

Site Alteration By-Law – what’s in it for you?

In 2014, Mayor Jim Watson promised the Greenspace Alliance to bring forward a site alteration by-law. He further promised to lobby Provincial government for stronger penalties against landowners who act illegally. <http://greenspace-alliance.ca/index.php/media-release-jim-watson-commits-to-bringing-in-a-site-alteration-by-law/>

With this by-law Greenspace Alliance hopes to stop the massacre of trees in the City and introduce more protection for wetlands. The City’s objective is to save agricultural land.

The Carleton Landowners Association (CLA) was asked to participate in the review of the proposed site alteration by-law being considered by the City. The draft is located here <http://ottawa.ca/en/city-hall/public-engagement/law/site-alteration-law-development>

The CLA does not agree that this by-law will save trees, protect wetlands, or save agricultural land. We have several concerns about the by-law and do not believe it should be implemented in its present form. Our concerns include:

1. The by-law is ambiguous, convoluted, and open to broad interpretation leaving property owners exposed to unwarranted fines.
2. Normal Farm Practices are exempt from the by-law but normal farm practices are open to interpretation and farming operations could be held up while it is determined whether the practice is normal.
3. The by-law is complaint-driven. “If the City receives a complaint under the new by-law, staff with expertise in the issues related to the complaint will investigate it to determine if any rules were not followed. If staff determine that a contravention has occurred, the City can require work to be done to correct the problem.” You are guilty until proven innocent.
4. The powers of entry for inspection are also of great concern to us. They appear to give the General Manager the authority to enter onto private property to carry out an inspection to ascertain if the property owner is in compliance with the by-law *whether they fall under the by-law or not*.
5. Parts of this by-law are already covered by Provincial Legislation (Drainage Act, Environmental Protection Act) and under common law and we wonder if indeed we need additional legislation at the municipal level.

The CLA enthusiastically supports the idea of protecting our agricultural resources. Urban sprawl continues to be a problem despite urban boundaries, greenbelts, and restrictions on development. We would rather see the City engage in education first rather than regulation, reasonable regulation if it is truly needed, programs to encourage farmers to stay on the land.

If you believe as we do, that this by-law should be stopped or at least sent back to the drawing board, there are several ways that you can register your concerns.

1. Spread the word – the more people that know about this by-law, the better.
2. Submit your comments by **Monday, September 25, 2017** by email or by mail to:

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Planning, Infrastructure and Economic Development
110 Laurier Avenue West
Ottawa, ON K1P 1J1

Email: planning@ottawa.ca

Tel: 613-580-2424, ext. 14873 Fax: 613-580-2459

3. The by-law will be tabled for approval at Planning Committee and at the Agricultural and Rural Affairs Committee. Plan to attend both – numbers matter! If you are comfortable making a presentation to voice your concerns, go for it! You can also submit written comments to the committee. We expect these meetings will take place in October and November. The CLA will email members about the date and times of the meetings and will have them posted on our website.
4. Monitor the City of Ottawa public consultation page <http://ottawa.ca/en/news/give-feedback-and-get-informed-about-city-projects#>
5. Join the conversation on wetlands at www.stittsvillecentral.ca.