

**Report to
Rapport au:**

**Agriculture and Rural Affairs Committee
Comité de l'agriculture et des affaires rurales
4 March 2021 / 4 mars 2021**

**and Council
et au Conseil
10 March 2021 / 10 mars 2021**

**Submitted on 19 February 2021
Soumis le 19 février 2021**

**Submitted by
Soumis par:
Don Herweyer,
Director / Directeur
Planning Services / Services de la planification,
Planning, Infrastructure and Economic Development Department / Direction
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Ward: RIDEAU-GOULBOURN (21)

File Number: ACS2021-PIE-EDP-0011

SUBJECT: Flewellyn/Goulbourn Local Planning Appeal Tribunal Settlement

OBJET: Règlement du Tribunal d'appel de l'aménagement local concernant le dossier Flewellyn et Goulbourn

REPORT RECOMMENDATIONS

That the Agriculture and Rural Affairs Committee recommend that Council direct staff to seek the following modifications from the Local Planning Appeal Tribunal with respect to the following:

- 1. With respect to Official Plan Amendment 240, the redesignation of the lands as shown in Document 1 from Significant Wetland to General Rural Area and Rural Natural Features Area; and**
- 2. With respect to Zoning By-law Amendment 2020-53, the rezoning of the lands as shown in Document 2 from EP3 to RU.**

RECOMMANDATIONS DU RAPPORT

Que le Comité de l'agriculture et des affaires rurales recommande au Conseil de demander au personnel d'obtenir l'approbation du Tribunal d'appel de l'aménagement local pour les modifications suivantes en ce qui a trait à :

- 1. la modification n° 240 du Plan officiel : faire passer le zonage des terrains présentés dans le document 1 de « Terres humides d'importance » à « Secteur rural général » et « Secteur rural de caractéristiques naturelles »; et**
- 2. la modification du Règlement de zonage 2020-53 : faire passer le zonage des terrains présentés dans le document 2 de EP3 à RU.**

BACKGROUND

Staff has reached a proposed agreement with two appellants to Official Plan Amendment 240 and Zoning By-law 2020-53 regarding the Flewellyn Special Study Area and the boundaries of the provincially significant Goulbourn Wetland. Staff seek direction to submit the agreement to the Local Planning Appeals Tribunal (LPAT) to implement the proposed amendments to the OP and Zoning By-law.

On 6 February 2020, the Agriculture and Rural Affairs Committee (ARAC) considered an Official Plan Amendment and Zoning By-law Amendment to implement the findings of the Flewellyn Special Study and the Goulbourn Wetland Boundary Evaluation. At that meeting, ARAC considered and approved the following motion:

“WHEREAS the report ACS2020-PIE-EDP-0003 details the Official Plan Amendment and Zoning By-law Amendment for the Flewellyn Special

Study Area (Policy 3.2.5 of the OP) and the provincially-significant Goulbourn Wetland Complex, and

WHEREAS the report recommends removal of the Special Study Area policies and recommends designation and zoning of the expanded wetland boundaries, and

WHEREAS there is an interest to limit the changes to the significant wetland boundaries on Schedule A of the OP to the areas within the Flewellyn Special Study Area.

THEREFORE BE IT RESOLVED that the Agriculture and Rural Affairs Committee recommend that Council replace Flewellyn Maps A to I found in Document 2 and OPA Schedule 1a, 1b”

Council approved the amended recommendations from ARAC for the Flewellyn Special Study Area and Goulbourn Wetland Official Plan Amendment and Zoning By-law Amendment on 12 February 2020.

Approval of the amended report created inconsistencies between the boundaries of the provincially significant Goulbourn Wetland Complex outside the Flewellyn Special Study Area and the corresponding Significant Wetland designations in Schedule A of the Official Plan. Several property owners appealed Council’s decision to the LPAT because it retained on their properties Significant Wetland designations and related zoning for lands no longer identified as provincially significant wetland by the Ontario Ministry of Natural Resources and Forestry.

Site location

6547 Rothbourne Road; 329 Jinkinson Road.

Description of site and surroundings

The two properties lie in the rural area immediately west of Stittsville. The properties and surrounding landscape contain a mix of open fields, forest, and wetland, along with rural industrial, commercial and agricultural operations.

Summary of proposed development

The recommendations in this report would authorize Staff to request that the Local Planning Appeals Tribunal remove the Significant Wetland Designation and related

zoning from lands on the subject properties no longer identified by the Province as provincially significant wetland.

DISCUSSION

The recommendations in this report would resolve two outstanding appeals to OPA 240 and Zoning By-law 2020-53. They would bring the Significant Wetland Designations on the subject properties in Schedule A of the Official Plan into conformity with the Province's provincially significant wetland mapping.

Public consultation

Public consultation is not required on this report. However, Official Plan Amendment 240 and Zoning By-law 2020-53 were subject to extensive public consultation.

Official Plan designation

A redesignation at LPAT with respect to recommendation 1 of this report would replace Significant Wetland designations with General Rural and Rural Natural Feature Area designations.

Other applicable policies and guidelines

The recommendations are consistent with the intent and language of the wetland policies in the Official Plan.

Heritage

Not applicable.

Provincial Policy Statement

The report recommendations are consistent with the 2020 Provincial Policy Statement.

RURAL IMPLICATIONS

The subject properties lie in the rural area. The recommendations do not have broad implications.

CONSULTATION

Not applicable.

COMMENTS BY THE WARD COUNCILLOR

The Ward Councillor supports the staff recommendations.

LEGAL IMPLICATIONS

There are no legal impediments to the adoption of the recommendations in the report. Should the recommendations be approved by Council, Legal Services will bring forward a motion to the Local Planning Appeal Tribunal to seek their implementation.

RISK MANAGEMENT IMPLICATIONS

Not applicable.

ASSET MANAGEMENT IMPLICATIONS

There are no asset management implications associated with this report.

FINANCIAL IMPLICATIONS

There are no direct financial implications.

ACCESSIBILITY IMPACTS

There are no accessibility impacts.

ENVIRONMENTAL IMPLICATIONS

There are no environmental implications. The recommendations reflect existing environmental conditions.

TERM OF COUNCIL PRIORITIES

The report recommendations support Economic Growth and Diversification by removing inappropriate environmental constraints and land use restrictions on two rural properties.

SUPPORTING DOCUMENTATION

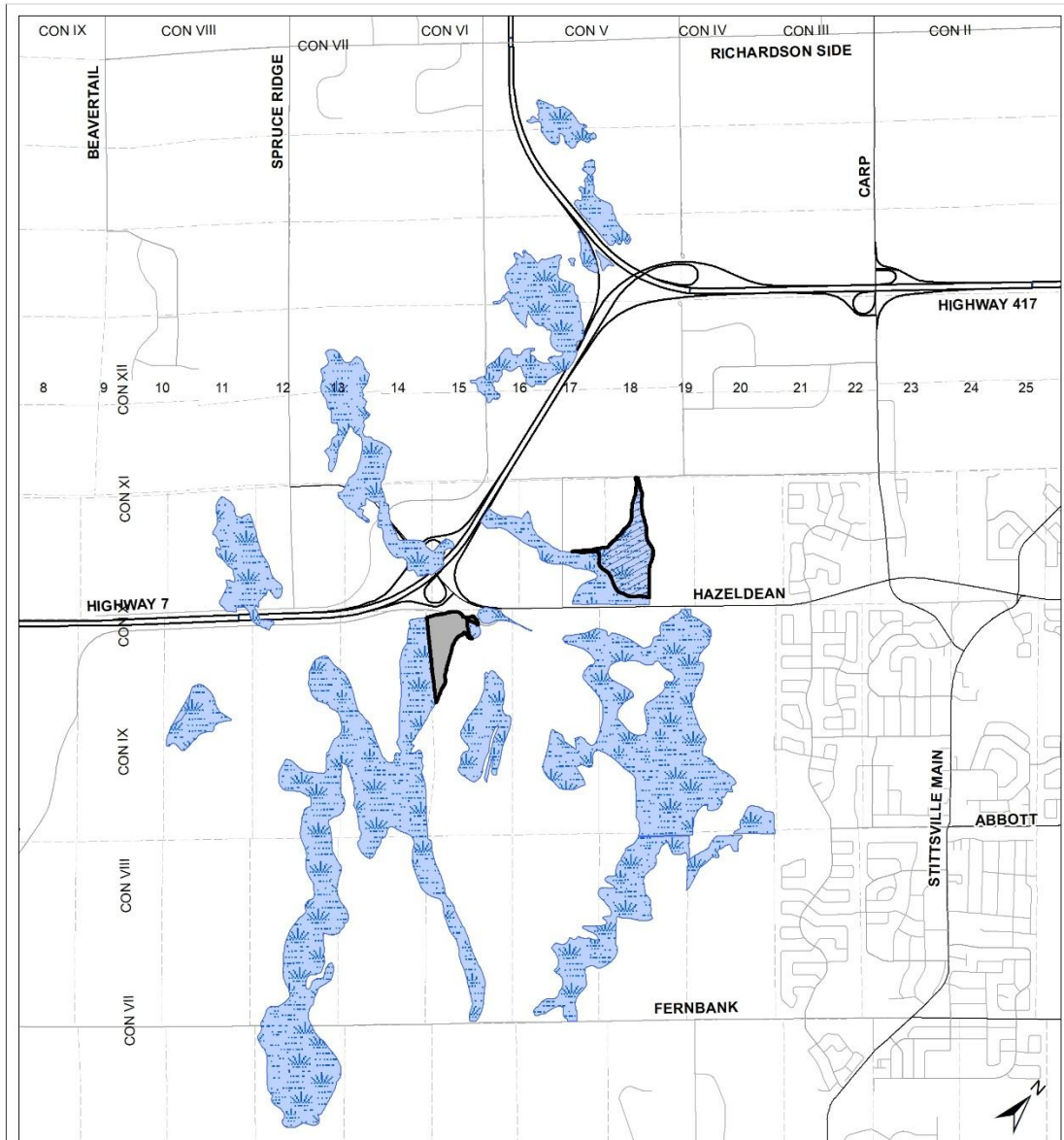
Document 1 Proposed Changes to Official Plan Schedule A.





Document 2 Proposed Changes to the Zoning By-law.

DISPOSITION

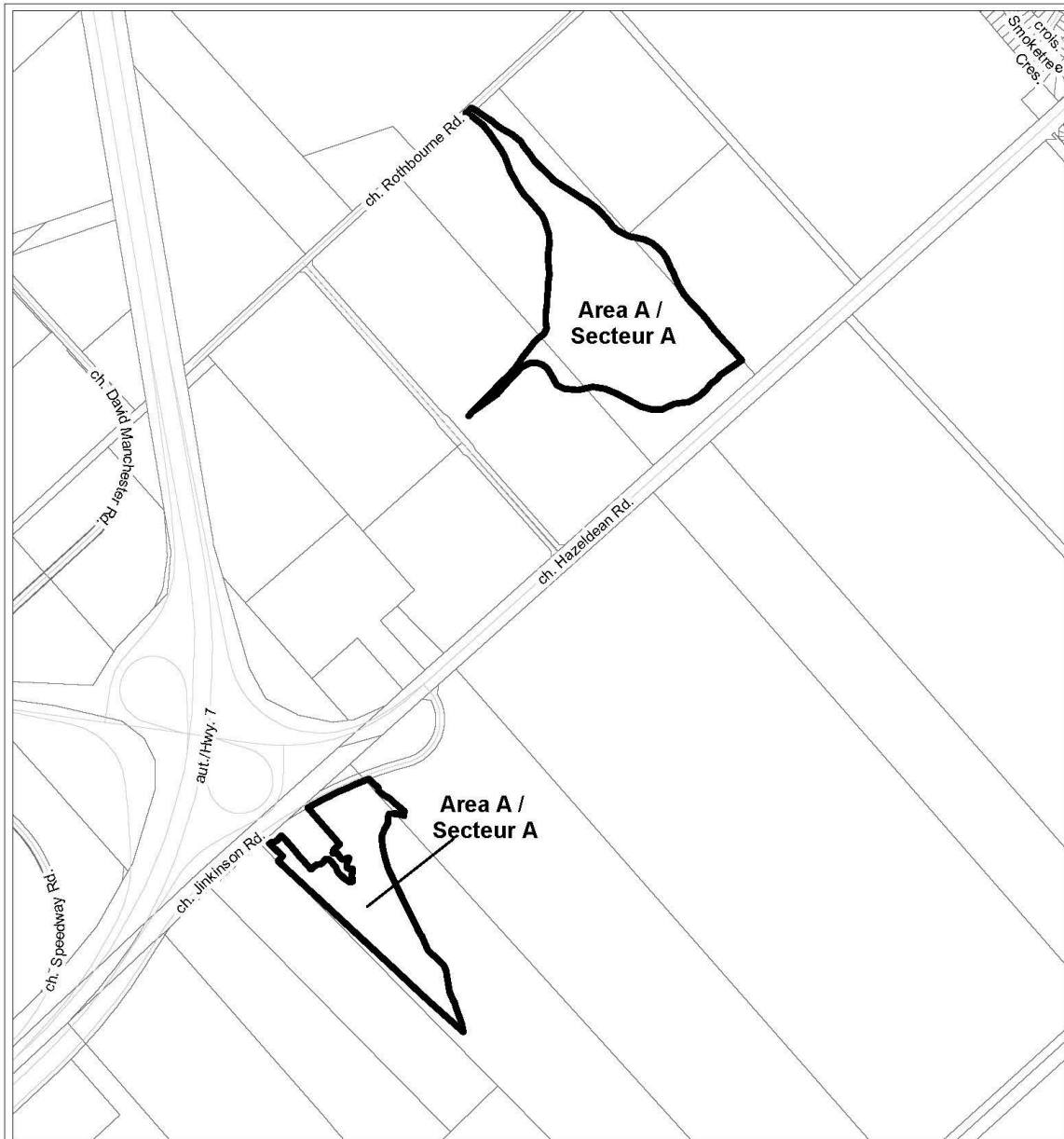
If Council approves the report recommendations, then Legal Services and PIED will seek the requested order from the Local Planning Appeals Tribunal.



Document 1 – Proposed Changes to Official Plan Schedule A.



 <p>Planning, Infrastructure and Economic Development Department Services de la planification, de géospatial/Analytics, Technology and Solutions L'infrastructure et du développement économique, Analyse géospatiale, technologie et solutions</p> <p>21-0132-A</p> <p>1:AA/SH/01/OPAS/OPR24/DLPAT_RecomFeb2021/Gouttoun/Wetland</p> <p>02/10/2021</p> <p><small>© Parcel data is owned by Terramet Enterprises Inc. and its suppliers. All rights reserved. May not be reproduced without permission. Parcel data appartient à Terramet Entreprises Inc. et à ses fournisseurs. Tous droits réservés. Ne peut être reproduit sans autorisation.</small></p> <p>Scale - N.T.S. / Echelle N.A.E.</p>	<p>AMENDMENTS TO OFFICIAL PLAN SCHEDULE A - RURAL POLICY PLAN FOR RECOMMENDATION TO THE LPAT</p> <p>Report # - ACS2021-PIE-EDP-0011</p> <ul style="list-style-type: none">  SIGNIFICANT WETLANDS REDESIGNATED TO RURAL NATURAL FEATURES AREA / TERRES HUMIDES D'IMPORTANCE DOIT PASSER DE ZONE RURALE CARACTÉRISTIQUES NATURELLES  SIGNIFICANT WETLANDS REDESIGNATED TO GENERAL RURAL AREA / TERRES HUMIDES D'IMPORTANCE DOIT PASSER DE ZONE RURALE GÉNÉRALE  EXISTING SIGNIFICANT WETLANDS / LES TERRES HUMIDES D'IMPORTANCE EXISTANTE
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Document 2 – Proposed Changes to the Zoning By-law



		LOCATION MAP / PLAN DE LOCALISATION ZONING KEY PLAN / SCHÉMA DE ZONAGE	
ACS2021-PIE-EDP-0011	21-0132-X	Schedule B - Amendments to the Zoning By-law for Recommendation to the LPAT / Annexe B - Modification du Règlement de zonage à recommander au TAAL	
I:\CO\2021\Zoning\Goulbourn\Wetland		 Area A to be rezoned from EP3 to RU Le zonage du secteur A sera modifié de EP3 à RU	
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REVISION / RÉVISION - 2021 / 02 / 11		