

## **Summary of Written and Oral Submissions**

### **Official Plan and Zoning By-law Amendment - 4200 March Road (ACS2025-PDB-PS-0003)**

In addition to those outlined in the Consultation Details section of the report, the following outlines the written and oral submissions received between the publication of the report and prior to City Council's consideration:

#### **Number of delegations/submissions**

Number of delegations at Committee: 10

Number of written submissions received by Agriculture and Rural Affairs Committee between March 25 (the date the report was published to the City's website with the agenda for this meeting) and April 2, 2025 (the deadline for written submissions, being 4 pm the business day before the committee meeting date): 3

#### **Summary of written submissions**

Written submissions are held on file with the City Clerk and available from the Committee Coordinator upon request:

- Emails dated April 1 and April 2, 2025 from Mr. John BLais
- Email dated March 31, 2025 from Ms Denise Elliott

#### **Summary of oral submissions**

The Committee heard from the following delegations:

1. Mr. John Blais\* spoke against the report recommendations, and urged the Committee not to support this proposal. He commented that due to his property's proximity to the quarry, his family had to deal with issues including blasting, machinery noise, dust and 'flyrock' (blast shrapnel). He spoke to the importance of alvars in terms of rarity and biodiversity of flora and fauna, and that despite assertions that damaged alvars could be rehabilitated, the timeframe for this to happen would be excessive.
2. Mrs. Beverly Blais+ introduced a video presentation ("Saving the Burnt Lands Alvar") speaking to the uniqueness and biodiversity of the local alvar (defined as a rare biological environment based on a limestone plain, covered with a mix of sparse grassland vegetation, forest and sometimes bare rock) and the potential dangers to its flora and fauna that could result from expanded quarry operations. A link to this video is held on file with the Office of the City Clerk.

3. Ms Ashley Struthers (Friends of the Burnt Lands) spoke in support of the preservation of the Burnt Lands Alvar and in opposition to quarry expansion. She offered that the need for expanded operation has not been sufficiently established and that remediation of the alvar would take too long. She added that by giving the area an original EP3 Zoning designation, the City has granted the area its highest protection, and further added that alvars are under threat. In conclusion, she recommended that the Committee reject the rezoning application.
4. Ms Norma Moore spoke to the dangers of 'flyrock' (rock propelled beyond a blast site during quarry operations) and noted that it can be propelled in excess of 1,000 metres, at a velocity exceeding of 640 kph. She said she had reported dangerous flyrock incidents to the Ministry but that the Province had failed to follow up adequately. She reported that the quarry had been found to be in violation of its site plan, that inspections had been infrequent, that residents had suffered negative effects from the quarry's asphalt operations and that area property values had been reduced as a result.
5. Mr. Grant Edgar spoke to the need to protect alvars, and expressed concern with the City setting a precedent if the application were supported rather than challenged. He felt that Cavanagh had damaged the lands, which would require remediation; a position that Cavanagh had disputed, along with the notion that the subject lands were part of an alvar. He said that his property and the quarry were all a part of the same forested alvar, which he asserted had been damaged and should be restored to its original state.
6. Mr. Ted Hendriks noted that despite Cavanagh having been a good neighbour for years, he has had to deal with the effects of blasting, which included a cracked septic tank and the sounds of police gunfire on part of the Cavanagh property that had been leased to the Ottawa Police Service as a gun firing range. He felt that matters would get worse, as problems could arise due to a draw on groundwater and asphalt plant operations in the quarry, potentially leading to a leaching of contaminants, which he said would be nearly impossible to remediate. He felt that governments have a responsibility to protect natural resources now and for the future.
7. Mr. Dan Mayo said the report contained serious omissions. He noted that a record of Cavanagh violations and past records of non-compliance were relevant factors in whether to give a proponent approval of a development application, and felt that this was omitted from the report. He said that staff had failed to mention an Auditor General's 2023 review of the Aggregate Industry which he said showed an abundance of non-compliance. He cited examples of a lack of enforcement, damage incurred to neighbouring properties due to quarry operations and the unlikelihood of industry

compliance without enforcement. He asked that the City resist the appellant's application.

8. Mr. Ken McRae spoke of his opposition to the rezoning application and to issues of biodiversity, noting that he had documented over 100 plant species within the alvar. He disputed that rehabilitation would be undertaken at the conclusion of quarry operations, and that no site alteration had occurred. He reported that a 2016 site visit by a Bylaw Enforcement Officer had recognized significant site alteration, resulting in Cavanagh being directed to stop its operations and to remove a trailer, but that the Provincial Offences Act did not require Cavanagh to comply. He suggested that the significant site alteration that had occurred would take years to rehabilitate.
9. Mr. Chuck Commanda, an Algonquin from Kitigan Zibi in Quebec and the grandson of Elder William Commanda, spoke to an indigenous perspective and to remind all who were present of their responsibility to be stewards of the land and waters. He said that the subject lands were home to many different examples of flora and fauna and were related through the spiritual interconnectedness of all things. He implored City Council and anyone involved with the rezoning application to consider the flora and fauna.
10. The Applicant/Owner as represented by Messrs. Neal DeRuyder<sup>+</sup>, MHBC Planning, Urban Design & Landscape Architecture / Thomas Cavanagh Construction Limited, and Pierre Dufresne, Cavanagh Communities, provided an overview of the application and responded to questions from Committee. A copy of their slide presentation is held on file with the Office of the City Clerk.

### **Effect of Submissions on Agriculture and Rural Affairs Committee Decision:**

Debate: The Committee spent approximately 2 hours and 10 minutes in consideration of the item.

Vote: Following discussion and questions of staff, the Committee carried the report recommendations as presented on division of 3 Yeas and 1 Nay.

[ \* Individuals / groups marked with an asterisk above either provided comments in writing or by e-mail; all submissions and presentations are held on file with the Office of the City Clerk. ]

### **Report Recommendation(s)**

#### **That Agricultural and Rural Affairs Committee:**

1. **Recommend Council approve an amendment to Volume 1 of the Official Plan for 4200 March Road to redesignate from Greenspace to Rural Countryside, to remove the Natural Environmental Area sub-designation and to add the Bedrock Resource**

**Area Overlay as detailed in Document 2 – Details of Recommended Official Plan Amendment.**

- 2. Recommend Council approve an amendment to Zoning By-law 2008-250 for 4200 March Road to rezone from Environmental Protection Subzone 3 (EP3) to Mineral Extraction (ME), as detailed in Document 3 – Details of Recommended Zoning, to permit a quarry expansion.**
- 3. Approve the Consultation Details Section of this report be included as part of the ‘brief explanation’ in the Summary of Written and Oral Public Submissions, to be prepared by the Office of the City Clerk and submitted to Council in the report titled, “Summary of Oral and Written Public Submissions for Items Subject to the *Planning Act* ‘Explanation Requirements’ at the City Council Meeting of April 9, 2025,” subject to submissions received between the publication of this report and the time of Council’s decision.**

For (3): Councillor C. Kitts, Councillor M. Luloff, Chair D. Brown

Against (1): Vice-Chair C. Kelly

Carried (3 to 1)

## **Ottawa City Council**

Pursuant to the *Procedure By-law*, members of the public may not make oral submissions to Council.

Number of additional written submissions received by Council between April 2<sup>nd</sup> after 4 pm (deadline for written submissions to Agriculture and Rural Affairs Committee) and April 16, 2025 (Council consideration date): 0

### **Effect of Submissions on Council Decision:**

Council considered all submissions in making its decision and following debate, refused the report recommendations and substituted the following Motion:

Motion No. **2025-56-02**

Moved by C. Kelly

Seconded by S. Devine

**BE IT RESOLVED THAT the applications for an Official Plan Amendment and zoning amendment in respect of 4200 March Road be refused.**

**BE IT FURTHER RESOLVED THAT the reasons for refusal be as follows:**

- 1. The 2013 Mineral Aggregate Resource Study provided that “Based on current**

trends and assuming 80% of the aggregate supply continues to be supplied from bedrock sources the estimated required supply for 100 and 200 year planning horizons is 1,360 and 3,640 million tonnes respectively. Reviewing licensed sites as well as active and undeveloped areas, the estimated remaining licensed resource is 861 million tonnes. Resource potential in the designated bedrock resource area but still unlicensed is estimated between 600 and 947 million tonnes. The potential 13 bedrock resources in both licensed and designated-unlicensed area is estimated between 1,461 and 1,808 million tonnes.”; and,

2. Staff did not recommend any additional bedrock or sand and gravel resource overlay in the 2022 Official Plan; and,
3. The City of Ottawa has, in total, an estimate of 4000 hectares of lands already licensed as pits and quarries in the city; and,
4. The residents in the area are concerned with the proposed hours of operation, increased heavy traffic at the site, and the potential for dust, noise and odour pollution interfering with the surrounding environment and the enjoyment of their homes; and,
5. The Aggregate Resources Act, section 12.1(1) permits the Minister to issue a licence to such operation only if a zoning by-law allows the site to be used for the making, establishment, or operation of pits and quarries; and,
6. The subject parcel is designated as an ANSI and merits continued protection.

For (13): Councillors C. Curry, C. Kelly, T. Kavanagh, L. Johnson, S. Devine, J. Bradley, S. Plante, R. King, A. Troster, J. Leiper, R. Brockington, S. Menard, and M. Carr

Against (11): Mayor M. Sutcliffe, Councillors M. Luloff, L. Dudas, D. Hill, G. Gower, T. Tierney, C. Kitts, D. Brown, S. Desroches, A. Hubley, and W. Lo

**Carried (13 to 11)**