

Subject: Zoning By-law Amendment – 2170 and 2180 Ottawa Road 29

File Number: ACS2023-PRE-PS-0008

Report to Agriculture and Rural Affairs Committee on 24 February 2023

and Council 8 March 2023

**Submitted on January 6, 2023 by Derrick Moodie, Director, Planning Services,
Planning, Real Estate and Economic Development**

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Ward: West Carleton-March (5)

**Objet : Modification du Règlement de zonage – 2170 et 2180, chemin Ottawa
29**

Dossier : ACS2023-PRE-PS-0008

Rapport au Comité de l'agriculture et des affaires rurales

le 24 février 2023

et au Conseil le 8 mars 2023

**Soumis le 6 janvier 2023 par Derrick Moodie, Directeur, Services de la
planification, Direction générale de la planification, des biens immobiliers et du
développement économique**

**Personne-ressource : Jack Graham, Urbaniste I, Examen des demandes
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Quartier : West Carleton-March (5)

REPORT RECOMMENDATIONS

- 1. That Agriculture and Rural Affairs Committee recommend Council approve an amendment to Zoning By-law 2008-250 for part of 2170 Ottawa Road 29, as shown in Document 1, to prohibit residential development on the retained farmland, as detailed in Document 2.**

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 March 8, 2023” 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 au Règlement de zonage 2008-250 visant une partie du 2170, chemin Ottawa 29, un bien-fonds illustré dans le document 1, afin d’interdire tout aménagement résidentiel sur les terres agricoles conservées, comme le précise le document 2.
2. Que 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 mars 2023 », à la condition que les observations aient été reçues entre le moment de la publication du présent rapport et le moment de la décision du Conseil.

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

2170 (2180) Ottawa Road 29

Owner

W. Gillan Farms

Applicant

Tracy Zander

Description of site and surroundings

The subject property is situated between Ottawa Road 29 and Ivy Acres Road, northwest of Ritchie Side Road. The lands to be rezoned have a broken frontage of 422m on Ottawa Road 29, and a frontage of 612m on Ivy Acres Road and will be known municipally as 2180 Ottawa Road 29. The site is currently zoned AG – Agricultural Zone and contains a detached dwelling serviced by private well and septic system, barn, and storage shed. The surrounding land use consist of agricultural fields.

Summary of requested Zoning By-law amendment proposal

The application has been submitted in order to fulfill a condition of approval for Consent Application D08-01-21/B-00453 imposed by the Committee of Adjustment. The intent is to prohibit residential uses on the retained farmlands in accordance with the Surplus Farmhouse Dwelling Severance policies of the Provincial Policy Statement and Official Plan.

Brief history of proposal

Consent Application D08-01-21/B-00453 proposing to sever a surplus farm dwelling and accessory structures from 2170 Ottawa Road 29 was granted by Committee of Adjustment Panel Three on February 16, 2022. Staff initially had concerns that the proposed severance included more land than necessary, however a revised application was submitted that minimized the loss of agricultural land.

This rezoning application has been submitted to fulfill a condition of approval that requires residential development be prohibited on the retained farmland. Once the severance is finalized, the retained farmland will become known as 2180 Ottawa Road 29.

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

Applications must be evaluated against the newly approved Official Plan.

The property is designated as Agricultural Resource Area as per Schedule B9. The Agricultural Resource Area designation protects lands with Land Evaluation and Area Review (LEAR) Class 1, 2, and 3 soils for long term 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 Official Plan prohibits lot creation unless the lot contains a habitable dwelling made surplus through farm consolidation. In such cases and as a condition of severance, the retained agricultural parcel is required to be zoned to prohibit residential uses.

Planning Rationale

The Zoning By-law amendment will affect approximately 81.3 hectares of agricultural land, as shown in Document 1. This change is to rezone the retained parcel identified as 2170 Ottawa Road 29 in Document 1, from Agricultural Zone (AG) to Agricultural Zone, Subzone 4 (AG4) which fulfills a condition of approval for Consent Application D08-01-21/B-00453 imposed by the Committee of Adjustment in accordance with the Official Plan and Provincial Policy Statement. Staff's concerns with the application were addressed with a revision and have determined that the proposed Zoning By-law Amendment is consistent with the Official Plan and the Zoning By-law. No new development is proposed.

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.

COMMENTS BY THE WARD COUNCILLOR(S)

Councillor Kelly is aware of the application related to this report.

LEGAL IMPLICATIONS

There are no legal impediments to implementing the recommendations of 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

Approval of the recommended Zoning By-law amendment will prevent fragmentation of land within the City's Agricultural Resource Area. As such, the lands will be preserved for continued farming. Agricultural systems provide habitat for species of flora and fauna. Agricultural lands also contribute to environmental health through ecological service functions.

APPLICATION PROCESS TIMELINE STATUS

This application (Development Application Number: D02-02-22-0092) was not processed by the "On Time Decision Date" established for the processing of Zoning By-law amendments due to the absence of an Agricultural and Rural Affairs Committee meeting during the transition of the newly elected Council.

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 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.

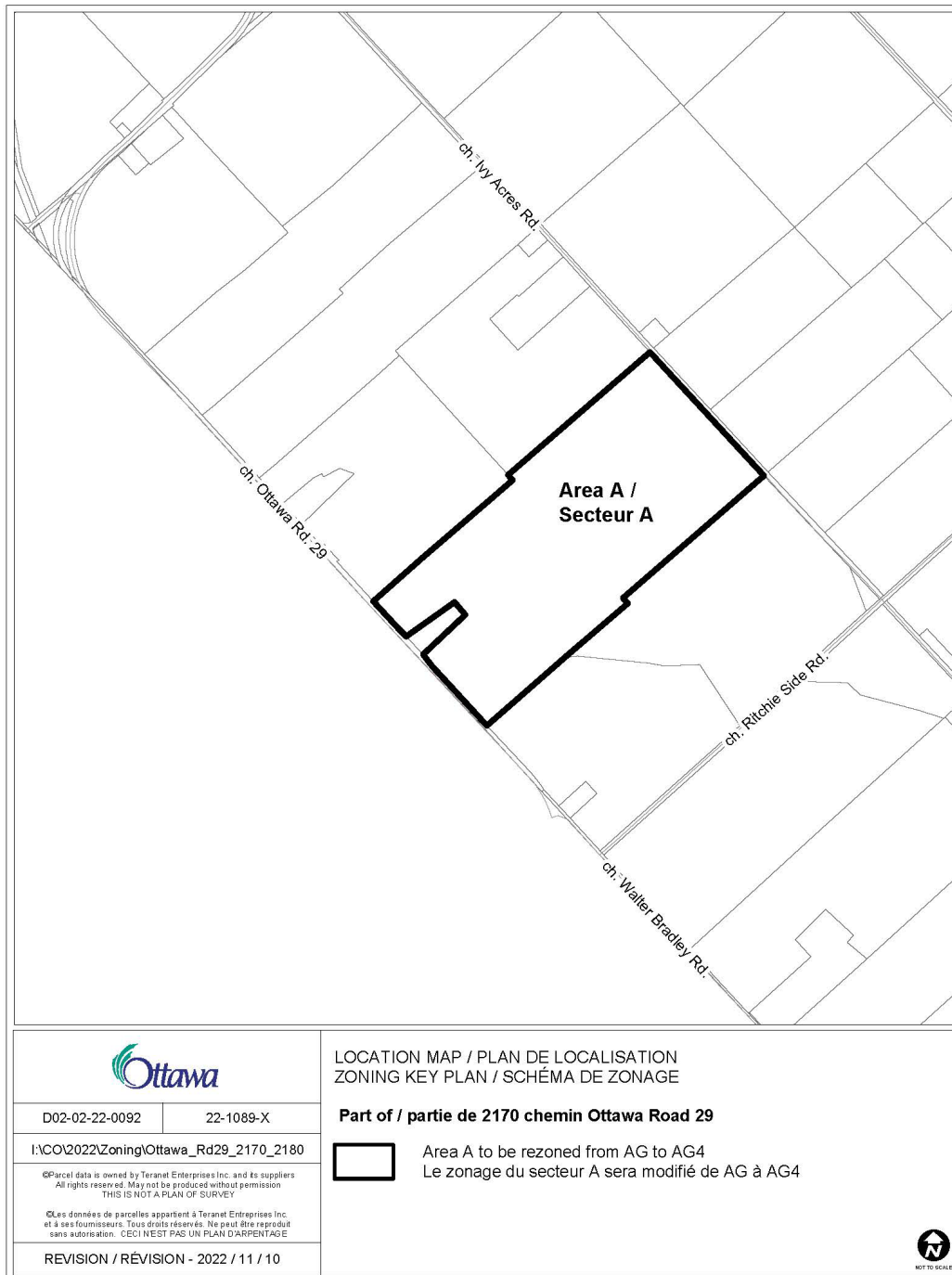
Zoning and Interpretations Unit, Policy Planning Branch, Economic Development and Long Range Planning Services to prepare the implementing by-law and forward to Legal Services.

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

Planning Operations, Planning Services to undertake the statutory notification.

Document 1 – Location Map

The following map illustrates the portion of 2170 Ottawa Road 29 (future address, 2180 Ottawa Road 29) to be rezoned.



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

Document 2 – Details of Recommended Zoning

The proposed change to the City of Ottawa Zoning By-law No. 2008-250 for part of 2170 Ottawa Road 29:

1. Rezone the lands as shown in Document 1 from AG to AG4.