

Subject: Zoning By-law Amendment – 201 and 221 Hughson Place

File Number: ACS2022-PIE-PS-0061

Report to Agriculture and Rural Affairs Committee on 2 June 2022

and Council 8 June 2022

**Submitted on May 12, 2022 by Lily Xu, Acting Director, Planning, Real Estate and
Economic Development**

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Ward: Cumberland (19)

Objet : Modification du Règlement de zonage – 201 et 221, place Hughson

Dossier : ACS2022-PIE-PS-0061

Rapport au Comité de l'agriculture et des affaires rurales

le 2 juin 2022

et au Conseil le 8 juin 2022

**Soumis le 12 mai 2022 par Lily Xu, Directrice par intérim, Direction générale de la
planification, des biens immobiliers et du développement économique**

**Personne ressource : Stephan Kukkonen, Urbaniste I, Examen des demandes
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Quartier : Cumberland (19)

REPORT RECOMMENDATIONS

- 1. That Agriculture and Rural Affairs Committee recommend Council approve an amendment to Zoning By-law 2008-250 for 201 Hughson Place and 221 Hughson Place to prohibit residential development on the retained agricultural lands and to create exceptions zones recognizing the reduced lot widths for each parcel.**

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 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 June 8, 2022 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 du Règlement de zonage 2008-250 pour les propriétés situées au 201, place Hughson, et au 221, place Hughson, en vue d’interdire l’aménagement d’une habitation sur les terres agricoles conservées et de créer des zones avec exceptions permettant des largeurs de lot réduites pour chacune des parcelles :
2. Que le Comité de l’agriculture et des affaires rurales donne son approbation afin 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 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 de la *Loi sur l’aménagement du territoire*, à la réunion du Conseil municipal prévue le 8 juin 2022 », sous réserve des observations reçues entre le moment de la publication du présent rapport et la date à laquelle le Conseil rendra sa décision.

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

The retained agricultural lands are addressed as 221 Hughson Place and the surplus farmhouse lot is addressed as 201 Hughson Place.

Owner

Jeffrey Hamilton

Applicant

Dwight Johnson

Description of site and surroundings

The subject property is located on the eastern side of Hughson Place, south of the Hughson Place and Frank Kenny Road intersection. The subject lands are currently developed with a single-detached dwelling. The property is approximately 22.5 hectares with approximately 73 metres of frontage along Hughson Place.

The retained lands (221 Hughson Place) that are to be rezoned have a frontage of approximately 58 metres and a lot area of approximately 21.6 hectares. These lands are currently zoned Agricultural Zone, Subzone 3 (AG3) and are vacant.

The severed lands (201 Hughson Place) that are to be rezoned have a frontage of approximately 14.61 metres and a lot area 0.93 hectares. This site is also currently zoned Agricultural Zone, Subzone 3 (AG3) and is developed with a single-detached dwelling.

The surrounding parcels are of similar agricultural uses.

Summary of requested Zoning By-law amendment proposal

The application has been submitted in order to fulfill a condition of severance approval imposed by the Committee of Adjustment with respect to D08-01-21/B-00385. The intent of rezoning the retained lands is to prohibit residential uses on the retained lands and permit a reduced lot width of 58.44 metres. The intent of rezoning the severed lands is to permit a reduced lot width of 14.61 metres.

Brief history of proposal

Committee of Adjustment Panel 3 heard consent for severance application D08-01-21/B-00385 on December 8, 2021. The application sought to sever an existing residential dwelling as a surplus dwelling lot due to farm consolidation. Staff did not express any concerns with the application, and the Committee granted approval with conditions.

The current application has been submitted to fulfill a condition, imposed by the Committee on application D08-01-21/B-00385.

DISCUSSION

Public consultation

Notification and public consultation were undertaken in accordance with the Public Notification and Public Consultation Policy approved by City Council for Zoning By-law amendments. No concerns were identified.

Official Plan designation(s)

In this current period, between Council approval of the New OP and the Minister's approval of the New OP, staff are to apply whichever provision, as between the Current and New OP, is more restrictive. Policies in both plans are similar.

Existing Official Plan

The property is designated as Agricultural Resource Area as per Schedule A of the existing Official Plan. The Agricultural Resource Area designation protects prime agricultural areas from loss of lands to other uses. Severances are permitted for a surplus dwelling due to farm consolidation under Section 3.7.3.9. Section 3.7.3.10.b requires the vacant agricultural parcel be rezoned to prohibit any future residential use, and (10c) stipulates that the size of the severed lot be a size that minimizes the loss of agricultural lands. This Zoning By-law amendment application satisfies the requirements of the Official Plan [Section 3.7.3.10.b] as conditioned by the Committee of Adjustment.

New Official Plan

The property is designated Agricultural Resource Area as per Schedule B9. The Agricultural Resource Area designation protects prime agricultural areas identified through lands with Land Evaluation and Area Review (LEAR) for long terms agricultural production. Protection of lands identified through LEAR is accomplished through limiting development that would compromise productivity of agricultural operations.

Section 9.1.3 of the new Official Plan "protect farmland from uses that would impede productive farming operations" prohibits lot creation unless the lot contains a habitable dwelling made surplus through farm consolidation. In such cases, as a condition of severance, the agricultural parcel is required to be zoned to prohibit residential uses. Surplus farm dwelling severances must fulfill other criteria which are assessed at the point of severance application.

Planning rationale

This Zoning By-law amendment will affect approximately 22 hectares of agricultural land, as shown in Document 1. This change is to rezone the retained parcel identified as Area A in Document 1, from Agricultural Zone, Subzone 3 (AG3) to Agricultural Zone, Subzone 6, Exception XXXr (AG6[XXXr]), fulfilling a condition relating to the approval of surplus farm dwelling severance application granted by the Committee of Adjustment on December 8, 2021. The proposed rezoning will permit a reduced lot width of 58.44 metres and is consistent with both the existing Official Plan and the new Official Plan. No new development is proposed.

Additionally, the severed lands identified as Area B in Document 1, are to be rezoned from Agricultural Zone, Subzone 3 (AG3) to Agricultural Zone, Subzone 3, Exception XXYr (AG3[XXYr]) to permit a reduced lot width of 14.61 metres. The proposed rezoning is consistent with the existing Official Plan and the new Official Plan policies.

Provincial Policy Statement

Staff have reviewed this proposal and have determined that it is consistent with the 2020 Provincial Policy Statement.

RURAL IMPLICATIONS

This Zoning By-law amendment will restrict new residential development and prevent the loss of agricultural land to other competing uses. This application protects the agricultural system and the rural landscape by supporting the continued productive use of agricultural lands as well as reflect the reduced lot widths resulting from the consent application.

COMMENTS BY THE WARD COUNCILLOR

Councillor Kitts is aware of the proposal.

ADVISORY COMMITTEE(S) COMMENTS

There are no advisory committees associated with this application.

LEGAL IMPLICATIONS

There are no legal implications associated with implementing the recommendations contained within this report.

RISK MANAGEMENT IMPLICATIONS

There are no risk management implications relating to this application.

ASSET MANAGEMENT IMPLICATIONS

There are no asset management implications relating to this application.

FINANCIAL IMPLICATIONS

There are no direct financial implications.

ACCESSIBILITY IMPACTS

There are no accessibility impacts associated with this application.

ENVIRONMENTAL IMPLICATIONS

Official Plan policies regarding the environment were reviewed through the consent to sever process. No impacts were identified.

TERM OF COUNCIL PRIORITIES

The application supports the following Term of Council Priorities:

- Economic Growth and Diversification and Thriving Communities

APPLICATION PROCESS TIMELINE STATUS

This application (Development Application Number: D02-02-22-0007) was not processed by the "On Time Decision Date" established for the processing of Zoning By-law amendment applications due to workload volumes, staffing and timelines associated with this type of zoning amendment.

SUPPORTING DOCUMENTATION

Document 1 Location Map

Document 2 Details of Recommended Rezoning

CONCLUSION

The Planning, Real Estate, and Economic Development department supports this Zoning By-law amendment as it is consistent with the Provincial Policy Statement, the City's old Official Plan, the City's new Official Plan and the Zoning By-law.

DISPOSITION

Office of the City Clerk, Council and Committee Services to notify the owner; applicant; Ottawa Scene Canada Signs, 13-1920 Merivale Road, Ottawa, ON K2G 1E8; Krista O'Brien, Program Manager, Tax Billing & Control, Finance Services Department (Mail Code: 26-76) of City Council's decision.

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

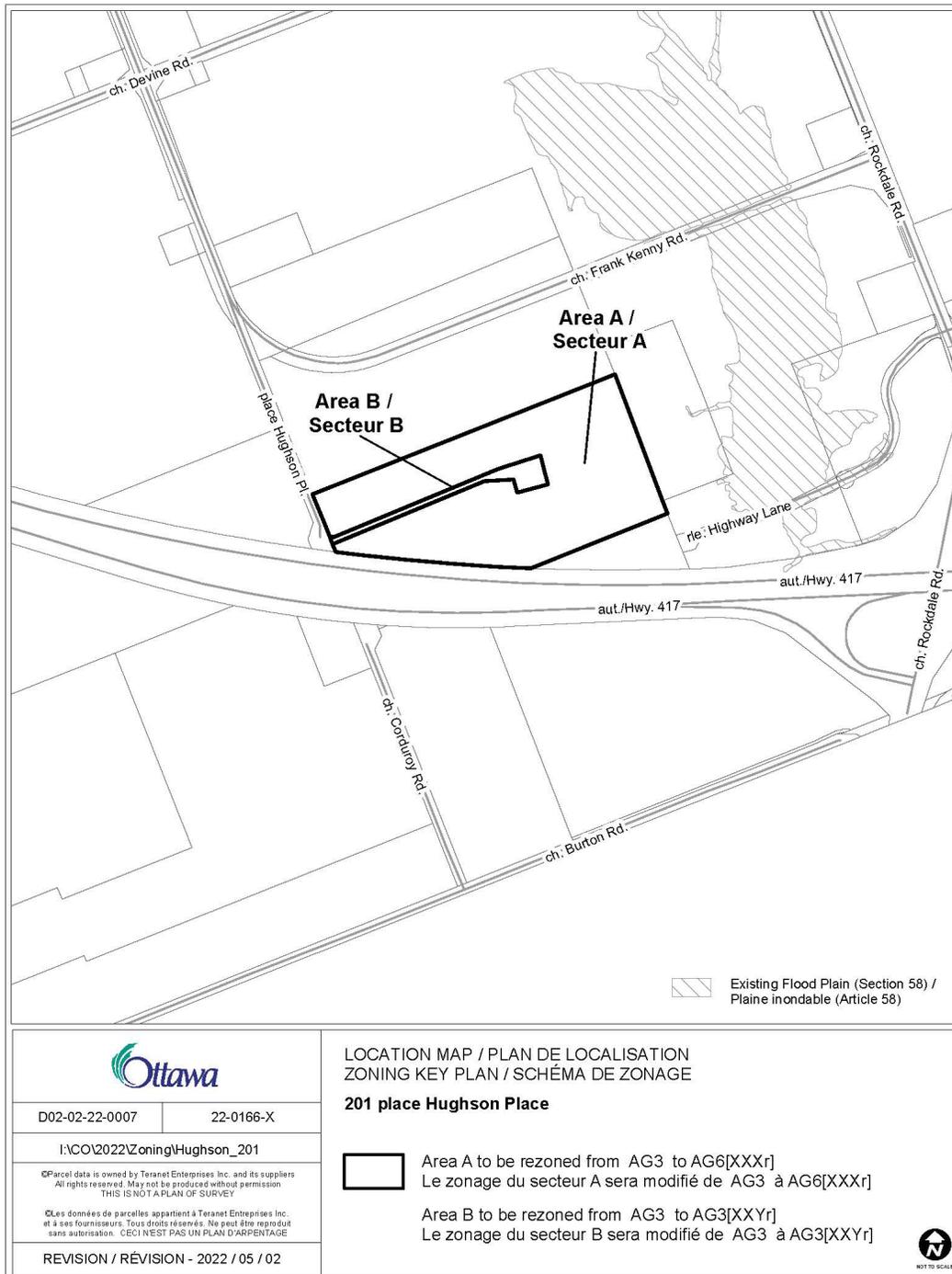
Legal Services, Innovative Client Services Department to forward the implementing by-law to City Council.

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

Document 1 – Location Map

For an interactive Zoning map of Ottawa visit [geoOttawa](https://geoottawa.com)

Document 1 is a location map that shows the portions of 201 Hughson Place that are subject to rezoning application D02-02-22-0007. Area A shows the retained lands. Area B shows the severed lands.



Document 2 – Details of Recommended Zoning

The proposed change to the City of Ottawa Zoning By-law No. 2008-250 for 221 Hughson Place and 201 Hughson Place:

1. Rezone the lands shown as Area A in Document 1 from AG3 to AG6 [XXXr].
2. Rezone the lands shown as Area B in Document 1 from AG3 to AG3 [XXYr].
3. To create new exception zones as follows:
 - Exception Number – XXXr
Applicable Zone - AG6[XXXr]
Provision – minimum lot width 58.44 metres
 - Exception Number – XXYr
Applicable Zone – AG3[XXYr]
Provision – minimum lot width 14.61 metres