

- 6. STREET CLOSURE – ROAD ALLOWANCE BETWEEN 1792 AND 1818 OLD
PRESCOTT ROAD**
- FERMETURE DE RUE – EMPRISE ROUTIÈRE ENTRE LE 1792 ET LE 1818,
CHEMIN OLD PRESCOTT**

COMMITTEE RECOMMENDATION

That Council approve amendments to Schedule B and Schedule C of the Temporary All-Terrain Vehicles and Other Vehicles By-law 2013-199 to remove the segment of unopened road allowance as shown in Document 1.

RECOMMANDATION DU COMITÉ

Que le Conseil approuve des modifications aux annexes B et C du Règlement 2013-199 régissant temporairement la circulation de véhicules tout terrain et d'autres véhicules afin de supprimer le segment « emprises routières non ouvertes », comme il est indiqué dans le document 1.

DOCUMENTATION / DOCUMENTATION

**Director, Planning Services, Planning, Infrastructure and Economic Development
Department report dated 26 June 2017 (ACS2017-PIE-PS-0048)**

**Rapport du Directrice, Services de la planification, Direction de la planification,
de l'infrastructure et du développement économique daté le 26 juin 2017
(ACS2017-PIE-PS-0048).**

**AGRICULTURE AND RURAL
AFFAIRS COMMITTEE
REPORT 26
12 JULY 2017**

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**COMITÉ DE L'AGRICULTURE ET
DES AFFAIRES RURALES
RAPPORT 26
LE 12 JUILLET 2017**

**Report to
Rapport au:**

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

July 6, 2017 / 6 juillet 2017

Submitted on June 26, 2017

Soumis le 26 juin 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: OSGOODE (20)

File Number: ACS2017-PIE-PS-0048.

**SUBJECT: Street Closure – Road Allowance Between 1792 and 1818 Old
Prescott Road**

**OBJET: Fermeture de rue – emprise routière entre le 1792 et le 1818, chemin
Old Prescott**

REPORT RECOMMENDATION

- 1. That Agriculture and Rural Affairs Committee approve the closure of the segment of a road allowance located between the properties, municipally known as 1792 and 1818 Old Prescott Road, as shown on Document 1.**
- 2. That Agriculture and Rural Affairs Committee recommend Council approve amendments to Schedule B and Schedule C of the Temporary All-Terrain Vehicles and Other Vehicles By-law 2013-199 to remove the segment of unopened road allowance as shown in Document 1.**

RECOMMANDATION DU RAPPORT

- 1. Que le Comité de l'agriculture et des affaires rurales approuve la fermeture de la partie d'une emprise routière située entre les propriétés portant les adresses municipales 1792 et 1818, chemin Old Prescott, comme l'illustre le document 1 ;**
- 2. Que le Comité de l'agriculture et des affaires rurales recommande au Conseil d'approuver des modifications aux annexes B et C du Règlement 2013-199 régissant temporairement la circulation de véhicules tout terrain et d'autres véhicules afin de supprimer le segment « emprises routières non ouvertes », comme il est indiqué dans le document 1.**

BACKGROUND

[Learn more about link to Street or Lane Closing or Opening process](#)

Site location

Road allowance between 1792 and 1818 Old Prescott Road

Owner

City of Ottawa

Applicant

Maurice Yelle Excavation Limited

Description of site and surroundings

The site is a part of a road allowance that is unmaintained. It is surrounded by mineral extraction operations, vacant land, and is within 500 metres of a low-rise residential uses including a new residential community development to the north of the site.

Summary of requested closure

The proposed road closure will affect a segment of lands, approximately 640 metres in length and 20 metres wide. The road allowance is located between two parcels of land, 1792 and 1818 Old Prescott Road. Both parcels are owned by the applicant Maurice Yelle Excavation Limited. There is currently a Class A licensed pit on the lands 1792 Old Prescott Road. The request to close this segment of road allowance is to provide an opportunity for the abutting landowner to acquire the segment of land to form a contiguous property and expand the mineral extraction operation.

DISCUSSION

Public consultation

Notification and public consultation was undertaken in accordance with the Public Notification and Public Consultation Policy approved by City Council for untraveled road allowances. Comments were received.

For this proposal's consultation details, see Document 2 of this report.

Official Plan designation

The surrounding area is designated as Sand and Gravel Resource Area in the Official Plan. The road allowance is not designated as either a proposed arterial or collector road, nor conceptual as a planned road, in Schedule G, Rural Road Network of the Official Plan.

Planning rationale

Under the Delegation of Authority By-law 2013-71, Managers of Development Review are authorized to approve applications for road closures, provided that no objection to the notice of approval is received. Development Review, Rural Services received an

objection to the proposed closure and therefore the decision to close the road now rests with the Agriculture and Rural Affairs Committee.

In May 2011, the Agriculture and Rural Affairs Committee heard an application to close this untraveled road, where Staff recommended refusal on the basis that the road allowance has the potential for an east-west linkage between Old Prescott Road and Stagecoach Road, to service the Village of Greely and Surrounding Area. Agriculture and Rural Affairs Committee upheld the recommendation of Staff.

Today, Staff believe this connection is not required to support future development. Section 2.3.1 (44) states that the City will not close and sell unopened road allowances, that have reasonable potential for use as a roadway, a transit or utility corridor, or a pedestrian or cyclist link. The lands are located outside of the Village boundary and should the boundary ever be expanded, road connections in new communities could be made to Stagecoach Road or Old Prescott Road. The road allowance is identified by Schedule B and Schedule C of By-law 2013-199 which regulates the operation of all terrain vehicles and motorized snow vehicles, as being part of an all-terrain vehicle trail network. While identified in the By-law, this segment of the road allowance is not currently in active use as part of the ATV network. Staff can assist the Nation Valley ATV Club with finding an alternative route in the area. If Agriculture and Rural Affairs Committee approves this proposed road closure, the Temporary All-Terrain Vehicles and Other Vehicles By-law 2013-199 should be amended to update Schedule B and Schedule C accordingly. Amendments to this by-law will need approval of Council.

The proposed road closure is a step in a process towards the ability for the abutting landowner, Maurice Yelle Excavation Ltd., to expand the mineral extraction operations. The Provincial Policy Statement provides direction to protect minerals for long-term use, by ensuring that activities in the surrounding area of known mineral deposits do not preclude or hinder the expansion of an operation. This road allowance provides limitations to future extraction activities.

To initiate the road closure process, the applicant submitted to the City the required road closure application fee and associated legal fee. Should this application be approved, the applicant will be required to clear conditions stated in the preliminary approval granted by the Manager, Development Review, Rural Services on May 19,

2017, following which a by-law to close the road allowance will be forwarded to City Council. Once closed, the City's Corporate Real Estate Office will undertake the Council approved process to dispose of the lands. If sold to Maurice Yelle Excavation Ltd., prior to the expansion of the licensed pit, the Owner would have to undertake a process to amend their existing license under the *Aggregate Resources Act*, 1990.

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 Darouze is aware of the application.

LEGAL IMPLICATIONS

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

RISK MANAGEMENT IMPLICATIONS

There are no risks associated with this report.

FINANCIAL IMPLICATIONS

The applicant has submitted the applicable road closure and legal fees.

ACCESSIBILITY IMPACTS

There are no accessibility impacts associated with this report.

ENVIRONMENTAL IMPLICATIONS

The road allowance is located within less than a kilometre of two Provincially Significant Wetlands. While the closure of the road would not impact these areas, the closure

would provide an opportunity for mineral extraction activities. During the license process under the *Aggregate Resources Act*, staff will review the application to ensure that any impacts the extraction operation may have on these environmental features will be mitigated.

TERM OF COUNCIL PRIORITIES

This project addresses the following Term of Council Priority:

EP2 – Support growth of local economy

APPLICATION PROCESS TIMELINE STATUS

This application was not processed by the "On Time Decision Date" established for the processing of a street or lane closure application, due to delegated authority being withdrawn as a result of an objection to the closure of the allowance.

SUPPORTING DOCUMENTATION

Document 1 Location Map

Document 2 Public Consultation Details

CONCLUSION

Planning, Infrastructure, and Economic Development supports this application because it is consistent with the direction of the Official Plan and Provincial Policy Statement.

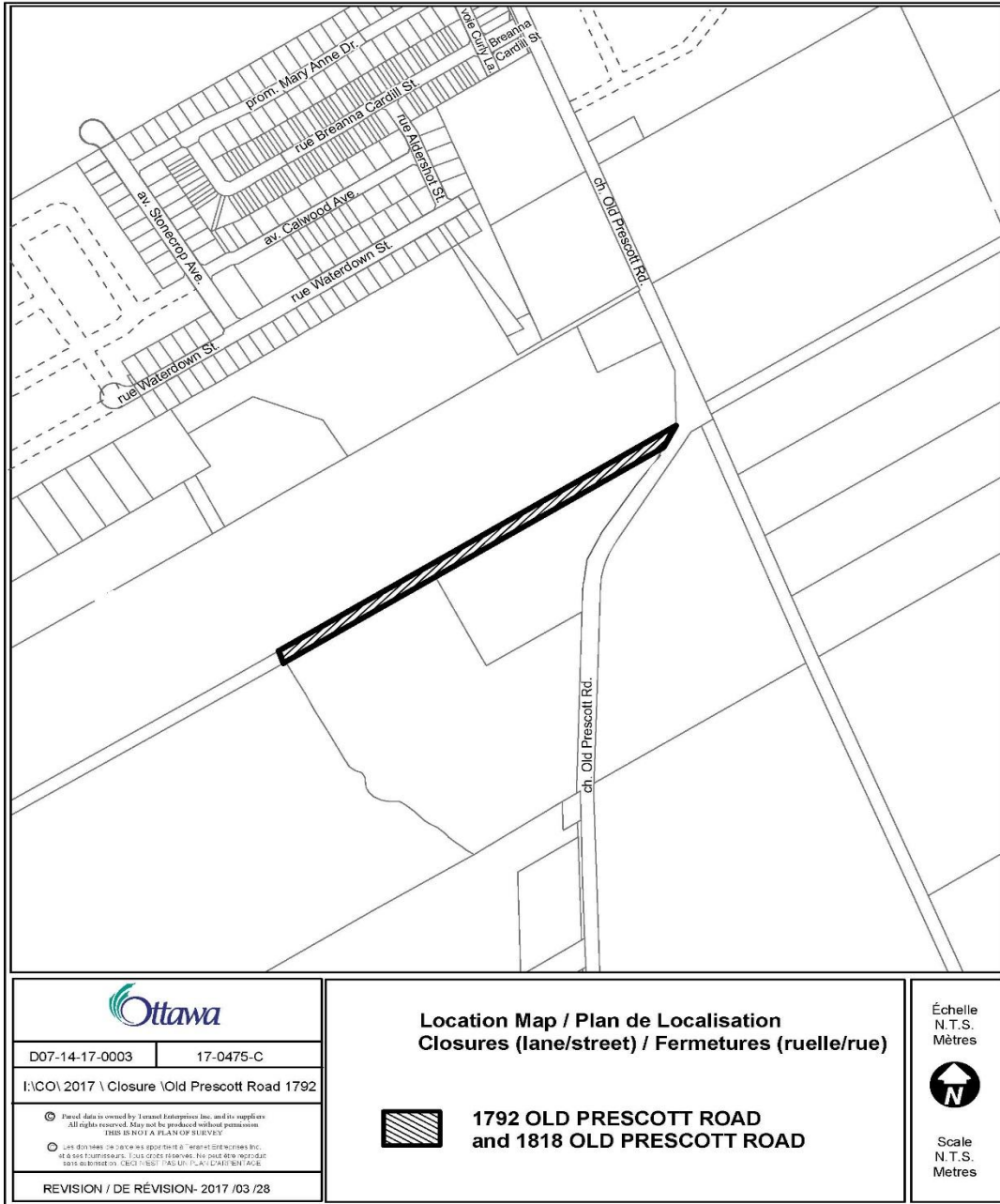
DISPOSITION

File lead will notify the applicant and those who commented on the application of the Committee's decision.

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

Document 1 – Location Map

For an interactive Zoning map of Ottawa visit geoOttawa



Document 2 – 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 Road Closure Applications.

The following are comments received from the public during the notice to close period and Staff's responses to them.

1. This road allowance is part of an All-Terrain Vehicle trail network. If closed, it would limit the ability for the network to expand and limit public access to existing trails.

Response:

Staff recognize that it is currently identified as part of a future trail network and can work with Nation Valley ATV club to identify an alternative trail in the area.

2. This is a growing community that will need this access to connect developments.

Response:

New communities in the area will connect directly to major roads such as Old Prescott Road and Stagecoach Road. An East-west connection through the Village of Greely from Manotick Station Road to Sale Barn Road is available.

3. This road allowance has the potential to be a bike path, park or greenspace.

Response:

This is not an ideal location for passive recreation activities given the proximity to extraction operations.

4. Wildlife use this space to cross. Turtles and deer have been spotted in the area.

Response:

Wildlife crossing Old Prescott Road would pose a risk to drivers. Fencing this area to prevent animals from entering the road is ideal for both animals and drivers.

5. Closing the road will cause disturbances including groundwater contamination. There are homes in the surrounding area.

Response:

The purpose of this application is to determine the need for a road allowance and to close it if determined that it is not necessary. The potential for groundwater contamination by having closed a road is not a risk factor. It is known however that the future intention for the closed road would be to extract minerals in the area and any risks associated with extraction operations is reviewed through a subsequent public process under the *Aggregate Resources Act*, before such operations can commence.