

<p>2. ZONING BY-LAW AMENDMENT – PART OF 1156 JINKINSON ROAD</p> <p>MODIFICATION AU RÈGLEMENT DE ZONAGE – PARTIE DU 1156, CHEMIN JINKINSON</p>

COMMITTEE RECOMMENDATION

That Council approve an amendment to Zoning By-law 2008-250 for part of 1156 Jinkinson Road, also known as Henderson Quarry II, to permit Mineral Extraction uses and recognize additional area to be added to the Huntley Provincially Significant Wetland boundary as detailed in Document 2.

RECOMMANDATION DU COMITÉ

Que le Conseil approuve une modification au Règlement de zonage 2008-250 visant une partie du 1156, chemin Jinkinson, un emplacement également connu sous le nom de carrière Henderson II, afin de permettre des utilisations d'extraction de minerai et de tenir compte de l'ajout d'une zone supplémentaire à l'intérieur de la limite de la zone humide d'importance provinciale Huntley, comme l'expose en détail le document 2.

DOCUMENTATION / DOCUMENTATION

Director, Planning Services, Planning, Infrastructure and Economic Development Department report dated 18 September 2017 (ACS2017-PIE-PS-0107).

Rapport de la Directrice, Services de la planification, Direction de la planification, de l'infrastructure et du développement économique daté le 18 septembre 2017 (ACS2017-PIE-PS-0107).

**AGRICULTURE AND RURAL
AFFAIRS COMMITTEE
REPORT 28
11 OCTOBER 2017**

12

**COMITÉ DE L'AGRICULTURE ET
DES AFFAIRES RURALES
RAPPORT 28
LE 11 OCTOBRE 2017**

**Report to
Rapport au:**

**Agriculture and Rural Affairs Committee
Comité de l'agriculture et des affaires rurales
5 October 2017 / 5 octobre 2017**

**and Council / et au Conseil
October 11, 2017 / 11 octobre 2017**

**Submitted on September 18, 2017
Soumis le 18 septembre 2017**

**Submitted by
Soumis par:**

**Lee Ann Snedden,
Director / Directrice,**

Planning Services / Service de la planification

**Planning, Infrastructure and Economic Development Department / Direction
générale de la planification, de l'infrastructure et du développement économique**

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Ward: RIDEAU-GOULBOURN (21)

File Number: ACS2017-PIE-PS-0107

SUBJECT: Zoning By-law Amendment – Part of 1156 Jinkinson Road

**OBJET: Modification au Règlement de zonage – partie du 1156, chemin
Jinkinson**

REPORT RECOMMENDATIONS

- 1. That Agriculture and Rural Affairs Committee recommend Council approve an amendment to Zoning By-law 2008-250 for part of 1156 Jinkinson Road, also known as Henderson Quarry II, to permit Mineral Extraction uses and recognize additional area to be added to the Huntley Provincially Significant Wetland boundary as detailed in Document 2.**
- 2. That Agriculture and Rural Affairs Committee 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 City Clerk and Solicitor's Office and submitted to Council in the report titled, "Summary of Oral and Written Public Submissions for Items Subject to Bill 73 'Explanation Requirements' at the City Council Meeting of 11 October, 2017," subject to submissions received between the publication of this report and the time of Council's decision.**

RECOMMANDATIONS DU RAPPORT

- 1. Que le Comité de l'agriculture et des affaires rurales recommande au Conseil d'approuver une modification au Règlement de zonage 2008-250 visant une partie du 1156, chemin Jinkinson, un emplacement également connu sous le nom de carrière Henderson II, afin de permettre des utilisations d'extraction de minerai et de tenir compte de l'ajout d'une zone supplémentaire à l'intérieur de la limite de la zone humide d'importance provinciale Huntley, comme l'expose en détail le document 2.**
- 2. Que le Comité de l'agriculture et des affaires rurales donne son approbation à ce que la section du présent rapport consacrée aux détails de la consultation soit incluse en tant que « brève explication » dans le résumé des observations écrites et orales du public, qui sera rédigé par le Bureau du greffier municipal et de l'avocat général et soumis au Conseil dans le rapport intitulé « Résumé des observations orales et écrites du public sur les questions assujetties aux 'exigences d'explication' aux termes du projet de loi 73 », à la réunion du Conseil municipal prévue le 11**

octobre 2017, à la condition que les observations aient été reçues entre le moment de la publication du présent rapport et le moment de la décision du Conseil.

BACKGROUND

Learn more about [link to Development Application process - Zoning Amendment](#)

For all the supporting documents related to this application visit the [link to Development Application Search Tool](#).

Site location

1156 Jinkinson Road

Owner

Thomas Cavanagh Construction Limited

Applicant

Katelyn Morphet, J.L.R. & Associates

Description of site and surroundings

The property, 1156 Jinkinson Road is a vacant parcel of land that partially contains Provincially Significant Wetlands. It is surrounded by vacant lands with Henderson Quarry I located to the east and a residential neighbourhood located to the west. The site is adjacent to Highway 7 and is accessed from Jinkinson Road. The total property area is approximately 257 hectares, and the part of the property subject of this Zoning By-law amendment application is approximately 58 hectares.

Summary of requested Zoning By-law amendment proposal

This property contains four different zoning designations, Mineral Extraction (ME), Mineral Reserve (MR), Rural Countryside (RU) and Environmental Protection, Subzone

3 (EP3). As shown in Document 1, the part of the property currently zoned MR, is proposed to be zoned as Mineral Extraction, Exception xxxr (MExxxr), to permit a quarry operation that also provides for a buffer to the existing Provincially Significant Wetland. Further, as part of the *Aggregate Resources Act* consultation process, it was determined that the Huntley wetland boundary be revised. As a result, the lands shown as Area B in Document 1 are proposed to be zoned from MR to EP3 to recognize lands being added to the wetland.

Brief history of proposal

The subject site is adjacent to an existing quarry operation, Henderson Quarry I, that is also located on the property, 1156 Jinkinson Road. The owner wishes to expand this existing operation towards the west. In order to do so, an application to amend the Zoning By-law has been filed, to change the current Mineral Reserve zoning designation to Mineral Extraction. This zoning designation would allow for the quarry operation on this segment of the lands. Further, the owner has also filed for a Category 2 – Class A Quarry Below Water license which is also required for the operation under the *Aggregate Resources Act*. As part of this process, additional lands were recognized as being part of the Huntley wetland and as a result, these lands are proposed to be rezoned to an environmental protection zone where extraction will not be permitted.

DISCUSSION

Public consultation

Notification and public consultation was undertaken in accordance with the Public Notification and Consultation Policy approved by City Council for Zoning By-law amendments.

For this proposal's consultation details, see Document 3 of this report.

Official Plan designation

This site is designated in Schedule A of the Official Plan as Limestone Resource Area. Pit and quarry operations are permitted under this designation in coordination with the license process for mineral extraction under the provincial *Aggregate Resources Act*.

Planning rationale

The Province requires that all pits and quarries licensed under the Ontario *Aggregate Resources Act* (ARA) be zoned by the municipality for mineral extraction uses. Section 3.7.4 of the Official Plan outlines studies required to ensure that the effects on the natural environment and surrounding area are evaluated prior to approval. The City reviewed the following in support of this application:

- Planning rationale;
- Stage 1 and 2 Archaeological Assessment;
- Environmental Impact Statement (EIS);
- Hydrogeological and Hydrological Assessment; and
- Proposed site plans submitted under the ARA license application showing Existing Features, Operations, and Rehabilitation, and Monitoring Program.

Following review of the above noted plans and studies as part of this Zoning By-law amendment and *Aggregate Resources Act* license process, staff are satisfied with the proposal. All commenting agencies through the ARA process have withdrawn any previous objections to the license application.

The proposed Henderson Quarry II is located adjacent to the existing Henderson Quarry I as well as a Provincially Significant Wetland (PSW). In support of this application, an Environmental Impact Statement, prepared by Golder Associates Ltd., dated June 2013 and revised July 2014, includes mitigation and monitoring measures related to potential impacts to the PSW. One of these measures is to establish a 50-metre buffer between the extraction area and the Huntley Wetland. The report also indicates that no development nor site alteration will be undertaken in this area. In

consideration of this, the recommended zoning amendment includes the establishment of a 50-metre buffer from an Environmental Protection Zone and precludes activities that have the potential for causing disturbances within this area, as described in Document 2.

Provincial Policy Statement

Staff have reviewed this proposal and have determined that it is consistent with the Provincial Policy Statement, 2014.

RURAL IMPLICATIONS

There are no rural implications associated with this report.

COMMENTS BY THE WARD COUNCILLOR

Councillor Scott Moffatt is aware of the application.

LEGAL IMPLICATIONS

There are no legal impediments to approving the recommendations contained in the report.

RISK MANAGEMENT IMPLICATIONS

There are no risks associated with this application.

FINANCIAL IMPLICATIONS

There are no financial implications associated with this report.

ACCESSIBILITY IMPACTS

There are no accessibility impacts associated with this application.

ENVIRONMENTAL IMPLICATIONS

The proposed development is adjacent to lands designated as Provincially Significant Wetlands in Schedule A of the Official Plan. It is required that an Environmental Impact

Statement be reviewed as part of an application to amend the Zoning By-law to permit mineral extraction operations and which must demonstrate that there will be no negative impact on significant features or ecological functions on environmental designated areas.

To mitigate impacts from the quarry operation, a 50-metre buffer to the wetland areas is proposed. This buffer forms part of the license proposal and will be further implemented through this proposed zoning amendment. Additional lands have been added to the wetland boundary, and it is from the edge of the proposed EP3 zone where the buffer for a mineral extraction operation will be measured.

TERM OF COUNCIL PRIORITIES

This project addresses the following Term of Council Priorities:

EP2 – Support growth of local economy.

ES1 – Support an environmentally sustainable Ottawa

APPLICATION PROCESS TIMELINE STATUS

The application was not processed by the "On Time Decision Date" established for the processing of Zoning By-law amendments due to the complexity of the issues related to the *Aggregate Resource Act* licensing process that is required for the use.

SUPPORTING DOCUMENTATION

Document 1 Location Map

Document 2 Details of Recommended Zoning

Document 3 Public Consultation Details

CONCLUSION

Planning, Infrastructure, and Economic Development supports with this application, as it is consistent with the Official Plan and Provincial Policy Statement (2014).

DISPOSITION

Legislative Services, Office of the City Clerk and Solicitor to notify the owner; applicant; Ottawa Scene Canada Signs, 1565 Chatelain Avenue, Ottawa, ON K1Z 8B5; Krista O'Brien, Tax Billing, Accounting and Policy Unit, Revenue Service, Corporate Services (Mail Code: 26-76) of City Council's decision.

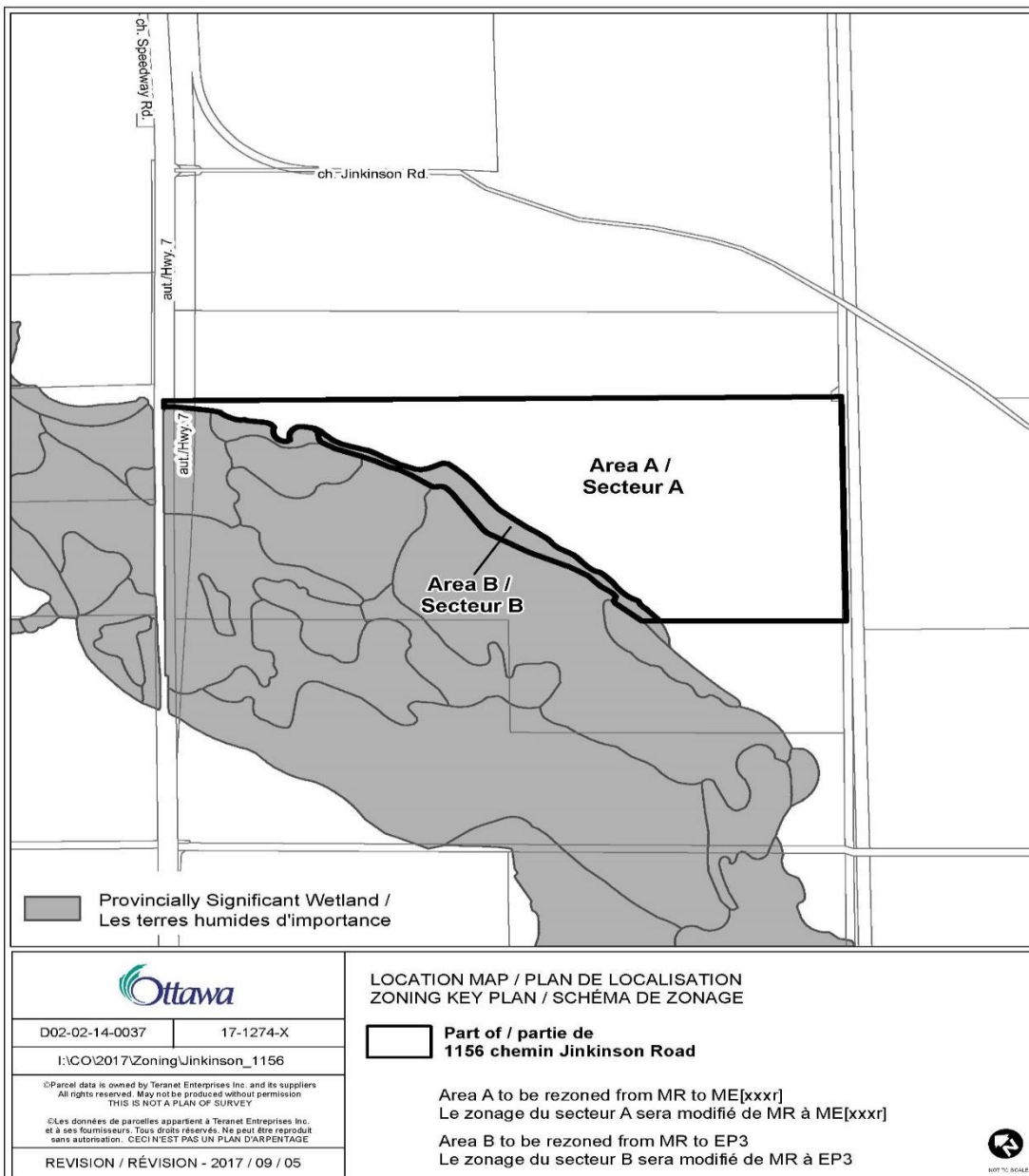
Zoning and Interpretations Unit, Economic Development and Long Range Planning to prepare the implementing by-law and forward to Legal Services.

Legal Services, Office of the City Clerk and Solicitor to forward the implementing by-law to City Council.

Planning Operations Branch, Planning Services to undertake the statutory notification.

Document 1 – Location Map

For an interactive Zoning map of Ottawa visit geoOttawa.



Document 2 – Details of Recommended Zoning

The proposed changes to the City of Ottawa Zoning By-law 2008-250 for part of 1156 Jinkinson Road:

1. Rezone Area A on Document 1 from MR to ME [xxxr].
2. Rezone Area B on Document 1 from MR to EP3.
3. Create a new exception xxxr including provisions similar in intent to the following:
 - a) Add the following text to Column V:
 - No Buildings, Structures, Aisles, Driveways, Storage, or Extraction, within 50 metres of an EP3 zone.

Document 3 – Public Consultation Details

Notification and Consultation Process

Notification and public consultation was undertaken in accordance with the Public Notification and Public Consultation Policy approved by City Council for Zoning By-law amendments.

On July 24, 2014 a public meeting was held as required by the Ministry of Natural Resources and Forestry (MNRF) for a Category 2 – Class A Quarry Below Water License. The license application was also posted by the MNRF on the Environmental Bill of Rights Registry on September 2, 2014.

The following public comments were provided as part of the Zoning By-law amendment process:

Public Comments and Responses

Comment:

Will the Traffic Impact Study be amended to address Cavanagh Henderson Quarry truck traffic going on Fernbank Road?

Response:

No. The guidelines for traffic studies include proposed traffic to be generated by the proposed use and traffic at intersections within 1km of the site. The study did note that counts provided include traffic generated by the adjacent site (Henderson Quarry I) and did look beyond 1km.

Comment:

The existing study is limited to only traffic from Henderson Quarry 1 and proposed Henderson Quarry II to the intersection of Jinkinson Road and Hazeldean Road, giving no consideration to proposed traffic on Fernbank Road.

Response:

The report indicates that traffic counts were conducted at the intersection of Jinkinson Road and Hazeldean Road, this includes truck traffic associated with Henderson Quarry I operation and truck traffic travelling on Fernbank Road. The report provides an analysis of the intersection of Jinkinson road and Hazeldean road which is most affected by the site generated traffic volumes. Truck traffic going along Fernbank Road is outside the scope of this analysis.

Comment:

The proposed plans show incorrect zoning designation labels.

Response:

Staff have reviewed the plans provided in coordination with City resources and have recognized the inaccuracies. This report identifies the correct zoning designations of the lands as well as the proposed zoning designations.

Comment:

Proposed plans show an existing concrete plant on the Henderson Quarry I site, when the existing Ministry of the Environment Permit to Take Water and Environment Compliance Approval for the existing Henderson Quarry do not include a concrete plant.

Response:

This is an error on the plan. An asphalt making plant and weigh station are located at the existing site and neither of these nor the extraction use require site plan control. The Ministry of Natural Resources and Forestry determines the requirements of a mineral extraction operation and what is covered by a permit or license under the *Aggregate Resources Act*.