

July 14, 2022

**Revised November 9, 2022**

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

**Attention: Michel Bellemare, Secretary Treasurer**

Dear Mr. Bellemare:

**Reference: 6335 Dobson Lane  
Applications for Severances and Minor Variances  
Our File No 120152**

**Committee of Adjustment**  
Received | Reçu le

2022-11-09

City of Ottawa | Ville d'Ottawa  
**Comité de dérogation**

Novatech has been retained by the owner of the property municipally known as 6335 Dobson Lane (the "Subject Property") to prepare and file applications for two severances and two minor variances for the Subject Property. The severance applications result in the creation of two lots for residential purposes. The minor variance applications are required to permit a reduction in lot width for each newly created parcel.

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

### **Existing Conditions**

The Subject Property is located within the Rideau-Goulburn Ward of the City of Ottawa on the north side of Dobson Lane. The Subject Property is located on the south edge of the Village of Richmond. The Subject Property has an area of approximately 44.69 hectares.

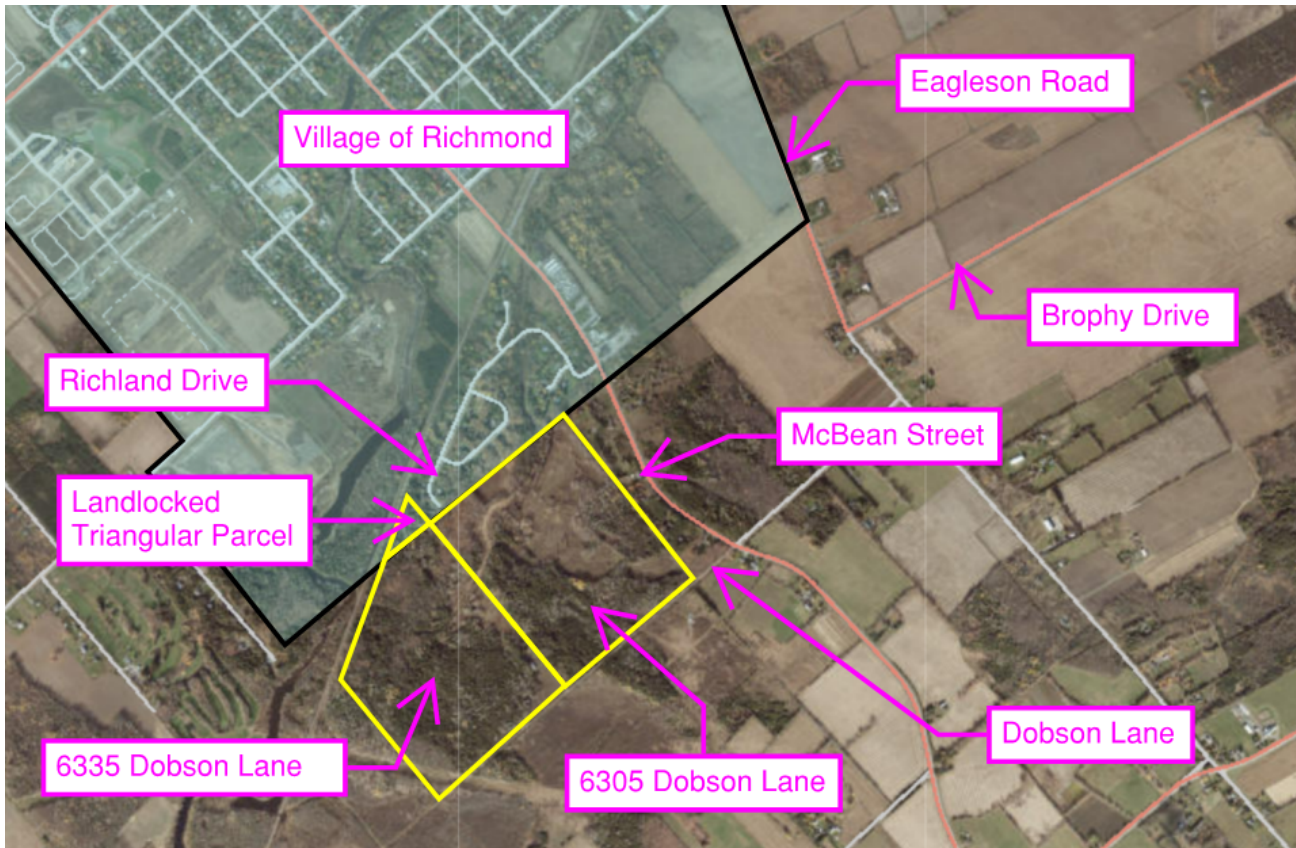
The legal description of the property is:

*Lot 22 Concession 2 In the former township of Goulburn Lying south of 4R8633*

The proposed severance and minor variance applications are being filed concurrently with a severance application for the lands municipally known as 6305 Dobson Lane, to the east of the Subject Property. Together, these applications will facilitate two severances on the Subject Property, one severance on 6305 Dobson Lane, and provide access to the landlocked parcel located north of 6335 Dobson Lane by means of an extension of Richland Drive. The Subject Property is shown on Figure 1 along with 6305 Dobson Lane, and the landlocked parcel north of 6335 Dobson Lane.

The Subject Property is vacant. There is a structure in disrepair in the south-eastern corner of the retained parcel. Access to the property is currently from Dobson Lane. Municipal staff are of the opinion that Dobson Lane is not an improved public street as defined by the Zoning By-law, and the Subject Property is landlocked. The status of Dobson Lane is still under review. An application for

lifting the one foot-reserve on Richland Drive will be filed to provide the Subject Property with access from Richland Drive as a condition of approval of the requested severances.



*Figure 1: Context of the Subject Property*

## **Severance Applications**

The severance applications will create the Lands to be Severed on the severance sketch. The severance sketch is shown on Figure 2 and 3.

The first severance will create the westerly lot (shown as Part 1). This lot will have a total area of approximately 2.44 hectares, a depth of approximately 226.7 metres, and a frontage on the extension of Richland Drive. This lot will require a minor variance for lot width due to the tapered shape. This lot is shown on the first severance sketch (Figure 2).



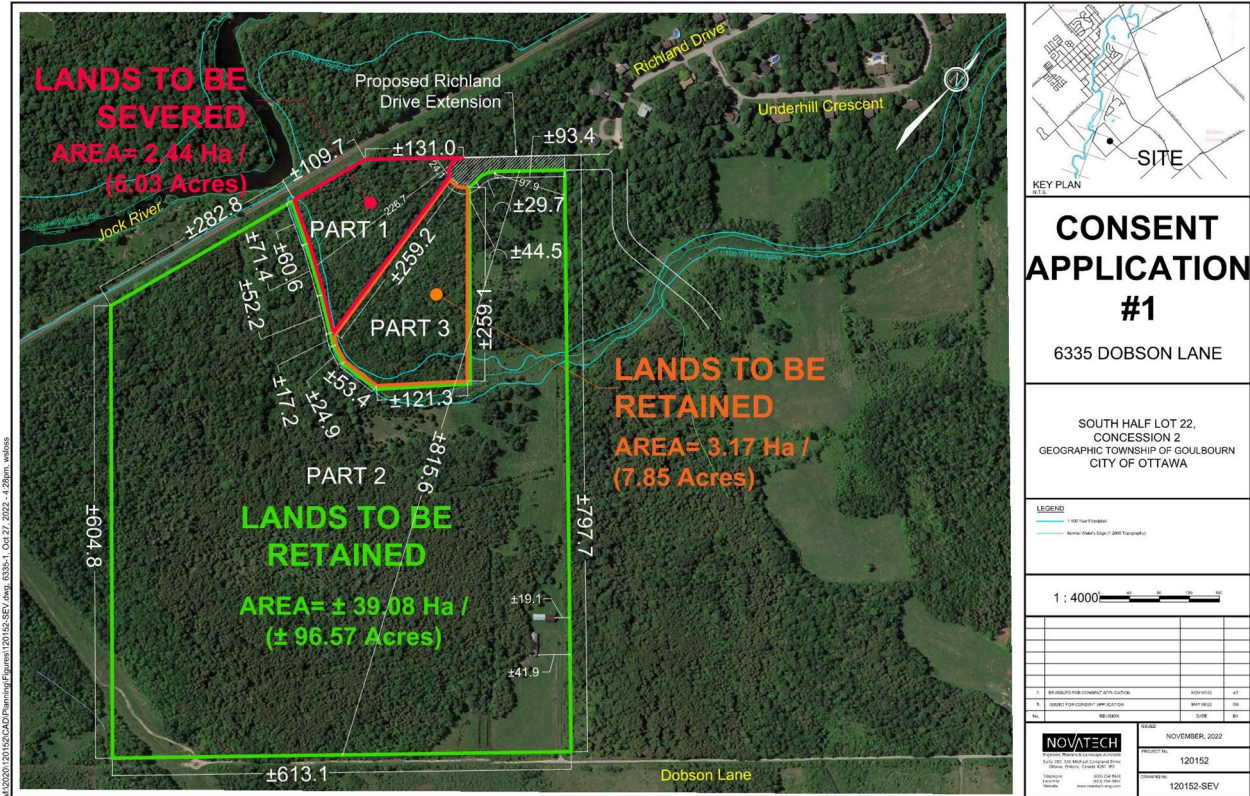


Figure 2: First Severance Application Sketch

The second severance will create the easterly lot (shown as Part 3). This lot will have a total area of approximately 3.17 hectares, a depth of approximately 287.7 metres, and a frontage on the extension of Richland Drive. This lot will require a minor variance for lot width due to the tapered shape. This lot is shown on the second severance sketch (Figure 3).

The retained parcel will have a total area of approximately 39.08 hectares, a depth of approximately 815.6 metres, and frontage on Richland Drive. This lot will fully comply to the Zoning requirements of the Rural Countryside Zone. The retained parcel is shown on the second severance sketch (Figure 3).



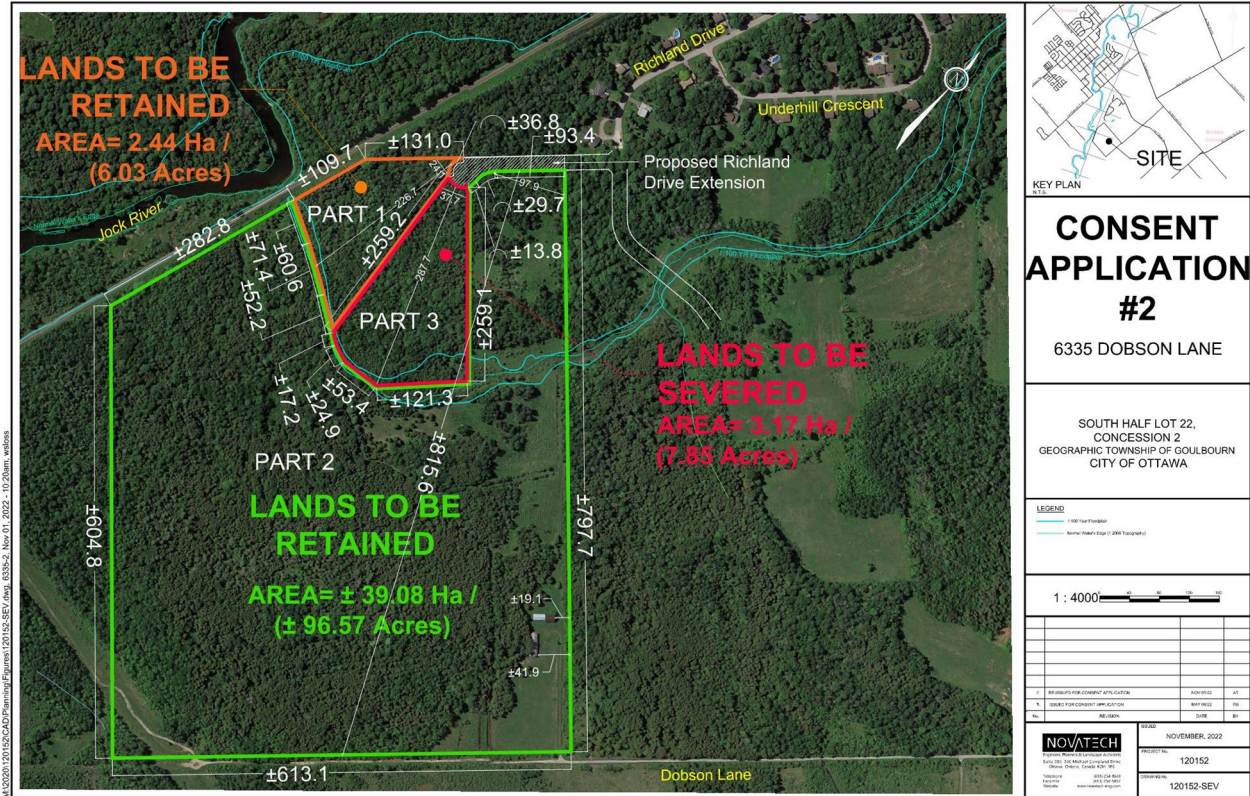


Figure 3: First Severance Application Sketch

### Rationale - Severances

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 severances are locally appropriate.

The Provincial Policy Statement states that natural features should be protected. An Environmental Impact Statement has been submitted with these applications. The Environmental Impact Statement concludes that the proposed severances will have no negative impacts on the natural heritage features.

The Provincial Policy Statement details the policies related to the creation of new lots in proximity to livestock facilities in Policy 1.1.5.8.



*New land uses, including the creation of lots, and new or expanding livestock facilities, shall comply with the minimum distance separation formulae.*

There are no livestock facilities in close proximity to the Subject Property. A Minimum Distance Separation analysis is not required.

**The proposed severances are 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 requires the extension of Richland Drive, and the lifting of a one-foot reserve on Richland Drive. These matters may be dealt with through conditions imposed on the severance applications. The extension of Richland Drive does not require a plan of subdivision 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 severances are within the rural area of the City of Ottawa. The proposed development has regard for the following matters of provincial interest:

- the orderly development of safe and healthy communities;
- 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;*

There is an adequate supply of land on the severed and retained lands to meet area requirements for the provision of private services.

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

The Subject Property is designated Rural Natural Features Area and General Rural Area on Schedule A of the in-force City of Ottawa Official Plan (OP).

Section 3.2.4 of the Official Plan sets out policies for lands designated Rural Natural Features Area. Policy 4 of Section 3.2.4 states:

*4. The provisions of Section 3.7.2 for the General Rural Area also apply to Rural Natural Features.*

The policies of the General Rural Area apply to the Rural Natural Features Area.

Policy 7 of Section 3.2.4 states:

*7. Development and site alteration will not be permitted for:*

*a. any development permitted under the policies of this Plan within the feature.*

*b. any development permitted under the policies of the Plan within 120 metres of the boundary of a natural heritage feature.*

*unless an Environmental Impact Statement demonstrates that there will be no negative impacts as defined in Section 4.7.8 on the natural features within the area or their ecological functions. The requirements of the Environmental Impact Statement may vary, as described in Section 4.7.8.*

An Environmental Impact Statement has been submitted with these applications that demonstrates that the proposed severances will have no negative impacts on the natural features of the Subject Property.

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 proposed severances accommodate a land use that is appropriate for a rural location. The proposed severances 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 new residential use on the two lots to be created by severance. A new residential use will be permitted on the retained lot. The proposed 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 1964. The Subject Property can support a maximum of 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 lots have an area of approximately 2.44 hectares and 3.17 hectares respectively. The retained lot has an area of approximately 39.08 hectares. 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 severed and retained 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;*

The severed and retained lots do not front on an arterial road.

- 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 reduced 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;*

There are no livestock facilities in close proximity to the Subject Property. A Minimum Distance Separation analysis is not required.

- 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 designated Bedrock Resource or Sand and Gravel Resource Areas in proximity to the Subject Property. A Mineral Aggregate Impact Assessment is not required.

- 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 these applications. The Environmental Impact Study demonstrates that the proposed severances will have no negative impact on the natural environment.

The Subject Property is located south of the Village of Richmond. Policy 12 of Section 3.7.2 details the policies related to lands in close proximity to Villages.

- 12. Development proposals within 1 kilometre of a Village and/or urban boundary will be reviewed with respect to lot size, type of use and other characteristics, to ensure that they do not adversely limit potential expansion of the boundary at that location or create a long-term demand for the extension of municipal services.*

The proposed severances have been designed as to not limit the potential expansion of the Village of Richmond. Any potential expansion of the Village of Richmond will be addressed under the policies of the new Official Plan. These policies will be explored in the next section of this cover letter.

### **The proposed severances conform to the in-force City of Ottawa Official Plan.**

The Subject Property is mostly designated Rural Countryside within the Rural Transect on Schedule B9 of the new Official Plan adopted by Council on November 24<sup>th</sup>, 2021. A small portion of the property is designated Greenspace. An excerpt of Schedule B9 is shown on Figure 3.



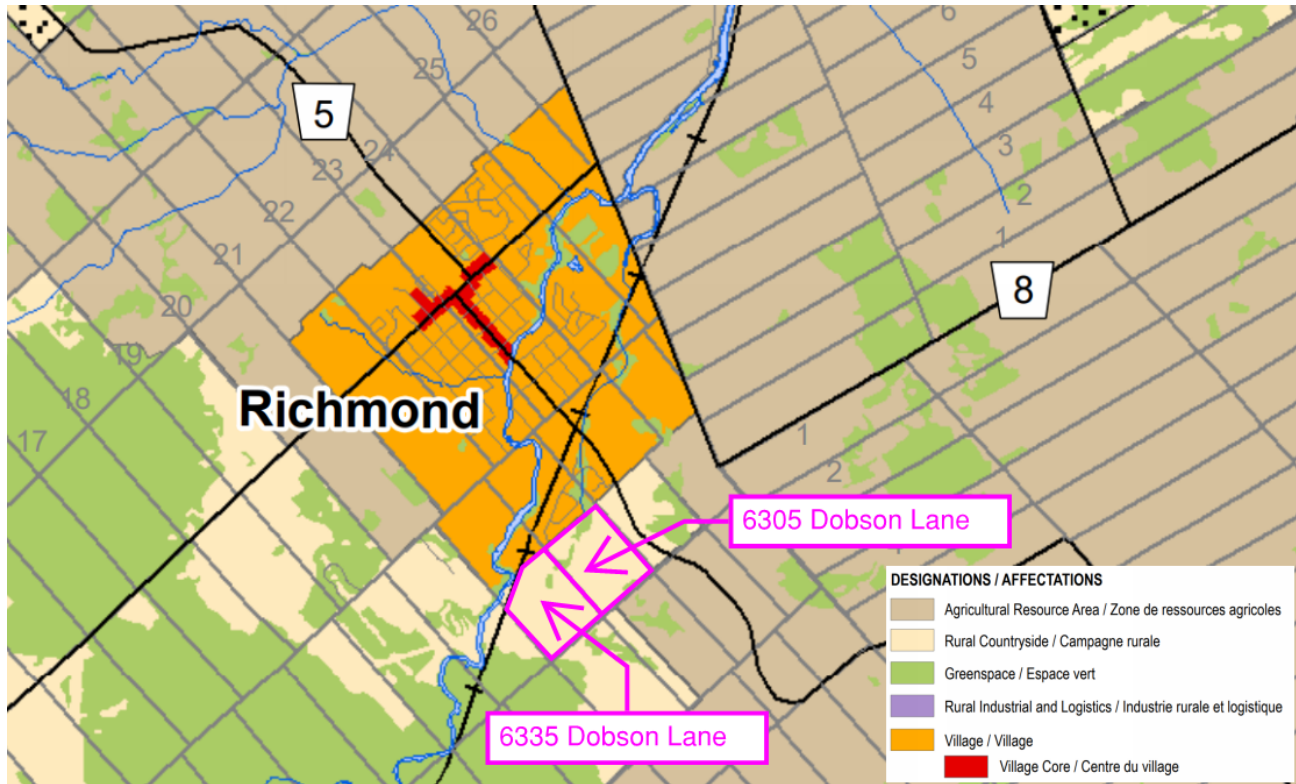


Figure 3: Excerpt of Schedule B9 of the New Official Plan

Section 7 of the new Official Plan sets out policies for lands designated Greenspace. Policy 1 of Section 7.1 of the new Official Plan states:

*1) Urban and Rural Greenspaces are shown on the B-series of schedules. These Greenspace designations consist of sub-designations which appear on Schedule C11 for the rural area and Schedule C12 for the urban area. They include:*

- a) Park;*
- b) Open Space;*
- c) Urban Natural Features;*
- d) Significant Wetlands;*
- e) Natural Environment Areas; and*
- f) Conservation Areas.*

None of the sub-designations listed above are located on the Subject Property.

Policy 3 of Section 7.1 states:

*3) Lot creation shall not be permitted within the Greenspace designation and associated sub designations, to protect and maintain their overall integrity and character*

Only a small portion of the Greenspace designation is located within the proposed severances. There are no sub designations of the Greenspace designation on the Subject Property.

Section 4.8 of the new Official Plan sets out policies for the Natural Heritage. Policy 1 of section 4.8 states:

*1) The Natural Heritage System consists of core natural areas and natural linkage areas. Natural Heritage Features occur both inside and outside the Natural Heritage System. The Natural Heritage System and the features within it are subject to a higher standard of protection than features outside the Natural Heritage System. Schedule C11 identifies Ottawa's Natural Heritage System and, to the extent possible, Ottawa's Natural Heritage Features as overlays. Natural Heritage Overlay policies appear in Subsection 5.6.4.*

The Subject Property is identified as Core Natural Features and Natural Features Overlay on Schedule C11 of the new Official Plan. The policies related to Core Natural Features are discussed in section 5.6.4. Policy 1 of section 5.6.4.1 states:

*1. The Natural Heritage System Overlay consists of Natural Heritage System Core Area and Natural Heritage System Linkage Area, as follows:*

*a) In Natural Heritage System Core Areas, development or site alteration shall maintain or enhance the integrity, biodiversity and ecosystem services of the area; and, not compromise the potential for long-term enhancement and restoration of the ecological integrity, biodiversity and ecosystem services of the area;*

The Environmental Impact Study submitted with these applications concludes that the proposed severances will not impact the integrity, biodiversity, and ecosystem of the area.

Policy 4 of Section 5.6.4.1 states:

*4) Development or site alteration proposed in or adjacent to natural heritage features shall be supported by an environmental impact study prepared in accordance with the City's guidelines.*

An Environmental Impact Study has been submitted in support of these applications.

Policy 5 of Section 5.6.4.1 states:

*5) Development and site alteration shall have no negative impact on the Natural Heritage System and Natural Heritage Features. Development and site alteration shall be consistent with the conclusions and recommendations of an approved environmental impact study.*

The Environmental Impact Study demonstrates that the proposed development will have no negative impacts on the Natural Heritage System and Natural Heritage Features. The Environmental Impact Study provides recommendations and mitigation measures for the proposed severances.

Section 9.2 of the new Official Plan details the policies related to the Rural Countryside designation. Policy 1 c) of Section 9.2 states:



1) *The following uses may be permitted;*

c) *Residential uses according to the policies of this plan;*

Residential uses are permitted within the Rural Countryside designation.

Policy 3 of Section 9.3 states:

3) *Lot creation for the purpose of a residential use is prohibited except where all of the following are met:*

a) *A maximum of two lots can be created from any lot in existence on May 14, 2003;*

The Subject Property has existed in its current form since 1964. The Subject Property can support a maximum of two severances.

b) *The retained lands shall have a minimum of 10 hectares unless the lot is within a historical settlement;*

c) *The severed lot shall be a minimum of 0.8 hectares and may be required to be larger to ensure it can be adequately serviced in a way that will not adversely affect the quality and quantity of groundwater or safe operation of wastewater systems on adjacent lots;*

The severed lots have an area of 3.1 hectares and 2.4 hectares. The retained lot has an area of 39 hectares. The severed and retained lots meet the area requirements set out in policy 3 b) and 3 c).

d) *The lot has frontage on a public road and shall not access a provincial highway. Where the lot has frontage on an arterial road and a collector or local road, the proposed lot shall not be accessed from the arterial road;*

The severed and retained lots will have frontage on a public road subject to the lifting of the one-foot reserve off Richland Drive and entering into a development agreement with the City to extend Richland Drive. The severed and retained lots do not have frontage on an arterial road.

e) *The lot(s) shall observe required setbacks from, and not impact lands identified for mineral aggregates and shall meet policies related to mineral extraction reserves and operations;*

The Subject Property is not located within the influence area of the Bedrock Resource or Sand and Gravel Resource Overlays. A Mineral Aggregate Impact Assessment is not required.

f) *Where a lot that is within a historical settlement, the following conditions apply:*

i) *Both the severed and retained lots shall be consistent in size with adjacent lots, but shall not be less than 0.4 hectares;*

ii) *The creation of the lot(s) shall not extend the historical settlement area in length, width, or depth; and*

*iii) The proposed lot(s) shall be adequately serviced without adversely impacting existing private services on adjacent lots;*

The proposed severances are not located within a historical settlement.

*g) 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; and*

The Subject Property is located outside of any historical settlement area. It is understood that policy 3 f) and g) will be modified by the Ministry of Municipal Affairs and Housing due to the implications of applying to all properties, whether they are located within a historical settlement or not.

*h) All development on the lot shall be restricted to areas away from mature vegetation or natural features, and a development agreement may be required as a condition of severance to ensure the protection of these natural features.*

An Environmental Impact Study has been submitted with these applications. The Environmental Impact Study demonstrates that the proposed severances will have no negative impact on the natural features on the Subject Property.

Section 3.1 of the new Official Plan details the policies related to the expansion of Villages. Policy 5 of section 3.1 states:

*5) The identification of new or additional urban area, and new or additional village area, may only occur through a comprehensive review in accordance with the Planning Act and Provincial Policy Statement. Evaluation of lands for potential expansion of the settlement area may include, but are not necessarily limited to, the following considerations:*

*c) The required components of municipal infrastructure that are planned or available, have sufficient capacity, are financially viable over their life cycle and protect health,*

*safety and the natural environment. For the purposes of this policy, financial life cycle viability shall include the relative scale of the costs associated with any new or additional area to be serviced, any required system upgrades to provide the required capacity and the inclusion of operations, maintenance and replacement costs post-development;*

Expansion of the Village of Richmond to include the Subject Property will be dependent on availability and access to adequate municipal services.

*d) That lands designated Agricultural Resource Area are excluded from consideration;*

The Subject Property and the abutting property at 6305 Dobson Lane are some of the only large parcels on the border of the Village of Richmond, that are not designated Agricultural Resource Area. An excerpt of Schedule B9 of the new Official Plan is shown on Figure 3. Should the Village of Richmond expand the Subject Property and the abutting property at 6305 Dobson Lane would be prime candidates for Village expansion. The proposed severances have been designed to accommodate a potential expansion of the Village of Richmond east of the stream that splits the 6305 Dobson Lane north south. A possible future roadway alignment to provide access to this area is shown on the severance sketches.

*f) That lands designated as part of a natural heritage system are excluded while maintaining the possibility of minor, site-specific adjustments along the boundaries to reflect the results of more detailed field investigations if required;*

The Subject Property, and the abutting property at 6305 Dobson Lane contain natural heritage system features. An excerpt of Schedule C11-B of the new Official Plan is shown on Figure 4.



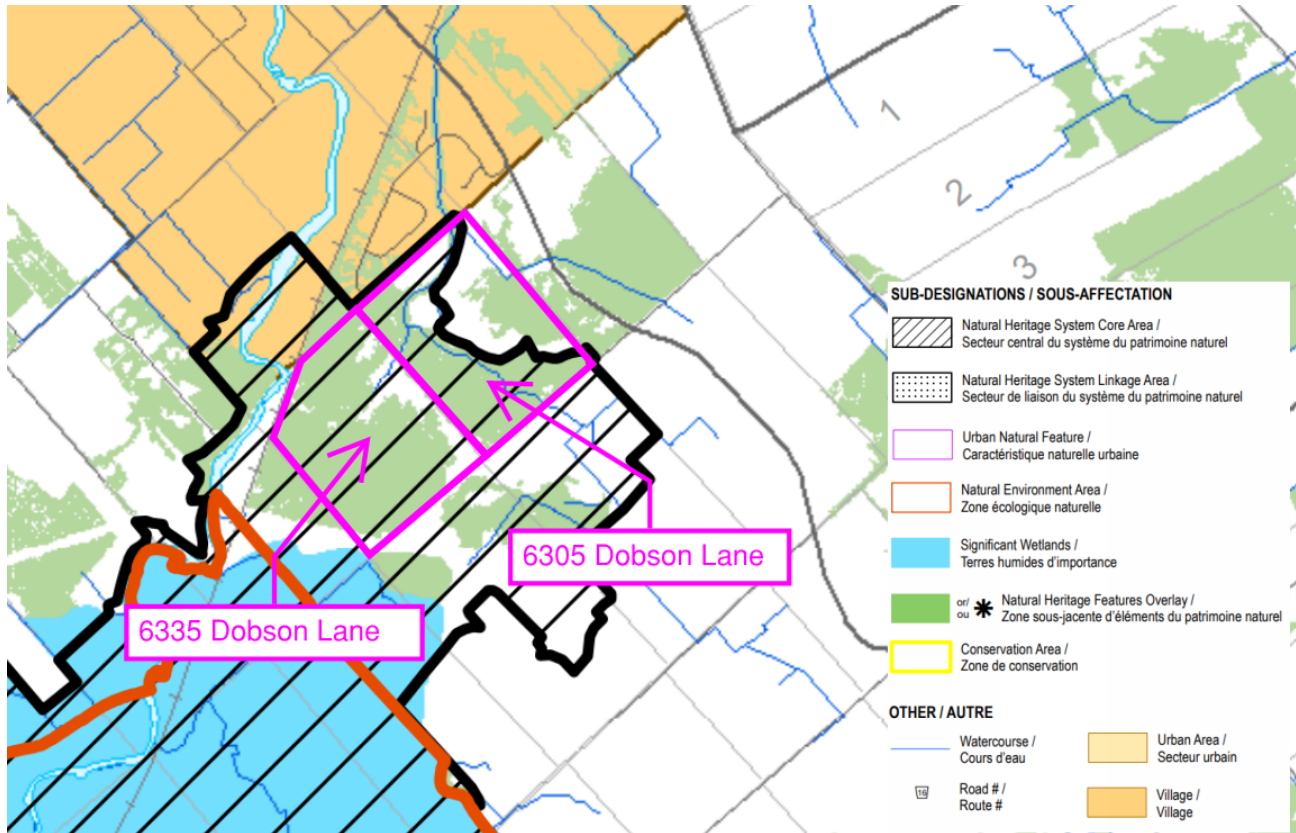


Figure 4: Excerpt of Schedule C11-B of the New Official Plan

The majority of 6335 Dobson Lane contains Natural Heritage Features and is located within the Natural Heritage System Core Area. The western portion of 6305 Dobson Lane contains Natural Heritage Features and is located within the Natural Heritage System Core Area. The eastern portion of 6305 Dobson Lane contains limited Natural Heritage Features and is located outside of the Natural Heritage Systems Core Area. The eastern portion of 6305 Dobson Lane would be an ideal candidate for the expansion of the Village of Richmond.

The proposed severances are located within the Natural Heritage Features Overlay, and within the Natural Heritage Systems Core Area. Given the policy above, it is unlikely that the City would support the expansion of the Village of Richmond that would include the area proposed for severances. As shown on the severance sketches, a potential future road providing access to the east side of 6305 Dobson Lane has been shown to ensure that the proposed severances do not inhibit the potential expansion of the Village of Richmond.

*i) That new village lands prioritize locations that provide the best access by sustainable transportation modes to facilities and services, such as schools, neighbourhood facilities, parks, a variety of housing and job opportunities and where connections to municipal water and wastewater services already exist or can be efficiently provided; and*

Services, schools, neighbourhood facilities, parks, housing, and jobs are located in the Village of Richmond. The Village of Richmond has developed on municipal services, making it an ideal candidate for future expansion.

*j) The consideration of any other effect the new or additional lands would have on the ability to achieve the policies of this Plan.*

The expansion of the Village of Richmond will help the City achieve its growth targets.

The eastern portion of 6305 Dobson Lane is an ideal candidate for the expansion of the Village of Richmond. The proposed severances on 6335 Dobson Lane will not impede the future expansion of the Village of Richmond.

Policy 3 of Section 9.2 states:

*3) Where development, excluding agriculture or agriculture-related uses, is proposed within 1 kilometre of a Village or Urban boundary it will be reviewed to ensure that it shall not impede the expansion of the settlement area and all of the following criteria shall be considered:*

*a) The use is a compatible use with a village or urban area;*

The proposed residential lots are located so as not to impede any expansion of the Village of Richmond.

*b) The development has frontage on an existing public road;*

Subject to the lifting of the one-foot reserve and the extension of Richland Drive, the severed and retained lots will have frontage on an existing public road.

*c) The site shall consider future multi-modal connections and be designed to accommodate these along with street trees in the future; and*

The severed lots take into consideration future development on the eastern portion of 6305 Dobson, as shown by the potential for a future road connection on the severance sketches.

*d) The use can be adequately serviced by on-site systems and will not place demand on the extension of public services for any reason, including fire suppression or contaminated groundwater.*

The proposed lots have adequate area to ensure the provision of private services and will not place demand on the extension of public services.

The proposed severances will not impede the expansion of the Village of Richmond.

Section 3.4 contains policies related to rural growth in Villages. Policy 8 of Section 3.4 states:

*8) To support villages as the focus areas of rural growth, a country lot subdivision may be transferred to a different location within the Rural Countryside area through new applications for plan of subdivision and Zoning By-law amendment, provided all of the following conditions are met:*

The new Official Plan permits a Village to be expanded outside of a comprehensive review, by transferring the area associated with an approved country lot subdivision to an area immediately adjacent to a village. The following criteria must be met.

*a) Draft approval, final approval or registration has been received prior to December 31, 2009 in the former location and no development of any kind or local street construction has occurred;*

The subdivision must not have been approved or registered after 2010, and no development or construction must have occurred.

*b) The new location abuts a village boundary and new applications for plan of subdivision and Zoning By-law amendment are submitted;*

The Subject Property abuts the boundary of the Village of Richmond.

*c) Notwithstanding Subsection 9.2.3, Policy 5), if on private services, the area of each proposed new lot shall be no less than 0.4 ha; but if full municipal services are available for the new lots subject to Policy d) below, lot sizes may be reduced;*

*d) Development shall be serviced by adequate water quality and quantity, including municipal services if the City confirms there is sufficient capacity; shall not adversely affect the water and wastewater systems of nearby development; and, notwithstanding condition c) may require lot sizes greater than 0.4 ha;*

The Village of Richmond has developed on municipal services. Municipal services can be extended to the Subject Property.

*e) If the subdivision in the former location has been registered then the subject lands are formally de-registered at the Land Registry Office prior to the registration of the subdivision in the new location;*

*f) The lands in the former location are rezoned to remove the country lot subdivision's zoning permissions and implement the land use and lot creation permissions of the underlying designation, and such rezoning must occur prior to or may be concurrent with the rezoning for the new location;*

The former subdivision must be de-registered, and the former location must be rezoned to remove the subdivisions zoning permissions and implement the lot creation permissions of the underlying Official Plan designation.



*g) New development shall comply with the provincial minimum distance separation formulae, in accordance with provincial regulations, shall not encroach on the buffer from an urban boundary, and shall comply with all other policies in Section 10;*

A Minimum Distance Separation Analysis will not be required for the Subject Property.

*h) The proposed development is integrated with the abutting village through a fully-connected street grid and pathway network so that development is contiguous throughout the village by providing connections and walkable opportunities to village core areas; and*

Should the Village be expanded to include the Subject Property, it will need to have vehicular, and pedestrian connectivity to the Village. The Subject Property will have access to Richland Drive, Dobson Lane, and ultimately McBean Street.

*i) Provided the conditions of Policies c) and d) are met, the newly located transferred subdivision may qualify for a greater number of lots than the deregistered subdivision, provided the total area of the transferred subdivision does not exceed that of the previous approved total of the deregistered subdivision. If the lot transfer produces a smaller amount of lots in the new location than the amount that has received draft approval, final approval or registration in the original location, the remaining lots may not be transferred and shall be rescinded concurrent with draft approval of subdivision in the new location.*

The area of an approved country lot subdivision that has not been developed may be transferred to the Subject Property as an expansion to the Village of Richmond.

**The proposed severances conform to the policies of the new 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 minimum lot area of the Rural Countryside Zone. Minor variances will be required for a reduction in lot width on both the severed parcels. 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;*

Richland Drive will be extended under the terms of a development agreement to provide adequate access to the proposed lots and the landlocked parcel north of 6305 Dobson Lane.

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

The proposed severances will result in lots that fully comply with Rural Countryside Zone lot area requirements for detached dwellings. Minor variances will be required for the lot widths of the severed parcels. 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 in support of this application.

*(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 future residents will have access to schools in the Village of Richmond.

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

Lands required for the extension of Richland Drive will be conveyed to the City as a condition of consent.

*(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 - Severances:**

The proposed severance applications are consistent with the Provincial Policy Statement 2020 with respect to development in rural areas. The extension of Richland Drive will be required as a condition of approval. 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 applications for severance conform to the policies of the in-force and new Official Plan. The application for severances will not impede the expansion of the Village of Richmond. The severance applications represent good land use planning.

## **Requested Minor Variances**

The following variances are required to facilitate the proposed development:

Part 1:

- a) To permit a minimum lot width of 37.7m, whereas the by-law requires a minimum lot width of 50m (Section 227, Provision 2, Table 227, Row a))

Part 2:

- b) To permit a minimum lot width of 24.1m, whereas the by-law requires a minimum lot width of 50m (Section 227, Provision 2, Table 227, Row a))

## **Rationale – Minor Variances**

The minor variances listed above meet the four tests for minor variance under Section 45(1) of the Planning Act.

**The first test for minor variance is that the general intent and purpose of the Official Plan is maintained.**

The Subject Property is designated Rural Natural Features Area and General Rural Area on Schedule A of the in-force City of Ottawa Official Plan. The intent of the General Rural Area is to ensure that lot creation is locally appropriate. The proposed development conforms to the policies for lot creation set out in Policy 10 of Section 3.7.2.

The Subject Property is mostly designated as Rural Countryside within the Rural Transect on Schedule B9 of the new Official Plan adopted by Council on November 24th, 2021. A small portion of the property is designated as Greenspace. The intent of the Rural Countryside designation is to ensure that lot creation is locally appropriate. The proposed development conforms to the policies for lot creation set out in Policy 3 of Section 7.1.

The proposed minor variances request a reduction in lot width. The reduction in lot width is required due to the tapered shape of the proposed severances. The intent of the Official Plan is to ensure that lot creation retains the character of large lots in the rural area. The proposed minor variances facilitate the creation of large lots in the rural area, consistent with the intent of the in-force and new Official Plan.



**The minor variances meet the general intent and purpose of the in-force and new Official Plan.**

**The second test for minor variance is that the general intent and purpose of the Zoning By-law is maintained.**

The proposed lots are zoned as Rural Countryside (RU) in the City of Ottawa Zoning By-law. The purpose of the Rural Countryside Zone is to:

1. *Accommodate agricultural, forestry, country residential lots created by severance and other land uses characteristic of Ottawa's countryside, in areas designated as General Rural Area, Rural Natural Features and Greenbelt Rural in the Official Plan;*
2. *Recognize and permit this range of rural-based land uses which often have large lot or distance separation requirements; and*
3. *regulate various types of development in manners that ensure compatibility with adjacent land uses and respect the rural context.*

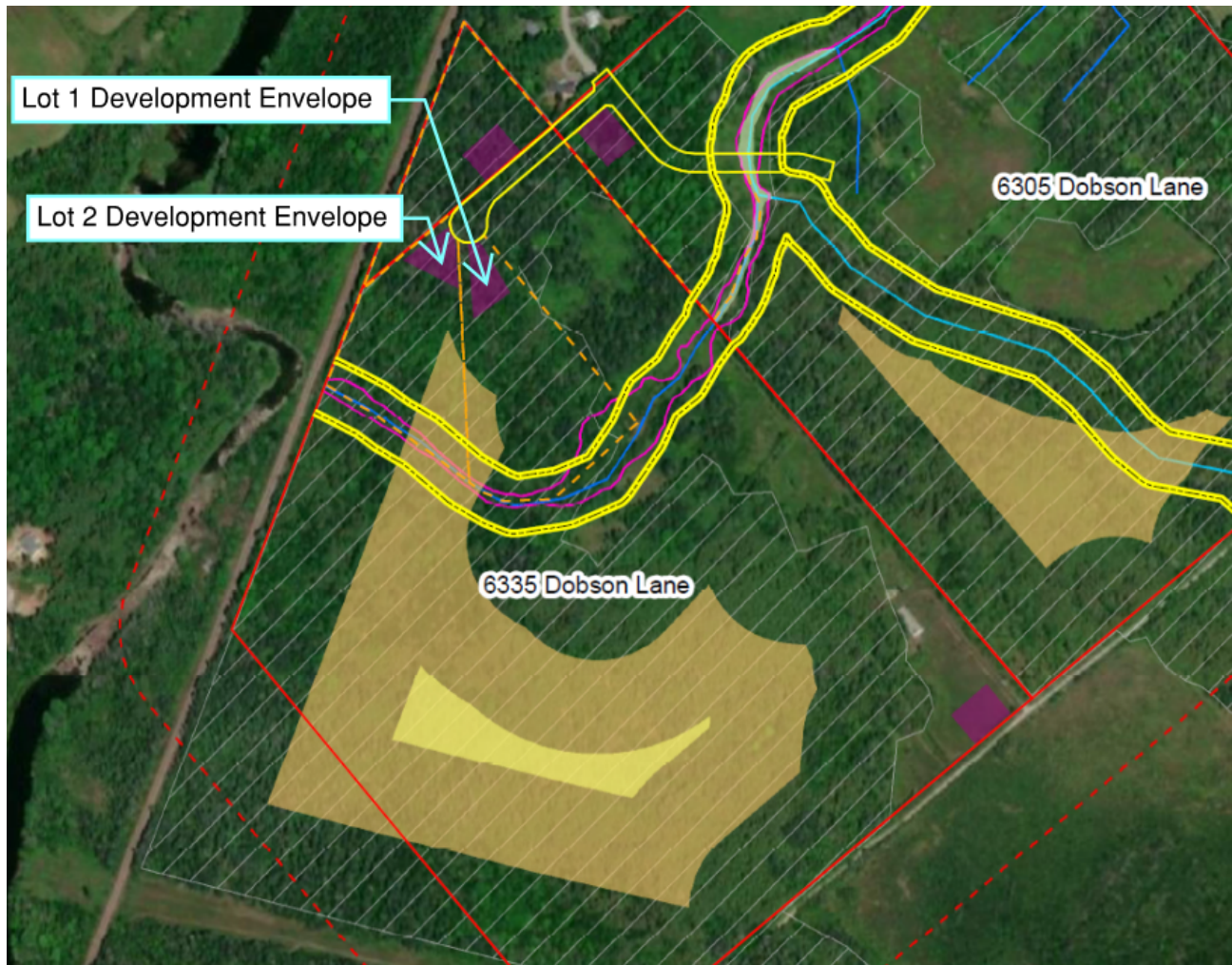
The proposed minor variances facilitate the creation of lots which will be developed with detached dwellings. Detached dwellings are a permitted use in the Rural Countryside Zone. The Zoning By-law maintains that development in the Rural Countryside Zone shall respect the rural context. The proposed variances facilitate a permitted use, which respects the rural context of the area.

The intent of the minimum lot width provision in a rural context is to ensure that new lots are large enough to support an appropriate development and are consistent with the rural character. The proposed lots are large enough to support an appropriate development, while respecting the rural character of the area.

**The minor variances meet the general intent and purpose of the Zoning By-law 2008-250.**

**The third test for minor variance is that the minor variance is considered desirable for the appropriate development or use of land.**

The proposed minor variances facilitate the creation of two lots with an irregular shape. The widths of the proposed lots gradually increase as they approach the rear lot line. The development envelopes for the proposed lots are shown on Figure 5.



*Figure 5: Development Envelopes for the Proposed Severances*

The development envelopes in Figure 5 are from the Environmental Impact Study prepared by GEMTEC submitted with these applications. The proposed minor variances facilitate a development envelope that has no negative impacts on the natural environment. The proposed minor variances facilitate a built form that respects the natural environment, and the rural character of the area.

**The minor variances are considered desirable for the appropriate development or use of land.**

**The fourth test for minor variance is that the variance is considered minor in nature.**

The minor variances for width of the proposed lots are considered minor, as the lots gradually increase in width as they approach the rear lot line. The reduction in the width of the proposed lots has no impact on the streetscape from Richland Drive, as there are no detached dwellings that face the proposed lots. The reduction in the width of the proposed lots has no negative impact on the rural character of the area. The shape of the proposed lots has been designed to have no impact on the potential expansion of the Village of Richmond. The shape and location of the proposed lots has been designed to have no negative impact on the natural environment.

**The minor variances are considered minor in nature.**

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

- One copy of the application form
- Consent Sketch (one copy of 11 x 17 and one copy of 8 ½ x 11);
- Parcel Abstract (one copy);
- Cheque for the Municipal Application fees;
- One (1) copy of the Environmental Impact Study, prepared by GEMTEC

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

Yours truly,  
**NOVATECH**



Adam Thompson, BES  
Senior Project Manager | Planning & Development