

**3. PUBLIC MEETING TO CONSIDER
DRAFT REGIONAL OFFICIAL PLAN AMENDMENT 13 -
CARLSBAD SPRINGS WATER SUPPLY SERVICE AREA - ADDITION OF
PARTS OF FARMERS WAY AND SIXTH LINE ROAD, CITY OF GLOUCESTER**

COMMITTEE RECOMMENDATION AS AMENDED

- 1. That, having held a public meeting, Council enact a by-law to adopt Regional Official Plan Amendment 13 to the 1997 Regional Official Plan, attached as Annex A to this report, as amended by the following:**
 - a) That ROPA 13 include the extension of the Regional Water mains in the Greater Carlsbad Springs area to include the entire length of Farmers Way between 8th Line Road and 9th Line Road;**
- 2. That staff be directed to prepare a report on possible equitable financing scenarios for funding the water main between 8th Line Road and 9th Line Road; and**
- 3. That staff be directed to: do an analysis of the Carlsbad Springs water system to identify the positive and negative impacts of extending a water main along Farmers Way between 8th Line Road and 9th Line Road; and discuss options for future development along the water system.**

DOCUMENTATION

1. Planning and Development Approvals Commissioner's report dated 13 June 2000 is immediately attached.
2. An Extract of Draft Minute, 27 June 2000, immediately follows the report and includes a record of the vote.
3. *Acting Regional Solicitor's confidential memorandum dated 19 June 2000 previously issued to all members of Council.*

REGION OF OTTAWA-CARLETON
RÉGION D'OTTAWA-CARLETON

REPORT
RAPPORT

Our File/N/Réf. Your File/V/Réf.	43-00-0128
DATE	13 June 2000
TO/DEST.	Co-ordinator Planning and Environment Committee
FROM/EXP.	Commissioner, Planning and Development Approvals
SUBJECT/OBJET	PUBLIC MEETING TO CONSIDER DRAFT REGIONAL OFFICIAL PLAN AMENDMENT 13 CARLSBAD SPRINGS WATER SUPPLY SERVICE AREA- ADDITION OF PARTS OF FARMERS WAY AND SIXTH LINE ROAD, CITY OF GLOUCESTER

DEPARTMENTAL RECOMMENDATIONS

That, subject to the public meeting, the Planning and Environment Committee recommend that Council enact a by-law to adopt Regional Official Plan Amendment 13 to the 1997 Regional Official Plan, attached as Annex A to this report.

PURPOSE

Proposed Regional Official Plan Amendment 13 (ROPA13) is being submitted as a private Regional Official Plan Amendment by a group of residents living along Farmers Way in the City of Gloucester, and is before Planning and Environment Committee for a public meeting.

SUMMARY

In 1997 the Region completed the construction of a “trickle-feed” water supply system for Carlsbad Springs and adjacent rural lands, in response to concerns with the quality and quantity of well water in the area. The Region has recently received an application to amend the Regional Official Plan for two minor extensions of the system. The larger extension, for 15 properties along Farmers Way, is supported by a petition under the *Local Improvement Act*. The cost to extend the “trickle feed” system would be paid by those land owners who could receive the extended service, with no

construction costs assigned to the Region, as there are no funds available under the Municipal Assistance Program.

The Regional Official Plan establishes a capacity limit for the Carlsbad Springs water supply service of 731 dwelling units or equivalents in Gloucester (44 in Cumberland). If ROPA 13 is approved, and all affected property owners decide to connect to the system (11 out of 16 affected property owners appear to be interested at this time) there will be virtually no capacity left for new development along the Gloucester portion of the “trickle feed” system. Staff are in favour of ROPA 13.

BACKGROUND

The Carlsbad Springs Hamlet and an adjoining area in the City of Gloucester and in the City of Cumberland has experienced a history of well-water quality and quantity problems. In 1988, MOE - Ottawa undertook a study, “Report on a Well Survey of the Greater Carlsbad Springs Area in the City of Gloucester in the RMOC”. It concluded that 58% of the wells were unsatisfactory, 15% were doubtful and 30% had experienced dry periods. The report recommended an alternate water source. In response, the RMOC undertook a feasibility study. It concluded that a steady flow system would be utilized to service Carlsbad Springs.

Provincial funding was announced in August 1994 for a demonstration project using an alternative standard water supply system.

The current Carlsbad Springs Water Supply System was completed in 1997. The project implemented a “Tickle-Feed”(Steady Flow) water supply technology and non-traditional construction materials and methods. The entire water system was 70% funded by the Ontario Ministry of the Environment under the Ontario Clean Water Agency through the Municipal Assistance Program.

As a condition of funding, the Municipal Assistance Program specifically required that the system be designed to correct existing water problems and not to accommodate new growth. Although the service was not intended to accommodate new growth, an allowance of 5 % for infilling and severances was accepted by the MOE.

Between April 1996 and June 1997 Regional Council considered four amendments to the Regional Official Plan (1988) dealing with the Carlsbad Springs water supply service area. Three Official Plan amendments were adopted and ultimately approved by the Province.

The last amendment (ROPA 70) to the 1988 Regional Official Plan established the current service area and the servicing capacity as 775 dwelling units or equivalent dwellings. The policies of this amendment were later included into Section 10.3.7 of the new Regional Official Plan (1997). The properties along Farmers Way subject to ROPA 13 (new Plan) elected during the course of the original servicing project to not connect to the system at that time.

Since nearly all of the unused servicing capacity is within the City of Gloucester, policies which guide the allocation of the available excess system capacity, for a limited number of new residential service connections, have been incorporated into the Gloucester Official Plan.

Water System Characteristics

The Carlsbad Springs Alternative Water Supply system is unique in that it requires a small storage tank and pressure pump to be located within each home, providing individual in-house balancing storage and in-house pressurization of the water supply. A constant flow rate is provided to each home, thus reducing the peak demands on the water supply system and allowing smaller diameter watermains to be used in the distribution system. Installation of the entire 43 km of distribution system piping (ranging from 75mm to 200mm diameter) was undertaken using chain-trenching and directional drilling.¹ This alternative water supply technology, combined with non-traditional materials and construction methods, reduced overall costs by an estimated 65% over a conventional system for this area.²

Service Area determination

A major component of the provincial Environmental Assessment (Schedule “B”) and pre-design for the project involved the determination of the area to be serviced. Given that public support varied throughout the study area, public contact remained high throughout the project. Several surveys and petitions were used to determine the areas where support exceeded 50%.

Additionally, noting that servicing less dense areas would result in higher costs per home, the selection of the final service area had to consider housing densities. It was determined that the project would fall within the allowable budget if roadways with a housing density exceeding 8 homes per kilometre were included. These servicing condition guidelines were used to determine the final service area.

Private Regional Official Plan amendment application

A group of residents along Farmers Way have requested and initiated a private Regional Official Plan amendment that would allow the **Carlsbad Springs Water Supply Service** to be extended to service 15 properties along Farmers Way.

The extension to the water service (approximately 830 metres) would be from the point where Farmers Way intersects with Ninth Line Road northerly to a point described as the north-east corner of the

¹ The first phase of construction involved the installation of 34km of watermain using a chaintrencher. The second phase considered an additional 9km of watermain using directional drilling. Many individual services were also installed using directional drilling. All pipes were joined using the butt-fusion process, and all service laterals and couplings were connected to the mainline using electro-fused fittings. These fusing processes provide a gasket-free (and leak-free) system.

² *Carlsbad Springs Steady-Flow Water System, Demonstration Project-Summary Report*, Ainley Graham & Associates Limited, September, 1998, Page i.

property known as 4800 Farmers Way and legally described as Part Lot 11, Concession 8, Ottawa Front (City of Gloucester) being Part 3 on Reference Plan, 5R-12245, in the City of Gloucester. See Annex A.

In addition, the amendment would allow the **Carlsbad Springs Water Supply Service** to be extended a short distance (90 metres) along Sixth line road to allow for the possible connection of a small public recreational building (Top Generation Club) at 4473 Sixth Line road near Baseline Road in the City of Gloucester. The *Top Generation Club* currently uses well water for sanitary purposes and bottled water, supplied by the City of Gloucester for drinking water.

The effect of these changes would be to recognize the availability of a domestic piped water supply to the existing dwellings, buildings and lots fronting along the Carlsbad Springs Water Supply Service route.

Petition under the *Local Improvement Act*

The Region of Ottawa-Carleton also received a petition on April 25, 2000 pursuant to the provisions of the *Local Improvement Act* for the undertaking of the following work along the road known as Farmers Way in the City of Gloucester:

“The extension of the Carlsbad Alternative Standards Water Supply System, to service both sides of Farmers Way, northerly from the point where Farmers Way intersects with Ninth line Road to a point described as the north-east corner of the property known as 4800 Farmers Way and legally described as Part Lot 11, Concession 8, Ottawa Front (Township of Gloucester) in the Regional Municipality of Ottawa-Carleton being Part 3 on Reference Plan, 5R-12245. Such work includes the installation of the watermain within the right-of-way for Farmers Way as well as service laterals from the watermain to the property lines of the properties to be serviced. Such work also includes the installation of all necessary appurtenances within the right-of-way but does not include any pipes or appurtenances to be placed or installed within private property .”

The petition pursuant to section 7 of the *Local Improvement Act* included the owners of 10 of the 15 properties fronting along the portion of Farmers Way in question. Section 11 of the *Local Improvement Act* requires that the petition for a work be signed by at least two-thirds in number of the owners representing at least one-half of the value of the lots liable to be specially assessed for the work. The value of lots means the assessed value according to the last revised assessment roll of the municipality.

There are 15 properties (and 14 existing homes), fronting along the affected portion of Farmers Way. A review of the ownership and property assessment records indicates that 10 of the owners, or where the property is jointly owned, the joint owners, have signed the petition. This represents two-thirds of the owners.

A review of the assessment has been conducted by the Region's Finance Department. The assessment of those who signed the petition represents 64.35% of the total assessment of the 15 properties.

The Clerk of the Regional Municipality of Ottawa-Carleton on May 11, 2000 certified, pursuant to section 15 of the Act, that the petition meets the sufficiency requirements for a work to be considered by the Regional Municipality of Ottawa-Carleton under the *Local Improvement Act*.

The cost of the proposed work - the watermain extension - along Farmers Way under the *Local Improvement Act* is to be specially assessed to all the lots abutting the proposed watermain according to the extent of their frontage and calculated by an equal special rate per metre of frontage sufficient to defray such cost of the proposed work. The cost of the project would be paid by all 15 benefiting property owners in the area subject to the petition.

ROPA 13 proposes to add a short extension of the water system along Sixth Line Road to accommodate the building which houses the seniors centre known as the *Top Generation Club*. This part of the amendment is not part of the Local Improvement program. As a result, all the installation requirements along Sixth Line Road and the costs associated with it would not be the responsibility of the Region, and may be the responsibility of the City of Gloucester.

DISCUSSION

Regional Official Plan Amendment 13 (Annex A refers) proposes to include the above-noted section of Farmers Way in the **Carlsbad Springs Water Supply Service** Area designation which would allow the watermain extension and permit the connection of the 15 properties along Farmers Way to the extended watermain.

The proposed Amendment 13 to the Regional Official Plan would also allow a small recreational building (known as the *Top Generation Club*- which houses the events of seniors and other community groups in a building leased from the City of Gloucester and which is owned by the National Capital Commission) at 4473 Sixth Line road near Baseline Road to connect to the **Carlsbad Springs Water Supply Service** which is currently located along Baseline Road. The *Top Generation Club* currently use well water for sanitary purposes and bottled water, supplied by the City of Gloucester, for drinking water.

The *Top Generation Club* is located on the only property that fronts on this portion of Sixth Line Road. The building itself is the original Ramseyville School, built in 1894 and the building and the exterior landscaping have been given a local heritage designation by the City of Gloucester.

The Regional Official Plan does not show an extension of the watermain easterly along Sixth Line Road, regardless of distance from the existing watermain along Baseline Road and therefore a domestic piped water supply connection would not be permitted without this Official Plan amendment. The applicant / proponent for a service connection would pay the cost incurred by the Region for the watermain extension at the time of connection.

Regional Official Plan Amendment 13 would therefore include a short extension (approximately 90 metres) of the **Carlsbad Springs Water Supply Service** along Sixth Line Road to provide for the possible connection of the piped water service to 4473 Sixth Line Road.

COMMENTS FROM THE CIRCULATION

Draft Amendment 13 was circulated to a number of technical agencies, regional departments, and interested parties, including landowners adjacent to and in the vicinity of the proposed water system extensions. Comments were received from the City of Gloucester, the Environmental Health Advisory Group, the National Capital Commission, Enbridge Consumers Gas, the Conservation Partners Planning and Development Review Team, the Health Department, a resident fronting along the proposed Farmers Way watermain extension and a law firm representing Fairlawn Sod, the owners of lands on Eighth Line Road. Their comments summarised below, are available for viewing in the Resource Centre in the Heritage Building.

The Environmental Health Advisory Group, Enbridge Consumers Gas, the Conservation Partners Planning and Development Review Team and the Health Department had no objections to the proposed amendment.

The National Capital Commission had no objections to the extension of the water supply along Sixth Line Road subject to the condition that there is no requirement for NCC funding. The NCC point out that there will be requirements for NCC land use and environmental approvals of the alignment where federal land is involved.

Madame Jeanne Desjardins of 4808 Farmers way (one of the 15 properties subject to the amendment) indicated that she is against the extension.

The City of Gloucester Planning Advisory Committee, at a meeting held on June 6, 2000, recommended to Gloucester Council that: they endorse the approval of ROPA 13; and that the City of Gloucester establish a moratorium on creating new residential lots along the Carlsbad water system once the remaining capacity reaches sixteen (16) residential connections in order to reserve the remaining capacity for Farmers Way. Gloucester Council will be considering a resolution on this matter on June 13, 2000.

Bell Baker, Barristers & Solicitors representing *Fairlawn Sod* the owner of lands at 4828 Eighth Line Road state that their client has filed with the Gloucester Committee of Adjustment nine applications for severance for new residential lots to be created along the existing route of the Carlsbad water supply service. They state that they are not unsympathetic to the reasoning of the residents on Farmers Way requesting the extension of the system to service their properties. They state that at the time that the system was being established in the greater Carlsbad Springs area that the residents along Farmers Way were given the opportunity to have the system brought onto their road but it was not a priority at that time.

It is the position of their client that the issue is bigger than the extension on Farmers Way and that there may be concerns about water further south and east and therefore the Region should consider the expansion of the Carlsbad Springs system in other areas and that ROPA 13 ought to be deferred until such time as the larger issue can be raised and alternatives presented.

In addition, they would ask that the Planning Committee consider the implications of approving ROPA 13 on lands who immediately abut the existing line and have development potential. It is their view that the extension of the system will result in a dramatic decrease in the amount of remaining hook-ups left for in-fill development. They point out the Regional Official Plan requires that any future severances along the pipe be required to connect to the system. Once the capacity of the pipe is reached, those with development potential will be denied any further severances. In the case of their client, the capacity will be reached in the system almost immediately, such that all of the severance applications cannot be granted. The reservation of connections in the City of Gloucester was to have occurred on first come, first served basis.

One of the issues that this raises is the prejudice that be incurred by those with existing development/severance applications before the City and whether it is equitable for the Farmers Way application to have priority over those already in line. They argue that one of the objectives to servicing rural areas in the Regional Official Plan is to optimize the use of existing infrastructure to the fullest extent possible. It is clear that this is an extension of the infrastructure to Farmers Way where others are immediately contiguous to it and are wishing to connect.

The *Local Improvement Act* works is not irrevocable they submit, and disagreement by resident owners along Farmers Way can result in the petition not having sufficient numbers to have the project completed.

They indicate that Schedule H to the Regional Official Plan is to be changed where there is a public health problem and that the watermain extension is the best solution for that problem. It is their position that the Region has been presented with a petition but the extent of the public health problem with the existing drinking water on Farmers Way has not be determined. They believe that this requires investigation.

Staff Comment

The extension along Farmers Way from Eighth to Ninth Line Roads was considered when the Region was investigating the extent of the Carlsbad Springs water service area. At that time there was not sufficient property-owner support for the watermain extension along Farmers Way. There is now a private Official Plan amendment application and a petition for part of this extension.

In addition to the immediate Carlsbad Springs community in the Cities of Gloucester and Cumberland, the study area for the project extended from Hawthorne Road in the west, Boundary Road in the east,

Leitrim Road to the North and included part of Yorks Corners Road in the Township of Osgoode south of Mitch Owens Road. Since this larger potential servicing area was investigated as part of the Environmental Assessment and residents of the larger area did not elect to connect to the system at that time, a deferral of ROPA 13 while another review of the servicing area is undertaken is not warranted.

The issue resulting from this amendment concerns the remaining capacity of the Carlsbad Springs water system. At the time of the proposed amendment it is staff's understanding that capacity exists to extend the water service for Farmers Way.

The Region and the City of Gloucester have been operating on the premise of a first come, first served basis to deal with planning applications on the Carlsbad Springs Water System, provided all other requirements of the Official Plans are met.

For a severance, the Region will commit a connection to the municipal water supply for a lot at the time of draft approval. If the approval lapses without the conditions being met then the commitment is withdrawn. For a zoning by-law amendment, the Region would need to see the specific development proposal (through a site plan for example) in order to assess the quantity of water required. A commitment to capacity would only be made when the zoning by-law is approved. For a site plan not requiring a zoning by-law amendment, the Region would commit capacity on approval of the site by the City of Gloucester. For a plan of subdivision, the Region will commit capacity at the time of draft plan approval.

A number of connection commitments, based on these criteria, have been made to date for new residential lots by severance (farm and non-farm related), a senior citizen housing project, for special needs housing (Harvest House), and for two potential golf centres.

Since the receipt of ROPA 13, the City of Gloucester has received applications for 13 new residential severances for properties located along the Carlsbad Springs Water System. These applications are anticipated to go to the Committee of Adjustment in late June and July for approval. Should all 13 applications be approved, Gloucester advises that there would be a deficit of five residential connections.

Gloucester staff have reviewed the situation and in their report to the Planning Advisory Committee have recommended that only 8 of these applications be recommended for approval, provided that they meet the policy criteria for infill and the zoning requirements. After this eight, no further approvals of any new infill residential severances along the Carlsbad Springs system would be permitted. This will ensure that the capacity is reserved for Farmers Way, until such time as ROPA 13 is approved and all appeals are exhausted. This approach was endorsed by the Gloucester Planning Advisory Committee.

It was also noted by Gloucester staff that while a potential water problem exists, and the affected community has expressed the interest in resolving the situation, any existing capacity in the water system should be reserved in order to ensure the health and safety of the community. Further, it was stated that

the original function of the Carlsbad Springs Water System project was to resolve any existing water quality and quantity issues and not permit a lot of new development.

Under the provisions of the *Local Improvement Act*, as long as the petition is signed by at least two-thirds in number of the owners representing at least one-half of the value of the lots liable to be specially assessed all 15 properties fronting on the proposed watermain extension would be have to pay the total public costs of the project. However, the decision to connect would rest with the property owner. The extension to the water service to accommodate the *Top Generation Club* is not subject to the *Local Improvement Act* and would be paid for by the proponent at the time of connection.

Regarding the public health issue, the Carlsbad Springs water servicing project, as part of the Environmental Assessment, had referred to a history of well-water quality and quantity problems in the Carlsbad Springs study area. The proposed extensions along Farmers Way and for the *Top Generation Club* are to remedy these existing problems.

CONSULTATION

Public notice of the proposed Regional Official Plan amendment was published in the *Ottawa Citizen*, *Le Droit*, and the *Ottawa Sun* on June 2, 2000. In addition, notice of the public meeting and a copy of the proposed amendment 13 were mailed to the property owners along Farmers Way and the intersection of Ninth Line Road and in the vicinity of the intersection of Baseline Road and Sixth Line Road and to various technical agencies and other interested parties.

FINANCIAL IMPLICATIONS

The Farmers way water system extension is to be financed by the benefiting property owners pursuant to the *Local Improvements Act*. The extension of the water system to serve the *Top Generation Club* would be paid by the proponent or applicant for the extension, which may be the City of Gloucester.

Approved by
N. Tunnacliffe, MCIP, RPP

Attachment: Annex A - Draft Regional Official Plan Amendment 13

DRAFT
AMENDMENT 13
OFFICIAL PLAN (1997) OF THE
REGIONAL MUNICIPALITY OF OTTAWA-CARLETON

PURPOSE

The purpose of Amendment 13 is to: a) include 15 properties along Farmers Way in the **Carlsbad Springs Water Supply Service** area designation on Schedule H to the Regional Official Plan. The extension to the water service (approximately 830 metres) would be from the point where Farmers Way intersects with Ninth Line Road northerly to a point described as the north-east corner of the property known as 4800 Farmers Way and legally described as Part Lot 11, Concession 8, Ottawa Front (City of Gloucester) being Part 3 on Reference Plan, 5R-12245, in the City of Gloucester, and b) to extend the **Carlsbad Springs Water Supply Service** a short distance (90 metres) along Sixth line road to allow for the possible connection of a small public recreational building (Top Generation Club) at 4473 Sixth Line Road near Baseline Road in the City of Gloucester.

The effect of these changes will be to recognize the availability of a domestic piped water supply to the existing dwellings, buildings and lots fronting along the Carlsbad Springs Water Supply Service route.

BASIS

The Regional Municipality of Ottawa-Carleton received a petition on April 25, 2000 pursuant to the provisions of the *Local Improvement Act* for the undertaking of the following work along the road known as Farmers Way in the City of Gloucester.

“The extension of the Carlsbad Alternative Standards Water Supply System, to service both sides of Farmers Way, northerly from the point where Farmers Way intersects with Ninth line Road to a point described as the north-east corner of the property known as 4800 Farmers Way and legally described as Part Lot 11, Concession 8, Ottawa Front (Township of Gloucester) in the Regional Municipality of Ottawa-Carleton being Part 3 on Reference Plan, 5R-12245. Such work includes the installation of the watermain within the right-of-way for Farmers Way as well as service laterals from the watermain to the property lines of the properties to be serviced. Such work also includes the installation of all necessary appurtenances within the right-of-way but does not include any pipes or appurtenances to be placed or installed within private property .”

The petition pursuant to section 7 of the *Local Improvement Act* included the owners of 10 of the 15 properties fronting along the portion of Farmers Way in question. Section 11 of the *Local Improvement Act* requires that the petition for a work be signed by at least two-thirds in number of the owners representing at least one-half of the value of the lots liable to be specially assessed for the work.

The value of lots means the assessed value according to the last revised assessment roll of the municipality.

There are 15 properties fronting along Farmers Way. A review of the ownership and property assessment records indicates that 10 of the owners, or where the property is jointly owned, the joint owners, have signed the petition. This represents two-thirds of the owners.

A review of the assessment has been conducted by the Region's Finance Department. The assessment of those who signed the petition represents 64.35% of the total assessment of the 15 properties.

The Clerk of the Regional Municipality of Ottawa-Carleton on May 11, 2000 certified, pursuant to section 15 of the Act, that the petition meets the sufficiency requirements for a work to be considered by the Regional Municipality of Ottawa-Carleton under the *Local Improvement Act*.

The cost of the proposed work - the watermain extension - along Farmers Way under the *Local Improvement Act* is to be specially assessed to all the lots abutting the proposed watermain according to the extent of their frontage and calculated by an equal special rate per metre of frontage sufficient to defray such cost of the proposed work. The cost of the project would be paid by all 15 benefiting property owners in the area subject to the petition.

Regional Official Plan amendment 13 proposes to include the above-noted section of Farmers Way in the **Carlsbad Springs Water Supply Service** Area designation which would allow the watermain extension and permit the connection of the 15 properties along Farmers Way to the watermain.

The proposed amendment 13 to the Regional Official Plan would also allow a small recreational building (known as the *Top Generation Club*- which houses the events of seniors and other community groups in a building leased from the City of Gloucester and which is owned by the National Capital Commission) at 4473 Sixth Line road near Baseline Road to connect to the **Carlsbad Springs Water Supply Service** which is currently located along Baseline Road. The *Top Generation Club* currently uses well water for sanitary purposes and bottled water, supplied by the City of Gloucester for drinking water

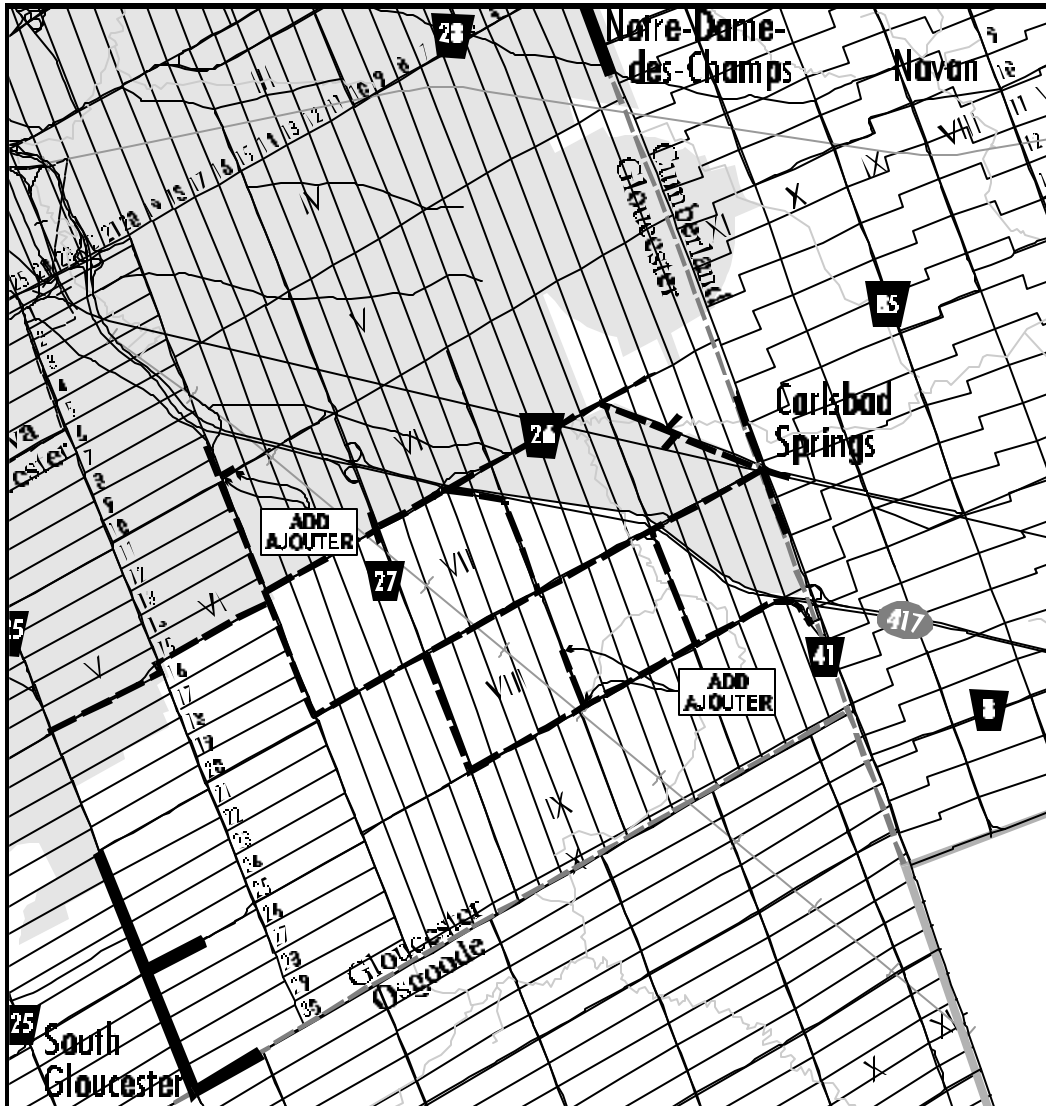
The Regional Official Plan does not show an extension of the watermain easterly along Sixth Line Road, regardless of distance from the existing watermain along Baseline Road and therefore a domestic piped water supply connection would not be permitted without this Official Plan amendment. The applicant / proponent for a service connection would pay the cost of the watermain extension incurred by the Region at the time of connection.

Regional Official Plan amendment 13 would therefore include a short extension (approximately 90 metres) of the **Carlsbad Springs Water Supply Service** along Sixth Line Road to provide for the possible connection of the piped water service to 4473 Sixth Line Road.

THE AMENDMENT

1. Schedule H, Rural Servicing, is hereby amended by extending the “**Carlsbad Springs Water Supply Service**” from the point where Farmers Way intersects with Ninth Line Road northerly to a point described as the north-east corner of the property known as 4800 Farmers Way and legally described as Part Lot 11, Concession 8, Ottawa Front (City of Gloucester) being Part 3 on Reference Plan, 5R-12245 and easterly along Sixth Line Road from the intersection of Baseline Road to 4473 Sixth Line Road, in the City of Gloucester, as shown on Schedule 1 attached.

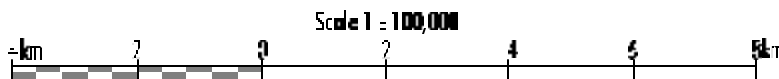
**SCHEDULE "1" OF AMENDMENT 13 OFFICIAL PLAN (1997) OF
THE REGIONAL MUNICIPALITY OF OTTAWA-CARLETON
LA CARTE LÉGALE "1" DE L'AMENDEMENT 13 AU PLAN DIRECTEUR
(1997) DE LA MUNICIPALITÉ RÉGIONALE D'OTTAWA-CARLETON**

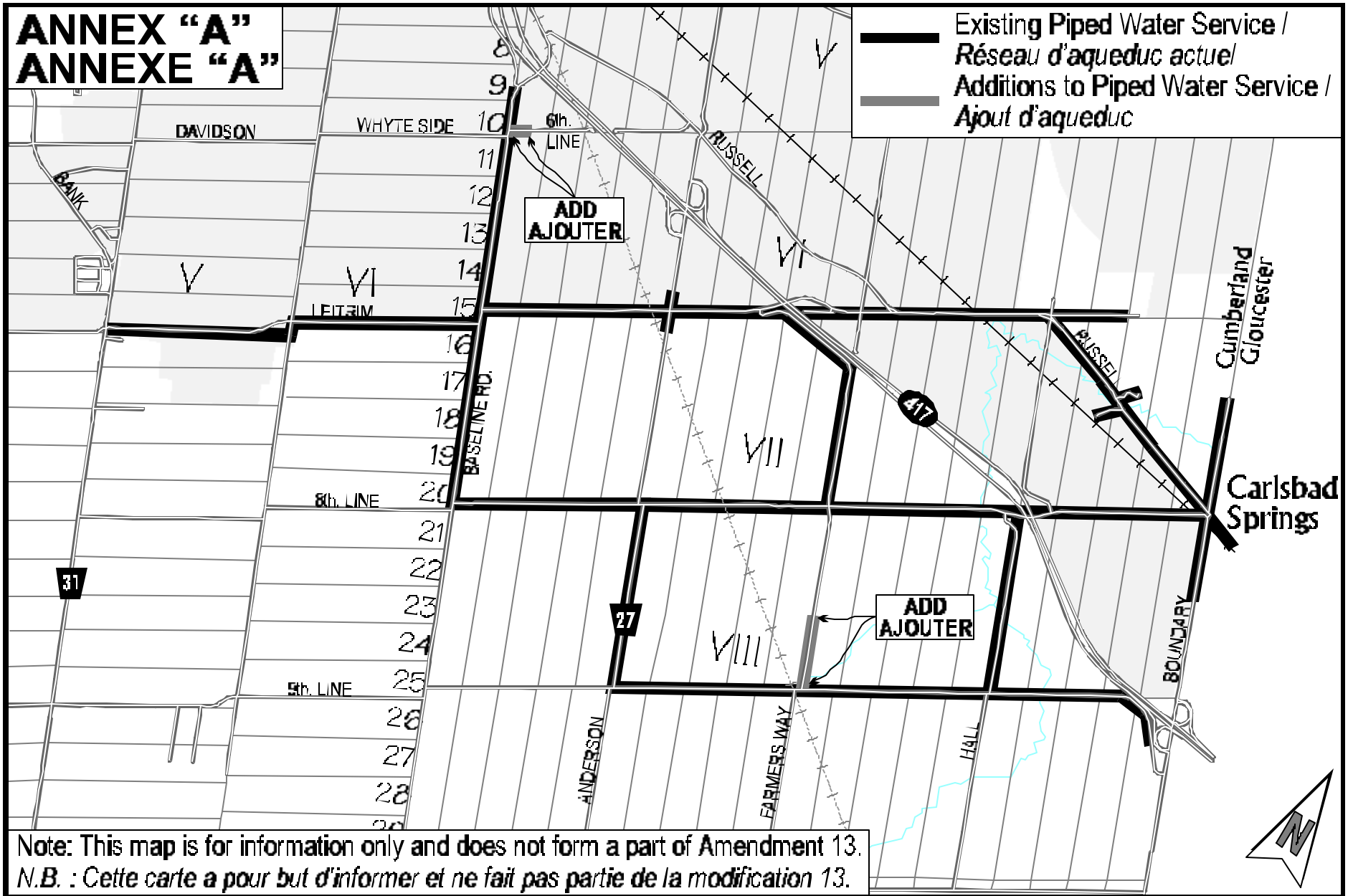


OFFICIAL PLAN - SCHEDULE "1"
RURAL SERVICING

PLAN DIRECTEUR - ANNEXE "1"
EQUIPMENTS EN MILIEU RURAL

- REGIONAL WATER MAIN **—** CONDUITE PRINCIPALE RÉGIONALE
- REGIONAL TRUNK SEWER **- - -** GRAND COLLECTEUR RÉGIONAL
- CARLSBAD SPRINGS WATER SUPPLY SERVICE **—** SERVICE D'APPROVISIONNEMENT EN EAU À CARLSBAD SPRINGS
- REGIONAL COMMUNAL WELL **●** PUIS COMMUN RÉGIONAL
- REGIONAL COMMUNAL LAGOON **◆** ÉTANG COMMUN RÉGIONAL





Extract of Draft Minute
Planning and Environment Committee
27 June 2000

**PUBLIC MEETING TO CONSIDER DRAFT REGIONAL
OFFICIAL PLAN AMENDMENT 13 - CARLSBAD SPRINGS WATER
SUPPLY SERVICE AREA - ADDITION OF PARTS OF FARMERS
WAY AND SIXTH LINE ROAD, CITY OF GLOUCESTER**

- Planning & Development Approvals Commissioner's report dated 13 June 2000
- Acting Regional Solicitor's confidential memorandum dated 19 June 2000 previously issued to all members of Council

At the outset, Committee Chair Hunter read a statement required under the Planning Act, wherein he advised that anyone, whose intention it was to appeal Regional Official Plan Amendment 13 to the Ontario Municipal Board (OMB), must either voice their objections at the public meeting or submit their comments in writing prior to Amendment 13 being adopted by Regional Council. Failure to do so could result in refusal/dismissal of the appeal by the OMB.

Joseph Phelan, Senior Project Manager, Planning and Development Approvals Department provided Committee with a brief overview of the staff report.

Councillor Legendre noted most of the report spoke to servicing Farmers Way, although the map indicated there was another connection proposed along Sixth Line Road. He asked if this was part of this Regional Official Plan Amendment as well. Mr. Phelan confirmed this and explained the property is owned by the National Capital Commission (NCC), and is leased to the City of Gloucester, who have sub-leased it to the Top Generation Club, a seniors' facility. This is currently the only property along Sixth Line Road east of Baseline Road.

In view of the nature of this property, the Councillor asked why it would not have been part of the original system. Councillor Beamish explained that at the time, they felt that connection to the system was unnecessary.

Councillor Legendre then had questions regarding payment for system connection, arising from a confidential memorandum distributed to all members of Council. He asked if this matter would be discussed by the Committee in due course. Chair Hunter proposed that Committee first hear all delegations, and subsequently move In Camera to discuss the legal issues, if Committee so desired. The Committee concurred, and heard from the following public delegations.

Cheryle Poirier, a resident of Farmers Way, representing herself and other residents of Farmers Way, said residents supported the installation of a municipal water system along Farmers Way,

Extract of Draft Minute
Planning and Environment Committee
27 June 2000

in light of current and possible future water problems. She said residents were asking the Committee to approve ROPA 13.

Councillor Legendre wondered why long-time residents along Farmers Way would not have asked for connection to the system when it was first being installed.

Ms. Poirier said at the time, residents along Farmers Way had originally been told there were not enough people along the route to qualify for a Provincial grant subsidy to connect to the system. Subsequently, Farmers Way was added to the proposed route. However, residents were either unfamiliar with the new technology involved with the trickle feed system, or had not paid attention because they had previously been told they were not to be a part of the route. In 1998, when residents realized the benefits that connection to the system could offer, they began to petition for connection to the system. Regarding groundwater quality, Ms Poirier clarified for Councillor Legendre that some residents had experienced problems related to contamination of their water supply, although she was unsure as to the degree of contamination.

Paul Gauthier, a resident at 4620 Farmers Way, explained he and his two immediate neighbours lived on land which was not included in the extension of water service to the rest of Farmers Way. Mr. Gauthier said these three residences would be the only ones in Carlsbad Springs without a municipal water connection. He explained that at the time of the first public meetings regarding the extension of municipal water to the area, residents of Farmers Way had been told their area would not be included. As a result, residents did not attend subsequent meetings because they did not believe their area was involved. Afterwards, by way of a newspaper ad, Mr. Gauthier said he had learned the proposed plan was to include Farmers Way, but that area residents then decided not to opt into the system based on rumours that connection to the system was expensive, and that the system itself was of questionable quality. The speaker said although his groundwater was plentiful, tests indicated it contained high levels of E. Coli bacteria, making it undrinkable.

Mr. Gauthier said residents needed to be able to connect to the system before all of the allocations were gone, failing which, they would have to abandon their farms and homes. The speaker said they had not signed the petition to extend the water supply because of the distance from 4800 Farmers Way, to where the proposed extension is to stop, to Eighth Line Road. He said he had been told it might be advantageous to connect the Eighth Line and Ninth Line Road services, but because there were only three homes in this immediate area, they were not included in the original proposal. As the health of the families in this area is now in jeopardy, Mr. Gauthier requested that they now be included in the extension of municipal water, if possible.

Extract of Draft Minute
Planning and Environment Committee
27 June 2000

Councillor Legendre then asked for a staff response to Mr. Gauthier's request. Mr. Phelan advised the amendment that was circulated referred only to the length from 9th Line Road to 4800 Farmers Way, which is 830 metres. To go from 9th Line to 8th Line would be approximately two kilometres. He said it was his understanding the Amendment could be modified to include this extension, by way of a Motion. However, Mr. Phelan advised there were some implications in doing this. He advised the City of Gloucester is reserving 16 connections for Farmers Way and for the Top Generation Club and there is not a great deal of additional capacity in terms of the numbers that are in the City of Gloucester's Official Plan. As well, the extension could be appealed as it was not on the original circulation of the Amendment. Mr. Phelan also advised there were some residents who had concerns about the limited capacity and the fairness of extending the watermain versus the rights of individuals, who are already on the existing water system, to have development or severance applications approved by the City of Gloucester.

Responding to questions from Councillor Legendre, Jim Miller, Director, Engineering Division, Environment and Transportation Department, advised that generally it is best if the system loops, rather than simply ending in a stub.

Councillor van den Ham, stated he was supportive of the extension in principle, but asked if this would cause an increase in the cost to each individual landowner. Mr. Phelan advised the original proposal was based on the Local Improvement Act and the costs are calculated on a frontage basis. It is approximately 830 metres from 9th Line Road to 4800 Farmers Way. To extend the system from 4800 Farmers Way to 8th Line Road, the entire length is two kilometres for an additional three residences and it could increase the frontage rate for each home.

Responding to further questions from Councillor van den Ham, Mr. Phelan advised another option would be for the Committee to consider at this point, showing the full extension from 9th Line Road to 8th Line Road on Schedule H of the Regional Official Plan. This would allow a further petition (under the Local Improvement Act) to come forward at some point in the future, without having to go through the Regional Official Plan amendment process.

Nancy Myles, representing Fairlawn Sod, advised her client owns a substantial portion of property on 8th Line Road and currently has nine severance applications before the Gloucester Committee of Adjustment. Ms. Myles noted the staff report sets out her client's objections and concerns.

Ms. Myles pointed out there is very limited space left in the trickle feed system, and water quality issues are now becoming a concern. She said her client is concerned that this may be a larger issue confined not just to Carlsbad Springs but to the south and east as well. She asked

Extract of Draft Minute
Planning and Environment Committee
27 June 2000

that the Committee and staff give consideration to whether the system can be extended, or any other alternatives there may be.

The second issue Ms. Myles addressed was whether or not there was any capacity left, noting the staff report states there are four parcels of land that will not have the ability to connect and, with the three residential connections on Farmers Way requested on this day, this brings it to seven parcels. She asked if there was a possibility of engineering revisiting these numbers, or if there was some sort of looping system that could accommodate all of those who have submitted severance applications.

The speaker noted connection to the system had been allocated on a “first come, first served” basis. In the case of her client, who has a substantial portion of land that probably could have allowed him five connections had he so chosen, he has nine residential severances pending. In the interim, not only has residential infill development occurred, but also golf courses have taken up a portion of the capacity to lessen the availability in the remaining connections, and it is now down to a limited number left. She felt the issue of “first come, first served” was a large one, that needed to be addressed.

In concluding her remarks, Ms. Myles noted her client was not unsympathetic to the owners on Farmers Way; he lives in the neighbourhood and plans to be a good neighbour. She said there is an inequity here in that the Regional Official Plan leaves her client with no options for water, whereas the people on Farmers Way do have wells that are servicing them now. If her client does get his nine severance applications, there will be no ability for him to develop. He will be effectively stymied because the Regional Official Plan dictates he can only connect to this system, and this system will be at capacity.

Councillor Legendre asked the delegation to expand on her statement regarding the inequity of the situation. Ms. Myles said the issue was twofold. One aspect is that this is a Regional Official Plan Amendment to extend the water system as opposed to connections to the existing line, which runs directly in front of her client’s property; the line is there and connection is possible immediately upon the severance. The second issue would be, what is the Region’s and City of Gloucester’s definition of “first come, first served” in this instance. She said it could be viewed as inequitable to have those with a Local Improvement Act petition come before her client, when severance applications have already been made.

Councillor van den Ham questioned why Ms. Myles client did not hook up to the system when it was first brought in. Ms. Myles responded that the land is an unsevered parcel of 450 acres. There are severances pending, but her client cannot hook up to the system until the severances

Extract of Draft Minute
Planning and Environment Committee
27 June 2000

are granted. She confirmed the severance applications were made after the water system went in.

Responding to further questions from Councillor van den Ham, Ms. Myles advised there is one residence on the property currently, which she believed was hooked up to the system.

Grant Lindsay, Director of Planning, City of Gloucester relayed the City's support for the staff recommendation. He said the City of Gloucester feels the Region is satisfying a concern along Farmers Way that needs to be addressed.

With respect to the request to extend the trickle feed system between the 8th and 9th Line, Mr. Lindsay stated it was his belief Gloucester Council would be supportive of that extension. However, he indicated the matter would have to be brought back to them to get confirmation on this. He advised at a meeting of Gloucester Council held on 6 June 2000, they did support ROPA 13 and recommended a moratorium with respect to any new infill severance development to be located on the Carlsbad trickle feed system until such time as the final engineering limits of the system have been determined.

Mr. Lindsay reminded Committee the original purpose of the trickle feed system was not to facilitate new growth and new development, it was in response to a health related issue, to provide safe drinking water to existing lots of record. This is the manner in which the City of Gloucester has approached this system and any new potential development on it.

Referencing the previous speakers comments with respect to her client's application for nine severances, Mr. Lindsay advised this issue was debated by the Gloucester Planning Committee and it was their and Council's opinion that once the capacity limit has been reached, any further development along the Carlsbad Springs trickle feed system would be held in abeyance until such time as there is additional capacity to allow for development. He said his staff will be proposing to the Committee of Adjustment that a certain number of the severances be allowed (e.g. three or four) and the rest would be held in abeyance and be dealt with at some future date.

Councillor Legendre asked Mr. Lindsay how he felt about the extension between 8th and 9th Line Roads. Mr. Lindsay advised he was hearing of this request for the first time that day. However, he said he would concur with Mr. Miller, that it is appropriate to have a looping system. He reiterated that he would need to obtain his Council's confirmation on this extension.

Councillor Beamish sought confirmation from staff that approval of extending the system, would not require Gloucester Council approval. Mr. Lindsay confirmed this.

George Nicholson, President, Top Generation Club advised the club has applied to receive water after many years of having a contaminated well. He said one of the reasons they did not apply at the outset was because they are on 6th Line Road and it would have taken a special amendment. He said seniors are not normally aggressive enough to pursue something like that.

Mr. Nicholson advised that many years ago when he was Chairman of the Gloucester Recreation and Community Centres Board, a Motion was passed to put services into all recreation property within the City of Gloucester. He said the members of the Top Generation Club were not aware of this until he came on board and he looked into it and found this rule still existed, so an application was made to connect to the system.

The speaker noted the club only just received an address last year and is the only residence on that road. He said the Top Generation Club is used community-wide for family gatherings, horticultural societies, etc., but they are not everyday occurrences. He said the clubs needs are not really great (i.e. one connection), but to have healthy, good water is a necessity.

Responding to questions from Councillor Legendre, Mr. Phelan advised there is a Local Improvement petition that deals only with Farmers Way, and there is a private amendment application which deals with both Farmers Way and the very short extension of less than 90 metres from Baseline Road to 6th Line (the Top Generation Club). The cost for the extension on 6th Line would have to be borne by someone and it has been suggested it would be the City of Gloucester.

Councillor Legendre then had questions concerning the capacity of the system and whether or not there would be capacity for the additional three houses Farmers Way between 8th and 9th Line Roads. Leslie Paterson, A/Director Development Approvals Division, advised if the petition for 15 units is approved, as well as the Top Generation Club, there would be five connections remaining. If the additional three connections were approved, there would be two connections left for severances. Ms. Patterson noted these connections were in addition to the commitment to all existing lots of record, plus five connections have been set aside for farm retirement lots that may occur in the future.

Councillor van den Ham asked if the Region has done any monitoring to see if the amount of water being used is close to what was calculated. Andre Proulx, Director, Water Division, Environment and Transportation Department advised that ongoing monitoring is occurring. He said it is a very young system and staff want to continue to monitor it. If there is available capacity, it will certainly be made available. He pointed out as well there are many lots that are committed to the system but not yet connected.

Councillor van den Ham questioned what was restricting the system in terms of capacity. Mr. Proulx advised one matter was that of the piping configuration and the other was the pumping station that feeds the zone, which is primarily the biggest concern. He noted there is a long term plan for south Gloucester that addresses extra capacity for that station but it is not planned for the immediate future (e.g. five years or more).

Mr. Miller advised the potential Leitrim development approved by Council, provides the potential to strengthen the system but hydraulic modeling has yet to be done to determine the effect. However, this is an option that can be further investigated.

Councillor van den Ham stated he was also concerned about another location close to this area, namely Lynwood Village which has experienced a lot of water problems in their communal system in the last couple of years. He said he believed Lynwood Trailer Park declined the option of hooking up to the system when it first came forward but the Region must now remedy the situation. He asked that staff do some work on capacity including further monitoring and advise if there is capacity in the system to connect the Lynwood Trailer Park in Osgoode.

Councillor Beamish asked that the Committee go In Camera to discuss issues of a legal nature

Moved by D. Beamish

That Planning and Environment Committee move In Camera pursuant to Subsection 11(1)f) of the Procedure By-law, namely, “the receiving of advice that is subject to solicitor-client privilege, including communications necessary for that purpose”.

CARRIED

Moved by W. Stewart

That the Planning and Environment Committee move Out of Camera and resume in open session.

CARRIED

Councillor Beamish indicated he had a number of motions for the Committee’s consideration. He noted all of the presenters had valid concerns and he said he was very supportive of trying to service the lots of record and address the health concerns. He advised that Mr. Gauthier well samples clearly indicate the water is too polluted to bathe in and the situation is the same for his neighbours.

Extract of Draft Minute
Planning and Environment Committee
27 June 2000

The Councillor advised his first motion asked that ROPA 13 be amended to include the extension of the water line along Farmers Way between 8th and 9th Line Roads. His second motion directed staff to report back to the Committee (before this item goes to Council) on some financing options and how this can be financed equitably and reasonably between the property owners along Farmers Way. His third motion, to address the concerns of one of the larger land owners in the area (i.e. Fairlawn Sod), directed staff to do an analysis of the hydraulics of the system and report back (not with the same urgency as the first two motions) to Planning and Environment Committee and advise how much capacity is available in the system, if there is new capacity, and what will likely happen with the new City of Ottawa. He also questioned which Official Plan would take precedence, the Region's or the City of Gloucester's as he noted there is much more flexibility in the Region's Official Plan with respect to development along the Carlsbad Water system than there is in the City of Gloucester's Official Plan. The Gloucester Official Plan limits development to a specific number of units, whereas the Regional Official Plan refers to available capacity.

Councillor van den Ham stated he would support Councillor Beamish's motions. He said he hoped the future report with respect to hydraulics, capacity, etc. would also address the possibility of servicing the trailer park and what that would involve.

Chair Hunter referenced Councillor Beamish's motion regarding the extension of the water system the length of Farmers Way and sought confirmation that this would not necessarily mean the line will go in or that any or all properties will be allowed to connect to it. Mr. Marc responded there is a Local Improvement petition that needs to be taken into account and that is for the first 830 metres. He said Council must deal with that and he noted Councillor Beamish's second motion touches upon that. The section from the end of the 830 metres to 8th Line Road, the amendment would permit the installation of the watermain but it does not require it nor mandate it; it is simply a permission.

Chair Hunter asked what would make it happen. Mr. Marc advised that one way would be a decision by the Region to proceed with it and the Region might at the same time, address how this would be financed. The other means of making it happen would be a Local Improvement petition by the landowners between the 830 metres and 8th Line Road. He suggested these people should await the recommendations of the staff report before they undertake a Local Improvement petition.

The Committee then considered the motions put forward by Councillor Beamish.

Moved by D. Beamish

Extract of Draft Minute
Planning and Environment Committee
27 June 2000

That Official Plan Amendment 13 include the extension of the Regional Water mains in the Greater Carlsbad Springs area to include the entire length of Farmers Way between 8th Line Road and 9th Line Road

CARRIED

Responding to questions posed by Chair Hunter, Mr. Marc indicated staff were prepared to have a report with respect to Councillor Beamish's second motion, on the next Committee agenda (i.e. 11 July) and the item could then be waived to Council on 12 July 2000 to be considered at the same time as ROPA 13.

Moved by D. Beamish

That staff be directed to prepare a report on possible equitable financing scenarios for funding the water main between 8th Line Road and 9th Line Road.

CARRIED

At Chair Hunter's request, Mr. Miller advised it was staff's understanding the next motion also addressed the concerns raised by Councillor van den Ham, with respect to the potential of extension of the system to the Lynwood Trailer Park.

Chair Hunter cautioned the last thing the Region wants to do or will do is to overextend the system so that it works for no one. He said he would support Councillor Beamish's next motion but with some hesitation, as he felt it was delaying a decision where it may be necessary to say "no". He pointed out people have paid into the system, and if it fails, it would be the Region's fault and not theirs.

Councillor van den Ham indicated he agreed with the Chair but explained he was asking that more monitoring be done to examine if there is capacity. He said he was fully prepared to say "no", if the capacity does not exist. He said the motion is simply asking for information and, if there is a possibility of providing some additional service without any risk to the current users, the Region should look at it.

Moved by D. Beamish

That staff be directed to: do an analysis of the Carlsbad Springs water system to identify the positive and negative impacts of extending a water main along Farmers Way between 8th Line Road and 9th Line Road; and discuss options for future development along the water system.

CARRIED

The Committee then considered the report as amended.

1. That, having held a public meeting, the Planning and Environment Committee recommend that Council enact a by-law to adopt Regional Official Plan Amendment 13 to the 1997 Regional Official Plan, attached as Annex A to this report, as amended by the following:
 - a) That ROPA 13 include the extension of the Regional Water mains in the Greater Carlsbad Springs area to include the entire length of Farmers Way between 8th Line Road and 9th Line Road;
2. That staff be directed to prepare a report on possible equitable financing scenarios for funding the water main between 8th Line Road and 9th Line Road; and
3. That staff be directed to: do an analysis of the Carlsbad Springs water system to identify the positive and negative impacts of extending a water main along Farmers Way between 8th Line Road and 9th Line Road; and discuss options for future development along the water system.

CARRIED as amended