

3. CITY OF OTTAWA OFFICIAL PLAN AMENDMENT NO. 34 - MUD LAKE

COMMITTEE RECOMMENDATIONS

That Council:

- 1. Lift Deferral No. 22 to the City of Ottawa Comprehensive Official Plan, and approve the designation of "Environmentally Sensitive Area" as described on the Approval Page attached as Annex I, and;**
- 2. Approve Official Plan Amendment No. 34 to the City of Ottawa Official Plan as modified by the Approval Page attached as Annex II.**

DOCUMENTATION

1. Planning and Development Approvals Commissioner's report dated 7 Jan 2000 is immediately attached.

REGION OF OTTAWA-CARLETON
RÉGION D'OTTAWA-CARLETON

REPORT
RAPPORT

Our File/N/Réf. (25) 14-99-0014
 Your File/V/Réf. (25) 14-02-169

DATE 7 January 2000

TO/DEST. Co-ordinator
 Planning and Environment Committee

FROM/EXP. Commissioner
 Planning and Development Approvals Department

SUBJECT/OBJET **CITY OF OTTAWA OFFICIAL PLAN AMENDMENT NO. 34 -
 MUD LAKE**

DEPARTMENTAL RECOMMENDATIONS

That the Planning and Environment Committee recommend that Council:

- 1. Lift Deferral No. 22 to the City of Ottawa Comprehensive Official Plan, and approve the designation of "Environmentally Sensitive Area" as described on the Approval Page attached as Annex I, and;**
- 2. Approve Official Plan Amendment No. 34 to the City of Ottawa Official Plan as modified by the Approval Page attached as Annex II.**

BACKGROUND

When Regional Council approved the City of Ottawa's Comprehensive Official Plan in 1994, it deferred from approval the Mud Lake area (also known as the Britannia Woods). Mud Lake had been classified by the Province as a Class 3 wetland and, therefore, of Provincial significance. With this classification came the need to have policies that accorded with the "Wetlands" policy statement. The policies in the City's Official Plan for Environmentally Sensitive Areas did not entirely accord with the required policies for wetlands, and the City intended to address this through a site specific Official Plan Amendment. This they have done through Amendment No. 34.

It is now appropriate to lift the Deferral on the Mud Lake area and approve the specific policies contained in the Amendment for Mud Lake and the surrounding lands.

AMENDMENT NO. 34 (attached as Annex III)

The purpose of the Amendment is to have regard to the Provincial Policy statement as it relates to "Significant Wetlands", and to bring Ottawa's Official Plan into conformity with the Regional Official policies for Significant Wetlands. Important elements of these two documents are:

- Significant Wetlands will be protected from development and site alteration,
- Lands adjacent to a Significant Wetland may be developed only if it is shown there will be no adverse impact on the wetland,
- Wetlands impact studies are required when considering development adjacent to a Significant Wetland.

Amendment 34 has the following main elements:

- Designates Mud Lake as "Significant Wetland South and East of the Canadian Shield" (N.B. under the Provincial Policy Statement, there is another category of wetland: "Significant Wetland in the Canadian Shield." In these wetlands, development and site alteration may be permitted provided there will be no negative impacts).
- Establishes that development and site alteration in the wetland will not be permitted. Uses are limited to those that will assist in conserving or managing natural features, or which will use the natural characteristics for scientific or educational purposes.
- In the Britannia Woods Environmentally Sensitive Area, which surrounds Mud Lake, development/activities or site alterations are permitted only if they relate to uses permitted in the wetland - see above, or to the Britannia Water Filtration, and provided it is demonstrated that there will be no negative impact on the wetland. In this regard, a Municipal Environmental Evaluation Report will be required.

COMMENTS ON THE AMENDMENT

Both the Provincial Policy Statement and the Regional Official Plan require protecting an area surrounding a Significant Wetland from development that would have an adverse impact on the wetland. The Provincial Policy Statement does not stipulate a distance but the Ministry of Natural Resources uses 120 metres. The same figure is used in the Regional Official Plan. The first draft of the Amendment used the 120 metre figure, which meant that five single-family properties just south of the Britannia Woods were included. The residents were concerned that they were being included in a public conservation zone, although they would remain designated "Residential". Regional staff advised the City that as the properties were currently developed and zoned single-family, there was no need to include them in the 120 metre radius. This need only have applied if the land had been unsubdivided. The Regional Official Plan establishes a 30 metre distance from wetlands for reviewing consents and other minor development proposals, thus it was not necessary to include these five properties in the "adjacent lands".

The adopted version of the Amendment removed reference to 120 metres as the distance from Mud Lake within which any development/activity is subject to a Municipal Environmental Evaluation Report. However, it included the word "adjacent", without defining what distance this meant. In order to clarify where a M.E.E.R. is required, two modifications are proposed. They correspond to changes suggested by City staff, and will mean that any development/activity within the Britannia Woods, which completely surrounds Mud Lake, will be subject to a M.E.E.R. to address potential impact on the wetland.

The modifications relate to the policy which appears in Section 2.3.5 of the Amendment and are shown highlighted as follows:

"c) City Council shall permit development/activities or site alteration in association with same, in the Britannia Woods ESA, *which is* (new) adjacent to lands identified as "Significant Wetland South and East of the Canadian Shield" on Schedule "A" - Land Use, only if it conforms to policy 6.3.2 b) above or if it is related to the Britannia Water Filtration Plan and provided that it can be demonstrated that there will be no negative impacts on the natural features or on the ecological functions for which the wetland is identified. In this regard, City Council shall require a Municipal Environmental Evaluation Report (M.E.E.R.) to assess any proposed development/activity ~~on lands adjacent to a "Significant Wetland South and East of the Canadian Shield"~~ *in the Britannia Woods ESA* (new), as outlined in Policy 6.21.2 of this chapter."

CONSULTATION

Public consultation in accordance with the requirements of the Planning Act was conducted by the City of Ottawa in the course of preparing the Amendment. The modifications proposed are for clarification, and do not necessitate any further consultation.

FINANCIAL IMPACT

None.

Approved by
N. Tunnacliffe, MCIP, RPP

NTB/kc
Attach (3)

REVISION NO. 8

APPROVAL PAGES
CITY OF OTTAWA OFFICIAL PLAN

I hereby certify that the Official Plan for the City of Ottawa, which was dealt with in part by the Council of the Regional Municipality of Ottawa-Carleton on 13 April 1994, 22 November 1995, 12 June 1996, 11 September 1996, 23 April 1997, 22 April 1998, 10 March 1999, and 24 November 1999, under Sections 17 and 21 of the Planning Act was further dealt with by Regional Council on _____ 2000 as follows:

Under the provisions of Section 17 (10) of the Planning Act, Deferral No. 22 was lifted and the affected part of Schedule A - Land Use was approved as "Environmentally Sensitive Area".

Dated this _____ day of _____ 2000.

Clerk, Regional Municipality of Ottawa-Carleton

**EXTRACT FROM
CITY OF OTTAWA OFFICIAL PLAN
SCHEDULE A - LAND USE**

REFERRAL
No. 58
UNDER SECTION 17 (11)
OF THE PLANNING ACT.

REFERRAL
No. 57
UNDER SECTION 17 (11)
OF THE PLANNING ACT.

MODIFICATION
No. 283
UNDER SECTION 17 (9)
OF THE PLANNING ACT.

REFERRAL
No. 59
UNDER SECTION 17 (11)
OF THE PLANNING ACT.

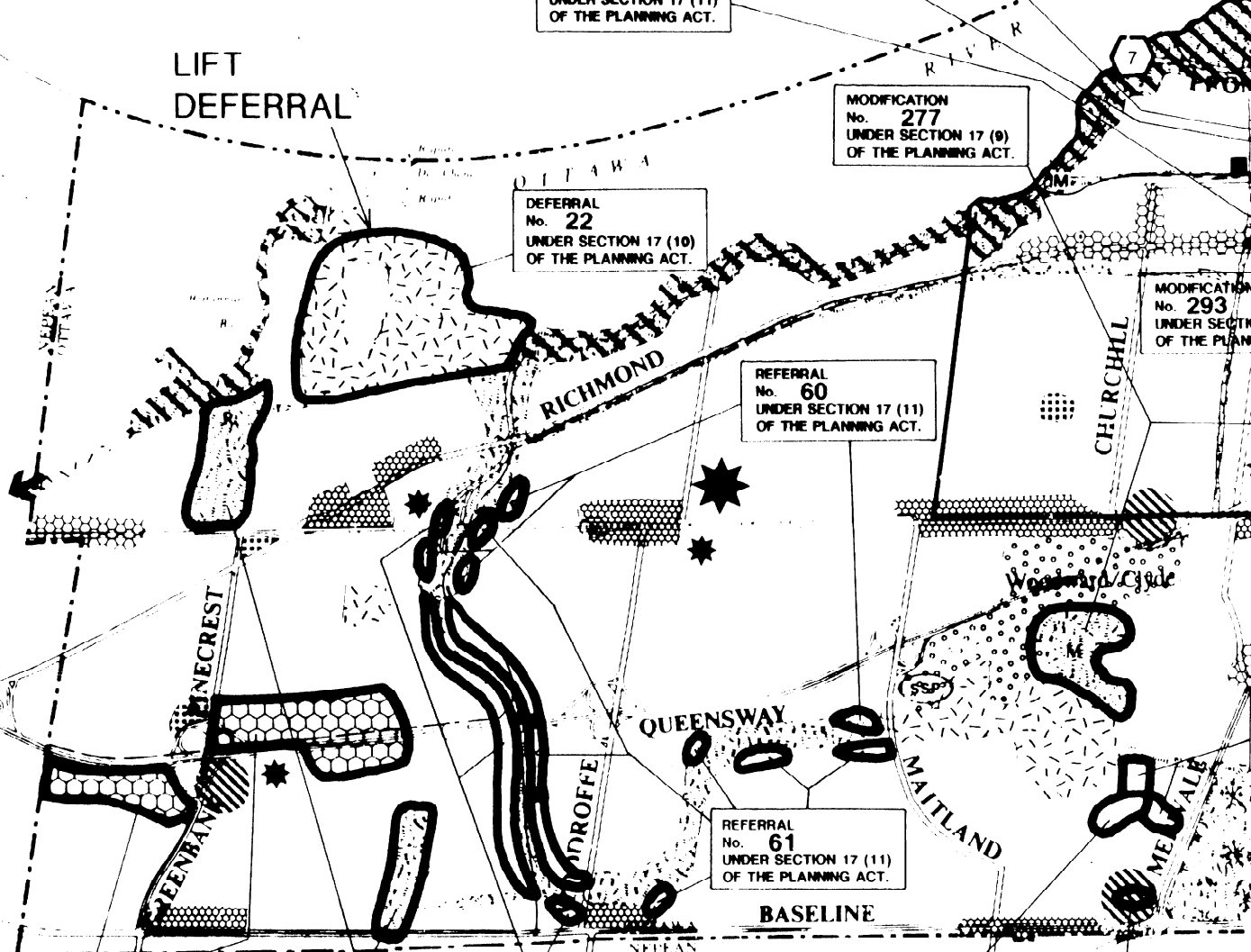
MODIFICATION
No. 277
UNDER SECTION 17 (9)
OF THE PLANNING ACT.

LIFT
DEFERRAL

DEFERRAL
No. 22
UNDER SECTION 17 (10)
OF THE PLANNING ACT.

MODIFICATION
No. 293
UNDER SECTION 17 (9)
OF THE PLANNING ACT.

REFERRAL
No. 60
UNDER SECTION 17 (11)
OF THE PLANNING ACT.



REFERRAL
No. 56
UNDER SECTION 17 (11)
OF THE PLANNING ACT.

MODIFICATION
No. 277
UNDER SECTION 17 (9)
OF THE PLANNING ACT.

MODIFICATION
No. 286
UNDER SECTION 17 (9)
OF THE PLANNING ACT.

MODIFICATION
No. 281
UNDER SECTION 17 (9)
OF THE PLANNING ACT.

REFERRAL
No. 61
UNDER SECTION 17 (11)
OF THE PLANNING ACT.

MEADOWLANE
MODIFICATION
No. 282
UNDER SECTION 17 (9)
OF THE PLANNING ACT.

MODIFICATION
No. 281
UNDER SECTION 17 (9)
OF THE PLANNING ACT.

APPROVAL PAGE

CITY OF OTTAWA OFFICIAL PLAN
AMENDMENT NO. 34

I hereby certify that Amendment No. 34 to the City of Ottawa Official Plan which was adopted by the Council of the City of Ottawa on 3 November 1999 was approved by the Council of the Regional Municipality of Ottawa-Carleton on day of 2000 under Section 17 (34) of the Planning Act except the following which have been modified:

In PART B - THE AMENDMENT

2.0 Details of the Amendment

Modification No. 1

In Section 2.3.5, the new policy 6.3.2 c) is modified in the second line to add between "...Britannia Woods ESA," and "adjacent to lands identified as ...", the following:

"which is"

Modification No. 2

In Section 2.3.5, the new policy 6.3.2 c) is modified in the tenth and eleventh lines to delete "on lands adjacent to a Significant Wetland South and East of the Canadian Shield" and to replace this with:

"in the Britannia Woods ESA".

Dated this day of 2000.

Clerk, Regional Municipality of Ottawa-Carleton

PART B - THE AMENDMENT

1.0 The Introductory Statement

All of this part of the document entitled “Part B - The Amendment”, consisting of the following text and the attached map entitled Schedule “B” constitute the Amendment to the City of Ottawa Official Plan.

2.0 Details of the Amendment

The City of Ottawa Official Plan is hereby amended as follows:

2.1 Schedule “A” - Land Use is revised to redesignate Mud Lake Wetland from “Environmentally Sensitive Area” to “Significant Wetland South and East of the Canadian Shield”, as shown more specifically on Schedule “B” attached hereto.

2.2 Chapter 1.0 - Introduction - of Volume I is amended as follows:

2.2.1 Volume 1, Section 1.7 - Definitions, is amended by adding a new sentence to the end of the paragraph entitled “Wetlands” to read as follows:

“A ‘Significant Wetland South and East of the Canadian Shield’ is an area identified as provincially significant by the Ministry of Natural Resources using evaluation procedures established by the province.”

2.3 Chapter 6.0 - Environmental Management - of Volume I is amended as follows:

2.3.1 The heading of Section 6.3, which reads “Environmentally Sensitive Area (ESA)” is amended by adding at the end, the phrase, “Including Significant Wetlands South and East of the Canadian Shield”.

2.3.2 Section 6.3.1 Objectives is amended by adding a new Objective “d)”, entitled “Protect Significant Wetlands South and East of the Canadian Shield”, to read as follows:

“d) To ensure that Significant Wetlands South and East of the Canadian Shield are protected from development and site alteration.”

2.3.3 Policy 6.3.2 a) is amended by adding the following new sentence at the end of the policy:

“Environmentally Sensitive Areas shall include lands identified by the Ministry of Natural Resources and designated on Schedule “A” - Land Use as “Significant Wetlands South and East of the Canadian Shield”. The boundaries of such areas shall be determined by having regard to maps delineating the boundaries of the wetland prepared by the Ministry of Natural Resources from time to time”.

2.3.4 Policy 6.3.2 b) is amended by adding the following new text at the end of the policy:

“In the case of “Significant Wetlands South and East of the Canadian Shield”, development and site alteration shall not be permitted. “Development”, in this case, shall mean the creation of a new lot, a change of land use, or the construction of buildings and structures requiring approval under the Planning Act. Development does not include activities that create or maintain infrastructure within the requirements of the environmental assessment process or works subject to the Drainage Act. “Site alteration”, in this case shall be taken to mean activities such as fill, grading and excavation, that would change the landform and natural vegetative characteristics of a site. Uses permitted in a “Significant Wetland South and East of the Canadian Shield” shall be limited to uses that will assist in conserving or managing water supplies, wildlife or other natural features; and uses which will utilize the natural characteristics of the area for scientific or educational purposes.”

2.3.5 A new policy 6.3.2 c) is added and the remaining policies in Section 6.3 are relettered accordingly. The new policy 6.3.2 c) shall be entitled “Lands Adjacent to Significant Wetlands South and East of the Canadian Shield” and shall read as follows:

“c) City Council shall permit development/activities or site alteration in association with same, in the Britannia Woods ESA, adjacent to lands identified as “Significant Wetland South and East of the Canadian Shield” on Schedule “A” - Land Use, only if it conforms to policy 6.3.2 b) above or if it is related to the Britannia Water Filtration Plant and provided that it can be demonstrated that there will be no negative impacts on the natural features or on the ecological functions for which the wetland is identified. In this regard, City Council shall require a Municipal Environmental Evaluation Report (M.E.E.R.) to assess any proposed development/activity on lands adjacent to a “Significant Wetland South and East of the Canadian Shield”, as outlined in Policy 6.21.2 of this chapter.”

2.3.6 Policy 6.21.2 a) is amended by adding the phrase “, including Significant Wetland South and East of the Canadian Shield” immediately following the words “Environmentally Sensitive Area” and immediately prior to the words “Waterway Corridor”.

2.3.7 Policy 6.21.2 a) is further amended by adding the following sentence to the end of the policy:

“The Municipal Environmental Evaluation Report shall satisfy the requirements of a Wetland Impact Study as described in the Official Plan of the Region of Ottawa Carleton, where applicable.”

3.0 Implementation and Interpretation

Implementation and Interpretation of this Amendment shall be made having regard to information contained in all of the Chapters of the City of Ottawa Official Plan

Amendment 34 Modification 34

Schedule "A"
Annexe "A"

Location
Emplacement



SUBJECT OF AMENDMENT



City of Ottawa

Oct 20, 1990



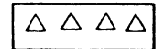
Amendment 34 Modification 34

Schedule "B" Annexe "B"

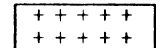
Schedule A - Land Use

Plan A - Utilisation du sol

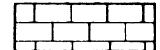
Environmentally Sensitive Area
Secteur écologiquement sensible



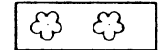
Waterway Corridor
Couloir de voie d'eau



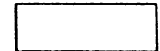
Linkage
Liaison



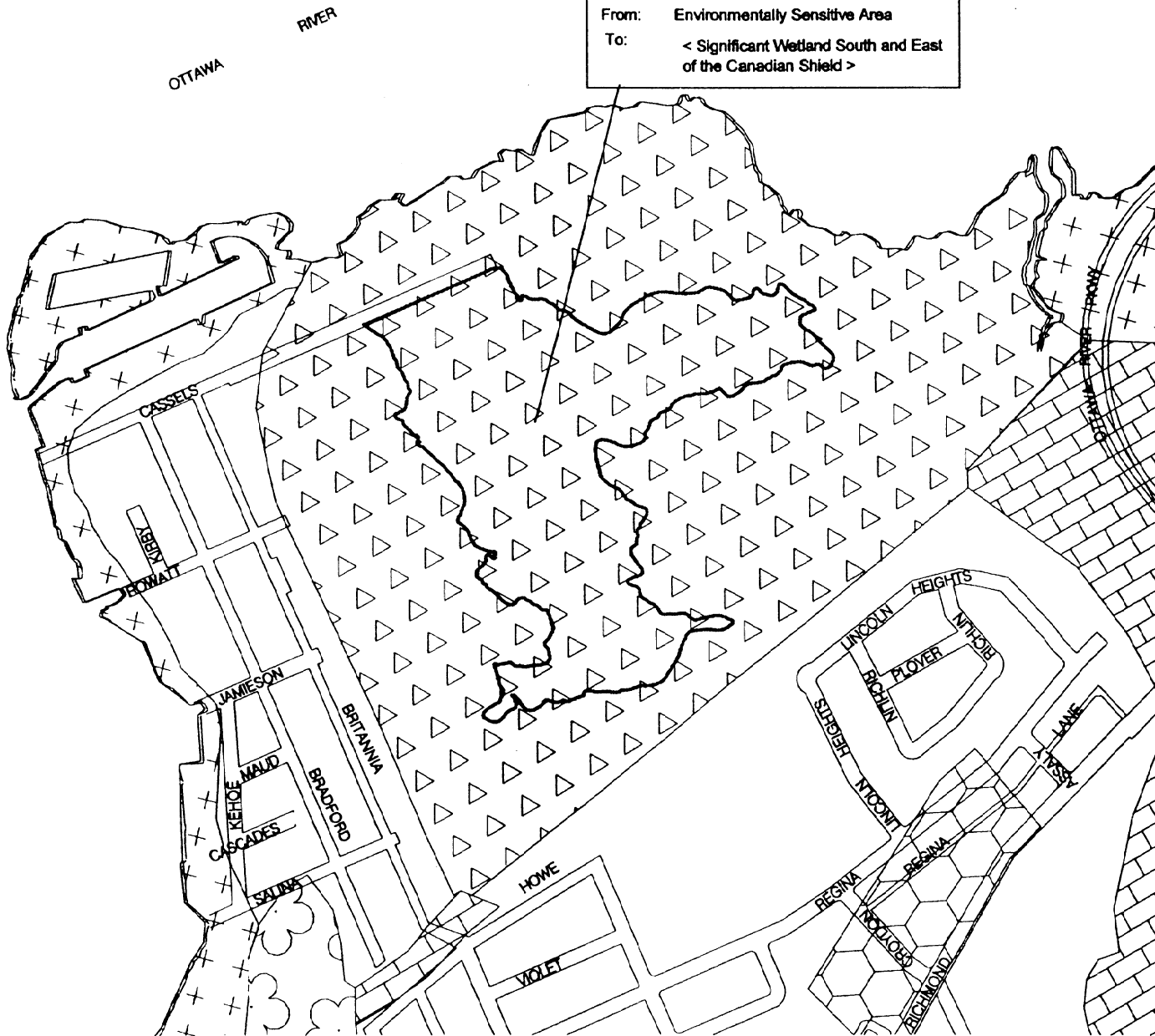
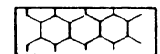
Major Open Space
Grande aire libre



Residential Area
Secteur résidentiel



District Linear Commercial Area
Rue commerciale de district



Oct 20, 1999

