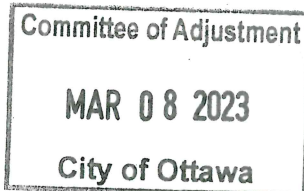


March 06, 2023
Committee of Adjustment
101 CentrepoinTE Drive
Ottawa, ON
K2G 5K7

Project Number: 2405-22

Attention: Secretary-Treasurer
Subject: Application for Consent to Sever
Location: 1391 Huntmar Drive



On behalf of Brian, Cathy, Andrea, & Kaela Cadieux, we are submitting the accompanying application and supporting documents to the Committee of Adjustment under Section 53 of the Planning Act to establish a:

- Consent for Severance

Location of Project

This part of Huntmar Drive runs on a north-south axis between Old Carp Road and March Road. 1391 Huntmar Drive is an irregular shaped lot north of the intersection of Huntmar Drive and Old Carp Road.

Figure 1: Location of 1391 Huntmar Drive



Project Description

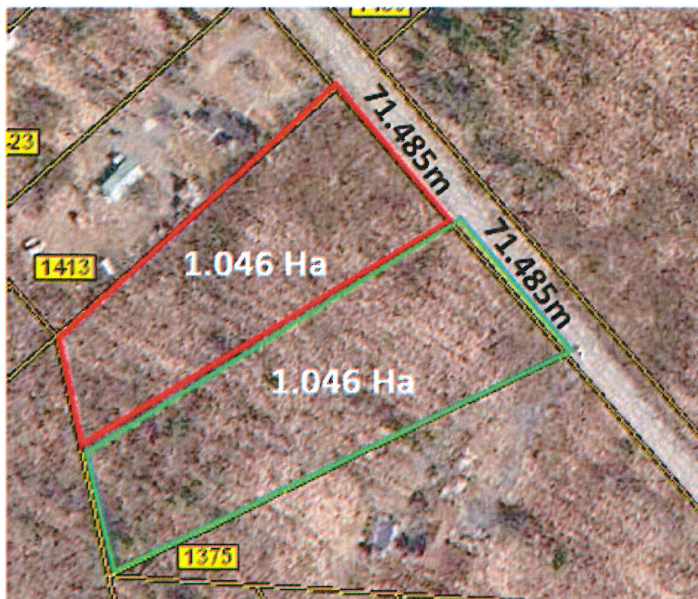
The purpose of this application is to obtain consent to sever a property in the rural area of the City of Ottawa. The owner of 1391 Huntmar Drive wishes to sever the property into two equally sized lots fronting on Huntmar Drive. The two resulting lots will conform with the RR3 zone at this site. The property is in an area designated as Rural Countryside, however, it is part of a continuous fabric of residential lots. **A severance in this location should be considered as a limited residential infill outside of a historical settlement area.**

In addition to the severance of the property, a reciprocal severance will be undertaken to ensure that either lot may be conveyed first.

Figure 2: Approx. Severed (red) and Retained (green) Lots for First Consent.



Figure 3: Approx. Severed (red) and Retained (green) Lots for Second Consent.



Supporting Information

PPS 2020

Section 1.1 of the 2020 Provincial policy statement directs land use to be undertaken in an efficient and resilient manner. Allowing a severance of this property would conform to the PPS and the current direction by the province by contributing to the efficient use of land.

Further, section 1.1.5.2 notes that residential development, including lot creation, is permitted on rural lands **where it is locally appropriate**.

1.1.5.2 On rural lands located in municipalities, permitted uses are:

- a) the management or use of resources;*
- b) resource-based recreational uses (including recreational dwellings);*
- c) residential development, including lot creation, that is locally appropriate;*
- d) agricultural uses, agriculture-related uses, on-farm diversified uses and normal farm practices, in accordance with provincial standards;*
- e) home occupations and home industries;*
- f) cemeteries; and*
- g) other rural land uses.*

1.1.5.4 Development that is compatible with the rural landscape and can be sustained by rural service levels should be promoted.

1.1.5.5 Development shall be appropriate to the infrastructure which is planned or available, and avoid the need for the unjustified and/or uneconomical expansion of this infrastructure.

1.1.5.7 Opportunities to support a diversified rural economy should be promoted by protecting agricultural and other resource-related uses and directing non-related development to areas where it will minimize constraints on these uses.

Section 1.1.5.2: The proposed residential lot creation is permitted as it meets the tests for local appropriateness. Local appropriateness of these lots is apparent when examining the context within the surrounding area. The proposed lots are of a similar size to the surrounding lots and conform with the RR3 zoning on the property.

Section 1.1.5.4: The proposed lot creation (development) is compatible with the local rural landscape. Appropriate rural service levels are provided to adjacent lots on each side and are available to this parcel.

Section 1.1.5.5: The lot size and configuration allow for private services. Hydro is available and the fronting road is appropriate to access the site.

Section 1.1.5.7: The proposed lot creation will not create additional constraints on resource related uses that should be protected in the rural area including agriculture, mineral and aggregate extraction, forestry, environmental protection, recreation, or other economic pursuits.

Planning Support

Pre-consultation was undertaken with planning staff regarding the property in December 2022. Planning staff indicated that the City of Ottawa Official Plan Section 9.2.3 – *Limit the Fragmentation of Rural Lands and Ensure the Preservation of Health*, provides guidance on when it is appropriate to sever a property in the Rural Countryside. However, as the committee is aware, the current Official Plan, contains an error in the policies for Section 9.2.3 Policy 3, that the city is intending to revise. As indicated by Adam Brown, Manager of Rural Development Review, on Dec14, 2022:

“Assuming that Council will ‘clean up’ the related policies in the approved Official Plan to reflect the previous intent of Council during deliberations on the new OP and the existing language, the relevant policy for this location will likely read something similar to this:

Where a lot that is outside of a historical settlement area, limited residential infill is permitted and the following conditions apply:

- i) The proposed lot(s) have frontage on an open and maintained public road; and*
- ii) The proposed lot(s) are opposite a lot containing a dwelling where its front yard is on the same road; and*
- iii) The proposed lot(s) are vacant lot(s) between two existing dwellings with front yards on the same side of the road, and are situated not more than 250 metres apart; and*
- iv) The proposed and retained lot(s), should be of a similar size to the existing surrounding lots, and shall not be less than 0.8 hectares ; and*
- v) The proposed lot(s) shall be adequately serviced without adversely impacting existing private services on adjacent lots; and*
- vi) No more than two lots will be created from any lot in existence on 13 May 2003, and no further severances will be permitted from a severed lot.”*

Mr. Brown noted that the property met most of the policies as outlined above *with the exception of policy ii*. We understand municipal planning staff are unlikely to support a severance of the property for this reason.

We acknowledge that the proposed severance does not fully conform to the Official Plan policy (ii) as there is no dwelling across the street. However, it is our professional opinion that good land planning, with proper consideration of the intent of these policies to prevent strip development and rural sprawl, is fully satisfied. Creation of this additional lot by the committee of Adjustment does not offend the intent of the Official Plan, and furthers the objectives of the PPS. In this specific case, the severing of the property is locally appropriate as specified in the 2020 PPS policy 1.1.5.2., provides housing, protects rural lands, and contributes to the efficient use of land in the rural area of Ottawa.

The two resulting lots fit into the rural context in this location (1.1.5.4). As can be seen in **Figure 4** this property is part of an extensive established residential fabric that starts south of the property and stretches far to the north. The lots are adequately sized for private on-site services. This will be verified by the Hydrogeological Report provided as a condition of consent.

The lots both have frontage on Huntmar Drive and will not require any additional municipal infrastructure to be constructed to access them (1.1.5.5). Severances granted in this area will not create any additional constraints for agriculture or any other resource-related use (1.1.5.7). Due to the extensive nature and lot size of the current residential fabric seen in **Figure 4**, one additional lot in this area will not create a further constraint, as the predominant land use in the area is residential. A severance in this location is clearly locally appropriate for all the aforementioned reasons.

Figure 4: Context of 1391 Huntmar Drive (white) within the Established Residential Fabric.



Zoning

Current zoning at 1391 Huntmar Drive is RR3 – Rural Residential. This zone specifies a minimum lot width of 60 metres and a minimum lot size of 8000m². As a result of the proposed severance, both lots would have a lot width of approximately 71.485 metres and an area of approximately 10460m². The proposed lots will be consistent with the zoning by-law in place at 1391 Huntmar Drive.

Property Servicing

The property is currently not serviced however it is noted that there is sufficient space on both lots for private wells and septic systems. A hydrogeological report will be prepared as a condition of consent. This report will confirm that both lots can be adequately serviced without adversely impacting existing private services on adjacent lots.

Minimum Distance Separation

The distance from the subject property to the closest livestock facility is greater than 1000 metres. No MDS is required.

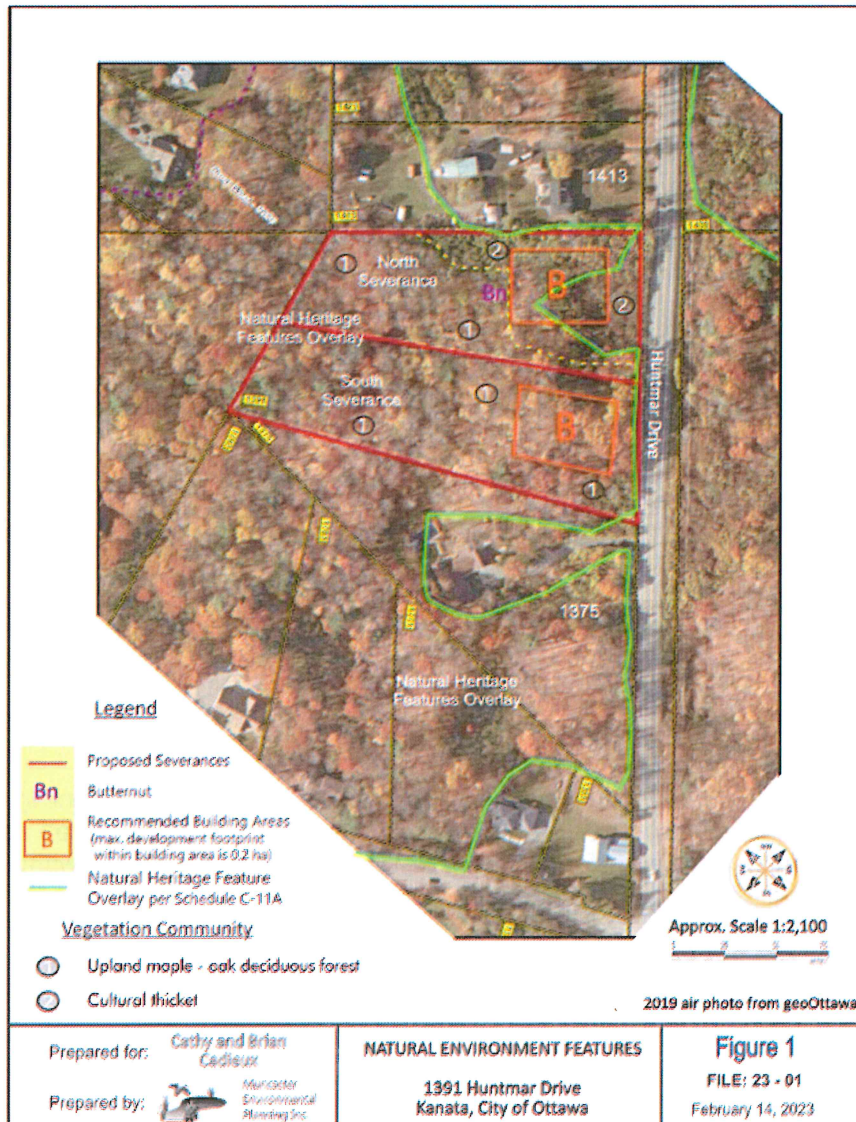
Letters of Support

The owners of 1391 Huntmar Drive have consulted with the owners of the adjacent properties regarding the potential severance of the property. The neighbours to the rear support their efforts to sever the property. The neighbours to the south expressed no concerns with their intention to sever. The neighbours to the north declined to provide written comments.

Environmental Impact Statement

An EIS was prepared by Muncaster Environmental Planning (February 15, 2023), which confirms that a 0.2 ha development envelope can be accommodated on each of the proposed lots at 1391 Huntmar Drive as seen in **Figure 5**. The EIS concludes that two rural residential residences supported by private individual services will not have a negative impact on the natural heritage features and functions of the area.

Figure 5: EIS Result Summary Map (Muncaster, 2015)



Supporting Documents

- Record of correspondence regarding pre-consultation with Adam Brown of the City of Ottawa, dated December 14, 2022.
- Environmental Impact Statement prepared by Muncaster Environmental Planning. Dated February 15, 2023.
- Plan of Survey 5R-6203 Part of Lot 13, Concession 1, Township of Huntley. Prepared by W. Ross Taggart, OLS. Signed and dated December 14, 1981.
- Parcel Abstract Page (PIN # 04537-0120 (LT)) for property described as: PT LT 13 CON 1 HUNTLEY PT 4, 5R6203; WEST CARLTON
- Letter of support from adjacent property owners to the rear, Rolf & Visa Kluchert, dated January 7, 2023.
- Letter of support from adjacent property owners to the south, Larry & Shannon Vig, dated January 15, 2023.
- North severance sketch prepared by JFSA, overlaid on survey.
- South severance sketch prepared by JFSA, overlaid on survey.
- Committee of Adjustment application form for first consent
- Committee of Adjustment application form for secondary consent

Summary

A severance granted on this property will be locally appropriate as specified by the 2020 PPS section 1.1.5.1. The severed and retained lots can both be serviced through the provision of private on-site services, and the required infrastructure to access the lots already exists on Huntmar Drive. The creation of two lots on this property will not create additional constraints on agricultural and other resource-related uses in the rural area of Ottawa and will further the objectives of the PPS and the intent of the Ottawa Official Plan.

The lots created through severance of 1391 Huntmar will conform with the existing RR3 zoning and will be of a similar size to the surrounding properties.

We understand that municipal planning staff may not support this application due to non-conformity with policy (ii). However, it is our professional opinion that the context of this property merits due consideration by the Committee. It is our understanding that the 'dwelling across the street' requirement for infill outside historic settlements policy is intended to ensure strip development and rural sprawl are not perpetuated. The context of this particular property already within an established residential fabric is adding an opportunity for better use of the land at an appropriate density (good land planning), not aggravating or creating a rural residential development problem.

1) Yours truly,

J.F Sabourin and Associates Inc.

Tim Eisner, M. Pl., LEED Green Associate
Planner, JFSA



