
Submission to the Joint Special Meeting of the Planning & Environment Committee and the Agriculture & Rural Affairs Committee

March 31, 2009 and April 1 & 3, 2009

Agenda item 1: Comprehensive Official Plan Review - Draft Official Plan Amendment

The Federation of Citizens' Associations of Ottawa-Carleton [FCA] is the umbrella group for community associations and like civic groups in Ottawa. Some thirty associations are members of the FCA, from downtown, suburban and rural communities. We attempt to maintain contact with all community associations in the city.

The FCA was active in discussions leading to the adoption of the 2003 Official Plan and in the appeal process that followed. The FCA has encouraged its member associations to examine proposals for revision of the Official Plan and to bring forward constructive suggestions for improvement.

There are good ideas in the package of revisions but there are also issues which we believe require critical examination. Some ideas could be strengthened; others should be abandoned.

Expansion of the urban boundary is questionable...

It is proposed that some 850 hectares of land be added to the urban policy area as defined in the Official Plan. We have difficulty with this proposal and would invite Council to reconsider this from two points of view.

First, the population projection for 2031 in the proposed revision is lower than the projected population for 2021 in the current Official Plan (1,136,000 versus 1,192,000)¹. Moreover the projected number of households is also lower. Why should we now anticipate that a smaller population in 2031 will require more land than we expected six years ago that a larger population would require in 2021?

In puzzling over this question it is worth noting that the urban area was expanded by 470 hectares subsequent to the adoption of the Plan of 2003². The proposal, if adopted, would add another 850 hectares beyond that amount.

¹ Document 1- *Official Plan Amendment X*, figure 2.2, page 2-3

² Document 3- *Review of Candidate Areas for Addition to the Urban Area*, page 26

Second, we would urge Council to consider the process by which the figure of 850 hectares for expansion was determined. A careful reading of the *Residential Land Strategy* is needed to understand this.

The crucial report *Growth Projections for Ottawa* produced a scenario showing the anticipated requirement for various types of housing. In the subsequent document *Residential Land Survey* that analysis was swept aside and, “after consultations” of a nature not specified³, other scenarios were concocted which called for a more significant demand for single detached houses – the type of housing which generates the greatest demand for land.

There is no convincing argumentation presented for rejection of the original expectation of dwelling type propensities, but having adopted a scenario weighted toward detached houses, the anticipated demand for land is calculated.⁴ It is assumed that the detached houses will only achieve the minimum density posited in the revision of the Official Plan (26 dwellings per net hectare – higher densities can be found throughout Ottawa⁵). Then the report notes that there is already a surplus of land available for townhouses and apartments. Nevertheless an allowance for these two types of dwellings is added to the calculation, boosting the total land required by almost 40%. Finally, the net requirement for land is doubled to come up with a gross requirement (adding the land needed for streets, for example).

In short, the calculations leading to the recommendation for the addition of 850 hectares of land to the urban policy area of the city should be justified more completely before being presented to full Council.

One final observation is that the proposed expansion of the urban boundary seems to deal exclusively with land for residential development. However it is commonly believed that one way to build a more sustainable city is to provide for people to live and work in proximity, reducing the need for travel. If there is to be an expansion of the urban area, there should be provision for jobs, not just homes.

...but good ideas abound

But this critical analysis should not be applied to the entire content of the document *Residential Land Survey*. There is much of value in the document and it seems to be the source of praiseworthy concepts proposed for inclusion in the revised Official Plan and in other city initiatives.

³ Document 8- *Residential Land Strategy for Ottawa*, page 12

⁴ Document 8- *Residential Land Strategy for Ottawa*, page 66

⁵ Publication 12-59- *Understanding Residential Density 2005*, pages 19-30

For example, the report proposes that the city establish an Intensification Implementation Group to address technical and like issues relevant to intensification. Moreover, in discussing the establishment of this group (a development which would be separate from but parallel to the adoption of the revised Official Plan), measures are proposed which could allow more efficient development, permitting a higher net-to-gross ratio in land use⁶. (As an illustration, narrower street allowances and constraint on easements could allow more usable land in a given area.) We believe that community groups and the development industry would have an interest in participating in or providing comment to the Intensification Implementation Group.

Intensification is given clarity...

The inclusion in the Official Plan of a definition of intensification is a positive development worthy of support.⁷ There have been many declarations of support for the principle of intensification but there has been little agreement on what the term means.

In public discussion about development issues it has often appeared as though invocation of the word “intensification” triggers an unfettered right to ignore existing policies and by-laws. In opposition to this view, community groups have tended to argue that current policies and zoning provisions provide ample room for “intensification”.

The proposed definition comes directly from the Provincial Policy Statement⁸ and should thus withstand challenge. Acceptance of a common definition will contribute to public discussion about growth management issues.

...but density measurement is a new field of uncertainty

As required by provincial policy, targets are proposed – a city-wide target for intensification and targets for density in specified areas⁹. The establishment of targets is welcome; it offers the possibility of assessing our success or failure in achieving our civic objectives.

Once we have targets, we need to be sure that we have a clear understanding of how measurement will be carried out. Because the measurement procedures do not appear in the Official Plan text, it remains to be seen how those procedures will be determined.

⁶ Document 8- *Residential Land Strategy for Ottawa*, pages 67-68

⁷ Document 1- *Official Plan Amendment X*, Section 2.2.2 policy 1, page 2-11

⁸ *Provincial Policy Statement 2005*, Section 6.0, page 32

⁹ *Provincial Policy Statement 2005*, Section 1.1.3.5, page 5

It is proposed that further expansion of the urban boundary will be linked to achievement of the city's target for intensification¹⁰. This will create a significant incentive for some property owners to assert that the target has been achieved. Perhaps the measurement procedure should be reflected in the Official Plan so that the methodology cannot be challenged in five years when the Plan is up for revision again.

It is worth noting that many of the density targets are expressed in terms of dwellings plus jobs, whereas the overall intensification target for the city is expressed in terms of dwellings only.¹¹ It is not clear whether this is a deliberate decision or an oversight.

Additional issues of measurement are particularly of concern in the case of the targets proposed for mainstreets, town centres and other areas seen as the focus of intensification. Specific numbers are to appear in the Official Plan but the means of calculation is not set forth in the Plan text.

In addition to monitoring progress, the application of density targets to specific sites is an issue of some concern. For the areas in which density targets are established, it is proposed that "all new development within the boundary of the designation, other than those of a minor nature, will be required to meet these density targets."¹² That phrase could be misinterpreted as indicating that a single project (not judged of minor nature) is not only expected to reach on its site the target but is expected to bring the entire area up to the density target. Such misinterpretation would encourage over-development on one site to achieve a density calculation for a whole designated area.

There is treatment of the calculation procedure in the documentation circulated for the Official Plan update. In the document *Residential Land Strategy*, a calculation procedure is outlined in the obscurely entitled Appendix "Conversion of density benchmarks for transit"¹³. Because that document has not been explicitly approved by Council and would not be submitted for approval by the Minister of Municipal Affairs and Housing, it is unclear that it would be given any weight in a hearing by the Ontario Municipal Board.

Worthwhile revisions for infrastructure, employment and design...

There are several features of the Official Plan revision which we would describe as positive steps. The plan to engage in an examination of infrastructure capacity in support of

¹⁰ Document 1- *Official Plan Amendment X*, Section 2.2.1, policy 3e, age 2-6

¹¹ Document 1- *Official Plan Amendment X*, Section 2.2.2 policies 5 & 6, page 2-12

¹² Document 1- *Official Plan Amendment X*, Section 2.2.2, policy 7, page 2-13

¹³ Document 8- *Residential Land Strategy*, page A5-3

intensification should receive support as a policy and it should be adequately funded in city budgets.¹⁴ Employment lands need to be preserved and the policy discouraging the change of such lands to other uses should be adopted.¹⁵ Appropriate procedures to permit the city to exercise its newly acquired powers over design should be put in place.¹⁶

...and ongoing concerns regarding tall buildings and country lot estates

The proposed revision of the Official Plan incorporates language which is intended to clarify the circumstances in which tall buildings may be permitted.¹⁷ The concepts which are presented in the proposed text are useful but the effect of including such language in the Official Plan needs to be considered carefully. There is a danger that an applicant may assert that satisfaction of any one factor listed grants permission as of right to erect a tall building. Such buildings are not necessarily undesirable but the context in which they are built is very important. The wording of the Official Plan must enable the City to respond appropriately (in many cases negatively) to pleas from property owners for permission to build tall buildings.

The proposed revisions of the Official Plan which deal with the question of country lot estate development reinforce Ottawa's role as a renegade among Ontario municipalities. Many other jurisdictions do not allow such development at all.¹⁸ It would be excessive to say that permitting such developments is in direct contravention of the Provincial Policy Statement, but it certainly can be argued that country lot estates go against the general purport of that document. Development outside settlement areas is expected to be limited¹⁹ but the revision of the Plan no longer directs development to villages (i.e. to settlement areas)²⁰. The proposed Official Plan

¹⁴ Document 2- *Infrastructure Master Plan*, Section 6.0, page 66

¹⁵ Document 1- *Official Plan Amendment X*, Section 2.2.2 policy 25, page 2-16

¹⁶ Document 1- *Official Plan Amendment X*, Section 2.5.1 policies 1-3, page 2-49; also Section 4.11, page 4-48 and Section 5.2 policies 8 & 9, page 5-4

¹⁷ Document 1- *Official Plan Amendment X*, Section 4.11, policies 9-15, page 4-51

¹⁸ As examples see Official Plans for Middlesex County and Oxford County at http://www.middlesexcounty.ca/EconomicDevelopment/Planning_Docs/Complete%20OP%20for%20Web.pdf or <http://www.county.oxford.on.ca/site/789/default.aspx>

¹⁹ *Provincial Policy Statement 2005*, Section 1.1.4.1a, page 6

²⁰ Document 1- *Official Plan Amendment X*, section 2.1, page 2-4

grants free range for the establishment of country lot estates throughout the General Rural Area and in Rural Natural Features.²¹

The nature of country lot estates presents servicing issues for the City. The inhabitants of such estates are neither engaged directly in primary production (agriculture and resource extraction) nor are they principally engaged in serving those industries (the traditional role of villages). In the main, country lot estates are occupied by participants in the urban economy.²² They are isolated from their rural neighbours. The minimum distance separation policy keeps them away from farmers²³ and city policy demands a one kilometre buffer between a village and a country lot estate²⁴. Quite understandably, residents of country lot estates come to demand urban services which they expect from the city. This is exactly the situation anticipated in the Provincial Policy Statement which enjoins municipalities to “avoid the need for the unjustified and/or uneconomical expansion of this infrastructure” in rural areas²⁵. Other municipalities have determined that they cannot afford this type of development; Ottawa should consider whether it has greater resources and can support country lot estates.

Summary

As explained above, the FCA recommends:

- that the expansion of the urban boundary not occur or that it be significantly scaled back,
- that non-residential needs (particularly land for employment) be considered in any discussion of enlarging the urban area;
- that measurement of intensification and of density be clear and be given legal status;
- that conditions under which tall buildings are permitted be clarified; and
- that provisions allowing additional country lot estates in rural Ottawa be reconsidered.

²¹ Document 1- *Official Plan Amendment X*, section 3.7.2, page 3-38

²² Document 9- *Rural Settlement Strategy*, page 4

²³ Document 1- *Official Plan Amendment X*, section 3.7.2, policy 9c i, page 3-40

²⁴ Document 1- *Official Plan Amendment X*, section 3.7.2, policy 14, page 3-41

²⁵ *Provincial Policy Statement 2005*, Section 1.1.4.1 b, page 6