

**AGRICULTURE AND RURAL  
AFFAIRS COMMITTEE  
REPORT 33  
11 APRIL 2018**

**140**

**COMITÉ DE L'AGRICULTURE ET  
DES AFFAIRES RURALES  
RAPPORT 33  
LE 11 AVRIL 2018**

**EXTRACT OF MINUTES 59A  
PLANNING COMMITTEE  
27 FEBRUARY 2018**

**EXTRAIT DU PROCÈS-VERBAL 59A  
COMITÉ DE L'URBANISME  
LE 27 FÉVRIER 2018**

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SITE ALTERATION BY-LAW

ACS2018-PIE-EDP-0005

CITY WIDE

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## **REPORT RECOMMENDATIONS**

**That Planning Committee recommend Council:**

- 1. approve the Site Alteration By-law, attached as Document 1; and**
- 2. direct staff to conduct a review of the Site Alteration By-law, two years after its approval, and report back on its performance and any recommended improvements.**

The following staff responded to questions on this matter:

- ❖ Planning, Infrastructure and Economic Development department: John Smit, Director, Economic Development and Long Range Planning; Amy MacPherson, Natural Systems Planner
- ❖ Office of the City Clerk and Solicitor: Tim Marc, Senior Legal Counsel, Planning, Development and Real Estate.

The committee heard four delegations on this matter. The following delegation spoke in support:

- Murray Chown, Greater Ottawa Home Builders Association

The following delegations spoke in support but offered some suggestions:

- \*Paul Johanis, Chair, Greenspace Alliance of Canada's Capital
- \*Sheila Perry, FCA

The primary arguments in support of the proposal included (but were not necessarily limited to):

- the bylaw covers both rural and urban site alterations
- vegetation removal is included as a type of site alteration
- site alterations within a 30 metre proximity of sensitive environmental areas / Natural Heritage Features will require prior approval of the General Manager of Planning, Infrastructure and Economic Development and the City has the option of requiring an Environmental Impact Statement and imposing conditions

The main suggestions / concerns included (but were not necessarily limited to):

- the by-law should be enforced through a permit system rather than a complaint-based system, or barring that, a minimal form of prior reporting could be introduced as an adjunct to the complaint procedure; at a minimum, the bylaw should require that the Ward Councillor be notified of any intended site alteration meeting the bylaw definition
- the proposed 30 metre proximity zone (within which pre-approval is required) for site alterations near sensitive environmental areas should be increased to 120 metres, similar to the significant wetlands policy in the current Official Plan
- this by-law (or the Significant Woodland Policy or the Urban Tree Conservation bylaw) should be amended to protect against pre-emptive cutting of rural trees and woodlands ahead of urban expansions in the periurban area

The following delegation spoke in opposition:

- \*Mike Westley

His primary argument and concern in opposition to the proposal included (but were not necessarily limited to):

- The by-law is unconstitutional and infringes on the legal rights of private property owners and those with Crown Patents to use and enjoy their own properties.

*[\* Individuals / groups marked with an asterisk above provided written comments; all submissions are held on file with the City Clerk.]*

Planning Committee CARRIED the report recommendations as presented.

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