

Dear Councillor,

Re Official Plan Review

South March Highlands – Carp River Conservation Inc (SMH-CRC) would like to draw your attention to three critical issues raised as part of Official Plan Review. These are as follows:

- a) Prohibition on Country Lot Estates
- b) Keeping Storm Water Management Ponds out of Flood Plains, and
- c) Significant Woodlands and the promised Site Alteration By-Law

Each is addressed below followed by our recommendation (set out in bold font)

a) Prohibition on Country Lot Estates (CLE)

For the third time in ten years, Ottawa staff is advising Council to prohibit future country lot subdivisions -- developments in the rural area usually of 40 or more units at minimum 2 acres each that are not on city services and are totally car-dependent. Many municipalities in Ontario have put a stop to this type of development as it is a form of rural sprawl that in no way supports the objectives of their official plans.

It doesn't support Ottawa's objectives either, but strong local lobbying has allowed this type of development to continue. Yet there is also strong support for their prohibition.

In our view, CLE's represent the most unsustainable form of residential development. As a form of residential development, CLEs run counter to every principle and objective of the Official Plan. The interests of a few landowners and developers should not outweigh the serious and permanently detrimental effects of this type of development. Several regions and municipalities within Ontario have acted to prohibit CLEs, including Waterloo, Halton, Hamilton, Essex, Peel, York, Durham, Oxford County, Mississippi Mills, Sudbury and Huron County. Ottawa should join them and do the same.

SMH-CRC recommendation: that Council approve the permanent prohibition of CLE's.

b) Keep Storm Water Ponds Out of the Flood Plain

The draft Official Plan Amendment tabled on June 25, 2013 included a new policy clarifying that storm water ponds should not be located in the flood plain. Flood plains play a critical role in storing flood waters, thereby reducing and even preventing their damaging effects. Constructing storm water ponds in flood plains robs the floodplain of its crucial natural storage function. As we have already witnessed by the increasingly severe weather events that have occurred in the past few years, greater

demands are being placed on existing flood plain storage. Even greater demands are predicted for the future.

The Ministry of the Environment wisely prescribes that stormwater facilities be located outside the flood plain of our watercourses. Flood plains should be left to do what nature has designed them to do. Similarly, stormwater facilities should be able to perform their functions without being impacted by flooding or being subject to damage as a result of flooding.

SMH-CRC urges Council to resist developer pressure to maximize their developable land at the expense of the natural functioning of our watercourses. The costs associated with flood damages to infrastructure are completely avoidable.

SMH-CRC recommendation: that Council approve the staff proposal that the Official Plan be amended to ensure that storm water ponds are kept out of all flood plains.

c) Significant Woodlands and the promised Site Alteration By-Law

There are two issues we would raise in this context.

(i) Ottawa's definition of "significant woodlands" as a component of its "natural heritage system" is unjustifiably, and therefore absurdly, limiting and has resulted in the serious loss of valuable and viable woodlands in both urban and rural areas.

Currently, the City of Ottawa's Official Plan (s. 2.4.2, Policy 1 (c)), states that the natural heritage system includes:

"Significant woodlands defined in the rural area as woodlands that combine all three features listed below in a contiguous, forested area:

- i. Mature stands of trees 80 years of age or older; and
- ii. Interior forest habitat located more than 100 m inside the edge of a forest patch; **and**
- iii. Woodland adjacent to a surface water feature such as a river, stream, drain, pond or wetland, or any groundwater feature including springs, seepage areas, or areas of groundwater upwelling;" (emphasis added)

With regard to the third condition, Ottawa staff has explained that the "water feature" has to be within 5 metres of the woodlot and then the whole lot is taken to be asignificant woodland.

There are two problems with this definition. First, the inclusion of the third condition renders the definition operationally inadequate. This policy, which was adopted (and agreed to by the Province) in 2009, has been superceded by the Ministry of Natural

Resources' Natural Heritage Reference Manual (2nd edition, 2010). In this document, "significant woodlands" do not support the third condition cited above.

Second, there is no justification whatsoever for limiting the definition of significant woodland to the rural area. While many woodlots in the urban area have been designated Urban Natural Feature and therefore enjoy a degree of protection, others are not and remain vulnerable. For example, the Herzberg Woods and the 13.4 ha. woodlot at Highway 416 (Urban Natural Areas 11 and 50 respectively) are both zoned Industrial. The City's own data base (*Characterization of Ottawa's Watersheds*, March 2011) shows that five of Ottawa's 11 subwatersheds, in 2009, had less than the desired 30% forest cover. With the onslaught of the Emerald Ash Borer, forest cover is bound to be lower now.

Continuation of this situation is unjustifiable and must be corrected.

SMH-CRC recommendation: that Council approve amendment of the definition of "Significant woodlands" in the Official Plan to read as follows:

"Significant woodlands defined as any woodlands in the Ottawa region that combine the two features listed below in a contiguous, forested area:

- i. Mature stands of trees 80 years of age or older; and**
- ii. Interior forest habitat located more than 100 m inside the edge of a forest patch. "**

(ii) The promised "Site Alteration By-law"

Although the Official Plan of 2003 included a directive to Ottawa's staff to come forward with a site alteration By-law, nothing has happened. In the 2009 revision of the Plan, that directive was further clarified and now reads:

"The City will work with the Conservation Authorities and other interested stakeholders to develop a bylaw under the Municipal Act to regulate the removal of top soil, grade alteration, and placement of fill." (Section 2.4.5, Policy 10)

The Ontario Municipal Board, in a July 21, 2011 Decision, explicitly took note of the City's intent to develop such a by-law. A draft was promised this past Spring. Still nothing...

Trees are our most precious companions. Ottawa needs to care more about our trees. Its current policies have large loopholes that allow trees to be destroyed. We fail to understand why, especially since other cities such as London, Oakville, Hamilton, and many more, have site alteration by-laws that include clauses on the impact on vegetation or trees.

SMH-CRC recommendation: that Council immediately enact a site alteration by-law to regulate the removal of vegetative cover on private land. "