Areas and Developing Communities.

Special policies exist for significant woodlands under Official Plan Section 3.11 – Urban Expansion Study Area and Section 3.12 – Developing Community (Expansion Area). In



these land use designations, development proponents are required to identify and to convey the natural heritage system to the City for \$1 as undevelopable land. Significant woodlands, however, will be subject to further evaluation using these guidelines to determine if retention of the woodlot provides the greatest community benefit, or if modification or reduction of the woodlot is warranted prior to conveyance.

## 5. Ottawa's Significant Woodland Criteria, Measures, and Indicators

Most of Ottawa's woodlands lie in the rural area. They consist of a mix of young and mature second-growth woodlots and forests, at varying stages of ecological succession up to mature, climax stands. Small areas of pre-colonial, "old-growth" forest may remain where topography and soils have protected them from logging, agricultural clearing, and wildfires. A substantial portion of Ottawa's rural forest cover consists of swamps, especially in areas of clay or limestone plain.

In the urban area, many of the City's woodlands lie within the National Capital Greenbelt or other Federal lands managed by the National Capital Commission. Large portions lie protected within valley lands or along watercourses, often in public ownership. Other large woodlots lie within developed areas, often in association with other greenspace areas like parks and recreational pathways. Many of these reside in public ownership. Private ownership of urban woodlands (as defined in the OP Policy) appears uncommon, especially in established communities. Like rural woodlands, urban woodlands consist mostly of a mix of young and mature second-growth forest.

Woodlands often occur in peri-urban areas, where the City has identified lands for future urban expansion. Frequently, these areas consist of marginal or abandoned agricultural lands, outside of designated Agricultural Resource Areas. Typically, woodlands in these areas consist of mature farm woodlots (protected for firewood or maple syrup production), young regenerating forest on abandoned fields or pasture, areas of swamp or low, wet forest, or forest on thin soils over shallow bedrock.

As permitted by the PPS and the NHRM, the significant woodland guidelines distinguish between these three general land cover and land use contexts: *i.e.*, rural, urban, peri-urban.

Appendix A provides a key and flowchart for determining the evaluation process that applies to a potentially significant woodland.

### 5.1. Rural Criteria and Thresholds

In the rural area, significant woodlands will be identified and evaluated using all of the NHRM criteria, as provided above and in Section 7 of the NHRM. In accordance with the NHRM recommendation, any woodland meeting the minimum standard for any one

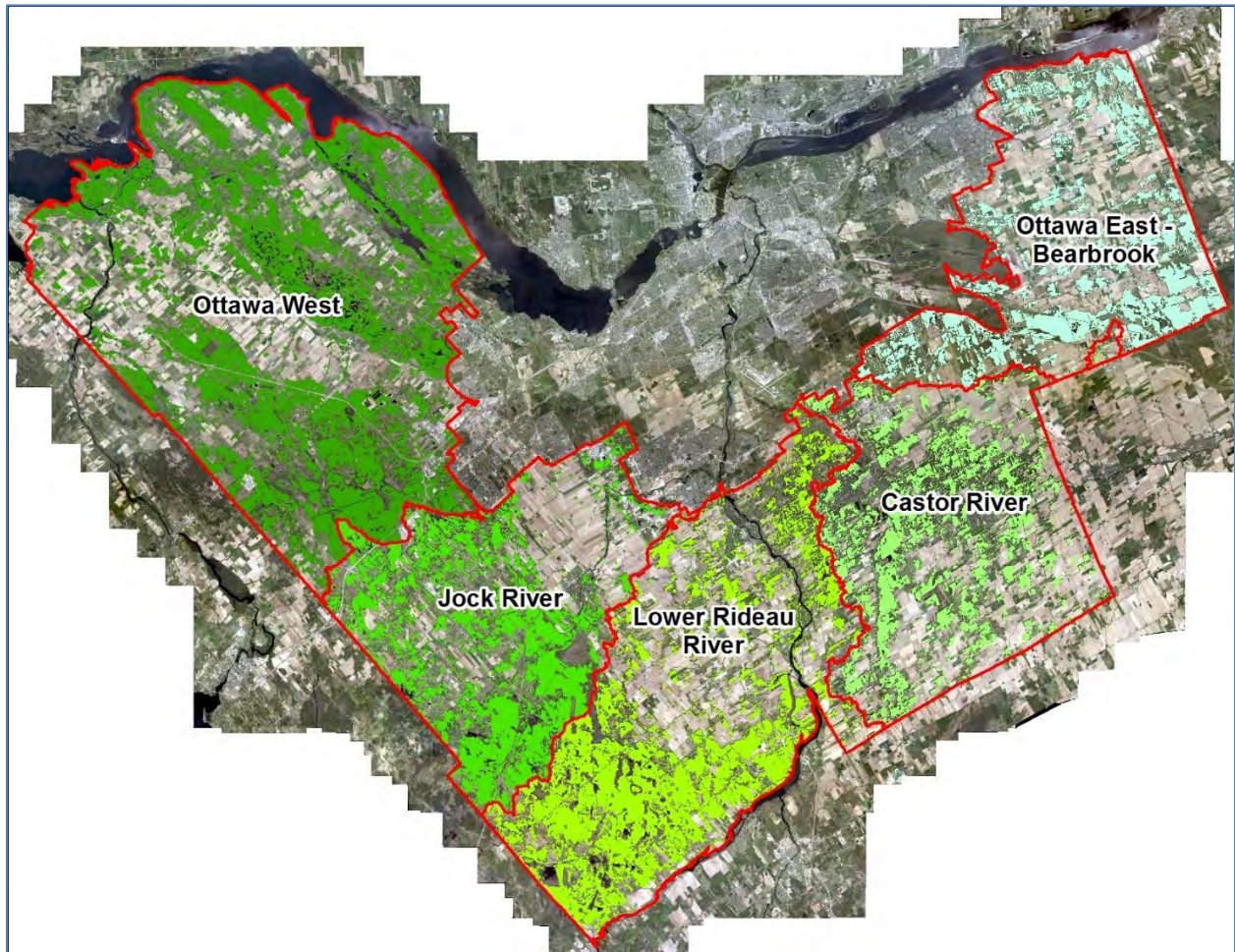
of the criteria will be considered significant. The City and proponents will apply the criteria as described in the NHRM, with the size threshold for each criterion based on the range provided and scaled to the forest cover in the planning area (see Figure 1 and Table 2, below).

#### 5.1.1. Planning Areas and Mapping

The PPS and the NHRM recommend a landscape approach to natural heritage system planning, with an emphasis on the integration of terrestrial ecosystems and water resource systems. The PPS identifies the watershed, “as the ecologically meaningful scale for integrated and long-term planning” (Policy 2.2.1 (a)). The Environment Canada document, How Much Habitat is Enough? (p.10), suggests that natural heritage planning should occur at a scale of 500 km<sup>2</sup> to 1000 km<sup>2</sup>. The City of Ottawa has identified 5 watershed-based, rural planning areas with respect to application of the significant woodland policies, ranging in size from 322 km<sup>2</sup> to 722 km<sup>2</sup> (Table 2, Figure 1). Two of the areas, Ottawa West and Ottawa East – Bearbrook, combine smaller subwatersheds with similar land cover and land uses. Four of these areas are smaller than the recommended size range. However, they reflect better the diversity of Ottawa’s landscape and land uses than would a smaller number of larger planning units.

The headwaters of the Jock River subwatershed and the Lower Rideau River watershed extend beyond the City’s boundaries. Ideally, the calculation of forest cover would include these areas. However, the City does not have access to comparable forest cover data for areas outside its boundaries, and such areas lie beyond its regulatory jurisdiction.

**Figure 1. Rural Planning Areas with 2011 Total Forest Cover (including non-significant woodlands)**



Rural Planning Area	Size (km <sup>2</sup> )	2011 Forest Cover (km <sup>2</sup> )	Percent Forest Cover
Ottawa West	722	278	38.4
Jock River	348	128	36.7
Lower Rideau River	469	179	38.0
Castor River	360	97	26.9
Ottawa East - Bearbrook	329	99	29.9

**Table 2. Rural Planning Areas and Size**

## 5.2. Urban Criteria

Urban woodlands differ substantially from rural woodlands in the ecosystem functions, services, and benefits that they provide. Woodlands in urban environments are typically smaller and more isolated. They are exposed to more non-native and invasive species, and a more stressful environment. They receive higher use. These pressures are inherent to the urban landscape and cannot be avoided or fully mitigated. Consequently, urban woodlands normally have lower biodiversity and ecological integrity than rural woodlands.

Conversely, urban woodlands typically have higher social and economic values than rural woodlands. They provide opportunities for outdoor recreation and relaxation, host public events and community gatherings, contribute to community identity, increase the aesthetic appearance of communities, provide educational opportunities and experiences. They absorb rainfall and decrease stormwater runoff, reduce urban heat island effects, provide shade and refuge during extreme heat events, and mitigate air pollution. A growing body of research has also shown measurable benefits of trees on physical and mental health.

Based on the multiple benefits that they provide to residents, Ottawa's Official Plan defines all urban woodlands meeting minimum size and age thresholds as significant under NHRM Criterion 4 – Economic and Social Functional Values. This policy does not preclude the possibility that urban woodlands may also qualify as significant under other NHRM criteria.

The NHRM provides limited guidance on how woodlands should be evaluated with respect to economic and social values. Furthermore, the guidance that it provides with respect to application of the other NHRM criteria has limited utility in an urban context. Consequently, the City has developed more comprehensive guidance, based upon an explicit *Ecosystems Services* approach.

An *Ecosystem Services* approach attempts to identify and evaluate the suite of benefits provided to humans by the natural environment. In developing its guidelines, the City used the Ecosystem Services Toolkit developed by the Federal, Provincial and Territorial Governments of Canada as part of the Value of Nature to Canadians Study. The City received assistance in this work from a multi-disciplinary, stakeholder working group with representatives from its Planning Department, the community, environmental, public health, and industry sectors. The City's working group identified a list of 19 ecosystem services for use as criteria in the evaluation of impacts on significant urban woodlands (see section 5.3.1, Table 4). The working group also identified indicators and measures for those criteria. These criteria, indicators, and measures apply in both the existing urban area and urban expansion areas, although the approach differs between them.



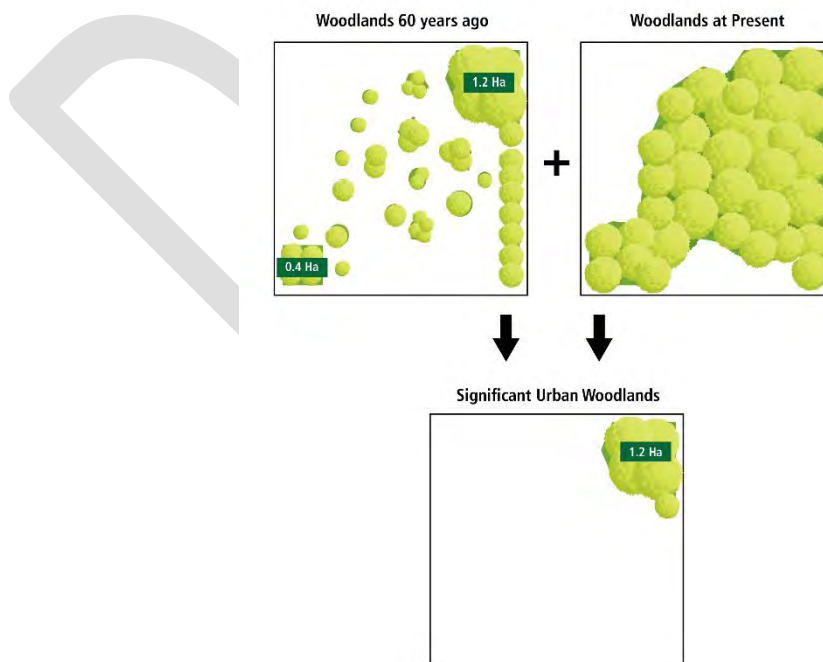
### 5.2.1. Size Threshold and Age Exemption

Under the Official Plan policies for significant woodlands, Council established 60 years as a minimum age threshold for significant urban woodlands. Although the NHRM does not recommend a minimum age threshold for significant woodlands, the City established this threshold to exempt young, regenerating woodlands that may have grown up on brownfield sites, urban greenfield sites, or peri-urban greenfield sites held vacant in anticipation of future development or urban expansion. This approach reflects the directions in the PPS for provision of adequate land supply and promotion of efficient development patterns.

The Official Plan policies established 0.8 ha as the minimum size threshold for significant woodlands in the urban area. The 0.8 ha size threshold is consistent with the size threshold used in the City's *Urban Natural Areas Environmental Evaluation Study*. Intuitively, it also appears consistent with the general concept of what constitutes a "woodland": *i.e.*, a wooded area in which a visitor can be fully screened from the surrounding urban environment.

In application, only those areas of an urban woodland that are greater than 60 years old, as demonstrated through aerial photography or other means, will be identified as significant and counted toward the 0.8 ha size threshold (Figure 2).

**Figure 2. Application of the Size Threshold and Age Exemption in the Identification of Significant Urban Woodlands**



### 5.2.2. Exemptions for Approved Plans and Developments

When it approved the new woodland policies in 2016, Council exempted those urban areas where it had already identified the natural heritage system through Secondary Plans, Community Design Plans, approved Plans of Subdivision, or Existing Conditions reports submitted and accepted by the City in support of on-going development applications. In such areas, new significant woodlands will not be identified.

## 6. Application

### 6.1. Impact Evaluation and Mitigation – General Principles

#### 6.1.1. No Negative Impact and the Mitigation Hierarchy

Sections 3.4 and 3.5 of the City's Environmental Impact Statement Guidelines discuss the principles of impact evaluation and mitigation within the context of the PPS and the Official Plan. Application of the significant woodland guidelines must take into account the general principles outlined in those sections. However, two points deserve re-emphasis. First, the “no negative impact” policy does not prohibit a project from affecting natural features or their ecological functions, although it is intended as a very high standard. Second, where the potential exists for negative impacts, there must be explicit consideration of the “mitigation hierarchy” when preparing and implementing the environmental plan.

Significant woodlands *are not* “no touch” features. The PPS test with respect to the effect of development or site alteration on significant woodlands is “no negative impacts on the natural features or their ecological functions” (p. 22). In practice, the ecological functions to which the policy refers are those under which the feature qualifies as significant. Consequently, development or alterations that do not negatively affect those qualifying functions may occur.<sup>1</sup>

The City of Ottawa Environmental Impact Statement (EIS) Guidelines state the basic principle:

At minimum, the EIS must demonstrate that the proposed development or site alteration will have no negative impacts on the values or ecological

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<sup>1</sup> After careful review and consideration of the scientific literature, the intent of the Provincial Policy Statement, and the need to balance the different priorities in the Provincial Policy Statement, the City of Ottawa has concluded that the “no negative impact” standard cannot always be met with respect to the physical form of significant urban woodlands.

functions for which the triggering environmentally significant lands or natural heritage features have been identified (p. 7).

For example, if a woodlot qualifies for significance solely based on interior forest habitat, then alterations to the woodland edge that do not reduce the area of interior forest would not affect its significant ecological function. In most cases, however, significant woodlands will have several significant ecological functions to consider.

The mitigation hierarchy is a widely accepted approach in conservation and land use planning for guiding decisions on protection of the natural environment. It categorizes and prioritizes protective measures according to their general type and effectiveness:

- Priority 1 - Avoidance: redirection of the proposed action away from the natural feature.
- Priority 2 - Minimization: reduction of the magnitude of the proposed action, either in space, time, or both.
- Priority 3 - Mitigation: protection of the feature from the proposed action, through measures such as changes in design, physical barriers, and modified operating procedures.
- Priority 4 - Compensation: off-setting of the impacts through replacement of the feature and its ecological functions elsewhere, typically at a ratio greater than 1:1 to reflect the greater risks.

Application of the Significant Woodland Guidelines must follow the mitigation hierarchy. Environmental reports must explicitly address how the mitigation hierarchy has been applied in the proposed development or site alteration. Such rationales may consider other policies and guidance in the Provincial Policy Statement (PPS) and the Official Plan (OP), particularly with respect to the avoidance and minimization of impacts.

#### 6.1.2. Reading the PPS, “As a Whole”.

The Provincial Policy Statement (PPS) and Ottawa’s Official Plan (OP) contain objectives, policies, and guidance on a broad range of land use planning and development matters. Tensions exist between many of these directions, which cannot always be resolved. For example, the PPS requirements for cost-effective development patterns and a 20 -year land supply (Policy 1.1.1d and Policy 1.1.2) may conflict with the PPS policies for protection of natural heritage system features (Policy 2.1), especially in peri-urban areas. A similar conflict may exist between natural heritage system features and mineral aggregate resources (Policy 2.5). In such cases, decisions should focus on achieving a desirable outcome while remaining consistent with provincial policy and the Official Plan.

Where development or site alteration will have a negative impact on a natural heritage feature, that impact must be adequately justified on the basis of PPS and OP policies:

If the EIS report concludes that the project will have a residual negative impact on one or more of the values or functions of the triggering feature(s), then a recommendation to proceed with the project must be accompanied by a rationale for proceeding that is based upon the provisions of the Official Plan and the Provincial Policy Statement. Projects with residual negative impacts to significant natural features or ecological functions may not be approved (EIS Guidelines, p. 37).

### 6.1.3. Obligation to Acquire

Policy 5.2.1(5) of Ottawa's Official Plan requires the City to acquire properties in Natural Environment Areas or Urban Natural Features, at the request of the landowner, where the property is not otherwise constrained from development. In 2012, an Ontario Municipal Board ruling extended this requirement to lands constrained by other natural heritage features, where protection of the feature would prevent all legal development permitted under the zoning (OPA #76, OMB File #PL100206, April 26, 2012). With respect to significant woodlands, this policy implies that protection of some features may only be possible if the City acquires the affected land.

However, the obligation to acquire does not apply to significant woodlands in Urban Expansion Study Areas (Policy 3.11) or Developing Community (Expansion Areas) (Policy 3.12). In those designations, the OMB ruled in 2011 that natural heritage system features in these areas must be conveyed to the City for \$1, prior to development approval (OPA #76, Ministerial Modification #46, OMB File #PL1000206, September 7, 2011). For significant woodlands, conveyance would occur after the extent of the woodlands has been established through a Council-approved Environmental Management Plan or Environmental Impact Statement.

## 6.2. Resolution Process

Disagreements may arise between proponents and City staff in the interpretation and application of the significant woodlands guidelines: for example, in the identification of reasonable development options or the viability of mitigation and compensation measures. Proponents and staff will seek to resolve these issues collaboratively, on the basis of consensus, through the normal planning or application review process. Where consensus cannot be reached, issues will be escalated to the responsible Program Manager, Manager, Director, or the General Manager as required. Ultimately, the final decision on outstanding matters of disagreement will rest with the elected representatives on the responsible City standing committee and Council, subject to any right of appeal by the proponent.



### 6.3. Rural Significant Woodlands

In the rural area, the NHRM criteria will apply to the identification of significant woodlands and the evaluation of any development or site alteration proposed within or adjacent to them. For any development proposed within 120 m of a wooded area or site alteration regulated under the Site Alteration By-law (2018-164), the City and the proponent must determine if the wooded area meets the NHRM criteria for significance. OP Schedule L – Natural Heritage System Overlay may assist in this screening, although it only illustrates those features that can be reliably identified at the scale of the mapping using available information. On-site investigation is required for the evaluation of some criteria. Features not appearing on Schedule L may still be significant. Conversely, features appearing on Schedule L may be determined not to be significant based on site investigations.

For some low-risk projects, such as a single lot severance or a site plan application, City planners can waive the requirement for an Environmental Impact Statement. In such cases, the Planner must be familiar with the site, must agree that the project has a low risk of impact on the significant woodland, and must provide a letter to file to that effect. The Planner may require conditions to be registered on title as part of a Development Agreement.

Section 7 of the NHRM provides detailed guidance on the application of the criteria for significant woodlands, both in the identification of significant woodlands, and in the avoidance and evaluation of impacts. In Ottawa, the following minimum size thresholds shall apply to the NHRM criteria.

**Table 3. Significant Woodland Evaluation Criteria and Size Thresholds (Rural)**

	<b>Woodland Cover in Rural Planning Area</b>	<b>5% or less</b>	<b>5 – 15%</b>	<b>15 – 30%</b>	<b>30 – 60%</b>	<b>Greater than 60%</b>
<b>Criterion 1: Size</b>	<b>Woodland Size</b>	2 ha	4 ha	20 ha	50 ha	N/A
<b>Criterion 2: Ecological Functions</b>	<b>Woodland Interior</b>	Any	Any	2 ha	8 ha	20 ha
	<b>Proximity</b>	0.8 ha	2 ha	5 ha	10 ha	20 ha
	<b>Linkages</b>	0.8 ha	2 ha	5 ha	10 ha	20 ha
	<b>Water Protection</b>	0.8 ha	2 ha	5 ha	10 ha	20 ha
	<b>Woodland Diversity</b>	0.8 ha	2 ha	5 ha	10 ha	20 ha
<b>Criterion 3: Uncommon Characteristics</b>	<b>Unique Species Composition</b>	0.8 ha	0.8 ha	0.8 ha	0.8 ha	0.8 ha
	<b>Provincially Significant Vegetation Community</b>	0.8 ha	0.8 ha	0.8 ha	0.8 ha	0.8 ha
	<b>Rare, Uncommon or Restricted Plant Species</b>	0.8 ha	0.8 ha	0.8 ha	0.8 ha	0.8 ha
	<b>Older Woodlands</b>	0.8 ha	1 ha	2.5 ha	5 ha	10 ha
<b>Economic and Social Values</b>	<b>Economic and Social Values</b>	0.8 ha	2 ha	5 ha	10 ha	20 ha

Under Criterion 2 – Ecological Functions, the Proximity, Linkages, and Water Protection criteria also require a specified distance between natural heritage system features. The following distances shall apply.

- Proximity and Water Protection: 30 m. This distance is consistent with Conservation Authority regulations and the City of Ottawa watercourse setback policies.
- Linkages: no minimum distance. Any woodland meeting the minimum size criterion in Table 3 shall be considered significant if it falls within a core natural

area or natural landscape linkage area shown in Appendix E, or has been identified as a natural linkage in another Council-approved planning study.

In accordance with the general principles discussed above, the evaluation of impacts on significant woodlands must consider all of the ecological functions for which the woodland is considered significant. This includes functions that are discovered during on-site investigations, which may not have been previously known.

#### 6.3.1. Aggregate Resources

The Provincial Policy Statement acknowledges the importance of aggregate resources to the provincial economy and establishes policies for their identification and protection (PPS Policy 2.5). Natural heritage features, such as significant woodlands, frequently overlap with mineral aggregate resources. The NHRM reflects the PPS and the need for balance by stating:

Rehabilitation of mineral aggregate operations, implemented under the Aggregate Resources Act, may be taken into consideration for the demonstration of no negative impacts (see PPS policies 2.1.4 and 2.1.6) where rehabilitation of ecological functions is scientifically feasible and is conducted consistent with policy 2.5.3.1 and other government standards.

A decision to consider rehabilitation in the demonstration of no negative impacts... would have to be made on a case-by-case basis in consultation with the local MNR [MNRF] district office. If approved, final rehabilitation would need to be planned to occur as soon as possible and be suited to the local natural environment (p. 11).

In practice, this means that Environmental Impact Statements in support of development applications for aggregate operations may contemplate the removal of significant woodlands, provided that rehabilitation as outlined on the rehabilitation plan is planned to occur as soon as possible and that rehabilitation is suited to the local natural environment.

Significant woodlands should not be identified within an aggregate extraction area approved under a licence issued under the Aggregate Resources Act.

#### 6.4. Urban Significant Woodlands

In the urban area, any woodland that is at least 60 years old and 0.8 ha in size qualifies as significant, except for the exemptions noted above in Section 5.2.2.

#### 6.4.1. Urban Criteria for Impact Evaluation

Significant woodlands identified in the urban area and urban expansion areas may be subject to impacts from development, either within the woodland or adjacent to it. An Environmental Impact Statement is required to evaluate those impacts, in accordance with the policies of the PPS and the Official Plan.

The criteria for urban significant woodlands fall into two types: screening criteria, and comparative criteria.

*Screening criteria* represent important ecosystem functions and services that cannot be replaced or substituted, or for which impacts cannot be adequately mitigated. Areas of significant woodland providing these services should be conserved and protected from negative impact.

*Comparative criteria* represent those ecosystem services that can be replaced, substituted, or adequately mitigated through urban design or engineering. Inherent in the identification of comparative criteria is the principle that negative impacts may be permitted on the size, shape, or nature of a significant urban woodland, if the ecosystem services provided by the woodland can be maintained or improved. It also acknowledges that negative impacts on the functions and services of a significant urban woodland may be necessary in order to achieve other policies and objectives of the Official Plan and the Provincial Policy Statement. Under such circumstances, the comparative criteria will be used to evaluate the nature and magnitude of those impacts and to evaluate development options.

Table 4 summarizes the criteria for urban significant woodlands and identifies the measures and indicators used to represent them. The measures and indicators have been classified as representing screening criteria or comparative criteria. Although the application of the criteria will differ between the existing urban area and urban expansion areas, the basic sequence remains the same. Screening criteria will apply first, in order to identify those woodlands or portions of woodlands that should be retained for their long-term ecosystem values and services. Comparative criteria will then apply to the remainder of the woodlands, in order to maximize the overall benefit to the community.

Appendix B provides more detailed guidance on the application of these criteria.

**Table 4. Representation of Urban Criteria by Measures and Indicators**  
 (Green shading indicates which urban criteria are represented by which measure(s) or indicator(s))

Urban Criteria	Category of Services	Hazard Lands	Habitat and Landscape Connectivity		Social Values				iTree Eco Analysis (or equivalent)					Accessibility and Equity				LID		
		Constrained Areas	Adjacency and Connectivity	Uncommon Characteristics (NHRM)	Unusual Recreational, Educational, Cultural Opportunities	Qualifying Cultural, Heritage or Historical Features	Indigenous Values Established Through Consultation	Existing Public Use	Total Canopy Cover at maturity	Pollutants Removed	Run-off Averted	Carbon Storage	Carbon Sequestration	Structural Value	Residents Within 250m, by Housing Type	Residents Within 250m by Quality of Access	Total Accessible Greenspace	Sensitive Populations within 250 m	Run-off Captured	
		Screening Criteria							Comparative Criteria											
Air pollution	Air, Water Cycle, Climate																			
Air temperature																				
Climate regulation - energy																				
Carbon storage																				
Water-flow regulation: cumulative	Green Infrastructure																			
Water-flow regulation: green infrastructure																				
Erosion regulation																				
Water purification and waste treatment																				
Disease regulation (exposure)	Disease Regulation																			
Pollination	Pollination																			
Cultural identity, social relations, cohesion	Socio-cultural																			
Spirituality/religion																				
Knowledge systems and education																				
Cognitive, physical, psychological benefits																				
Aesthetic experience																				
Inspiration - creative																				
Recreation and tourism	Recreation, heritage, tourism																			
Sense of place and heritage																				
Habitat	Habitat																			

The process for the evaluation of urban woodlands differs for the existing urban area and urban expansion study areas or developing communities, as shown in Table 5 and described below.

**Table 5. Planning Context for the Evaluation of Significant Urban Woodlands**

<b>Area</b>	<b>Process</b>	<b>Scope</b>
Urban Expansion Study Area or Developing Community (Expansion Area)	<ul style="list-style-type: none"> <li>● Community Design Plan (or equivalent) as per Official Plan policies for these designated expansion areas</li> </ul>	Environmental Management Plan (or equivalent) <ul style="list-style-type: none"> <li>● Confirmation of status and extent of significant woodlands.</li> <li>● Evaluation of impacts to significant woodlands under alternative development concepts.</li> <li>● Determination of preferred development concept through the planning process.</li> <li>● Assessment of preferred concept's impacts to significant woodlands, in accordance with these guidelines.</li> <li>● Determination of significant woodland areas for protection and conveyance to the City.</li> </ul>
Existing Urban Area	<ul style="list-style-type: none"> <li>● New Secondary Plan</li> <li>● New Community Design Plan</li> <li>● Draft plan of subdivision</li> <li>● Site plan</li> </ul>	Environmental Management Plan or Environmental Impact Statement, as appropriate <ul style="list-style-type: none"> <li>● Individual Terms of Reference to be determined at pre-consultation.</li> <li>● EIS can be combined with Tree Conservation</li> </ul>

		Report where both are required.
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Under the Site Alteration By-law, Environmental Impact Statements may also be required for site alteration proposed in or adjacent to significant woodlands in the urban area and the peri-urban area. Preparation of these EIS documents will also require an individual Terms of Reference.

**6.4.2. Official Plan Tree Canopy and Greenspace Targets**

Official Plan Policies 2.4.5 (5 – 8) set targets for forest cover, total accessible urban greenspace, and access to urban greenspace. As of January 2019, these targets are:

- Accessible greenspace: 4.0 hectares per 1000 population, or approximately 16% or 20% of gross land area.
- All households to be within 400 meters (5 minute walk) of accessible greenspace in primarily residential urban areas (approximately equal to a 250 meter straight line distance).
- City-wide forest cover target of 30%.

In the evaluation of project impacts on urban significant woodlands, proponents must report on the effect of those impacts on total accessible greenspace, urban canopy cover, and household access to greenspace within the community relative to the targets (see Appendix C and D). Proponents may also refer to the targets when addressing the mitigation hierarchy or preparing a rationale for modification or removal of significant woodlands.

**6.4.3. Urban Expansion Study Areas and Developing Communities (Expansion Area)**

Urban Expansion Study Areas (OP Section 3.11) are lands that have been approved by Council for urban expansion, but which have not yet been designated and zoned for urban development. Developing Communities (Expansion Area) (OP Section 3.12) are lands that have been approved for urban expansion and designated for urban development, but which have not yet been zoned for urban development. In both cases, the Official Plan says that natural heritage system features in these areas will be identified and conveyed to the City for public use and benefit at a cost of \$1 prior to development approval.

However, some woodlands may have limited public value in their existing state (e.g, unmanaged plantations) or may pose potential risks to public health and safety through natural hazards such as animal disease vectors (e.g., black-legged ticks) or nuisance plants (e.g., poison ivy). In some of these cases, modification of the woodlot, or even removal of the woodlot with compensation, might provide greater public benefit. Therefore, the City is prepared to consider options for development affecting significant

woodlands in specific cases. Any proposed modification or removal of the woodland must, however, be evaluated using these guidelines and demonstrate public benefits that would justify the impact to the natural heritage system.

Significant urban woodlands differ from rural significant woodlands in that the benefits and value provided to surrounding communities by their potential social and economic services usually outweigh the benefits and values provided by their biological services. Urbanization of the surrounding landscape has several predictable effects on the ecological functions of woodlands, leading to an inevitable loss of native biodiversity:

- Isolation and loss of ecological connectivity;
- Reduced size and heterogeneity;
- Increased edge effect and exposure to invasive species;
- Increased environmental stress (temperature, air quality);
- Increased public use and pressure;
- Changes in hydrology (wetter or drier);
- Removal of hazard trees providing nest or den sites.

Conversely, urbanization of the surrounding landscape increases the social and economic functions of woodlands, through increased access to the public and provision of green infrastructure. For example, accessible urban woodlands provide opportunities for:

- Community events;
- Learning, education, and cognitive development;
- Recreation, physical activity, and physical development;
- Improved mental health;
- Relief from extreme heat events;
- Relief from the urban environment and urban stress;
- Creative and artistic inspiration;
- Spiritual contemplation and reflection.

Prior to final identification of the natural heritage system in Urban Expansion Study Areas and Developing Communities (Urban Expansion), the proponent will conduct an evaluation of any significant woodlands to the satisfaction of the City, using the criteria, measures, and indicators provided in Section 6.4.1 of these guidelines. In conducting the evaluation, the proponent may use a comparative approach that assesses the impact of alternative development concepts on the significant woodlands against a baseline scenario of full woodland retention. In developing the alternative development concepts, the proponent will consider:

- Both screening criteria and comparative criteria;
- The mitigation hierarchy;
- Other urban planning and design requirements.

The proponent's report on the evaluation of significant woodlands will include a summary for each of the alternative development concepts and the baseline scenario



(i.e., preservation and conveyance of the woodland in its existing form). It will also include a rationale for the selection of the preferred development concept in the context of the PPS and OP policies. These summaries and rationale should be presented in an Environmental Management Plan or an Integrated Environmental Review (see Appendix C).

The City is not obligated to accept a proposed removal or modification of a significant woodland in an Urban Expansion Study Area or Developing Community (Urban Expansion). In the absence of City agreement to an alternative plan, the provisions of Policies 3.11 and 3.12 will still require the proponent to convey significant woodlands to the City for \$1 (one dollar), as part of the natural heritage system. The City's agreement to removal or modification of a significant woodland will require demonstration of equal or greater benefit to the future community.

#### *6.4.3.1. Modification or Removal of Significant Urban Woodlands*

Modification or removal of a significant urban woodland should be considered only where it can be demonstrated that the woodland has limited public value in its natural state or poses a potential risk to public health and safety that cannot be mitigated. In some cases, the location or nature of a significant urban woodland might create difficulties or obstacles for good urban design. Conversely, significant urban woodlands may create opportunities for improved urban design or increased land use efficiency.

Any proposed modification or removal of an urban woodlot should provide a net environmental and socio-economic benefit to the community. When proposing such trade-offs, the City will require proponents to consider:

- Opportunities for more efficient design of stormwater management systems, especially low impact development (LID) in combination with tree retention and tree planting;
- Opportunities for more efficient design of park and pathway systems;
- Opportunities for increased community access to wooded greenspace through strategic compensation, improved or expanded pathways, or greenspace enhancement;
- Opportunities for enhanced tree planting, especially in combination with active transportation, transit, public spaces, and privately-owned public spaces.

For example, portions of a woodlot may be suitable for incorporation into the major stormwater management system as a conveyance or storage feature. Upland portions may be suitable for retention and redevelopment as wooded parks (and counted toward parkland dedication). The resulting increase in land-use efficiency could have financial benefits, which might then apply toward improving access to other significant woodlands or urban natural areas through expanded or improved pathways, or to the creation of other accessible urban greenspace (in addition to parkland dedication). The types of trade-offs and the level of detail provided in an evaluation will depend upon the type and

scale of the planning study. Appendix C provides a detailed example of how such an approach might be implemented in a Concept Plan for an urban expansion study area.

#### *6.4.3.2. Community Design Plans or Concept Plan*

Depending upon the size of an urban expansion study area or developing community, designation and zoning for urban development will require preparation and approval of either a Community Design Plan (CDP) or a Concept Plan (CP). These plans require the preparation and approval of either an Environmental Management Plan (Policies 2.4.3(10 – 12)) or an Integrated Environmental Review (OP Section 4.7.1).

Application of the urban criteria, measures, and indicators in Table 4 requires information on the street pattern, residential densities, soils, hazard lands, drainage patterns, existing vegetation communities and habitats, other natural heritage system features and linkages, heritage and historical features, and indigenous values. Much of this information will come from the preparation of existing conditions reports. However, some information will require assumptions based on professional experience, comparison to other projects, and professional opinion.

For example, the calculation of future canopy cover in a community at maturity requires a list of proposed tree species at planting numbers. However, this information normally comes from a landscaping plan, which typically accompanies a more detailed plan of subdivision. Therefore, at the stage of a CDP and Environmental Management Plan (EMP), canopy cover calculations will need to rely upon a preliminary estimate of tree numbers and species, based on proposed land uses, linear road frontage or area, soil mapping, and typical planting densities. Similarly, calculations of greenspace access rely on projected household and resident densities. Again, finalization of these numbers does not normally occur until plan of subdivision. However, estimates of resident densities can be obtained from proposed residential form or zoning (e.g., low-density residential, mid-density residential, high-density residential). So long as the same assumptions apply to the evaluation of development concepts, they will provide a sound basis for comparison.

These information requirements align well with the existing study and design requirements for CDPs and CPs and should require minimal additional work (see Appendix C).

#### *6.4.3.3. Plans of Subdivision*

Once a Council has approved a CDP or CP, it will normally bring an urban expansion area into the urban boundary through an Official Plan Amendment (OPA). Typically, Council will approve a Zoning By-law Amendment at the same time to guide land uses in the new community. Implementation of the community plan will then occur through one or more plans of subdivision, depending upon land ownership.

At this stage, the location and extent of any significant urban woodlands should be explicitly identified in the CDP/EMP or CP, along with any permitted or agreed modifications. In that case, the focus of the Environmental Impact Statement (EIS) with respect to significant woodlands will be on the implementation of the CDP/EMP or CP requirements. In some cases, additional fieldwork may be necessary to update existing conditions reports or surveys for species at risk. However, such additional investigations should not compromise the original conclusions regarding significant woodlands, except under exceptional circumstances (e.g., a new species at risk is designated or discovered on site).

In some Developing Communities (Urban Expansion), applications for plan of subdivision may come forward without the guidance of a CDP/EMP or a CP. In that case, the proponent must carry out a comparative analysis of development options in the same way as for a CDP or CP.

#### *6.4.3.4. Examples*

Appendix C provides an example of a significant woodland evaluation for a hypothetical Community Design Plan in an urban expansion area. The example, which could be used as a template, includes three scenarios, including a baseline and preferred scenario. It incorporates some simplified assumptions regarding street tree species and planting densities, which are for illustrative purposes only.

#### *6.4.4. Established Urban Area*

The established urban area includes all the area within the urban boundary of the City, including the National Capital Greenbelt, but excluding areas designated in the Official Plan as Urban Expansion Study Areas and Developing Communities (Urban Expansion). Within this area, any woodland that is 60 years old at the time of evaluation and 0.8 ha in size or larger qualifies as significant. The City evaluated many of these woodlands in the 2005 Urban Natural Areas Environmental Evaluation Study (UNAEES). Most of the highly rated features are publicly owned or otherwise protected from development within the National Capital Greenbelt, in City-ownership, or in areas constrained by natural hazards such as floodplains, valleylands, or unstable slopes. Only a small number of significant urban woodlands remain in private ownership and at risk of future development.

Where development is proposed in the established urban area that would affect a significant woodland, then the City will require the proponent to submit an Environmental Impact Statement with their application.

#### *6.4.4.1. Exemptions*

As discussed above in Section 5.2.2, new significant woodlands shall not be identified in those urban areas where the natural heritage system has already been identified in a

current Secondary Plan, Community Design Plan, Plan of Subdivision, or an Existing Conditions Report submitted to and accepted by the City.

#### 6.4.4.2. *Context and Constraints*

Within the established urban area, the Official Plan does not require the conveyance of privately owned, natural heritage features to the City (except as required under other policies of the Plan, for example dedication of parkland, pathways, and stormwater facilities). In fact, as discussed above in 5.1.3, the Official Plan requires the City to acquire at the request of the owner any portions of properties within the established urban area that are constrained from all legal development by natural heritage protections. Consequently, in many cases, protection of a privately owned significant urban woodland may not be possible without acquisition by the City.

The evaluation of development impacts on significant woodlands in the established urban area must also consider the land use context. In setting out land uses and zoning within the established urban area, Council has considered and balanced all of the priorities and directions of the *Planning Act*, the PPS, and the Official Plan. These priorities and directions may include such things as residential and commercial land requirements, intensification targets, infrastructure requirements, complete streets, active transportation, family-friendly neighbourhood design, transit, and transit-oriented development. Protection of significant woodlands cannot automatically override these considerations. Furthermore, as the intensity and complexity of land uses increases from the edge to the center of the urban area, the functions and benefits of urban woodlots change. They derive less value from their inherent, natural state and ecological processes, and more value from their support of the surrounding urban fabric and urban life. This does not imply that woodlands do not belong in urban centres. However, in the established urban area, an explicit focus on ecosystem services may lead logically to consideration of modified forms, trade-offs, or even substitutions for the functions of urban woodlands.

#### 6.4.4.3. *Compensation for Ecosystem Services*

Woodlot and tree retention always has priority. However, where cost or past planning decisions make full or even partial retention of an urban woodlot impractical, it will be necessary to mitigate or compensate for the lost benefits through enhanced, on-site, green design and technology. For example, replacement of urban heat island benefits and energy benefits may require the use of green roofs, reflective roof materials, strategic tree plantings, and the provision of shaded public space. Replacement of rainwater interception and evapotranspiration may require enhanced use of permeable surfaces, use of bioswales, and incorporation of tree rooting space into stormwater management. In particular, any proposal for the replacement of urban woodland will require enhanced tree planting, including the use of suspended pavement to provide adequate soil volumes, especially in restrictive, hard surface, locations.

These techniques and technologies complement other directions in green urban design. Consideration of shade facilitates a more conscious approach to the design of public space, placemaking, and the promotion of active transportation. The provision of adequate root space for mature trees creates opportunities for stormwater storage and infiltration. In these ways, requiring compensation for lost ecosystem services positions the discussion of urban design within the framework of liveable communities.

Within the context of the significant woodlands policies, compensation will focus on the replacement of ecosystem services within the development site and surrounding community. Monetary or compensation outside the study area will not be sought nor considered by the City. Notwithstanding this policy, however, compensation for tree removal or loss may still be required under other City policies and by-laws.

#### *6.4.4.4. Individual Terms of Reference*

Within the established urban area, every urban woodlot has its own unique planning context, planning history, and environmental constraints. These circumstances vary so widely that a standard approach to an evaluation will not suffice. Similarly, engineering, servicing, and construction standards and practices evolve over time. Consequently, any evaluation of impacts on a woodland in the urban area will require preparation of an individual Terms of Reference by the proponent, subject to the agreement of the assigned City Planner. The Terms of Reference will draw upon the criteria, measures, and indicators provided in Table 4.

Depending upon the proposal and the context, the Terms of Reference may require a comparative assessment of development options where feasible, rather than a simple, absolute assessment of impacts. In many cases, it will require a qualitative assessment of mitigation and compensation measures, given that quantitative methods and tools may not exist for determining equivalency in the provision of ecosystem services. The Environmental Impact Statement and/or Integrated Environmental Review must include an explanation, as well as an explicit rationale and justification under the Provincial Policy Statement and the Official Plan for any negative impact that cannot be avoided, adequately minimised or mitigated.

#### *6.4.4.5. Examples*

Appendix D provides three examples of Terms of Reference for the assessment of development impacts on woodlands in the established urban area. The three examples are not exhaustive, but cover a set of typical conditions and concerns. The features used in the examples lie within another municipality, and the proposed developments are hypothetical.

## 7. Tools

Many systems and tools exist for evaluating the suite of ecosystem services provided by woodlands. Over time, these tools have improved in both sophistication and in ease of use. Some of them, such as the U.S. Forest Service's iTree tools, are available online and can be used effectively by people with little or no prior training.

As existing tools improve and new tools become available, practitioners will presumably want to adopt the most useful ones. Practitioners may employ any tools that they wish in the assessment of woodland ecosystem services, so long as they produce the required information in a transparent and comprehensible manner.

### 7.1. iTree

At present, the City of Ottawa recommends the iTree suite of tools for the assessment of ecosystem services by urban woodlands. The toolkit is available online at: <http://www.itreetools.org/>. The website includes full training and technical resources.

The U.S. Forest Service developed the iTree tools for the assessment of ecosystem services by trees at scales ranging from a single tree to a forested region. The tools incorporate models and methods that have been extensively peer-reviewed and published in academic, scientific journals. In the context of these guidelines, the key analysis tools are:

- **iTree Eco:** as described on the iTree website, "iTree Eco provides a broad picture of the entire urban or rural forest. It is designed to use field data from complete inventories or randomly located plots throughout a community or study area, along with local hourly air pollution and meteorological data to quantify forest structure, environmental effects, and values."
- **iTree Design:** "a simple online tool that provides a platform for assessments of individual or multiple trees at the parcel level. This tool links to Google Maps and allows you to see how tree selection, tree size, and placement around your home affects energy use and other benefits."
- **iTree Canopy:** "a quick and easy way to produce a statistically valid estimate of land cover types (e.g., tree cover) using aerial images available in Google Maps. The latest version of Canopy also estimates values for air pollution reduction and capturing atmospheric carbon. Canopy can be used by urban forest managers to estimate tree canopy cover, set canopy goals and monitor canopy change over time. Canopy can also be used to estimate inputs for use in i-Tree Hydro and elsewhere where land cover data are needed."

These tools have limitations. In particular, for Canada, they rely upon a limited set of atmospheric data. Consequently, one must regard absolute estimates of benefits with caution, as they may have a large error or bias. However, when used comparatively,



the estimates provide a valid basis for evaluation the relative benefits of different development options.

## 7.2. Modelling Gaps

Despite widespread work and research on modelling of the ecosystem benefits of urban trees and forests, some gaps remain at the local or site-specific scale. Tools such as iTree predict tree and forest benefits based upon models that employ large data sets and statistical relationships between form (e.g., size, leaf area, species) and functions (e.g., removal of fine particulates from the air). However, their accuracy declines quickly at more local scales, as other site-specific factors become more important. For example, the value of a woodland for removing air pollutants will depend greatly upon the spatial relationship of the woodland to the benefiting population, or the proximity of the woodland to sources of pollutants. An urban woodland lying immediately downwind of a busy road will provide more air quality benefit than a woodland lying upwind of the road. Similarly, the value of a woodland for avoidance of stormwater runoff will depend upon the local topography, the local soil and bedrock conditions, the length of the growing season, *etc...*

Two areas in particular may soon see progress in the development of more local tools: air quality modelling, and urban heat island modelling.

### 7.2.1. Urban Air Quality

Broadly speaking, two types of urban air quality models exist: dispersion models and photochemical models (U.S. EPA: <https://www.epa.gov/scram>, last verified 14 June 2018). Dispersion models are more common and simple. They analyze the movement and spread of pollutants under a set of environmental conditions. However, they do not account for interactions and chemical changes in pollutants under the influence of solar radiation, which can substantially affect their concentrations and harmfulness. Photochemical models incorporate chemical interactions and changes. Photochemical models typically produce more accurate results.

In order to produce accurate results at a local level (i.e., at a resolution of less than 1 km<sup>2</sup>), both dispersion models and photochemical models require local ambient air quality monitoring, local micro-climate data, high resolution topographic data, and three dimensional building data. They also require data on area, linear, and point sources of pollutants. Typically, development applications do not include this kind of detailed environmental information, unless they happen to concern land uses associated with unusual sources of air pollutants.

At this time, therefore, these guidelines recommend the use of total canopy cover as surrogate measure for the air quality benefits of urban woodlands, with iTree Eco providing the most practical tool for estimating that function (Table 4).

### 7.2.2. Urban Heat Island

The urban heat island effect occurs when urban surfaces – pavement, buildings – absorb and re-emit solar energy, thereby raising ground-level air temperatures. Typically, temperatures in large urban areas exceed those of the surrounding landscape by several degrees. The effect can have significant, negative health impacts, especially during extreme heat events. Urban trees and woodlands can reduce and mitigate urban heat island effects by reflecting solar energy, dissipating it through evapotranspiration, and shading more absorbent surfaces.

Typically, the contribution of an urban area or feature to the urban heat island effect is estimated by direct measurement of *surface temperature* using infrared imagery from drones, aircraft, or satellites. However, differences in surface temperature do not always correlate closely with differences in *apparent air temperature* – *i.e.*, the temperature as actually experienced by people. Apparent air temperature may be more dependent upon upwind land uses, ambient humidity, and mixing of atmospheric layers.

As with air quality modelling, the information necessary to model apparent heat island effects at a local level generally does not exist. Again, these guidelines recommend the use of total tree canopy cover as a surrogate measure for urban heat island benefits of urban woodlands. Where reflective surfaces or engineered shade structures are proposed as compensation for loss of tree canopy cover, then surface temperature measurements of similar features could be used estimate their relative benefits.

## 8. Integration with other Policies and Processes

The Significant Woodland Guidelines have been written to complement the City’s other policies and processes. In particular, they reflect the City’s planning and development application processes, the Urban Forest Management Plan, evolving practices in Low Impact Development (LID), Ottawa Public Health’s *Health and the Built Environment* campaign, and guidelines for urban and suburban design. Implementation of the Significant Woodland Guidelines should facilitate implementation of these other policies.

The Significant Woodland Guidelines also have application to many other policies of Ottawa’s Official Plan. Consideration of the Guidelines should be given during implementation of the following sections.

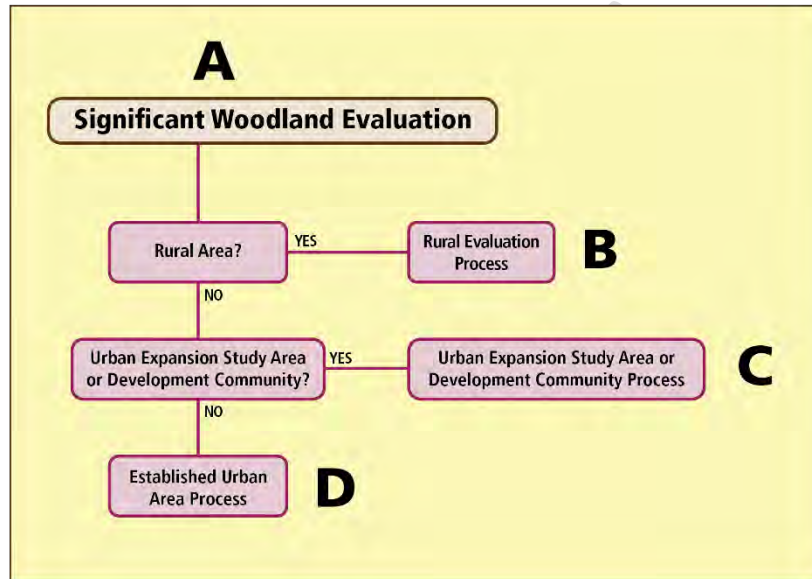
Official Plan Section	Policy	Official Plan Section	Policy
Section 1.4	Building a Sustainable Capital City	Section 3.7.4	Mineral Aggregate Resources
Section 2.1	Patterns of Growth	Section 3.7.5	Rural Employment Area
Section	Urban Area and Village	Section	Urban Expansion Study Area



2.2.1	Boundaries	3.11	
Section 2.4.1	Air Quality and Climate Change	Section 3.12	Developing Community (Expansion Area)
Section 2.4.3	Watershed and Subwatershed Plans	Section 4.2	Adjacent to Land-Use Designations
Section 2.4.5	Greenspaces	Section 4.7	Environmental Protection (and all sub-sections)
Section 2.5.1	Designing Ottawa	Section 4.9	Energy Conservation Through Design
Section 2.5.4	Designing Parks	Section 4.10	Greenspace Requirements
Section 2.5.6	Collaborative Community Building and Secondary Planning Processes	Section 4.11	Urban Design and Compatible Development
Section 3.2.1	Significant Wetlands	Section 5.2.1 (Policies 4 – 6)	Acquisition and Holding of Land
Section 3.2.2	Natural Environment Areas	Section 5.2.1 (Policies 7 – 8)	Site Plan Control Area
Section 3.2.3	Urban Natural Features	Section 5.2.1 (Policy 11)	Increase in Height and Density By-law
Section 3.2.4	Rural Natural Features	Section 5.2.5	Community Improvement
Section 3.3.1	Major Open Space	Section 5.2.6	Pre-Application Consultation and Prescribed Information for Planning Applications
Section 3.7.1	Villages	Section 5.6	Algonquin Aboriginal Interests
Section 3.7.2	General Rural Area	Schedules L1, L2, and L3	Natural Heritage System Overlay
Section 3.7.3	Agricultural Resources		

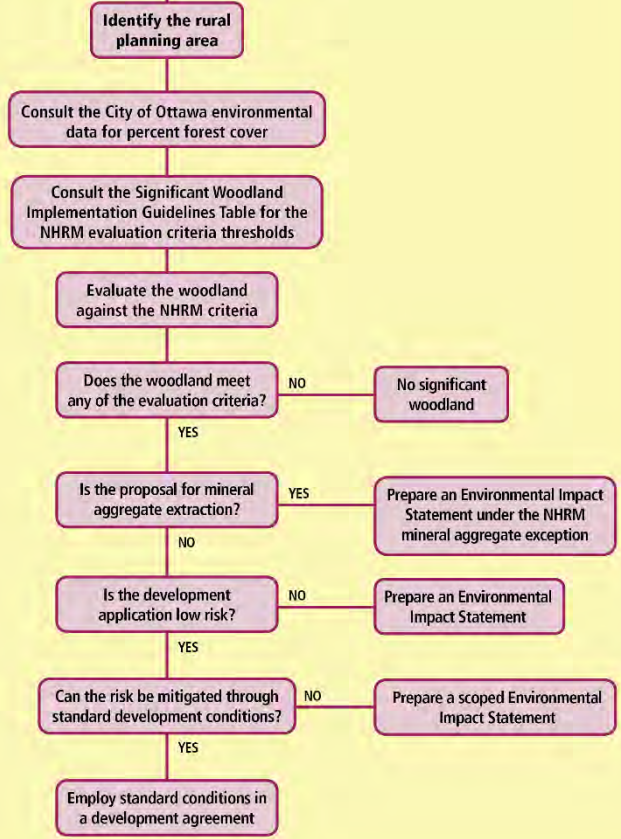
## APPENDIX A. A Key and Flowchart for the Evaluation of Potentially Significant Woodlands

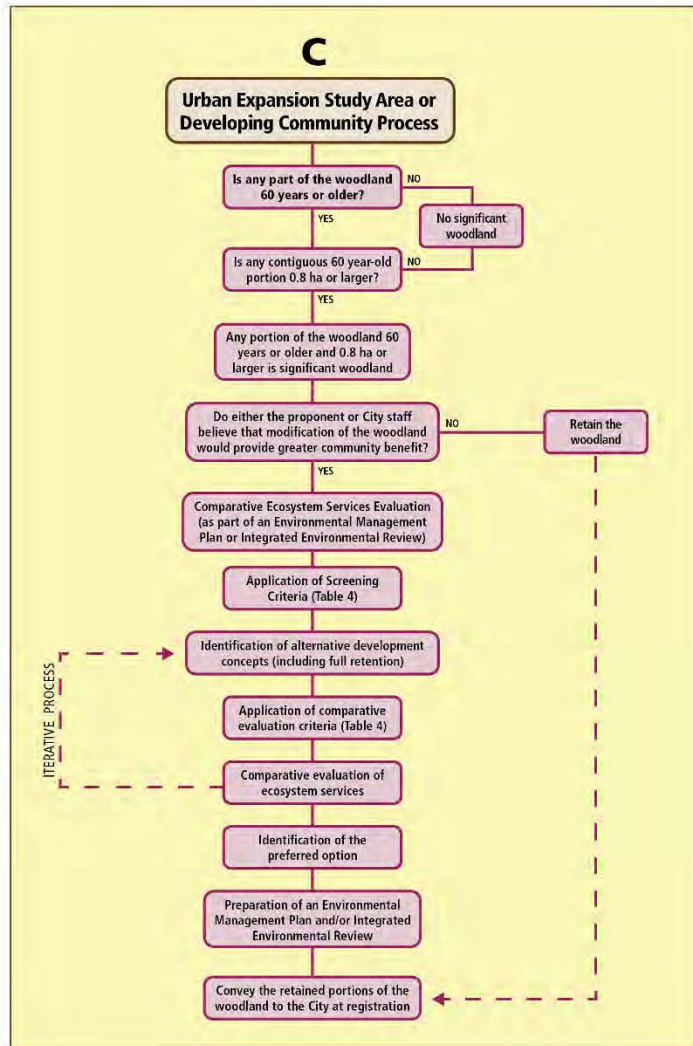
The following key and flowchart will assist in determining which evaluation process applies to a particular, potentially significant woodland, and the steps in that process.



# B

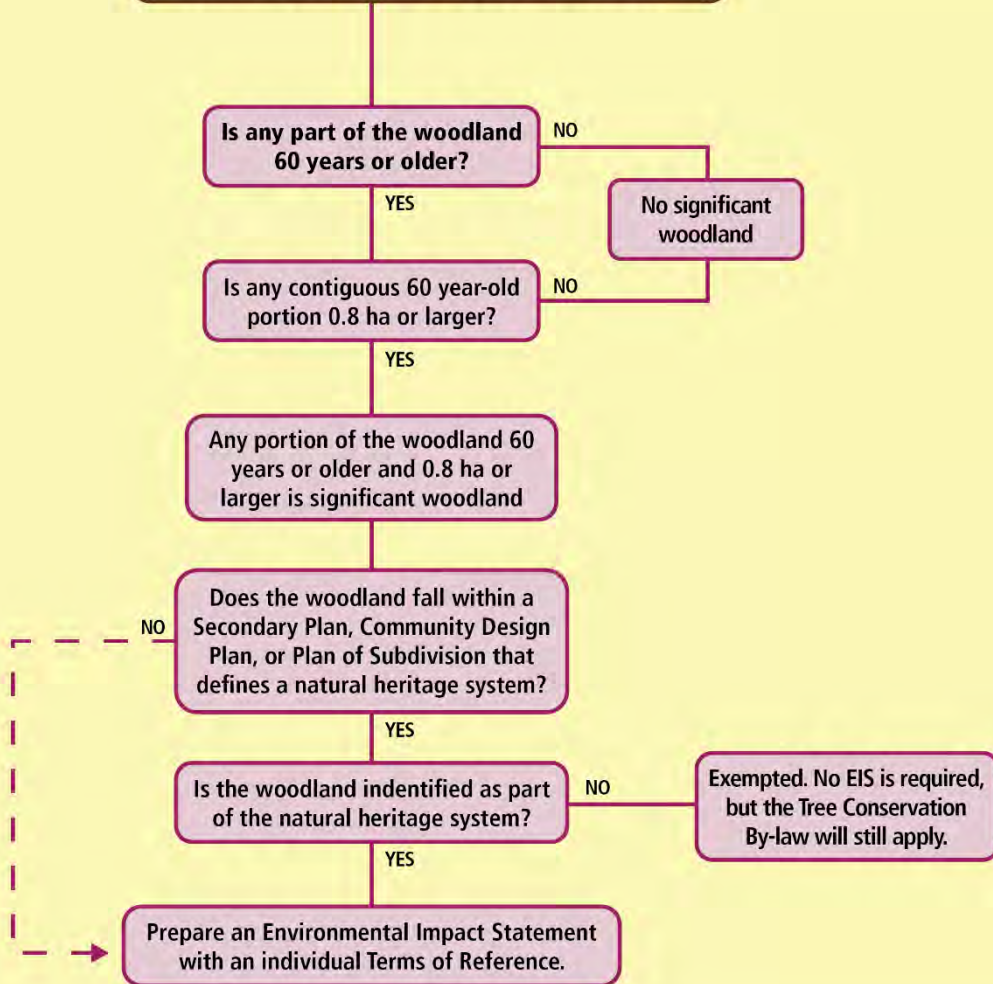
## Rural Evaluation Process





# D

## Established Urban Area Process



## APPENDIX B. Additional Guidance on the Application of Table 4. Representation of Urban Criteria by Measures and Indicators

### Screening Criteria

Areas of woodlands that meet any of the following criteria should be screened out from development or negative impact.

#### **Social Values**

##### *Unusual Recreational, Educational, or Cultural Opportunities*

This evaluation identifies unusual or unique recreational, educational, or cultural opportunities that draw or could draw residents and visitors from outside the immediate neighbourhood. It does not include recreational or multi-purpose trails that simply traverse the woodland (those would be addressed under adjacency and connectivity). Examples include the sugar bush in Richelieu Park, the outdoor classroom at Macoun Marsh in the Beechwood Cemetery, the “swimming hole” at McKay Lake in Rockcliffe (Copp Park), the Mud Lake Conservation Area at Britannia, and the mountain-biking trails in the South March Highlands Conservation Forest.

##### *Qualifying Cultural, Heritage, or Historical Features*

This evaluation identifies any cultural, heritage, or historical features or characteristics that have received official recognition or designation, or which would qualify for official recognition or designation. It would include any archaeological sites that might be deemed “sensitive” according to Federal or Provincial criteria. Examples include the maple stand in Richelieu Park (which has formal heritage designation in addition to its use as a sugar bush), the woodland surrounding the Briarcliffe Heritage Conservation District, or pre-contact indigenous archaeological sites on the Rideau and Ottawa Rivers.

##### *Indigenous Values Established through Consultation*

This evaluation would typically take place at the stage of a Secondary Plan or Community Design Plan, although it could take place during a subdivision application or site plan. The evaluation refers specifically to values identified through consultation with representatives of the Algonquin Anishinabe people, typically as designated by the Pikwakanagan and Kitigan-Zibi First Nations. Indigenous values could include such things as the presence of ceremonial or medicinal plants, cultural significance in oral history, or contemporary gathering spaces. Contact information can be obtained from City of Ottawa planning staff.

#### **Hazard Lands**

## *Constrained Areas*

Urban woodlands sometimes occupy areas that are constrained from development by natural hazards such as floodplains, watercourse meander belts, steep or unstable slopes, restrictive soils, or karstic terrain. In some cases, proponents may seek to reduce these development constraints through engineered means, such as grade raises, channel redesign, or slope drainage. Where urban woodlands occupy such constraint lands, the constrained areas should be screened out from development or negative impact, except as required to reduce or eliminate existing risks to public safety.

## **Habitat and Landscape Connectivity**

### *Adjacency and Connectivity*

Urban woodlands that form an existing or potential component of the City's natural heritage system or greenspace system should be screened out from development that would negatively affect their potential, long-term contribution to those systems. Specifically, urban woodlands should be screened out from development under the following circumstances:

- They lie adjacent to another terrestrial, natural heritage system feature in the urban area, the National Capital Greenbelt, or the rural area: *i.e.*, another significant woodland, a provincially significant wetland, an urban natural feature, a natural environment area, a significant valley land, a Life Science Area of Natural and Scientific Interest, an Earth Science Area of Natural and Scientific Interest. Woodlands lying within 20 m of another feature will be considered adjacent, provided that the intervening area is currently in natural or agricultural landcover or greenspace (may include a pathway or multi-use trail up to 3 m wide). Hedgerows and other narrow woodlands of less than 30 m in width will not qualify for adjacency, but may be considered for landscape connectivity.
- They lie within the potential development setback of a surface water feature as set in the Official Plan, a subwatershed study, an environmental management plan, other Council-approved City guidance documents, or Conservation Authority regulations.
- They provide an existing or potential natural or recreational linkage identified in the City of Ottawa's natural heritage system, the City of Ottawa Greenspace Network, or the National Capital Commission Greenspace Network.

Modifications may be considered to such woodlands where they do not impair the contribution of the woodland to the natural heritage system or greenspace system.

### *Specialized Habitat*

Urban woodlands that provide specialized habitat should be screened from development. Specifically, woodlands should be retained for environmental protection if

they meet any of the “Uncommon Characteristics Criteria” in Section 3 of Table 7.2 in the Natural Heritage Reference Manual 2010. In addition, woodlands should be protected if they provide habitat for an endangered or threatened species identified under the *Ontario Endangered Species Act, 2007*, unless the proponent can demonstrate a reasonable expectation of receiving a permit for damage to or destruction of that habitat.

## Comparative Criteria

### A. iTree Eco Analysis (or equivalent)

The iTree Eco Analysis will estimate the long-term impacts of the proposed development of the woodland on the overall ecosystem services provided by the urban forest in the planning area. The following definitions apply during this analysis:

- The **urban forest** consists of the significant woodland under evaluation, other public and private treed areas, street trees, and individual trees on private property. It will also include trees proposed as compensation on a landscaping plan or Tree Conservation Report, provided that the plan or report demonstrates **adequate soil rooting volume** for the healthy growth of the tree.

The following table of soil rooting volumes was originally prepared for the City of Ottawa’s draft Street Tree Manual and is consistent with urban forest literature and the recommendations of other Canadian municipalities.

Recommended Soil Volumes (un-compacted native soil)					
Tree Type/Size	Recommended Soil Volume (m <sup>3</sup> )	Shared Soil Volume (m <sup>3</sup> )	Soil Volume: Champlain Sea clays (m <sup>3</sup> )	Shared Soil Volume: Champlain Sea Clays (m <sup>3</sup> )	Maximum Soil Depth (m)
Ornamental	15	9	20	12	1
Columnar	15	9	20	12	1
Small	20	12	25	15	1
Medium	25	15	30	18	1.2
Large	30	18	35	20	1.3
Evergreen	25	15	30		1.2



- The **planning area** will be:
  - for a woodland within the established urban area: the neighbourhood as defined in the Ottawa Neighbourhood Study;
  - for a woodland within an urban expansion study area or developing community: the boundary of the planning studies (e.g., the CDP or subdivision application).
- The **time horizon** for the evaluation will be forty years.

## **B. Accessibility and Equity**

### *Total Accessible Greenspace*

In accordance with the City of Ottawa Official Plan, total accessible greenspace will be measured as the total area of greenspace or natural land that lies in public ownership and is generally accessible to the public. It will include:

- parks;
- urban natural features in public ownership;
- major open space;
- stormwater facilities;
- accessible floodplain and hazard lands (e.g., valleylands).

It will include open water areas within the above land uses.

It will not include school grounds, golf courses, graveyards, *etc...* with restricted access, nor temporary greenspace reserved for other purposes, such as major transportation corridors and infrastructure.

The planning area will be the same as for the iTree Eco Analysis (see above).

### *Residents within 250 of greenspace by housing type and quality of access*

This geographic information system (GIS) analysis will estimate the proportion of residents within walking distance of urban greenspace, broken down by housing type and quality of greenspace access. The analysis may include greenspace outside the planning area (see iTree Eco Analysis for the definition of the planning area).

Walking distance is defined as the 250 m direct linear distance to any greenspace boundary, approximating a 400 m walking distance or 5-minute walking time along an orthogonal grid street system. If a complete pedestrian geospatial network is available for GIS analysis, then physical accessibility may be calculated using a 5-minute walking time and a walking speed of 5 km/hour.

Housing type is defined as:

- Street-oriented residential: detached dwellings, doubles, and townhomes on individual lots.
- Multi-unit residential: townhomes on shared lots, low-rise apartments, mid- to high-rise apartments, residences in mixed-use developments.

Access categories are:

- High access: landscaped parks, wooded parks, urban natural features or open space with internal, accessible paths or facilities.
- Moderate access: stormwater facilities, urban natural features or open space with peripheral, accessible paths or facilities.
- Low access: urban natural features or open space with no accessible paths or facilities.

*Maximizing Human Health Benefits within 250 m.*

This GIS analysis will identify any sensitive land users within a 250 m or five-minute walk of accessible greenspace, where such information is available. Accessible greenspace, in this context, refers to any greenspace with high or moderate access, as defined above. Promoting positive health and well being is important for the whole population; however, some people experience health differences that are unfair or avoidable, which are known as health inequities (i.e., through the social, economic, mental and physical conditions in which people live, learn, work and play).

Occupants of the following land uses could experience health benefits and/or a reduction of health inequities through access to woodlots:

- Hospitals
- Schools
- Daycares
- Retirement residences
- Long-term care facilities
- Social housing.

### **Low Impact Development (LID)**

This analysis will estimate the existing or potential benefits of the woodland in providing compatible stormwater control for the planning area. It is measured as the total area of stormwater management facilities (both quantity and quality control, including flow channels) replaced by the woodland. Information for this measure would come from a Master Drainage Study or stormwater management plan.

### **Social Values – Existing Public Use**

This evaluation identifies existing, authorized uses of the woodland by the surrounding community. It can include private lands where public access is permitted. The

evaluation may be qualitative (*i.e.*, simply descriptive) or semi-quantitative (*i.e.*, survey-based). Examples of public uses would be dog-walking, mountain-biking, or bird-watching on formal or informal trail networks.

DRAFT

## APPENDIX C. Urban Expansion Area: An Example Evaluation of Alternative Concept Plans

### Description

The three concept plans represent different approaches to the treatment of a significant woodland in the urban expansion area. The woodland consists of a core area of mature cedar swamp in a local groundwater discharge area at the foot of a slope. The groundwater level remains high year-round, although groundwater discharge diminishes in the summer, with little or no drainage off site. A younger, regenerating moist forest of ash, small cedar, poplar and birch surrounds the core woodlot.

Under the Official Plan definition, the core area of the woodland meets the definition of “significant woodland” in the urban area. The remainder of the woodland is less than 60 years old and does not qualify as significant.

The woodlot lies on private land and does not currently support public use. It has no known historical or cultural significance. It does not provide a natural heritage system linkage. It does not overlap with any other known development constraints.

In its current state, the significant core woodlot has limited potential for public access or use, due to its wet nature and its dense undergrowth. Potential does exist to improve access to the woodlot through improved drainage, pathway construction, and careful placement of fill.

### SUMMARY TABLE AND ASSUMPTIONS

Summary Table

Statistic	Plan 1	Plan 2	Plan 3 (preferred)
Accessible Greenspace	21.6%	20.5%	20.6%
Multi-unit Residential with Greenspace Access (high, mod, low)	99.4% (55.5%, 42%, 2.1%)	99.4% (55.5%, 42.0%, 2.1%)	99.6% (71.8%, 27.2%, 0.6%)
Street-oriented Residential with Greenspace Access (total/high)	88.3% (61.5%, 14.5%, 12.2%)	85.2% (65.7%, 11.3%, 8.0%)	94.1% (91.9%, 1.3%, 0.9%)

Public Canopy Cover	25.5%	25.2%	25.3%
Pollution Removal	1,208 tonnes/yr	iTree not run	1,145 tonnes/yr
Carbon Storage	2,406 tonnes	iTree not run	2,282 tonnes/yr
Avoided Run-off	4,951 m <sup>3</sup> /yr	iTree not run	4,694 m <sup>3</sup> /yr

### Conclusion and Rationale

Overall, Concept Plan 3 provides the most benefit to the community, while balancing other development principles and objectives.

- Concept Plan 1, retention of the significant woodland, provides minimal benefit to the community due to the inaccessible nature of the woodlot. There is no obligation for the property owner to improve access and no financial incentive to do so.
- Concept Plan 2 improves land use efficiency by reducing the size of the woodlot and providing approximately 2.3 ha of additional residential area. The conversion of the woodlot to a wooded park (as part of the normal parkland dedication) increases its accessibility to the surrounding community. However, the additional benefit is minimal and does not justify the overall loss of greenspace and canopy cover.
- Concept Plan 3 improves land use efficiency by reducing the size of the woodlot and providing approximately 2 ha of additional residential area. The addition of small 0.25 ha wooded parkette (in addition to the normal parkland dedication) provides greenspace access to an underserved area of the community. Improved access for much of the remaining community is provided by the provision of additional nature trails within the creek corridor setback and in the eastern woodlot. Overall, this concept plan provides substantially increased community benefit, which compensates for the small, overall loss of greenspace and canopy cover.

### Assumptions

Multi-unit Residential: 20 large trees/ha, 3 small trees/ha

Street-oriented Residential: 18 large trees/ha, 1 small tree/ha

Urban Natural Features: 190 large trees/ha

Wooded Parks and Creek Corridors: 100 large trees/ha

Parks and Stormwater Facilities: 10 large trees/ha

Schools and Institutions: 5 large trees/ha

Large Tree = 115 m<sup>2</sup> canopy, Small Tree = 78 m<sup>2</sup> canopy

### **Access Categories**

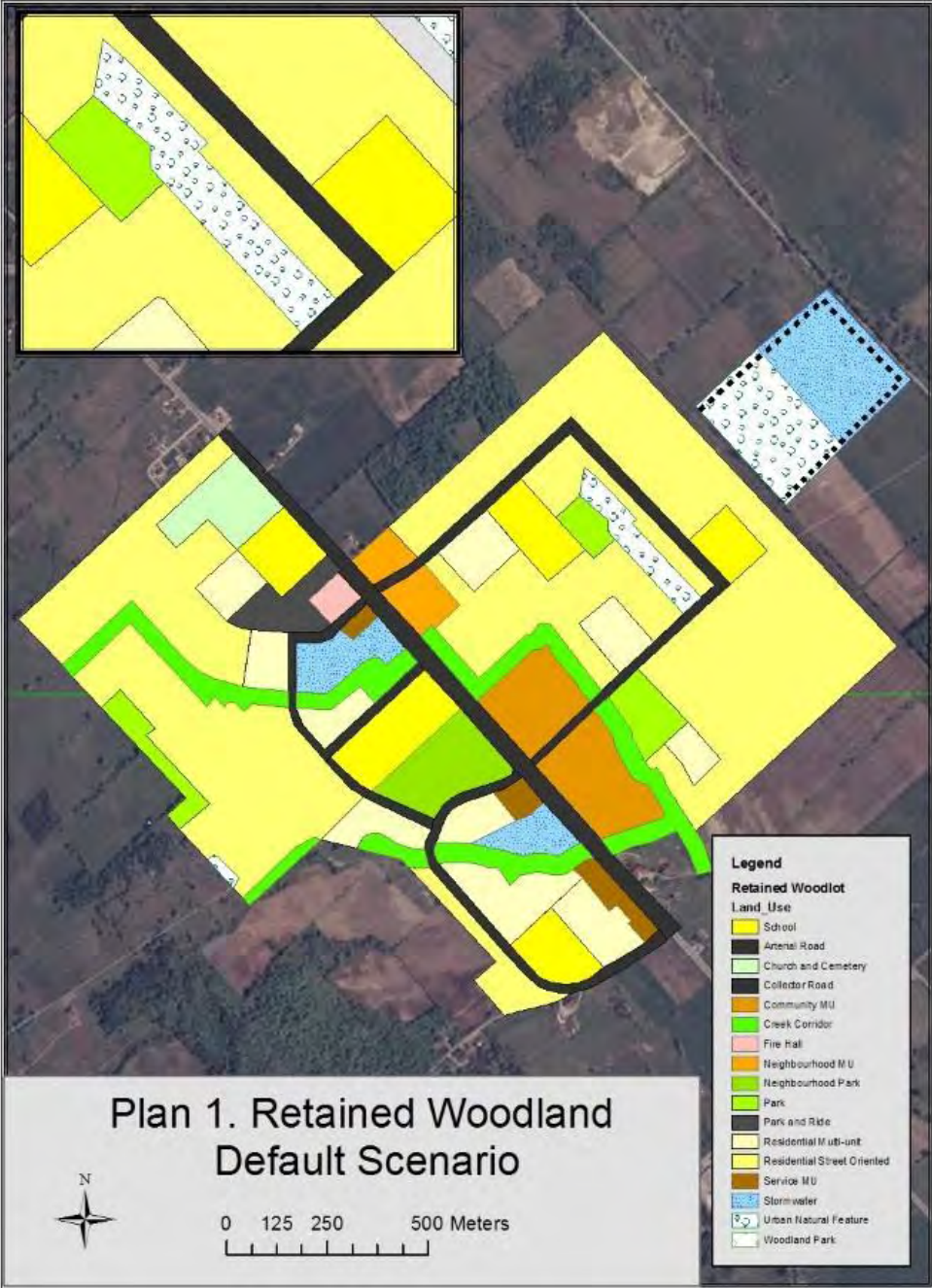
High: programmed parks, wooded parks, urban natural areas or open space with internal, accessible paths or facilities.

Moderate: stormwater facilities, urban natural areas or open space with peripheral, accessible paths or facilities.

Low: urban natural areas and open space with no access.

# WOODLOT SCENARIO 1

## Retained Woodlot



## **Description**

This design retains the unmodified woodlot, but with a reduced boundary to allow a more practical, grid road pattern. The woodlot has low accessibility due to its swampy nature. Overall, the community greenspace consists of the woodlot, an eastern woodlot associated with a SWM facility, the creek corridors, other stormwater facilities, and parks.

## **Mitigation**

None.

## **Compensation**

None

## **STATISTICS**

Plan Area: 206.3 ha

Total Accessible Greenspace: 44.6 ha (21.6%)

High accessibility: 12.9 ha

Moderate accessibility: 18.9 ha

Low accessibility: 12.8 ha

## **Residential Greenspace Access**

### *Multi-unit*

Total Multi-unit Residential Area: 18.3 ha

Total Area with Greenspace Access: 18.2 ha (99.4%)



Residential area with high access	10.2 ha	55.5%
Residential area with moderate access	7.7 ha	42.0%
Residential area with low access	0.4 ha	2.1%

*Street-oriented*

Total Street-oriented Residential Area: 90.6 ha

Total Area with Greenspace Access: 80.0 ha (88.3%)

Residential area with high access	55.8 ha	61.5%
Residential area with moderate access	13.2 ha	14.5%
Residential area with low access	11.0 ha	12.2%

**Canopy Cover**

Total Woodland Area: 9.5 ha

Large Tree Crowns: 42.1 ha

Small Tree Crowns: 1.1 ha

Total Public Urban Canopy Cover: 52.7 ha (25.5%)

**ITree Eco 6 Analysis**

Number of Trees: 5,602

Dominant Species: N/A

Pollution Removal: 1,208 tonnes/year

Carbon Storage: 2,406 tonnes

Carbon Sequestration: 52.64 tonnes/year

Avoided Run-off: 4,951 m<sup>3</sup>/year

Structural Value: \$21.4 million

### **Habitat Values**

High density of large cedar trees in the central area of the woodlot. No other unusual or specialized habitat.

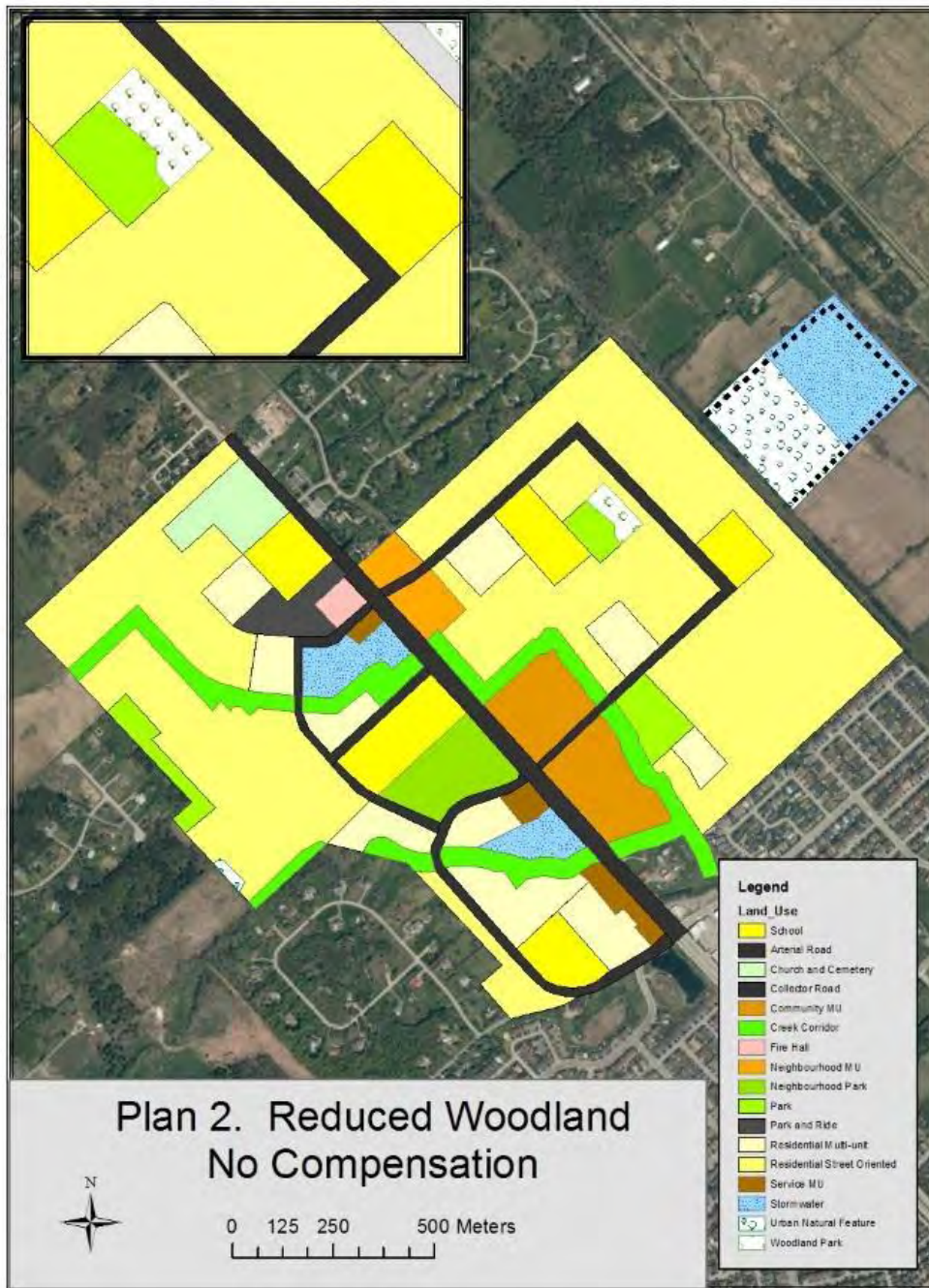
### **Historical and Cultural Values**

None identified.

DRAFT

## WOODLOT SCENARIO 2

*Woodlot Removal – No Compensation*



## **Description**

This design removes the woodlot, but retains most of the mature cedar trees in a wooded park. The overall availability of accessible greenspace declines, although the new wooded park increases the quality of accessible greenspace in its immediate vicinity.

## **Mitigation**

Retention of large cedar trees in a wooded park.

## **Compensation**

None

## **STATISTICS**

Plan Area: 206.3 ha

Total Accessible Greenspace: 42.3 ha (20.5%)

High accessibility: 13.4 ha

Moderate accessibility: 18.5 ha

Low accessibility: 10.4 ha

## **Residential Greenspace Access**

### *Multi-unit*

Total Multi-unit Residential Area: 18.3 ha

Total Area with Greenspace Access: 18.2 ha (99.4%)

Residential area with high access	10.2 ha	55.5%
Residential area with moderate access	7.7 ha	42.0%
Residential area with low access	0.4 ha	2.1%

*Street-oriented*

Total Street-oriented Residential Area: 93.1 ha

Total Area with Greenspace Access: 79.3 ha (85.2%)

Residential area with high access	61.2 ha	65.7%
Residential area with moderate access	10.6 ha	11.3%
Residential area with low access	7.5 ha	8.0%

**Canopy Cover**

Total Woodland Area: 7.1 ha

Large Tree Crowns: 43.6 ha

Small Tree Crowns: 1.2 ha

Total Public Urban Canopy Cover: 51.9 ha (25.2%)

**ITree Eco 6 Analysis [Not run]**

Number of Trees:

Dominant Species:

Pollution Removal:

Carbon Storage:

Carbon Sequestration:

Avoided Run-off:

Structural Value:

### **Habitat Values**

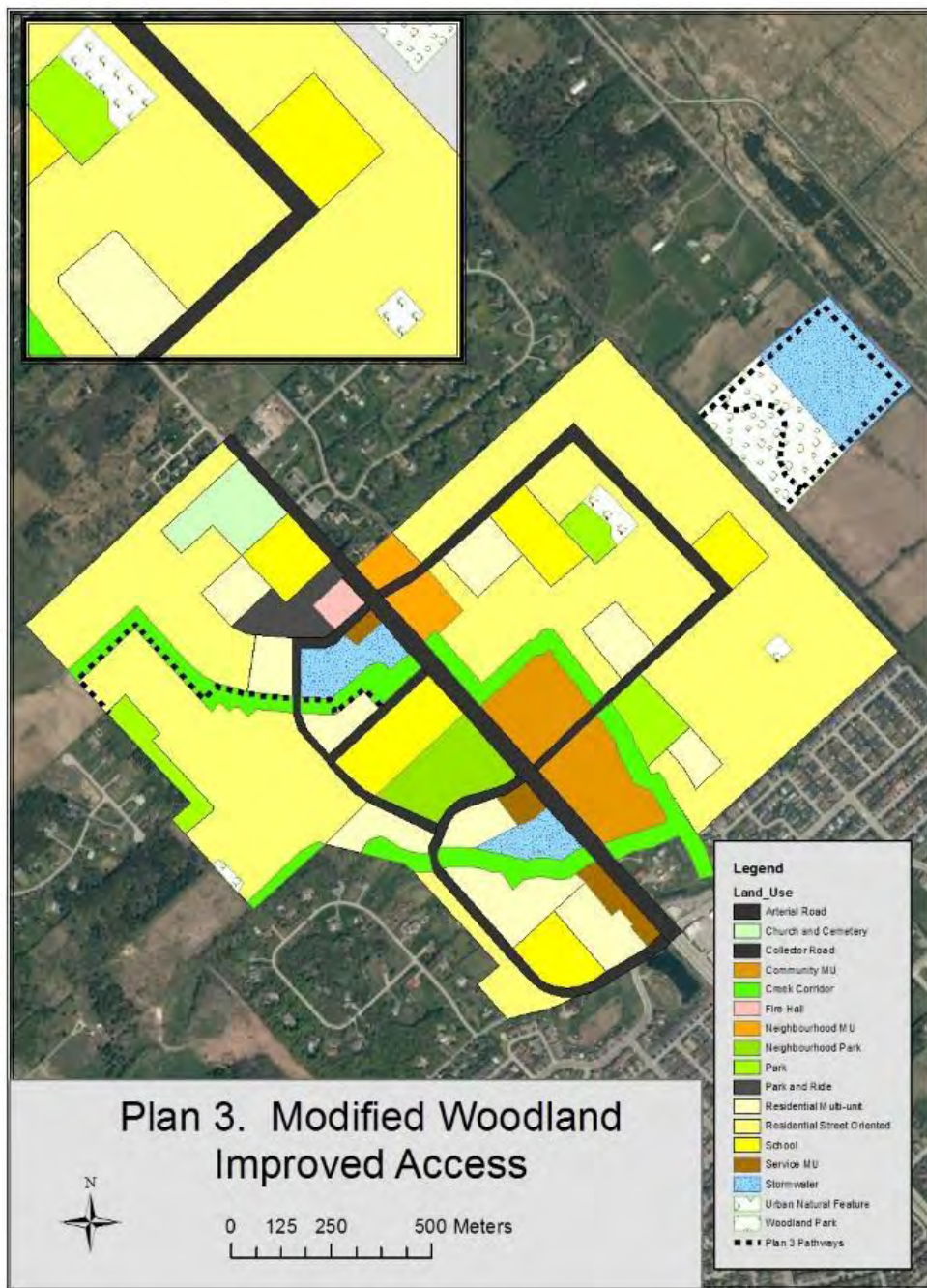
The large cedar trees from the original woodlot have been retained in a wooded park.

### **Historical and Cultural Values**

None identified.

# WOODLOT SCENARIO 3

*Woodlot Removal – With Compensation*



## **Description**

This design removes the woodlot, but retains many of the mature trees in a wooded park. It adds a treed parkette in the eastern corner of the development to provide greenspace access in that quadrant. It also provides new, internal, pathways in the eastern urban natural feature and the creek corridor to increase the accessibility of those features to the surrounding community.

## **Mitigation**

Retention of large cedar trees in a wooded park.

## **Compensation**

A new treed parkette of 0.25 ha and new pathways in the eastern urban natural feature and creek corridor.

## **STATISTICS**

Plan Area: 206.3 ha

Total Accessible Greenspace: 42.5 ha (20.6%)

High accessibility: 22.2 ha

Moderate accessibility: 11.7 ha

Low accessibility: 8.6 ha

## **Residential Greenspace Access**

### *Multi-unit*

Total Multi-unit Residential Area: 18.3 ha

Total Area with Greenspace Access: 18.2 ha (99.6%)



Residential area with high access	13.1 ha	71.8%
Residential area with moderate access	5.0 ha	27.2%
Residential area with low access	0.1 ha	0.6%

*Street-oriented*

Total Street-oriented Residential Area: 92.8 ha

Total Area with Greenspace Access: 87.3 ha (94.1%)

Residential area with high access	85.3 ha	91.9%
Residential area with moderate access	1.2 ha	1.3%
Residential area with low access	0.8 ha	0.9%

**Canopy Cover**

Total Woodland Area: 7.1 ha

Large Tree Crowns: 43.8 ha

Small Tree Crowns: 1.2 ha

Total Public Urban Canopy Cover: 52.1 ha (25.3%)

**ITree Eco 6 Analysis**

Number of Trees: 5301

Dominant Species: N/A

Pollution Removal: 1,145 tonnes/year

Carbon Storage: 2,282 tonnes

Carbon Sequestration: 49.9 tonnes/year

Avoided Run-off: 4,694 m<sup>3</sup>/year

Structural Value: \$20.3 million

DRAFT

## APPENDIX D. Established Urban Area: Example Terms of Reference for Environmental Impact Statements.

The following three examples illustrate possible Terms of Reference for the assessment of development impacts on significant woodlands in the established urban area.

The three examples are not exhaustive, but cover a set of typical conditions and concerns. The features used in the examples lie within another municipality, and the proposed developments are hypothetical.

DRAFT

## EXISTING URBAN AREA – EXAMPLE 1

### Infill Residential Subdivision

### Zone R3, Residential Third Density Zone



#### **The Property**

A 2 ha property, covered in mature hardwood forest. No record of species at risk, but the potential exists for SAR birds and bats. The previous owner allowed public access. The neighbours use the property informally for dog walking, and the neighbourhood children have constructed a mountain bike track in the woodlot.

#### **The Proposed Application**

The property owner has come for a pre-consultation on a proposed plan of subdivision for 70 to 85 units, consisting of semi-detached homes and townhomes.

#### **Options for Purchase**

The owner has no desire to sell. The municipality does not have sufficient funds in its acquisition budget to purchase the property at fair market value.

DRAFT

## ENVIRONMENTAL IMPACT STATEMENT AND INTEGRATED ENVIRONMENTAL REVIEW: TERMS OF REFERENCE

### Pre-consultation Summary

- Development in accordance with the approved land use and Official Plan policies cannot proceed while retaining the significant woodland as such.
- The City will not pursue acquisition of the property.
- The City will consider use of parkland dedication (estimated at 0.25 ha) for retention of part of the woodland as a wooded park.

### Required Studies

- A woodlot inventory, including an assessment under the uncommon characteristics criteria, as per the NHRM.
- A species at risk survey, with an emphasis on birds and bats.
- An iTree Eco evaluation of the existing woodlot.
- A detailed landscaping plan and urban canopy analysis, with demonstration of adequate soil volumes for retained and planted trees.
- An assessment of the change in accessible greenspace for residential units within a 250 m straight-line distance of the woodlot, broken down by housing type.
- An assessment of the benefits of retained and planted trees at 40 years of maturity, using iTree Design.
- An assessment of the change in tree canopy cover within the neighbourhood, as defined in GeoOttawa, at 40 years of maturity.

### Expected Mitigation and Compensation for Woodlot Removal

- Enhanced tree retention and/or planting:
  - Integration with on-site stormwater management, including low-impact development;
  - Use of soil cells and suspended pavement, especially in conjunction with on-site stormwater management.
- Strategic tree planting to maximize environmental benefits (as per the iTree Design analysis)
- A centrally located, treed parkette of 0.25 ha.
- Retention of areas demonstrating uncommon characteristics (where the extent of retention does not contradict the approved land use).
- Any required mitigation and compensation under the *Endangered Species Act 2007*.

## Existing Urban Area – Example 2

### Infill Light Industrial Development

#### Zone IL, Light Industrial Zone



#### The Woodlot

A 1.8 ha woodlot, covered in mature, second growth forest. The woodlot straddles portions of 8 properties. There is no public access. The central portion of the woodlot contains a swampy swale draining southwest to a stormwater sewer inlet on the street. The woodlot has a number of butternut in varying conditions of health along the northeast edge. No other species at risk are known from the site.

#### The Proposed Application

The property owner has come for a pre-consultation on a site plan application for a proposed warehouse and office facility on the vacant, northeast lot.

#### Options for Purchase

The owner has no desire to sell. The municipality does not have sufficient funds in its acquisition budget to purchase the property at fair market value.

## ENVIRONMENTAL IMPACT STATEMENT AND INTEGRATED ENVIRONMENTAL REVIEW: TERMS OF REFERENCE

### Pre-consultation Summary

- It appears possible to develop the site in accordance with the approved land use while minimizing impacts on the woodlot.
- The City will not pursue acquisition of the property.

### Required Studies

- A woodlot inventory, including an assessment under the uncommon characteristics criteria, as per the NHRM.
- A species at risk survey, with an emphasis on birds and bats.
- A butternut health assessment.
- An iTree Eco evaluation of the existing woodlot.
- A detailed landscaping plan with demonstration of adequate soil volumes for retained and planted trees.
- An assessment of the benefits of retained and planted trees at 40 years of maturity, using iTree Design.
- An iTree Eco evaluation of the woodlot and landscape trees at maturity (40 years).

### Expected Mitigation and Compensation for Woodlot Modification

- Locating the building envelope and parking to minimize impacts on the woodlot.
- Retention of areas demonstrating uncommon characteristics (where the extent of retention does not contradict the approved land use).
- Integration of the woodlot and the swale into the stormwater management system.
- Strategic tree planting to maximize environmental benefits (as per the iTree Design analysis).
- Explicit consideration of a green roof or a reflective roof.
- Any required mitigation and compensation under the *Endangered Species Act 2007*. Off-site compensation for butternut removal is acceptable.



## Existing Urban Area – Example 3

### Mainstreet Redevelopment

### Zone AM, Arterial Mainstreet



### The Woodlot

A 0.8 ha woodlot, approximately 60 years old. The woodlot currently straddles portions of four rectangular parcels stretching back from the main street. There is no current public access. The woodlot contains a small, thicket swamp. It may also contain butternut. No other species at risk are known from the site. The cleared, open space behind the woodlot is approved for mid-density residential development.

### The Proposed Application

The applicant has consolidated ownership of the four lots and proposes to redevelop it as a six story mixed-use building containing office and retail uses with associated parking.

### Options for Purchase

The owner has no desire to sell. The municipality does not have sufficient funds in its acquisition budget to purchase the property at fair market value. Some cash-in-lieu of parkland funds may be available from the adjacent residential development.

## **ENVIRONMENTAL IMPACT STATEMENT AND INTEGRATED ENVIRONMENTAL REVIEW: TERMS OF REFERENCE**

### **Pre-consultation Summary**

- It appears possible to develop the site in accordance with the approved land use, while retaining some or all of the woodlot.
- The City will not pursue acquisition of the property.
- The City will consider use of parkland dedication (estimated at 0.15 ha) for retention of part of the woodland as a wooded park.
- Under Section 37 of the Planning Act, there may be potential to allow increased height and density on the site in return for preservation or enhancement of the woodlot as privately-owned public space.

### **Required Studies**

- A woodlot inventory, including an assessment under the uncommon characteristics criteria, as per the NHRM.
- A species at risk survey, with an emphasis on birds and bats.
- A butternut health assessment, if applicable.
- A significant wildlife habitat evaluation of the swamp, as per the MNRF significant wildlife habitat guidance.
- An iTree Eco evaluation of the existing woodlot.
- A detailed landscaping plan, with demonstration of adequate soil volumes for retained and planted trees.
- An assessment of the change in accessible greenspace for residential units within a 250 m straight-line distance of the woodlot, broken down by housing type.
- An assessment of the benefits of retained and planted trees at 40 years of maturity, using iTree Design.
- An iTree Eco evaluation of the woodlot and landscape trees at maturity (40 years).

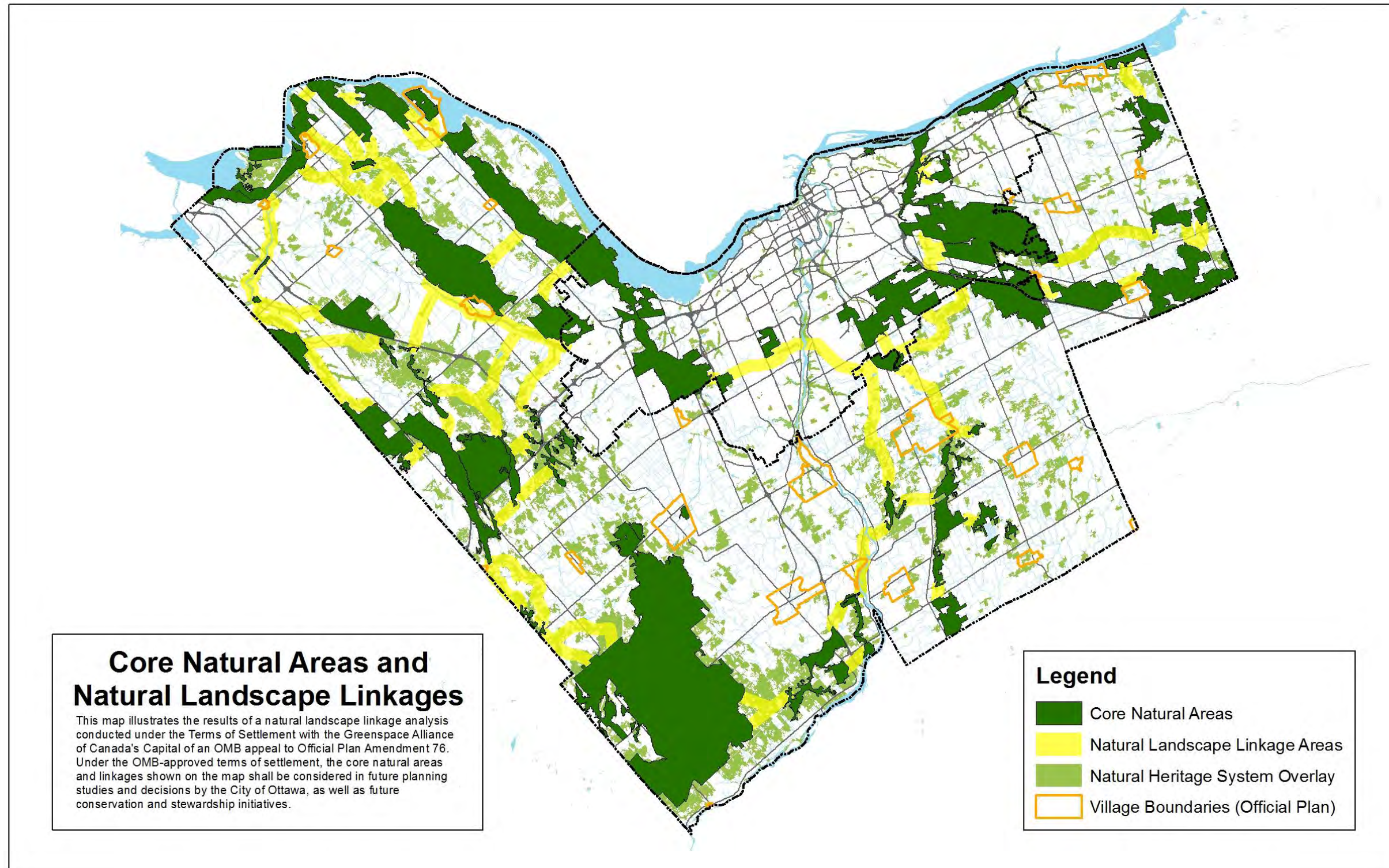
### **Expected Mitigation and Compensation for Woodlot Modification or Removal.**

- Locating the building envelope and parking to minimize impacts on the woodlot.
- Retention of areas demonstrating uncommon characteristics (where the extent of retention does not contradict the approved land use).
- Retention of areas providing sustainable significant wildlife habitat

- Enhanced tree retention and/or planting:
  - Integration with on-site stormwater management, including low-impact development;
  - Use of soil cells and suspended pavement, especially in conjunction with on-site stormwater management.
- Strategic tree planting to maximize environmental benefits (as per the iTree Design analysis)
- Any required mitigation and compensation under the *Endangered Species Act 2007*.
- Explicit consideration of a green roof or a reflective roof.
- Any required mitigation and compensation under the *Endangered Species Act 2007*. Off-site compensation for butternut removal is acceptable.
- Explicit consideration of providing privately-owned public space in the woodlot in return for increased height and density.

DRAFT

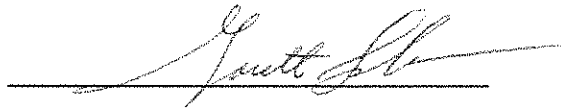




This is

**Exhibit 8**

to the affidavit of Nick Stow 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.*

**Changes Proposed by OPA 179**

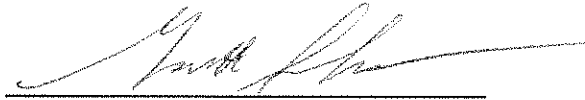
Item	Sect/Policy	Original OPA#179 Text	Proposed Settlement Revision	Resulting Policy (with settlement language underlined>
2 (a)	2.4.2 Policy 1.c.iii	<p><b>Section 2.4.2, Policy 1c is replaced with the following:</b>                      1.c. Significant woodlands defined as the following.                      i. Any treed area meeting the definition of woodlands in the <i>Forestry Act</i>, R.S.O. 1990, c. F.26 or forest in the Ecological Land Classification for Southern Ontario; and                      ii. In the rural area, meeting any one of the criteria in the Natural Heritage Reference Manual, as assessed in a subwatershed planning context and applied in accordance with Council-approved guidelines, where such guidelines exist; or                      iii. In the urban area, any area 0.8 hectares in size or larger, supporting woodland 40 years of age and older at the time of evaluation;</p>	<p><b>Section 2.4.2, Policy 1c.iii, "40 years" is replaced with "60 years"</b></p>	<p>1.c. Significant woodlands defined as the following.                      i. Any treed area meeting the definition of woodlands in the <i>Forestry Act</i>, R.S.O. 1990, c. F.26 or forest in the Ecological Land Classification for Southern Ontario; and                      ii. In the rural area, meeting any one of the criteria in the Natural Heritage Reference Manual, as assessed in a subwatershed planning context and applied in accordance with Council-approved guidelines, where such guidelines exist; or                      iii. In the urban area, any area 0.8 hectares in size or larger, supporting woodland <u>60</u> years of age and older at the time of evaluation;</p>
2 (b)	3.11 Policy 6b	<p><b>Section 3.11, Policy 6b is replaced with the following:</b>                      6.b. Identify the natural heritage system on the site independent of the potential developable area. Typically an environmental management plan, as described in Section 2.4.3, will be prepared where a sub-watershed study does not exist or does not provide sufficient guidance to identify the environmental features on the site or their functions, which together constitute the natural heritage system. The components of this</p>	<p>None</p>	<p>6.b. Identify the natural heritage system on the site independent of the potential developable area. Typically an environmental management plan, as described in Section 2.4.3, will be prepared where a sub-watershed study does not exist or does not provide sufficient guidance to identify the environmental features on the site or their functions, which together constitute the natural heritage system. The components of this system are generally described in Section 2.4.2, with the exception that significant woodlands are to be further evaluated through an Environmental Impact Statement. No development will be permitted within this system, which is to be conveyed to the City before development of the area is approved; and</p>

		<p>system are generally described in Section 2.4.2, with the exception that significant woodlands are to be further evaluated through an Environmental Impact Statement. No development will be permitted within this system, which is to be conveyed to the City before development of the area is approved; and</p>		
2 (c)	3.12 Policy 3b	<p><b>Section 3.12, Policy 3b is replaced with the following:</b>  3.b. Identify the natural heritage system on the site independent of the potential developable area. Typically an environmental management plan, as described in Section 2.4.3, will be prepared where a sub-watershed study does not exist or does not provide sufficient guidance to identify the environmental features on the site or their functions, which together constitute the natural heritage system. The components of this system are generally described in Section 2.4.2, with the exception that significant woodlands are to be further evaluated through an Environmental Impact Statement. No development will be permitted within this system, which is to be conveyed to the City before development of the area is approved; and</p>	None	<p>3.b. Identify the natural heritage system on the site independent of the potential developable area. Typically an environmental management plan, as described in Section 2.4.3, will be prepared where a sub-watershed study does not exist or does not provide sufficient guidance to identify the environmental features on the site or their functions, which together constitute the natural heritage system. The components of this system are generally described in Section 2.4.2, with the exception that significant woodlands are to be further evaluated through an Environmental Impact Statement. No development will be permitted within this system, which is to be conveyed to the City before development of the area is approved; and</p>

This is

**Exhibit 9**

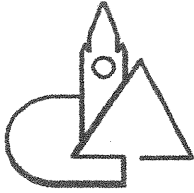
to the affidavit of Nick Stow dated May 27, 2019

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

GARETT SCHROMM

*A commissioner, etc.*





Greenspace Alliance of Canada's Capital  
Alliance pour les espaces verts dans la capitale du Canada  
(Greenspace Watch)

Postal address: P.O. Box 55085, 240 Sparks Street, Ottawa, Ontario K1P 1A1 ☐ Tel.: (613) 739-0727  
E-mail: [contact@greenspace-alliance.ca](mailto:contact@greenspace-alliance.ca) ☐ Web site: [www.greenspace-alliance.ca](http://www.greenspace-alliance.ca)

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15 May 2014

To: Ministry of Municipal Affairs and Housing  
Eastern Municipal Services Office  
Rockwood House  
8 Estate Lane  
Kingston, Ontario K7M 9A8

Attention: Andrea Gummo

By Express Post

Re: Notice of Decision re City of Ottawa By-law No. 2013-400  
MMAH File No. 6-OP-131492

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Dear Ms. Gummo,

The Greenspace Alliance of Canada's Capital (Greenspace Watch) wishes to appeal Schedules L1, L2 and L3, attached to Official Plan Amendment No. 150 as schedules S35 (further amended by S59), S36 and S37 respectively. These are Items 334 to 337 in OPA 150.

We wish to argue that the implementation of the City's Natural Landscape Linkage Analysis (Document 11 to OPA 150 as considered by Council on November 26, 2014) in the form of Schedules S35, S59, S36 and S37 falls short of what MNR's *Natural Heritage Reference Manual* (2nd. edition, 2010) advises, in particular in sections 3 (Natural Heritage Systems) and 12 (How To Protect: Municipal Planning Techniques and Tools).

In Figures 6a/b/c and 7a/b/c of its Analysis the City identified 1-km wide corridors, based on a sophisticated least-cost analysis for movement of plants and animals. However, these corridors were then not transposed on the Natural Heritage System (NHS) maps -- the Schedules L1, L2 and L3. Instead, the Schedules were only amended to show woodlands or floodplains that are found within those corridors, to the exclusion of other components of Ottawa's NHS. As a result, the corridors -- and the natural linkage functions they represent -- are not visible and are not as such assisting the development review process. Yet, that is precisely the purpose of the Schedules L.

Given that the NHS components on Schedules L only serve as a trigger for the requirement of an environmental impact statement if any development in or near them is proposed, we will argue that the corridors themselves should be identified as such a trigger and should be so marked on the Schedules.

A certified cheque in the amount of \$125.00 is enclosed.

Sincerely,

Erwin Dreessen, Ph.D.  
Co-chair



**CERTIFIED**

GreenSpace Watch

P.O. BOX 55085  
240 SPARKS ST.

OTTAWA ONTARIO K1H 8K2

*MS*  
MAY 14 2014

0021

DATE 2014-05-20  
Y Y Y Y M M D D

ALTERNA SAVINGS

PAY to the order of

to the order of

*GreenSpace Watch*  
*Twenty five*  
*Minister of Finance, Province of Ontario*

DOLLARS

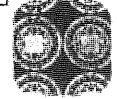
\$ 125<sup>00</sup>

EXACTLY 25 00 00 CTS.

Security features included

  
Alterna Savings

ALTERNA SAVINGS AND CREDIT UNION LIMITED  
alterna.ca  
Billings Bridge  
2269 Riverside Dr.  
Ottawa, Ontario K1H 8K2



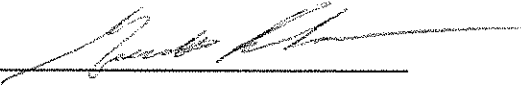
General Account  
PER *[Signature]*  
PER *[Signature]*

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**Exhibit 10**

to the affidavit of Nick Stow dated May 27, 2019

A handwritten signature in black ink, appearing to read "Garrett Schromm", is written over 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. <a href="#"><u>ZONING BY-LAW AMENDMENT – 3930 AND 3960 RIVERSIDE DRIVE</u></a> |
|-----------------------------------------------------------------------------------|

**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;**



**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. DISPOSITION OF 2018 TAX AND RATE SUPPORTED  
OPERATING SURPLUS / DEFICIT

**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**

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**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

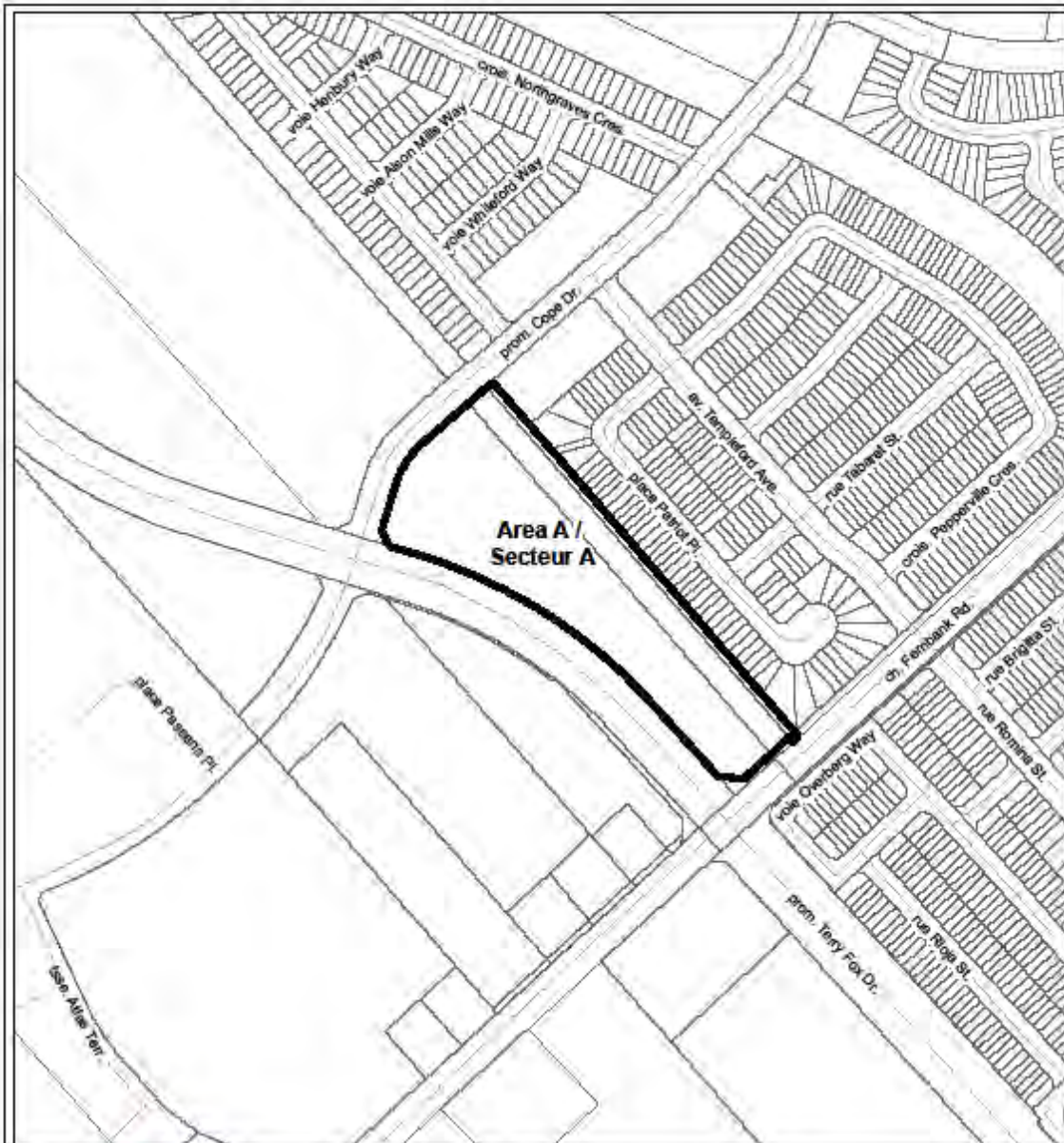
					Document 1
	Kanata North BIA	Manotick BIA	Preston Street BIA	Somerset Chinatown BIA	Somerset Village BIA
<b>Expenditures</b>					
Administration	334,000	110,556	164,563	91,800	12,190
Promotions/Maintenance	274,500	172,665	294,630	85,100	12,300
Prior-Year Deficit	0	7,291	0	0	0
<b>Total Expenditures</b>	<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)

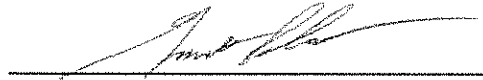


		LOCATION MAP / PLAN DE LOCALISATION ZONING KEY PLAN / SCHÉMA DE ZONAGE	
D02-02-16-0080	19-0353-X	 5331 chemin Fernbank Road	
I:\001\2018\Zoning\Fernbank_5331\...rezone_rev			
<small>                     ©2018 City of Ottawa. All rights reserved. May not be produced without permission.                      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 interdite.                      CECI N'EST PAS UN PLAN D'IMPRIMERIE.                 </small>			
REVISION / RÉVISION - 2019 / 04 / 03		Area A to be rezoned from IP[2411] to GM[2411] Le zonage du secteur A sera modifié de IP[2411] à GM[2411]	
			

This is

**Exhibit 11**

to the affidavit of Nick Stow 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

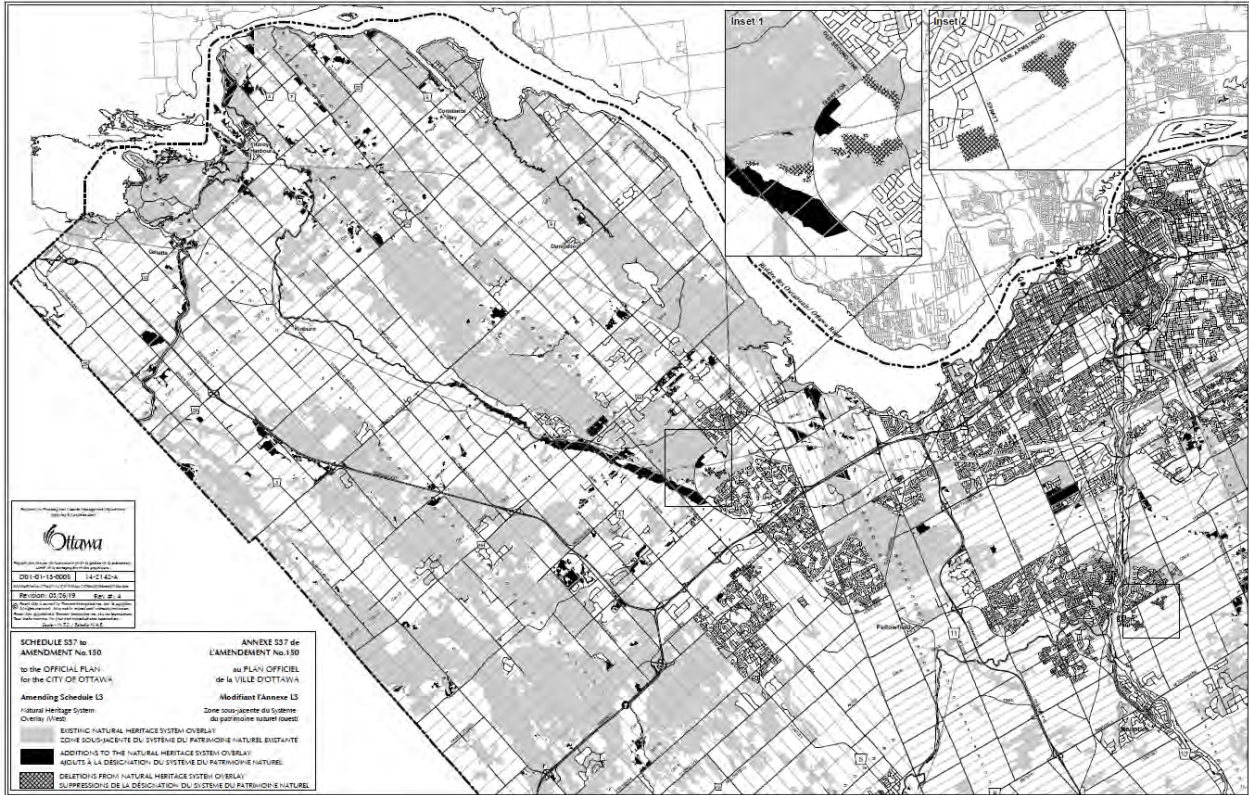
4. Summary of Written and Oral Submissions to be issued separately with the Council agenda for its meeting of April 24, 2019, in the report titled, "Summary of Oral and Written Public Submissions for Items Subject to Bill 73 'Explanation Requirements' at the City Council meeting of April 10, 2019".

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**

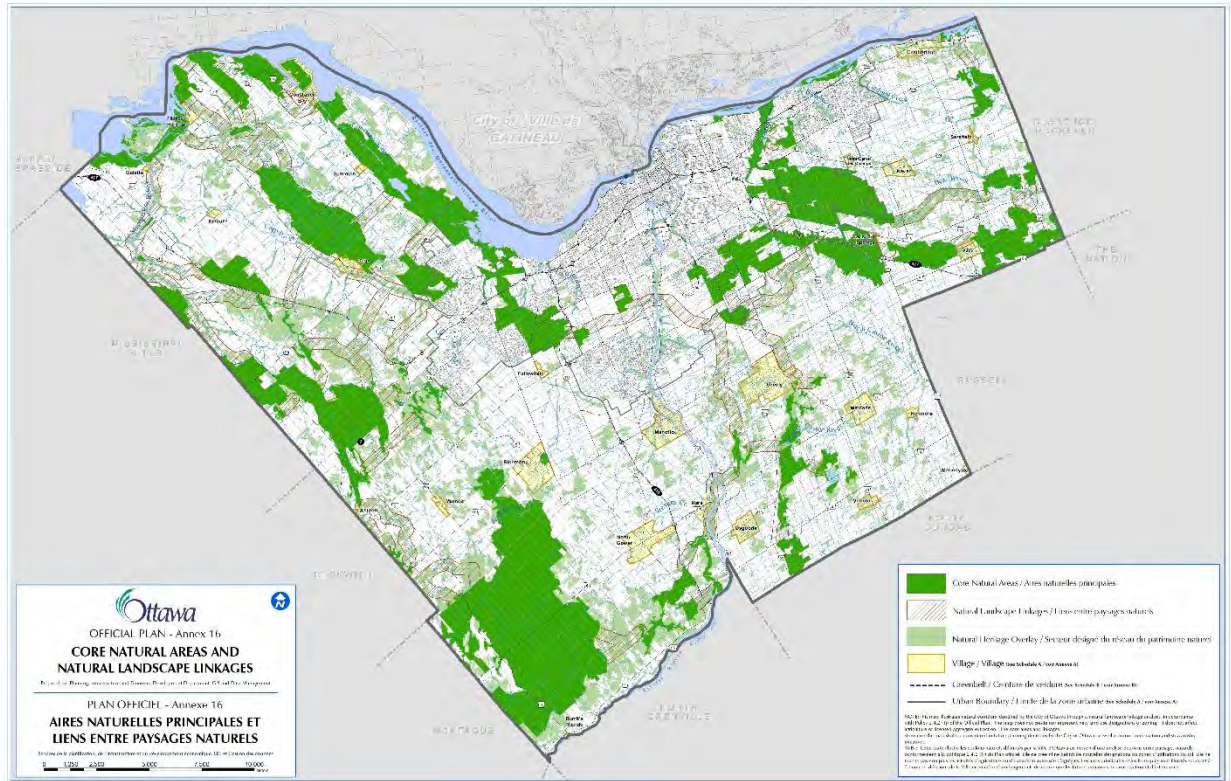
Document 1 Annex 16

Document 2 Schedule S37 to Official Plan Amendment 150

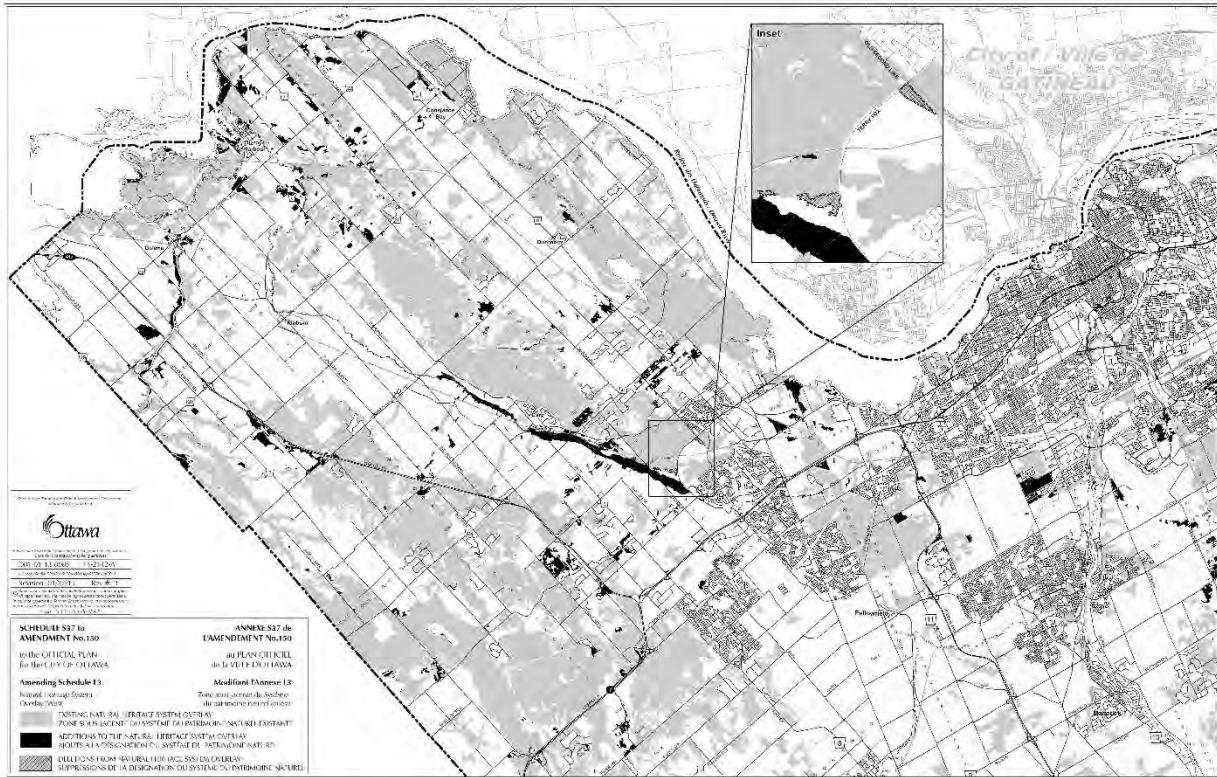
## **DISPOSITION**

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

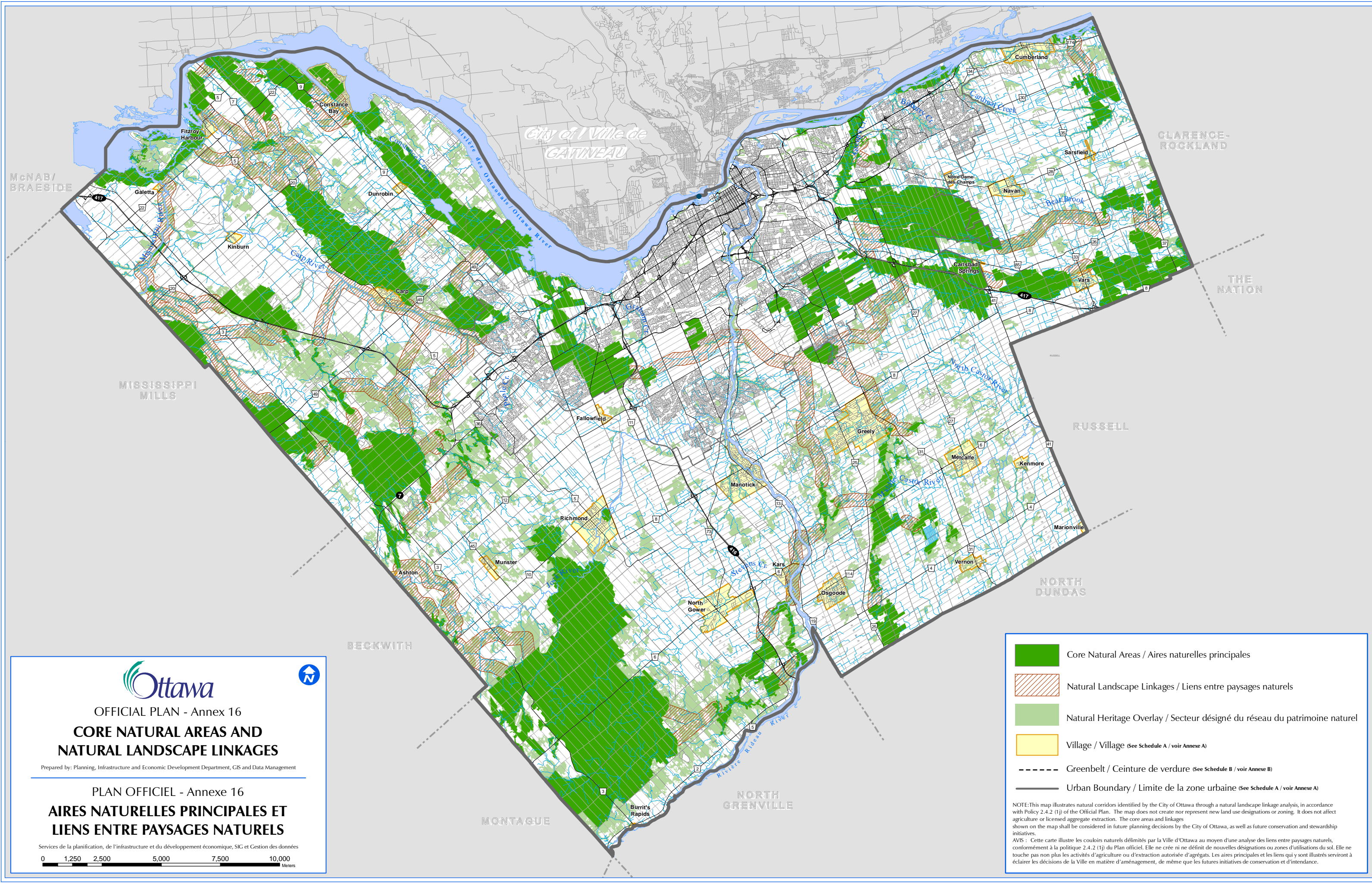
Document 1 - Annex 16



Document 2 - Schedule S37 to Official Plan Amendment 150










**OFFICIAL PLAN - Annex 16**  
**CORE NATURAL AREAS AND**  
**NATURAL LANDSCAPE LINKAGES**





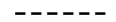

Prepared by: Planning, Infrastructure and Economic Development Department, GIS and Data Management

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**PLAN OFFICIEL - Annexe 16**  
**AIRES NATURELLES PRINCIPALES ET**  
**LIENS ENTRE PAYSAGES NATURELS**

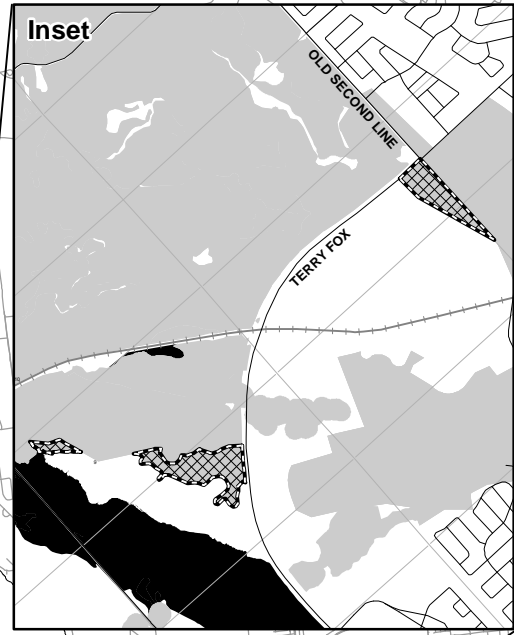
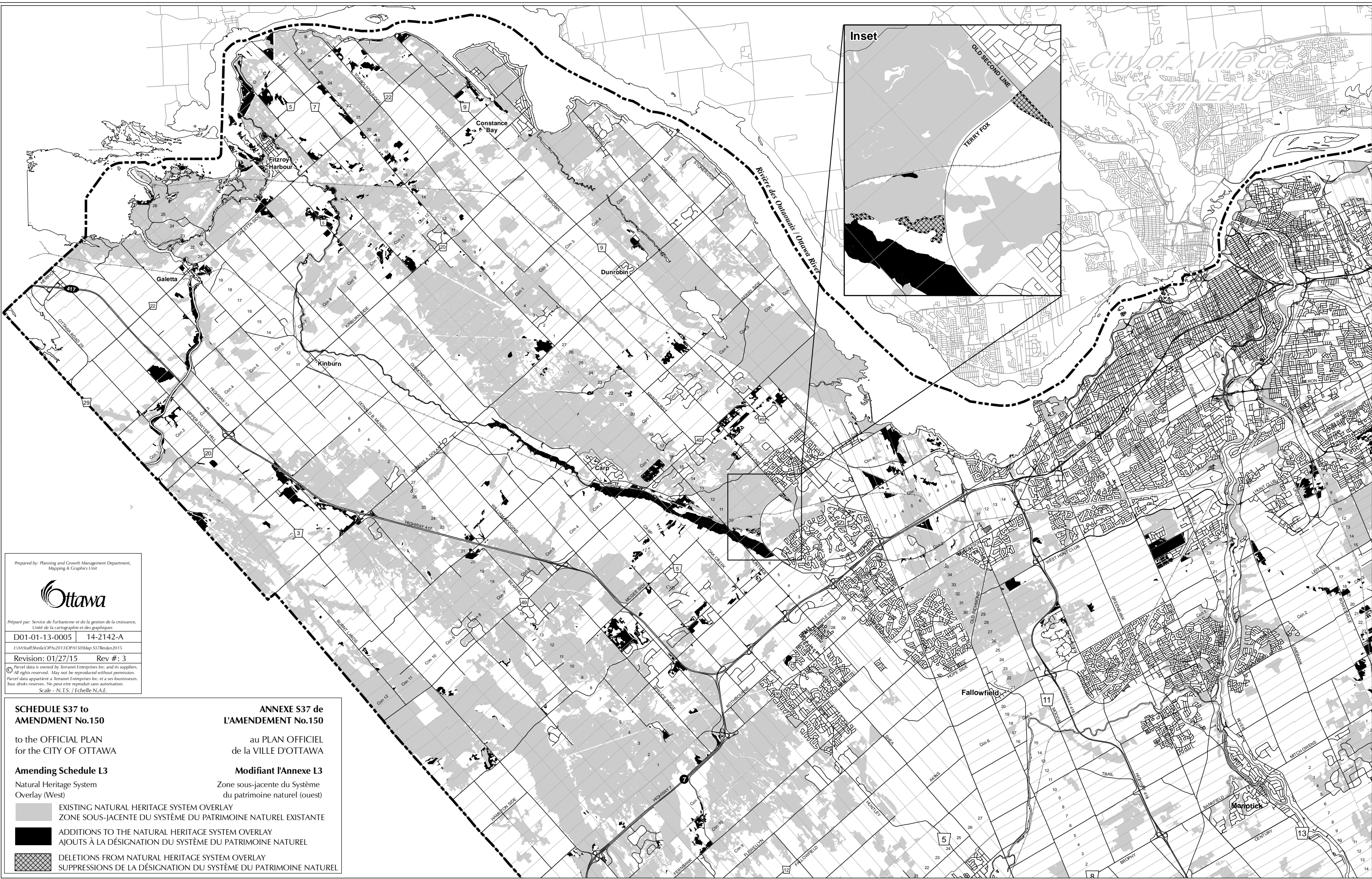
Services de la planification, de l'infrastructure et du développement économique, SIG et Gestion des données

0    1,250    2,500    5,000    7,500    10,000  
Meters

	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

**Ottawa**

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

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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

**ANNEXE S37 de L'AMENDÉMENT No.150**  
au PLAN OFFICIEL de la VILLE D'OTTAWA

**Amending Schedule L3**  
Natural Heritage System Overlay (West)

**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