

2. OFFICIAL PLAN AMENDMENT NO. 1 AND PARTIAL LIFTING OF DEFERRAL NO. 16, GOULBOURN OFFICIAL PLAN

COMMITTEE RECOMMENDATIONS

That Council approve that:

- 1. Deferral No. 16 to the Township of Goulbourn's Official Plan insofar as it applies to a 39 ha (96.4 ac.) parcel of land in Lots 26 & 27, Concession 11 (Stittsville) be lifted;**
- 2. the Ontario Municipal Board referral request submitted by 867718 Ontario Ltd. be dismissed as frivolous and vexatious; and**
- 3. Amendment No. 1 to the Township of Goulbourn's Official Plan as modified on the Approval Page attached as Annex I be approved.**

DOCUMENTATION:

1. Planning and Development Approvals Commissioner's report dated 19 Feb 98 is immediately attached.

Our File/N/Réf. (23) 14-96-0020

Your File/V/Réf.

DATE 19 February 1998

TO/DEST. Co-ordinator
Planning and Environment Committee

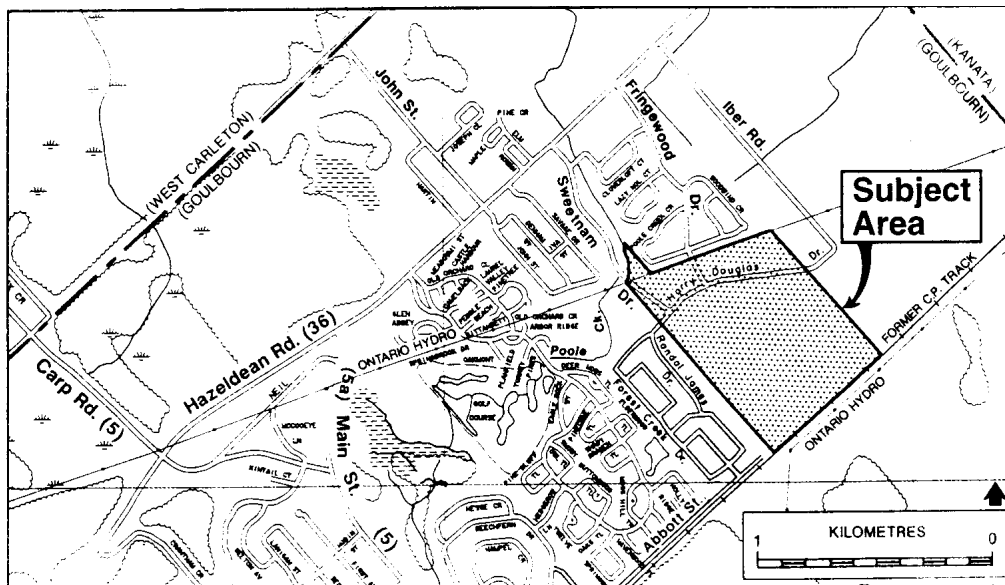
FROM/EXP. Planning and Development Approvals Commissioner

SUBJECT/OBJET **OFFICIAL PLAN AMENDMENT NO. 1 AND PARTIAL
LIFTING OF DEFERRAL NO. 16, GOULBOURN OFFICIAL
PLAN**

DEPARTMENTAL RECOMMENDATIONS

That the Planning and Environment Committee recommend that Council approve that:

1. Deferral No. 16 to the Township of Goulbourn's Official Plan insofar as it applies to a 39 ha (96.4 ac.) parcel of land in Lots 26 & 27, Concession 11 (Stittsville) be lifted;
2. the Ontario Municipal Board referral request submitted by 867718 Ontario Ltd. be dismissed as frivolous and vexatious; and
3. Amendment No. 1 to the Township of Goulbourn's Official Plan as modified on the Approval Page attached as Annex I be approved.



BACKGROUND

The purpose of the Township of Goulbourn's (Goulbourn) local Official Plan Amendment (LOPA) 1 is twofold:

1. to redesignate approximately 39 ha (96 ac.) of land in Lots 26 & 27, Concession 11, within the Stittsville urban area, from "General Industrial" and "Restricted Industrial-Business Park" to "Residential", "General Commercial" and "Restricted Industrial Business Park"; and
2. to amend part of **Section 3.2.2 Stittsville** of Goulbourn's Official Plan to permit 650 additional dwelling units within the Stittsville urban area.

The applicant (Relocatable Homes Inc.) has undertaken land use, economic and engineering studies in support of the approval of Goulbourn's LOPA 1. The principal findings of these studies are:

- given the current rate of consumption of employment land in Stittsville (i.e., 3.3 ha/year), Stittsville has a 50 year supply of such land if Goulbourn's LOPA 1 is not approved. If LOPA 1 is approved a 35 year supply of employment lands will remain within the Stittsville urban area;
- the subject land remains vacant and under-utilised with expensive urban services in the ground;
- full development, projected by the year 2009, will yield Goulbourn revenue of \$5.48 million through development charges, building permits and processing fees;
- the land use designations in Goulbourn's LOPA 1 are more compatible with the residential development to the north (Fringewood Village) and to the west (Forest Creek Village) than the existing "General Industrial" designation that permits a wide range of uses that could conflict with adjoining residential homes. Sites for an Ottawa-Carleton Catholic School Board (OCCSB) high school and an Ottawa Carleton District School Board (OCDSB) elementary school, parks, recreational pathways, and a neighbourhood commercial block are all being proposed that will provide additional recreational opportunities, needed school facilities and additional services to the adjoining neighbourhoods; and
- sufficient capacity exists within the water and sanitary sewer system to service the uses proposed.

The approval of Goulbourn's LOPA 1 was postponed pending the approval of Regional Official Plan Amendment (ROPA) 51. ROPA 51 redesignates the subject lands from "Extensive Employment Area" to "General Urban Area" to permit the proposed residential subdivision and related uses. The Ministry of Municipal Affairs and Housing (MMAH) approved ROPA 51 on 26 Sept. 1997. Therefore, Goulbourn's LOPA 1 can now be considered for approval as it conforms to the amended ROP.

While Goulbourn's new comprehensive Official Plan was approved by the Region on 26 June 1996, the land use designation on the subject lands was deferred pending the completion of the

Hazeldean Road Planning Study and the Stittsville Community Development Strategy (i.e., Deferral No. 16). As these studies have now been completed and ROPA 51 has been approved, Deferral No. 16 can be lifted insofar as it applies to the lands currently owned by Relocatable Homes Inc. in Lots 26 & 17, Concession 11. An amended copy of Schedule A1 to Goulbourn's Official Plan and an extract from Goulbourn's LOPA 1 are attached as Annexes III and II respectively.

Application for Goulbourn's LOPA 1 was made prior to the proclamation of either the Bill 163 or the Bill 20 revisions to the Planning Act, 1990. Consequently, it has been processed under the provisions of the Planning Act, 1990.

EXTERNAL AGENCY COMMENTS

Goulbourn's LOPA 1 was circulated by Regional and Goulbourn staff to a number of agencies, utilities, and community groups. There are no formal letters of objections to the adoption or approval of Goulbourn's LOPA 1 identified in the public record submitted by Goulbourn's Clerk. However, individuals spoke both in favour and in opposition to the approval of Goulbourn's LOPA 1 at the required public meeting.

The following substantive comments were received from circulation of the draft and adopted version of Goulbourn's LOPA 1.

Ottawa-Carleton District School Board

The Ottawa-Carleton District School Board (OCDSB) (formerly the Ottawa and Carleton Boards of Education) have indicated that they requires a 3.2 ha (8 ac.) elementary school site to serve the Stittsville urban area.

Comment: Relocatable Homes has agreed to this request, and the OCDSB elementary school site will be reserved in through draft approval conditions imposed on the draft plan of subdivision. The draft plan of subdivision application will also address the detailed planning/servicing requirements for this future elementary school. Goulbourn's Official Plan permits schools in the "Residential" designation and in all its residential zones.

Ottawa-Carleton Catholic School Board

The Ottawa-Carleton Catholic School Board (OCCSB- formerly the Ottawa and Carleton Roman Catholic School Boards) wishes to reserve an 8.1 ha (20 acre) high school site on the subject lands as an alternative to the joint high school recreation complex (joint complex) proposed in Lot 25, Conc. 10. The OCCSB requests this reserve in light of the Ontario Municipal Board (OMB) appeals on the joint complex site designation in the new ROP. 867718 Ontario Ltd. has requested a copy of the notice of decision on Goulbourn's' joint complex LOPA (i.e., LOPA 6) once it is available so that it may be put before the OMB. Goulbourn Council will consider the zoning by-law amendment associated with LOPA 1 when a draft plan of subdivision application is before them.

Comment: Relocatable Homes has indicated that it is prepared to work with the OCCSB to satisfy its requirement for a high school site. Details surrounding the high school site reservation will be confirmed through draft approval conditions imposed on the draft plan of subdivision.

Mississippi Valley Conservation

Mississippi Valley Conservation (MVC) has indicated that it has no objection to the approval of this LOPA, but wishes to advise that the extreme north-west portion of affected area is within a “Flood and Fill Regulated Area” and subject to Ontario Regulation 159/90, MVC’s “Construction, Fill and Alteration to Waterways Regulation.” Prior to development in the flood regulated area, permits will be required.

Comment: MVC’s floodplain concerns can be addressed through draft approval conditions imposed on the draft plan of subdivision.

ONTARIO MUNICIPAL BOARD REFERRAL REQUEST

In correspondence dated 11 Dec. 1997, Mr. Robert W. McKinley on behalf of 867718 Ontario Ltd., asked that Goulbourn’s LOPA 1 be referred to the OMB (see Annex IV). The reasons for 867718 Ontario Ltd.’s OMB referral request are as follows:

- LOPA 1 proposes a change in designation to “Residential” that does not represent good planning;
- LOPA 1 will leave a short-term serviced land supply for employment uses at an insufficient level;
- LOPA 1 relies upon the incorrect assumption that there is sufficient land for employment purposes in the urban areas of Kanata and Stittsville;
- LOPA 1 will create traffic volumes on certain local and regional road systems that are beyond their current capabilities; and
- LOPA 1 is inconsistent with policy issues currently before the Ontario Municipal Board.

Given 867718 Ontario Ltd.’s OMB referral request, under Section 17(11) of the Planning Act, 1990, Regional Council is obligated to either refer Goulbourn’s LOPA 1 to the OMB or to dismiss 867718 Ontario Ltd.’s OMB referral request if it can be concluded that it is not made in good faith or is frivolous or vexatious or is made only for the purpose of delay. Regional staff has reviewed the reasons for 867718 Ontario Ltd.’s OMB referral request and offer the following comments.

The key planning issue surrounding the change in designations proposed in Goulbourn’s LOPA 1 is the same in principle as that considered by ROPA 51, namely, the adequacy of Stittsville’s industrial/commercial land supply. Through the Regional Official Plan (ROP) review, Stittsville and Kanata were considered as operationally integrated from a job creation standpoint. This philosophy coupled with a lowering of the 1988 ROP jobs to dwelling unit ratio (i.e., from 1.3:1 to 1.1:1) in the urban centres gave Regional staff the comfort level needed to conclude that development in Stittsville could achieve the revised job targets contemplated through the new ROP without the 48 ha (118.6 ac.) associated with ROPA 51.

In terms of Regional infrastructure, Regional staff determined that the Regional water and sewer services were sufficient for the development proposed and that there would not be any significant impact on Regional roads. However, Regional staff did suggest that any development of the lands for residential purposes should address the need to provide additional local road capacity in the north-south direction. Fortunately, Goulbourn's Official Plan already identifies where such capacity will be provided on Schedule C1 through major and minor collector roads connecting Iber Road and Sweetnam Drive with an extended Abbott Street. Moreover, Schedule C1 identifies a corridor for a proposed major arterial on Stittsville's eastern boundary. Stittsville's road network was the subject of the 1994 Stittsville Traffic Operations and Transportation Study conducted by Maclean Transportation Engineering Consultants Ltd. and McNeely Engineering Consultants Ltd. The alterations to Stittsville's local road network required to support the development of the 650 proposed dwelling units can be secured through the imposition of approval conditions on the related draft plan of subdivision.

In light of the MMAH's 26 Sept. 97 approval of ROPA 51 and the above-noted arguments of a planning and servicing nature, Regional staff believe that the reasons offered in support of 867718 Ontario Ltd.'s OMB referral request are frivolous and vexatious. Accordingly, Regional staff recommend that Regional Council dismiss 867718 Ontario Ltd.'s OMB referral request.

STAFF COMMENT

ROPA 51 designated the subject lands "General Urban Area" on Schedule 'B' of the existing ROP. Further, ROPA 51 revised Section 2.2.5 of the existing ROP, to accommodate an additional 650 dwelling units within Stittsville's Stage I envelope (i.e., 6,650 dwelling units total). Goulbourn's LOPA 1 implements ROPA 51. It will conform with the existing ROP with the modifications outlined below. In terms of the new ROP, while the proposed "General Urban Area" designation and related policies permit the development contemplated by Goulbourn's LOPA 1, this matter has been appealed to the OMB by 867718 Ontario Ltd.

The subject lands (i.e., the Fringewood Industrial Park) were provided a water service at the Region's expense as part of a defunct program to stimulate economic activity in industrial parks. As the Region has yet to fund water services for residential development, the applicant has been advised by the Environment and Transportation Dept. that should Goulbourn's LOPA 1 be approved, the applicant will be required to repay either the total frontage charges or installation costs plus interest. This matter will be addressed in approval conditions imposed on the draft plan of subdivision.

Regional staff recommend the following modifications to clarify the basis for making the land use changes. Goulbourn staff has reviewed and concurs with the modifications proposed.

Modification No. 1

DETAILS OF THE AMENDMENT, ITEM 2:, a), be modified by deleting the paragraph contained therein and substituting the following:

“Subsequent to this study, the Regional Official Plan was amended in 1997 to permit conversion of approximately 39 ha of industrial/commercial land for residential development. These changes were made on the basis that the 39 ha of industrial/commercial land were no longer required to meet the employment targets for Stittsville and the servicing allocated to them could accommodate the addition of 650 dwelling units. Consequently, Stittsville’s dwelling unit count was increased to 6,650 dwelling units in the Regional Official Plan, which can accommodate a population of about 19,950.

Modification No. 2

DETAILS OF THE AMENDMENT, ITEM 2:, b), be modified by replacing b) in its entirety with the following:

“Paragraph 5 is amended by deleting the first sentence contained therein with the following:

The constrained growth scenario reflects Stittsville’s servicing capacities as initially established by the Regional Official Plan. Regional Official Plan Amendment 51 increased Stittsville’s dwelling unit cap to 6,650.”

Modification No. 3

DETAILS OF THE AMENDMENT, ITEM 2:, b), be modified by adding a c) as follows:

“Paragraph 5 is amended by deleting the reference to 6,000 dwelling units contained in the fifth and sixth sentences contained therein and substituting the figure 6,650.”

Modification No. 4

DETAILS OF THE AMENDMENT, be modified by adding an ITEM 3:, as follows:

“Section 3 a), Stage 2 Residential, is amended by deleting reference to 6,000 dwelling units contained in paragraph (i) and substituting the figure 6,650.”

CONSULTATION

The public hearing required by Section 17(2) of the Planning Act, 1990, was held at Goulbourn’s Municipal Offices on 10 Sept. 96. Various members of the public and the development community spoke in favour and in opposition to Goulbourn’s LOPA 1. Issues raised included loss of long term economic development potential for the Township as well as impacts on the transportation network and the existing residential neighbourhoods.

FINANCIAL IMPLICATIONS

If Goulbourn's LOPA 1 is approved the proponent would repay the Region for servicing the former industrial park.

*Approved by
N. Tunnacliffe, MCIP, RPP*

AH/hc

**APPROVAL PAGE
AMENDMENT NO. 1 TO THE OFFICIAL PLAN
OF THE TOWNSHIP OF GOULBOURN**

I hereby certify that Amendment No. 1 to the Official Plan of the Township of Goulbourn, which has been adopted by the Council of the Township of Goulbourn, was approved by the Council of the Regional Municipality of Ottawa-Carleton on 1998, under Section 21 of the Planning Act, 1990 as follows:

1. Under Section 17(10) of the Planning Act, 1990, Deferral No. 17 to the new comprehensive Official Plan of the Township of Goulbourn, insofar as it applies to a 48 ha (118.6 ac.) parcel of land in Lots 26 & 27, Concession 11, Township of Goulbourn is lifted.
2. Under Section 17(9) of the Planning Act, 1990, the following modifications to Amendment No. 1 of the Official Plan of the Township of Goulbourn are made:

Modification No. 1

DETAILS OF THE AMENDMENT, ITEM 2:, a), is modified by deleting the paragraph contained therein and substituting the following:

“Subsequent to this study, the Regional Official Plan was amended in 1997 to permit conversion of approximately 39 ha of industrial/commercial land for residential development. These changes were made on the basis that the 39 ha of industrial/commercial land were no longer required to meet the employment targets for Stittsville and the servicing allocated to them could accommodate the addition of 650 dwelling units. Consequently, Stittsville’s dwelling unit count was increased to 6,650 dwelling units in the Regional Official Plan, which can accommodate a population of about 19,950.

Modification No. 2

DETAILS OF THE AMENDMENT, ITEM 2:, b), is modified by replacing b) in its entirety with the following:

“Paragraph 5 is amended by deleting the first sentence contained therein with the following:

The constrained growth scenario reflects Stittsville’s servicing capacities as initially established by the Regional Official Plan. Regional Official Plan Amendment 51 increased Stittsville’s dwelling unit cap to 6,650.”

Modification No. 3

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“Paragraph 5 is amended by deleting the reference to 6,000 dwelling units contained in the fifth and sixth sentences contained therein and substituting the figure 6,650.”

Modification No. 4

DETAILS OF THE AMENDMENT, is modified by adding an ITEM 3:, as follows:

“Section 3 a), Stage 2 Residential, is amended by deleting reference to 6,000 dwelling units contained in paragraph (i) and substituting the figure 6,650.”

Dated this day of March, 1998.

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Deputy Clerk, Regional Municipality of Ottawa-Carleton

PART A - THE PREAMBLE

PURPOSE

The purpose of this amendment is:

- 1) To change the land use designation of certain lands as shown on Schedule "A" attached. Approximately 39 ha are to be redesignated from "General Industrial" and "Restricted Industrial - Business Park" to "Residential" and "General Commercial". A further 4.5 ha of the subject lands are to be redesignated from "General Industrial" to "Restricted Industrial - Business Park"; and
- 2) To revise the text of the Plan to reflect the revised job and dwelling unit thresholds in Stittsville, resulting from the aforementioned land use changes.

LOCATION

This amendment consists of two parts referred to as Items (1) and (2).

Item (1): The lands affected by this redesignation are located south of the hydro corridor between Forest Creek and the Ottawa Goulbourn Industrial Park. The lands are described legally as Part of Lots 26 and 27, Concession 11 and are shown on Schedule "A" attached. These amendments are to be incorporated within Schedule A-1 (Land Use Designations - Stittsville) of the Official Plan of the Township of Goulbourn.

Item (2): Section 3.2.2 is amended by replacing the last sentence in Paragraph 1 with a revised text which reflects the altered job and dwelling unit counts. The references to the maximum dwelling units or building permits contained in the fifth and sixth sentences of Paragraph 5 are also updated through this amendment.

BASIS

The lands affected by this amendment currently form part of a vacant but partially serviced industrial subdivision. This amendment converts approximately 39 ha of this industrial park for residential purposes. A neighbourhood consisting of approximately 650 dwelling units and a local commercial facility are proposed. In order to diminish potential land use conflicts, this amendment also redesignates 5 ha of land situated immediately south of the proposed residential area, from "General Industrial" to "Restricted Industrial - Business Park". Such lands can be more effectively utilized in conjunction with the business park lands fronting on Abbott Street and the amendment assures a more compatible transition of uses.

At the time that most of these lands were designated industrial, it was anticipated that they would develop with a variety of general industrial manufacturing uses. Plan 4M-374, the industrial subdivision encompassing the subject lands, was registered in early 1983, however the vast majority of these lands remain undeveloped today.

This amendment recognizes that the demand for traditional industrial space has diminished over the past decade and provides

a viable alternative use for the subject lands. An economic analysis illustrates that if the lands are converted from industrial to residential, they will be fully developed 24 years sooner. The conversion of the subject lands helps to rationalize land uses in this general area by placing a new residential neighbourhood between the two existing residential communities of Fringewood and Forest Creek. This will ensure greater land use compatibility and help foster neighbourhood linkages within the community of Stittsville.

The Township is satisfied that even with the conversion of the northerly 39 ha of land affected by this amendment, Stittsville will continue to have an adequate supply of industrial land to serve both immediate and long term needs. Based on current rates of industrial land consumption, it is estimated that the community will still have a 35 year supply of industrial land. The Township is satisfied that this inventory will provide adequate opportunities for job creation in the community.

The proponents have demonstrated that adequate services exist to permit the conversion of these lands. It has been noted that this development proposes to convert committed servicing capacity from one use to another, without generating the need for further infrastructure. As such, it represents efficient use of existing infrastructure.

In order to serve the local needs of this development and the adjacent neighbourhoods, the Township recognizes that there is a need for a small scale commercial facility. Correspondingly, the amendment provides for a centrally located "General Commercial" site within the residential area. If the size of this site is limited, the facility will not detract from the viability of the Main Street Commercial Core.

Through public consultations, the general community and neighbouring residents have expressed support for this proposal. Through a technical circulation directed to various agencies, no adverse comments were received other than some policy concerns expressed by the Regional Planning Department. In order to address these issues, the proponents have submitted an application to amend the Regional Official Plan concurrently. This amendment is contingent upon approval of these amendments to the Regional Official Plan.

PART B - THE AMENDMENT

All of this part of the document entitled Part B - The Amendment, consisting of the attached text and map designated Schedule "A" (Land Use Plan) constitutes Amendment No. 1 to the Official Plan for the Township of Goulbourn.

DETAILS OF THE AMENDMENT

The Official Plan for the Township of Goulbourn is amended as follows:

ITEM 1: The areas indicated on the attached Schedule A is hereby redesignated on Schedule A1 (Land Use Designations - Stittsville) of the Official Plan of the Township of Goulbourn.

ITEM 2: Section 3 (Development Strategy) of the Official Plan of the Township of Goulbourn is amended by incorporating the following changes to Subsection 3.2.2 (Stittsville).

MODIFICATION
No. 1
UNDER SECTION 17 (34)
OF THE PLANNING ACT

MODIFICATION
No. 2
UNDER SECTION 17 (34)
OF THE PLANNING ACT

MODIFICATION
No. 3
UNDER SECTION 17 (34)
OF THE PLANNING ACT

MODIFICATION
No. 4
UNDER SECTION 17 (34)
OF THE PLANNING ACT

a) Paragraph 2 is amended by deleting the last sentence and replacing it with the following:

~~"Subsequent to this review, approximately 30 ha of industrial land have been converted for residential purposes through an amendment to this Plan and the Regional Official Plan. This has led to a revised population equivalent servicing capacity of 19,950 people and 201 ha of commercial-industrial land. These constraints have dictated the 6650 dwelling unit and 5440 job thresholds established by Section 2.7 of the Regional Official Plan.~~

b) ~~Paragraph 5 is amended by replacing the references to "6000" dwelling units or building permits in the fifth and sixth sentences with "6650".~~

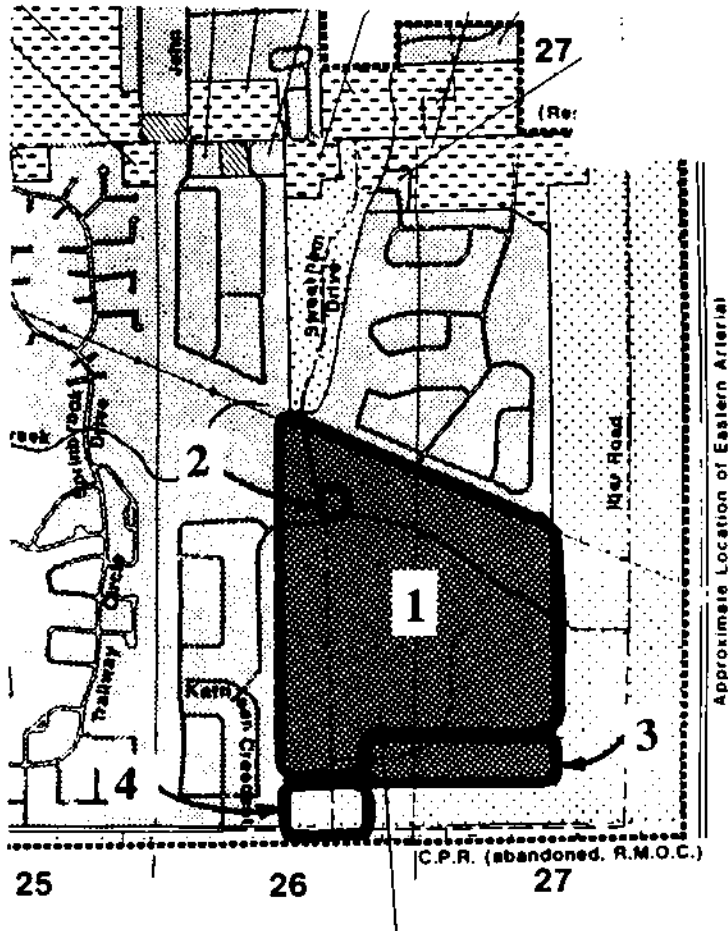
c)

IMPLEMENTATION AND INTERPRETATION

The implementation and interpretation of this amendment shall be in accordance with the respective policies of the Township of Goulbourn Official Plan.

SCHEDULE "A"

AMENDMENT 1 TO OFFICIAL PLAN
FOR THE TOWNSHIP OF GOULBOURN














Area 1	To be redesignated from "General Industrial" to "Residential"
Area 2	To be redesignated form "General Industrial" to "General Commercial"
Area 3	To be redesignated from "General Industrial to "Restricted Industrial - Business Park"
Area 4	To be redesignated from "Restricted Industrial - Business Park" to "Residential"

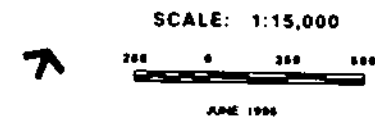
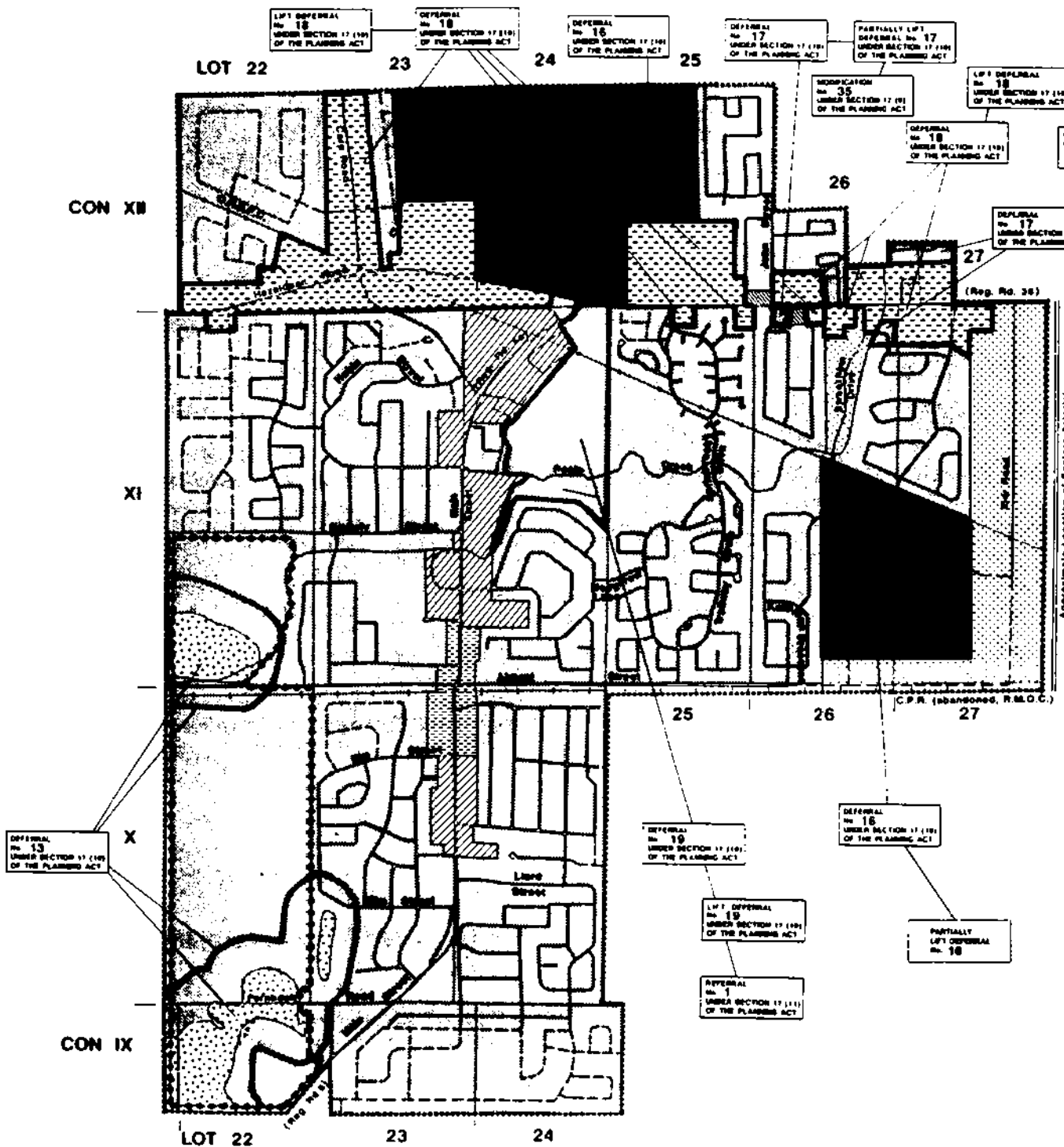
Read a third time, passed, signed and sealed in Open Council this
day of October 1996.

[Signature] Mayor
[Signature] Clerk

**TOWNSHIP OF GOULBOURN
OFFICIAL PLAN
SCHEDULE A 1**

**Land Use Designations
STITTSVILLE**

-  Residential
-  Stittsville Main Street Mixed Use Area
-  Stittsville Core Area
-  Highway Commercial
-  General Commercial
-  Restricted Industrial - Business Park
-  General Industrial
-  Provincially Significant Wetlands
-  Adjacent Lands
-  Stage II Boundary
-  Urban Area Boundary



sters & Solicitors

Robert W. McKinley
Direct Line: (613) 228-4901

File Reference: 46.001

J. Brian Hebert

Robert W. McKinley

Roger J. Ramonat

Daniel C. Fernandes*

VIA FAX: 560-1380

No. of pages: 1

December 11, 1997

Regional Municipality of Ottawa-Carleton
111 Lisgar Street
Ottawa, Ontario
K2P 2L7

Attention: Mary Jo Woolam, Regional Clerk

Dear Ms. Woolam:

I represent 867718 Ontario Ltd. and on its behalf am requesting that you refer Goulbourn LOPA #1 to a hearing before the Ontario Municipal Board. The reasons for my client's request include the following:

- (a) The change in designation for the subject lands to "Residential" does not represent good planning;
- (b) Leaves a short-term serviced land supply for employment uses at an insufficient level;
- (c) Relies upon the incorrect assumption that there is sufficient land for employment purposes in the urban areas of Kanata and Stittsville;
- (d) Creates traffic volumes on certain local and regional road systems that are beyond their current capabilities; and
- (e) The amendment, if approved, will be inconsistent with policy issues currently before the Ontario Municipal Board.

I am delivering under separate cover the prescribed fee.

Thank you for your co-operation.

Yours very truly

HEBERT, MCKINLEY, RAMONAT

Robert W. McKinley

/s/

The contents of this transmission may be legally privileged and are intended for its named recipient only. If you have received this in error, please call us collect at (613) 228-2700 and return this to us without making a copy. Thank you for your consideration.

If any of these pages are not properly received, please contact us at (613) 228-2700 immediately. Thank you.

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