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October 15, 2021
Revised January 3, 2023

Committee of Adjustment
City of Ottawa
101 Centrepointe Drive
Ottawa, ON
K2G 5K7

Attention: Michel Bellemare, Secretary Treasurer

Dear Mr. Bellemare:

**Reference: 3 Rock Forest Road
Consent Applications for Severances
Our File No 121235.**

Committee of Adjustment
Received | Reçu le

Revised | Modifié le : 2023-01-05

City of Ottawa | Ville d'Ottawa
Comité de dérogation

Consent applications were filed in October 2021 to sever two new parcels from the property at 3 Rock Forest Road. These applications were adjourned Sine die in December 2021. The consent applications have been activated for recirculation. No changes have been made to the proposed severances. The supporting documents as filed in October 2021 continue to support the proposed severances for recirculation.

Novatech has been retained by the owner of the property municipally known as 3 Rock Forest Road (the "Subject Property") to prepare and file two severance applications. The severance applications result in the creation of three lots. The severed and retained lots fully conform to the requirements of the Zoning By-law.

The following letter describes the existing conditions of the site, the proposed severances and the rationale in support of the applications.

Existing Conditions

The Subject Property is located within the West Carleton - March Ward of the City of Ottawa at the corner of Rock Forest Road and Greenland Road. The Subject Property has approximately 777 metres of frontage along Rock Forest Road, and approximately 308 metres of frontage along Greenland Road. The Subject Property has an area of approximately 27 hectares.

The legal description of the property is:

Part Lot 10, Concession 6 in the Former Municipality of Torbolton as in TO9525 Except Parts 1-2, 5R11492; in the Former Municipality of West Carleton

The Subject Property is shown on Figure 1. The Subject Site is vacant.



Figure 1: The Subject Property

Severance Applications

The severance applications will create Parts 1 and 2 on the Severance Sketches (Figure 2 and 3).

Part 1 will have a total area of approximately 1.4 hectares, a depth of 112 metres, and a frontage of 129 metres on Greenland Road, and 112 metres on Rock Forest Road. This lot fully complies to the Zoning requirements of the Rural Countryside Zone. Part 1 is shown on Figure 2.

Part 2 will have a total area of approximately 1.4 hectares, a depth of 112 metres, and a frontage of 129 metres on Greenland Road. This lot fully complies to the Zoning requirements of the Rural Countryside Zone. Part 2 is shown on Figure 3.

The retained land will have a total area of approximately 24 hectares, a depth of 923 metres, and a frontage of 665 metres on Rock Forest Road and 50 metres on Greenland Road. A 50 metre strip is proposed to the south of Part 2 to provide the retained parcel access to Greenland Road. This lot fully complies to the Zoning requirements of the Rural Countryside Zone.

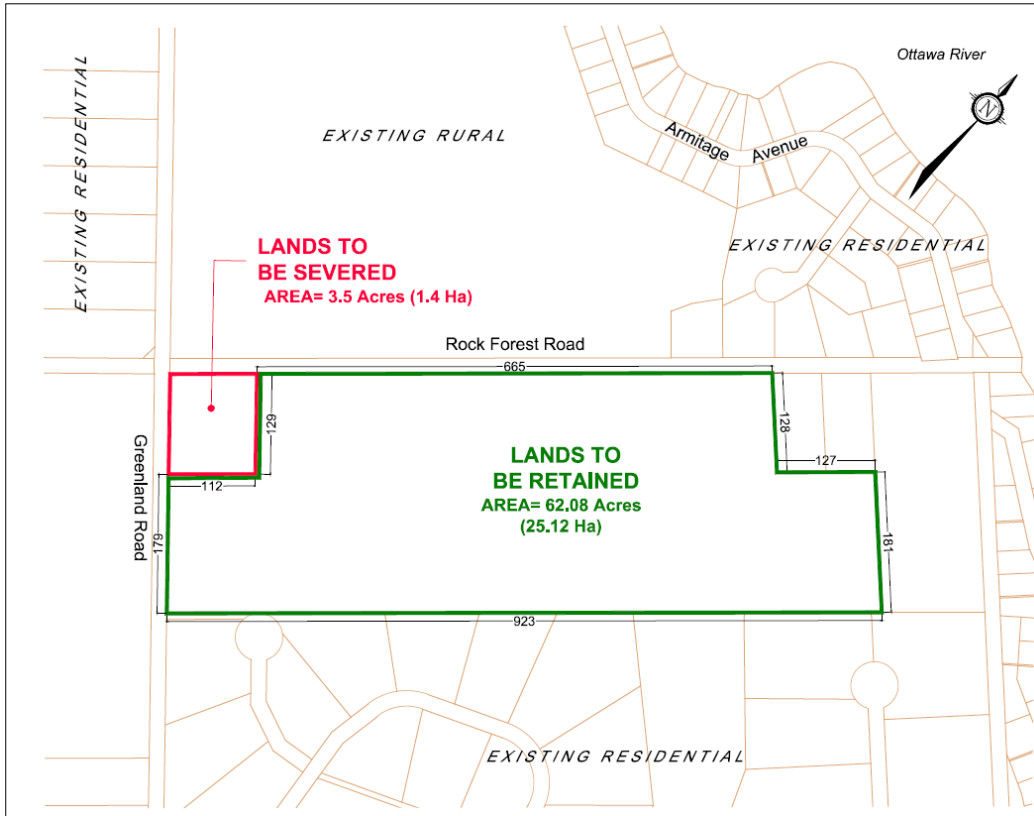


Figure 2: Part 1 Severance Sketch



Figure 3: Part 2 Severance Sketch

Rationale

The Provincial Policy Statement 2020 came into effect May 1st, 2020. The Provincial Policy Statement provides policy direction on matters of provincial interest related to land use planning and development in the Province of Ontario. The Provincial Policy Statement describes Rural Areas in Municipalities as:

Rural areas are a system of lands that may include rural settlement areas, rural lands, prime agricultural areas, natural heritage features and areas, and other resource areas.

The Provincial Policy Statement permits residential development, including lot creation, that is locally appropriate. This letter will address the policies in the City of Ottawa Official plan to determine if the proposed severance is locally appropriate.

The Provincial Policy Statement states natural features should be protected. An Environmental Impact Statement has been submitted with this application that concludes the proposed severances do not result in any negative impacts on existing natural features.

The proposed severance is consistent with the Provincial Policy Statement.

The evaluation of severances in Ontario is regulated by the Planning Act. Subsection 53(1) of the Planning Act states:

53. (1) An owner of land or the owner's agent duly authorized in writing may apply for a consent as defined in subsection 50 (1) and the council or the Minister, as the case may be, may, subject to this section, give a consent if satisfied that a plan of subdivision of the land is not necessary for the proper and orderly development of the municipality. 1994, c. 23, s. 32.

The proposal does not necessitate the construction of new public infrastructure, including roads and services. As such, a plan of subdivision is not required for the proper and orderly development of the municipality.

Subsection 53(12) of the Planning Act states:

53. (12) A council or the Minister in determining whether a provisional consent is to be given shall have regard to the matters under subsection 51 (24) and has the same powers as the approval authority has under subsection 51 (25) with respect to the approval of a plan of subdivision and subsections 51 (26) and (27) and section 51.1 apply with necessary modifications to the granting of a provisional consent. 1994, c. 23, s. 32.

This rationale addresses the following criteria outlined in subsection 51(24) of the Planning Act.

51(24) In considering a draft plan of subdivision, regard shall be had, among other matters, to the health, safety, convenience, accessibility for persons with disabilities and welfare of the present and future inhabitants of the municipality and to,

(a) the effect of development of the proposed subdivision on matters of provincial interest as referred to in section 2;

The proposed severance is within the rural area of the City of Ottawa. The proposed development has regard for the following matters of provincial interest:

- the protection of ecological systems, including natural areas, features and functions;
- the conservation and management of natural resources and the mineral resource base;

(b) whether the proposed subdivision is premature or in the public interest;

The proposed lots will be serviced with private well and septic systems. There is an adequate supply of land on the severed and retained lots to ensure spacing requirements for the provision of private services. The proposed lots have frontage on existing roads.

(c) whether the plan conforms to the official plan and adjacent plans of subdivision, if any;

The Subject Property is designated General Rural Area on Schedule A of the City of Ottawa Official Plan (OP).

Section 3.7.2 of the Official Plan sets out policies for lands designated General Rural Area. Section 3.7.2 of the Official Plan states:

The General Rural Area contains a variety of land uses, such as farms, rural housing, wood lots and forests, small industries, golf courses, and in many places, existing clusters of residential subdivisions and severances and commercial development. The intent of this designation is to accommodate a variety of land uses that are appropriate for a rural location and to limit the amount of residential development such that development will not preclude or resist continued agricultural and or other non-residential uses.

The proposed severances will create two new lots for residential use. The severance applications accommodate a land use that is appropriate for a rural location. The severance applications conform with the intent of the General Rural Area designation.

Policy 4.b) of section 3.7.2 states:

- 4. The following uses will be permitted within the General Rural Area without requiring a zoning by-law amendment:
 - b. Residential uses on existing lots of record and on new lots created by severance as provided for by this Plan;**

The proposed severances will permit a residential use on the two new lots to be created by severance. A residential use will also be permitted on the retained lot. The severance applications conform to Policy 4. b) of Section 3.7.2.

Policy 10 of section 3.7.2 states:

- 10. The severance of up to two lots for residential purposes will be permitted, subject to the following criteria:*

- a. *A maximum of two lots will be created from any lot in existence May 14th, 2003. No further severance will be permitted from a severed lot;*

The Subject Property has existed in its current form since 1968. The Subject Property can support two severances.

- b. *The retained land will have a minimum area of 10 hectares;*
- c. *The severed lot will not be less than 0.8 hectares in area; however, a larger minimum lot size may be required in some areas to ensure no adverse effects on the quality or quantity of ground water and the safe operation of wastewater disposal systems;*

The severed and retained lots meet the area requirements set out in policy 10 b) and 10 c).

- d. *The proposed lot does not have access to Provincial highways;*

The proposed lots do not have access to a Provincial highway.

- e. *Where the lot has frontage on both an arterial road and a collector or local road, the proposed lot should not front on the arterial road;*

Part 1 will have frontage on Greenland Road and Rock Forest Road. Part 2 will have frontage on Greenland Road. The retained lot will have frontage on Greenland Road and Rock Forest Road. Greenland Road is a collector road, and Rock Forest Road is a local road. The proposed severances meet the frontage requirements set out in policy 10 e).

- f. *The creation of any new lot must also conform to the Minimum Distance Separation as amended from time to time. In this instance, the separation distance is intended to reduce the likelihood of adverse impacts from new residential development on the operation of existing adjacent farm operations in either the General Rural or Agricultural Resource designations;*

The surrounding area is predominantly rural residential. A review of aerial mapping in proximity to the Subject Property did not identify the need for a Minimum Distance Separation Analysis.

- g. *The lot will not impact on land designated Bedrock Resource Area, and will respect the separation distances from land designated Sand and Gravel Resource Area as required by Section 3.7.4, policies 9 and 10 except as provided for in Section 3.7.4 policy 13.*

There are no designed Bedrock Resource or Sand and Gravel Resource Areas in proximity to the Subject Property.

- h. *The house and private services are located in an area that will minimize the removal of mature vegetation.*

An Environmental Impact Study has been submitted with this application. The Environmental Impact Study, prepared by Muncaster Environmental Planning, dated September 28th, 2021, concludes that the proposed severances do not result in any negative impacts to existing natural features.

The proposed severances conform to the City of Ottawa Official Plan.

(d) *the suitability of the land for the purposes for which it is to be subdivided;*

The Subject Property is zoned Rural Countryside (RU) in the City of Ottawa Zoning By-law 2008-250. The Rural Countryside zone requires a minimum lot area of 0.8 hectares, and a minimum lot width of 50m. The severed and retained lots conform to the lot area and lot width requirements of the Rural Countryside Zone. The land is suitable for the purpose for which it is to be subdivided.

(d.1) *if any affordable housing units are being proposed, the suitability of the proposed units for affordable housing;*

Not applicable.

(e) *the number, width, location and proposed grades and elevations of highways, and the adequacy of them, and the highways linking the highways in the proposed subdivision with the established highway system in the vicinity and the adequacy of them;*

Not applicable.

(f) *the dimensions and shapes of the proposed lots;*

The proposed severances will result in lots that fully comply with Rural Countryside Zone lot width and lot area requirements for detached dwellings. The dimensions and shapes of the proposed lots are suitable.

(g) *the restrictions or proposed restrictions, if any, on the land proposed to be subdivided or the buildings and structures proposed to be erected on it and the restrictions, if any, on adjoining land;*

Not applicable.

(h) *conservation of natural resources and flood control;*

An Environmental Impact Study has been submitted with this application. The Environmental Impact Study, prepared by Muncaster Environmental Planning, dated September 28th, 2021, concludes that the proposed severances do not result in any negative impacts to any existing natural features.

(i) *the adequacy of utilities and municipal services;*

No new demand for utilities or public services result from approval of the severance applications.

(j) *the adequacy of school sites;*

The Subject Property will have access to schools in Dunrobin.

(k) *the area of land, if any, within the proposed subdivision that, exclusive of highways, is to be conveyed or dedicated for public purposes;*

Not applicable.

(l) the extent to which the plan's design optimizes the available supply, means of supplying, efficient use and conservation of energy; and

Not applicable.

(m) the interrelationship between the design of the proposed plan of subdivision and site plan control matters relating to any development on the land, if the land is also located within a site plan control area designated under subsection 41 (2) of this Act or subsection 114 (2) of the City of Toronto Act, 2006. 1994, c. 23, s. 30; 2001, c. 32, s. 31 (2); 2006, c. 23, s. 22 (3, 4); 2016, c. 25, Sched. 4, s. 8 (2).

Not applicable.

Conclusion:

These severance applications are consistent with the Provincial Policy Statement 2020 with respect to development in rural areas. The severance applications do not necessitate the construction of new public infrastructure, including roads and services. A plan of subdivision is not required per Subsection 53(12) of the Planning Act. The applications for severance are consistent with the policy requirements of Section 51(24) of the Planning Act. The severance applications represent good land use planning.

In support of the application for severance, please find enclosed the following documents.

- Four (4) copies of this Cover Letter;
- Consent Sketches (four copies of 11 x 17 and one 8 ½ x 11 copy);
- Parcel Abstract (one copy);
- Cheque for \$4,960 made payable to the City of Ottawa (one copy)
- Four (4) copies of the Environmental Impact Study;

Should you have any questions regarding these applications, please do not hesitate to contact me.

Yours truly,

NOVATECH



Ryan Poulton, M.PL.
Project Planner