

June 14, 1999

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Department of Urban Planning and Public
Works

Ward/Quartier
City Wide

- Planning and Economic Development
Committee / Comité de l'urbanisme et de
l'expansion économique
- City Council / Conseil municipal

Action/Exécution

Protection Area Implementation Strategy

Stratégie de mise en oeuvre des aires à protéger

Recommendations

1. That the Protection Area Implementation Strategy be APPROVED, as detailed in Document 2.
2. That the public consultation schedule for the Official Plan and zoning by-law amendments necessary to bring forward the Protection Areas Report in November, 1999 be APPROVED, as detailed in Document 4.



June 14, 1999 (11:05a)

Edward Robinson
Commissioner of Urban Planning and Public
Works

DI:sf

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Susan Murphy - 244-5300 ext. 1-3365

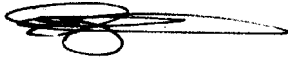


June 14, 1999 (4:37p)

Approved by
John S. Burke
Chief Administrative Officer

Financial Comment

Subject to City Council approval, the cost of legal surveys in the amount of \$26, 000.00 is available in Capital Project 94080701 (Environmental Lands).



June 14, 1999 (9:42a)

for Mona Monkman
City Treasurer

JG:ari

Executive Report

Reasons Behind Recommendations

Recommendation 1

The Natural and Open Spaces Study (NOSS) was undertaken to provide the technical information necessary to enable informed decisions regarding the City's remaining natural areas and open spaces. The Study recommended the protection of 57 natural areas City-wide, consisting of 53 woodlands and 4 wetlands, and was approved by City Council on December 2, 1998 (ACS1998-PW-EMB-0001). The NOSS Action Plan (Document 1) was also approved, and represents the strategic approach to implementing NOSS results and recommendations. The Action Plan directed that a Protection Area Implementation Strategy be brought forward in June, 1999.

The Protection Area Implementation Strategy (Document 2) provides a pro-active approach to ensuring the long-term protection of the City's natural heritage. Approval of Recommendation 1 will provide the direction to proceed with the necessary Official Plan and zoning by-law amendments required to implement the Strategy, to be brought forward in November, 1999. Maps of the protection areas indicating their general boundaries are provided in Document 3. Boundaries will be verified through field visits and surveying.

All 57 protection areas identified through the NOSS were assigned to one of three protection levels within the Protection Area Implementation Strategy: 1) Protection Feasible; 2) Protection Not Feasible; and 3) Protection Feasibility Unknown, based on their current planning status. Areas were then grouped further (eg. Group A, Group B, etc.), based primarily on whether they were within or outside of the Greenway System, and the implementation tool identified to protect them.

Some of the protection areas, in whole or in part, are either already designated and zoned as Environmentally Sensitive Areas (Group A) or are approved for development (Group F). Consequently, no further action is required for these areas. However, two key principles were fundamental to the assignment of areas to the remaining Groups. The first principle applies to

protection areas within the Greenway System (Groups B and C), where Official Plan and/or zoning by-law amendments have been identified as the implementation tool. The second applies only to protection areas falling outside of the Greenway System (Groups D, E, G and H). The two key principles are as follows:

1. The City has the authority to designate and zone protection areas located within the conceptual Greenway System as Environmentally Sensitive Areas. (Groups B & C)

Official Plan objective 6.2.1 a) states that the Greenway System be established as “*the primary means to sustain and enhance natural processes in the city, while recognizing its role in providing selected corridors for utilities, scenic roadways and for leisure resources*” (6.2.1 a). Of the five Greenway System components, only Environmentally Sensitive Areas (ESAs) require outright protection. The Implementation Strategy proposes an ESA designation and zoning on all protection areas within the Greenway System. Thirty-eight of the 57 protection areas are already designated Greenway System, and zoned as Greenway System-Waterway Corridor, Linkage, and Agricultural Area. However, an ESA designation and zoning on the woodlands and wetlands within these areas is required to ensure their protection. The current Official Plan designation and zoning on the balance of the lands would remain.

This approach is supported through Official Plan and Planning Act policies. Official Plan policy 6.3.2 c) states that “*City Council shall, as a priority, designate additional Environmentally Sensitive Areas upon identification through a secondary planning study or as part of the development review process*”. Maintenance and enhancement of the integrity of the natural environment within the Greenway System (6.2.1 b) as well as the conservation and improvement of the urban forest within the Greenway System (6.2.1 f) are additional objectives that relate more specifically to the retention of natural features within the Greenway System.

Natural Heritage Policy 2.3.1 enacted through the provincial Planning Act, states “*Natural heritage features and areas will be protected from incompatible development*”. The Policy applies to features and areas considered to be significant either provincially, or relative to a planning area. Provincial guidelines state that for planning areas where forest cover constitutes less than 5% of the landbase, woodlands 2 hectares and greater should be considered for significance. The identification of protection areas through NOSS is generally consistent with these policies and associated guidelines.

2. Tools other than ESA designations and zoning should be pursued to protect areas outside of the Greenway System, unless agreements have otherwise been reached. (Groups D, E, G & H)

Of the protection areas falling outside of the Greenway System, some are protected through landowner agreements, and can be zoned ESA (Group D). Small portions of protection areas falling outside the Greenway System will be pursued through MEEP (Group E). For others, zoning enacted through the City’s *Zoning By-law, 1998* has been appealed to the Ontario Municipal Board. Zoning of these areas will be determined through the appeal process (Group G). However, landowner intentions are unknown for the balance of areas outside of the Greenway System (Group H). City staff will meet with each landowner to determine their willingness to voluntarily protect the area, and report on the results of these discussions in the Protection Area Report (November 1999).

Approval of Recommendation 1 will initiate the preparation of Official Plan and zoning amendments in order to proceed with the NOSS Action Plan. However, these amendments may not integrate seamlessly with the existing policy context of the Official Plan and zoning by-law. Additional amendments to the Official Plan and *Zoning By-law, 1998* are anticipated to:

- formally recognize NOSS as providing the technical basis to support the City's policy direction regarding natural areas and open spaces;
- ensure consistency between the overall philosophy of the Official Plan with respect to Environmentally Sensitive Areas, and NOSS recommendations;
- ensure ESA's currently identified in the Official Plan are supported by Study findings. This may result in the redesignation of some lands currently designated ESA in the Plan should NOSS indicate that an ESA is not supportable.

Recommendation 2

Approval of Recommendation 1 will trigger preparation of the Official Plan and zoning by-law amendments to be brought forward to Committee in November, 1999. The results of landowner discussions will also form part of this report. The public consultation schedule to proceed with these amendments (June to November, 1999) is provided in Document 4.

Economic Impact Statement

N/A

Environmental Impact

No environmental impact is anticipated as Recommendations fall within the MEEP Automatic Exclusion List - Section 1 Item h). Approval of the Protection Area Implementation Strategy will have a net positive impact on the natural environment within the City of Ottawa, as it will further the City towards the goal of protecting our remaining natural heritage areas.

Consultation

The Implementation Strategy has been prepared by the Protection Areas Working Group. The group is comprised of City staff representatives from the Department of Urban Planning and Public Works (Planning Branch, Environmental Management Branch), Department of Corporate Services (Legal Branch, Property Services Branch), and the Department of Community Services (Business Strategy Branch).

The Environmental Advisory Committee has reviewed the strategy and views it as a positive step forward to implementing the results of the NOSStudy.

Disposition

The Department of Urban Planning and Public Works to proceed with all aspects of the NOSS Implementation Schedule (June-November, 1999).

Department of Urban Planning and Public Works to initiate the discussion with landowners.

List of Supporting Documentation

- | | |
|------------|---|
| Document 1 | NOSS Action Plan (Council Approved December 2, 1998) |
| Document 2 | Protection Area Implementation Strategy |
| Document 3 | Protection Area Maps |
| Document 4 | Public Consultation Schedule (June - November , 1999) |

Part II - Supporting Documentation

NOSS Action Plan (Council Approved December 2,1998)

Document 1

NOSS ACTION PLAN	
SHORT TERM	
1. Comparison of NOSS Results with New Zoning By-law and Official Plan	Identify inconsistencies between new zoning by-law, NOSS results, and Official Plan policies. Assist Planning Branch with integration of NOSS findings into zoning appeal process. Timeline, January 1999.
2. Protection Area Implementation Strategy	Branch to report to Standing Committee with implementation strategy outlining approach to resolve protection areas based on comparative analysis (Item 1). Timeline, June 1999.
3. Municipal Environmental Evaluation Process (MEEP)	Update MEEP to incorporate NOSS results (targets, standards, triggers and management guidelines). Update MEEP to require NOSS evaluations for the 8 natural areas where access for NOSS inventories was denied.
4. Other Studies	Integrate NOSS data and recommendations into other City planning related studies (i.e. secondary planning studies, environmental assessment).
MODERATE TO LONG TERM	
5. Protection Area Action Report	Branch to bring forward required OPA and zoning amendments, based on Item 2 above, for approval. Timeline, November 1999.
6. Resolution of Greenway System	Work with Planning Branch to resolve Greenway System boundaries and zoning with landowners, where necessary. Timeline, January 2001.
7. Official Plan Review	Work with Planning Branch to revise Chapter 6 - Environmental Management to be consistent with NOSS recommendations, and other applicable legislation and policies. Timeline, beginning in 2000.
ON-GOING	
8. Municipal Environmental Evaluation Process	Branch staff to implement NOSS recommendations through planning process.
9. Data Management	On-going maintenance of NOSS data.

Protection Area Implementation Strategy

Document 2

<u>PROTECTION AREA (PA) IMPLEMENTATION STRATEGY</u>		
GROUPS	IMPLEMENTATION TOOL(S)	PROTECTION AREAS (PA's) *
PROTECTION FEASIBLE		
<p>A - Designated and Zoned ES PA's designated as Environmentally Sensitive Area (ESA) on Schedule A - Land Use of the Official Plan and zoned ES, <i>Environmentally Sensitive Area</i>, under <i>Zoning By-Law, 1998</i>. Zoning boundaries consistent with NOSS thus no further action required.</p>	<p>No change to ESA designations or zoning by-law required</p>	<p>ES Portion of Mud Lake/Britannia Woods (#0101) Britannia Bay Conservation Area (#0102) ES Portion of Elmhurst Woods (#0201) Champlain Bridge Islands (#0701) ES Portion of Carlington Woods (#0801) ES Portion of Lemieux Island (#0902) ES Portion of Airbase Woods (#2401) ES Portion of Hog's Back Woods (#2702) ES Portion of Vincent Massey Woods (#2704) Billings Bridge Islands (#3101) ES Portion of Sawmill Creek Woods (#3102)**</p>
<p>B - Designated ESA in OP PA's inside the Greenway System that are currently designated Environmentally Sensitive Area (ESA) on Schedule A - Land Use of the Official Plan but not zoned ES, <i>Environmentally Sensitive Area</i>, under <i>Zoning By-Law, 1998</i> because boundaries had not been established. Proceed with the zoning of these areas to ES as NOSS has confirmed their significance and boundaries.</p>	<p>Zoning Amendment to ES</p>	<p>L1-tp1 & L2B-tp3 Portions of Carlington Woods (#0801) EW-tp9 Portions of Lemieux Island (#0902) Brewer Park Pond (#1701) Rockcliffe Park Cliffs (#2202) L1B-tp2 & EW-tp10 Portions of Airbase Woods (#2401) UR Portion of NRC Woods North (#2405) L1-tp1 Portion of Hog's Back Woods (#2702) L1-tp1 Portion of Vincent Massey Woods (#2704) Uplands/Riverside Park Woods (#2801) ES Portion of McCarthy Woods (#2904) Pleasant Park Woods (#3302)</p>

<u>PROTECTION AREA (PA) IMPLEMENTATION STRATEGY</u>		
GROUPS	IMPLEMENTATION TOOL(S)	PROTECTION AREAS (PA's) *
PROTECTION FEASIBLE		
<p>C - Designated Greenway System All PA's currently designated within the Greenway System (Waterway Corridor, Linkage, Major Open Space, Agricultural Area), but not designated as ESA. Based on NOSS recommendations, these protection areas qualify as ESA's.</p>	<p>Official Plan and Zoning Amendments to ESA</p>	<p>EW-tp9 Portion of Mud Lake/Britannia Woods (#0101) Pinecrest Woods (#0202) Deschenes Rapids (#0401) Champlain Bridge Woods (#0702) Hampton Woods (#0703) Chaudiere Rapids (#0901) EW-tp9 Portion of Lemieux Island (#0902) Arboretum (#1101) Central Experimental Farm Woods (#1102) Prince of Wales Woods (#1201) Victoria Island Woods (#1301) Brown's Inlet (#1601) Patterson's Creek (#1602) EW-tp9 Portion of Carleton University Woodlot (#1702) Rockcliffe Park Woods (#2203) Aviation Parkway Woods (#2301) Leopold Woodlot (#2701) Riverside Woods (#2703) CNR Line (#2901) Portions of Sawmill Creek (#3102) RA Centre Woods (#3103) Rideau River Park Woods (#3201) Jim Durrell Arena Woods (#3402) Coronation Park Woods (#3601) Ramsey Creek Woods (#4201)</p>

<u>PROTECTION AREA (PA) IMPLEMENTATION STRATEGY</u>		
GROUPS	IMPLEMENTATION TOOL(S)	PROTECTION AREAS (PA's) *
PROTECTION FEASIBLE		
D - Intended for Protection PA's outside the Greenway System where landowner agreement to protect the area has been reached.	Official Plan and Zoning Amendments	L3 Portion of Elmhurst Woods (#0201) Bathgate Woods (#2502) Special Study Area Portion of McCarthy Woods (#2904) Paul Landry Park Woods (#2905) Conroy Woods (#3403) Portion of Conroy Swamp (#3502)
E - Small Land Area Small portions of PA's falling outside of the Greenway System which do not constitute ESA by themselves. Although some are currently protected through zoning (lot coverage and setbacks), flood and fill regulations, and the Fisheries Act, protection on the balance will be pursued through the Corridor Plans or MEEP.	MEEP Corridor Plans	I1 portion of Champlain Bridge Woods (#0702) R1A portion of Prince of Wales Woods (#1201) CE5 portion of Riverside Woods (#2703) Portions of Sawmill Creek Woods (#3102) I1 portion of Jim Durrell Woods (#3402) I2B portion of DND Rehab Woods (#3701)
SUBTOTAL		42
PROTECTION NOT FEASIBLE		
F - Development Approved PA's where irreversible planning decisions have already been made, such that protection of the <u>entire</u> feature may not be feasible. Pursue protection of individual natural features through MEEP, wherever possible.	MEEP	Assaly Woods (#2501) Portion of Carson Grove (#2503) Portion of Conroy Swamp (#3502) Hospital Woods (#3702) Hawthorne Marsh (#4301)
SUBTOTAL		3

<u>PROTECTION AREA (PA) IMPLEMENTATION STRATEGY</u>		
GROUPS	IMPLEMENTATION TOOL(S)	PROTECTION AREAS (PA's) *
PROTECTION FEASIBILITY UNKNOWN		
G - Zoning Appealed PA's outside of the Greenway System whereby the zoning enacted through <i>Zoning By-Law, 1998</i> has been appealed to the Ontario Municipal Board. Zoning consistent with NOSS recommendations will be brought forward for Council consideration prior to commencement of OMB hearing.	Ontario Municipal Board to make final determination of zoning	Montfort Hospital Woods (#2402) OCEPSB Woods (#2902) Uplands Park Woodlot (#2908)
H - Landowner Intent Unknown PA's outside of the Greenway System where landowner intent for these areas is not known. Meet with landowners to discuss their intent for the PA's and encourage voluntary protection. Report back to Council on status in November, 1999.	Landowner discussions to determine intended use	I2A Portion of Carleton University Woodlot (#1702) Beechwood Cemetery Woods (#2302) IP & UR Portion of NRC Woods North (#2405) I1 & I2A Portions of Carson Grove (#2503) La Cité Collégiale Woods (#2504) NRC Woods South (#2506) Mountain Crescent Woods (#2907) CFB Woods (#3001) L3-tp9 Portion of Sawmill Creek Woods (#3102) Portion of Conroy Swamp (#3502) DND Rehab Woods (#3701) Old Innes Road Woods (#4202)
SUBTOTAL		12
TOTAL		57

* NB. Protection areas often have multiple owners and zonings. Consequently, parts of an individual PA may fall into more than one Group. For example, Elmhurst Woods is found within Groups A and D to reflect that a portion of it is already designated ESA and zoned ES, whereas the remaining portion requires an Official Plan and Zoning Amendment to ES. Therefore, the number of PA's listed in Column 3 of the above table generally exceeds the Category subtotals.

** NB. ES zoning of 1454 Clementine (Sawmill Creek Woods) appealed to the OMB.

Protection Area Maps

Document 3

(See document 3 in workflow)

Public Consultation Schedule (June-November, 1999)

Document 4

TASK	DETAILS	TIMELINE
1. Letters to Landowners	Request meeting with Group H landowners.	June
2. First notification (via flyer)	Notify NOSS mailing list (including landowners) of implementation process and associated amendments to OP and Zoning By-law.	July (mid)
3. Second notification	Circulate proposed amendments to all Departments. Send letter detailing amendments to affected landowners and community associations.	July (mid)
4. Meetings with landowners	Discuss landowner intent.	June-October
5. Third notification	Newspaper advertisement of Open House two consecutive weekends	August/September
6. Open House	Public input on amendments to OP and Zoning By-law.	September
7. Fourth notification	Newspaper advertisement of PEDC meeting	November
8. PEDC Meeting	Bring forward amendments for PEDC approval.	November
9. City Council Meeting	Bring forward amendments for CC approval.	December
10. Fifth notification	Notification of implementing by-laws	January, 2000
11. Regional Council approval	Forward adopted OPA's to Regional Council for approval	January, 2000