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PLANNING RATIONALE

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Date: June 12, 2023

File: 021323 - 2226-2230 Dunrobin Road

To: Michel Bellemare, Secretary Treasurer
Committee of Adjustment
City of Ottawa, 101 Centrepointe

Committee of Adjustment
Received | Reçu le
2023-07-05

City of Ottawa | Ville d'Ottawa
Comité de dérogation

RE: PROPOSED CONSENT TO SEVER APPLICATION FOR 2226 AND 2230 DUNROBIN ROAD

Dear Mr. Bellemare,

Q9 Planning + Design have been retained by Amy Beaudoin to prepare a Planning Rationale regarding the requested consent application required to sever the existing property at 2226-2230 Dunrobin Road. The severance will allow for the two existing detached dwellings currently on a single lot to be located on separate parcels. No exterior construction or alterations are proposed to the buildings as part of the application.

The following represents the Planning Rationale cover letter required as part of the submission requirements for an application to the Committee of Adjustment.

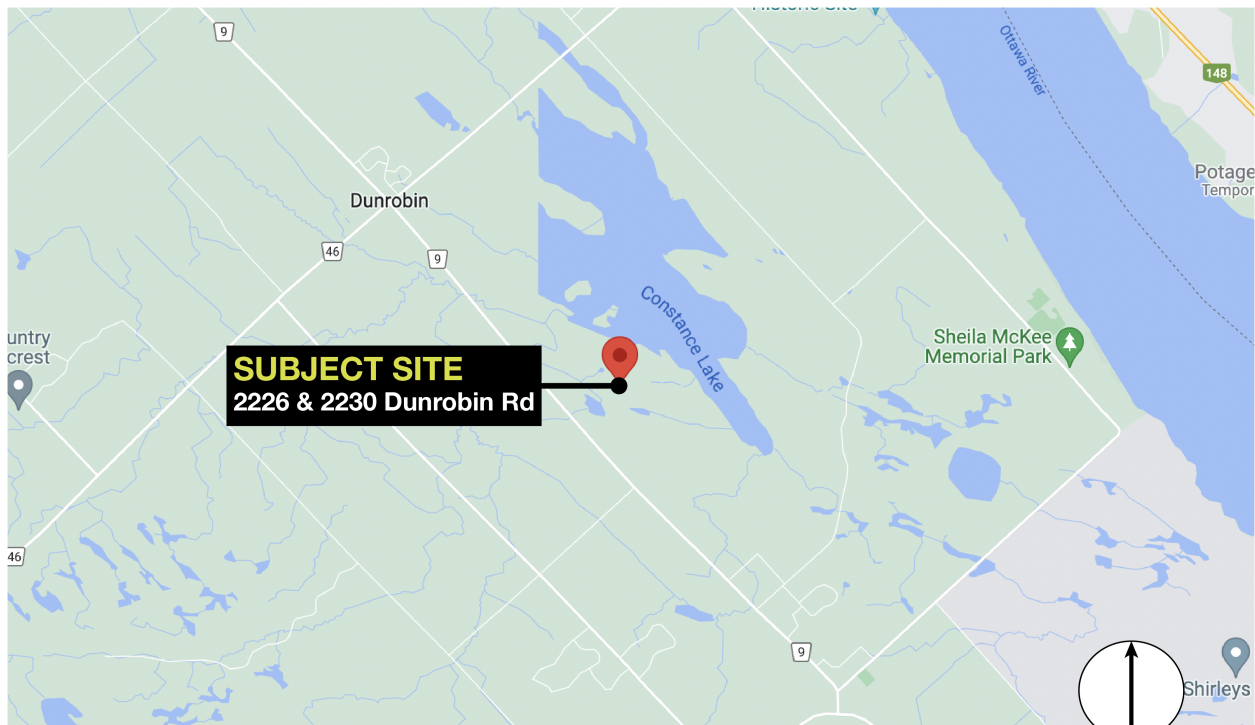


Figure 1: Location Plan (Source: Google Maps)

OVERVIEW

The subject site is a very large parcel located on the east side of Dunrobin Road in the rural area of the City of Ottawa. The property has frontage along Dunrobin Road and along an inactive railroad line. The rear lot line abuts Constance Lake, with part of the rear portion of the site being subject to the Floodplain Overlay. Most of the lot including the entire rear portion of the property is heavily treed, with less dense tree cover towards the front of the site closer to the road. The two existing detached houses and outbuildings are all located at the front portion of the property within the RU-zoned portion of the site. The area is characterized by large rural lots, with denser lot fabrics further down Dunrobin Road south of Constance Lake Road and north of the site in the village of Dunrobin. Many of the surrounding properties along Dunrobin Road are generally indicative of surplus dwellings severed from farm parcels. Residential and agricultural uses are prevalent in the area, with some small-scale commercial uses.

The proposed development is to sever the existing property, which contains two detached dwellings and 4 accessory buildings. The severance would allow for each detached dwelling and their respective outbuildings to be located on separate parcels, bringing the development closer to compliance with the Zoning By-law.

The proposed consent application was discussed with members of City staff to confirm the severability of the site prior to submission. Cass Schlauzero confirmed that though the existing property enjoys a legal non-conforming right to have the two dwellings on one property (as the condition has existed since 1976), one detached dwelling is permitted per lot in the Rural Countryside Zone. Additionally, further consultation was undertaken with Stephen Kukkonen to confirm that the property could be severed under the current Official Plan (2021) as the previous Official Plan (2003) had a policy which permits the severance of a surplus dwelling where at least two detached dwellings existing prior to the adoption of the Official Plan and were occupied on an ongoing basis. Mr. Kukkonen confirmed that the severance could occur under the current Official Plan. Finally, consultation with Lucas Teeft was undertaken to confirm two lots may be created through severance provided the retained lands have a minimum size of 10 metres and the severed land is a minimum size of 0.8 hectares.

Mr. Kukkonen and Mr. Teeft confirmed that a Mineral Resource Impact Assessment (MRIA) would be required as the development would be within the 500-metre setback of lands within the Bedrock Resource Overlay. Additionally, a Noise & Vibration Study was required owing to the property's location within 250 metres of a railway corridor. Both the MRIA component and the Noise Study component were reviewed by Patersons, which confirmed that no extraction licenses have been issued for the property and no extraction activity is occurring on the Bedrock Resource Area to the south. Consequently, Patersons determined that no further MRIA or Noise Study is required at this time.

Proposed Consent Applications

The breakdown of the proposed Consent to Sever Applications are provided below and are consistent with the Draft Reference Plan provided in conjunction with these applications.

| Part Number | Use | Lot Width (m) | Lot Area (ha) | Lot Depth |
|-----------------|---|----------------------------|---------------|---------------------|
| Existing | Existing lot with 2 dwelling units | 213.65 m | 65.75 | ~1,162 m, irregular |
| Retained | Retained Parcel, 1 dwelling unit | 89 m at road, irregular | 61 ha | ~1,162 m, irregular |
| Part 1 | Severed Parcel, 1 dwelling unit | 102.92 m, irregular | 4.23 | 356.16 m, irregular |
| Part 2 | ROW over Part 1 (severed parcel) to provide access to the retained parcel | 17.72 m | 0.05 | 10.50 m |
| Part 3 | Road frontage for severed parcel | 62.26 m at road, irregular | 0.30 | 159.50, irregular |

Part 1 is the severed lot. Part 2 is a Right-of-way (ROW) over the severed parcel (Part 1) to provide access to the retained lot. Part 3 provides road frontage for the severed parcel.

Documents Required and Submitted

The following lists all required and submitted documents in support of the identified Committee of Adjustment applications.

- [Site Plan
- [Draft Reference Plan
- [Survey
- [Planning Rationale (this document)
- [Parcel Abstract
- [Fee
- [Application Form

SITE & CONTEXT

Site

The subject site a large, rectangular lot located on the east side of Dunrobin Road within the City of Ottawa in the Village of Dunrobin. The property is approximately 65.75 hectares in size, with frontage along Dunrobin Road and an inactive rail line. The lot line of the property abuts Constance Lake. The front portion of the property, which is part of the Rural Countryside Zone is developed with two detached dwellings and corresponding outbuildings along with an agricultural field. This portion of the site is relatively cleared. The rear portion is heavily treed, with the vast majority of the site being undeveloped, including the entire area within the Floodplain Zone. A single gravel driveway provides access to both detached dwellings and the outbuildings, splitting off behind the dwelling closest to the road. The abutting property to the west is a large site that is also heavily treed towards the rear portion with an agricultural field towards the front of the site and a detached dwelling. The abutting property to the east is an undeveloped parcel, which fully abuts the inactive rail line along its frontage. The following list provides the lot dimensions for 2226 & 2230 Dunrobin Road:

- [Lot width: 213.65 m
- [Lot depth (irregular): ~1,162 m
- [Lot area: 65.75 ha



Figure 2: Site Map (Source: GeoOttawa)



Figure 3: Existing house on subject property and access



Figure 4: Existing house on subject property and access



Figure 5: View along Dunrobin Road, looking east



Figure 6: Property frontage along Dunrobin Road, looking north

Context

The subject site is located within a rural context containing residential, agricultural, and rural commercial uses along with natural areas including lakes and forests. Many of the surrounding lots contain agricultural fields along with detached dwellings on smaller lots. Closer to Constance Lake, properties are more heavily treed with no agricultural fields within the floodplain area. Smaller, waterfront residential lots are located to the southeast of the subject property along Constance Lake Road with larger agricultural lots located to the west. Two rural subdivisions are located further along Dunrobin Road in either direction from the site. Dunrobin Road links the site with the Ottawa's urban areas and other villages within the immediate area, running as far north as the Ottawa River and south into Kanata. It is a two-lane road with one lane of travel in each direction and shoulders on both sides. No sidewalks are provided and no public transportation is available in the area. Dunrobin Road provides strong connection to the rural road network in the area and is identified as an arterial road. An inactive rail line also runs along majority of the site's frontage, with the track having been removed.

Overall, the area is characterized by large agricultural and undeveloped lots along with smaller residential buildings, often indicating prior severance of a surplus farm dwelling. The surrounding lot area provides contextual support for the proposed severance of the site.

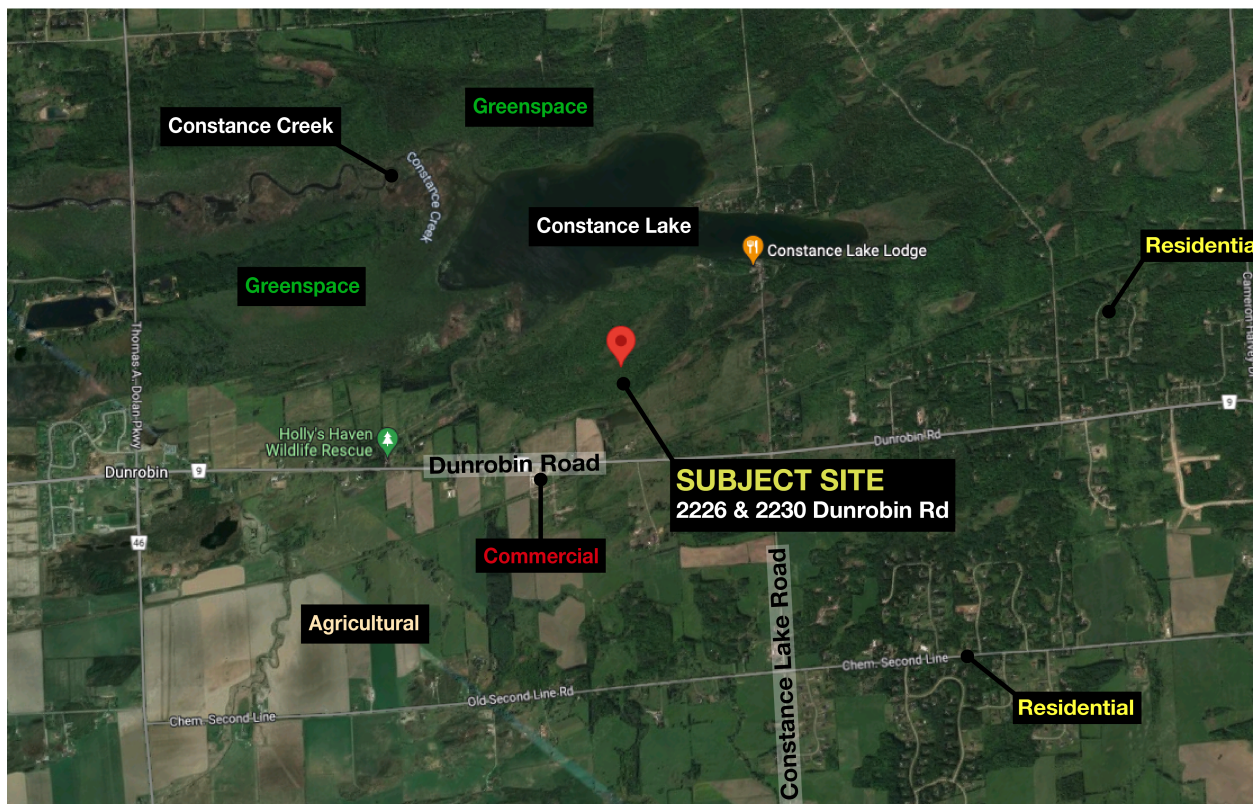


Figure 7: Context Map (Source: Google Maps)

PROPOSED DEVELOPMENT

The proposed development is to sever the existing lot, which is currently constructed with two detached dwellings and corresponding accessory buildings, into two new lots, so that each detached dwelling is on its own parcel. No new construction is proposed as part of the severance application.

Part 1 is the severed lot. Part 2 is a Right-of-way (ROW) over the severed parcel (Part 1) to provide access to the retained lot. Part 3 provides road frontage for the severed parcel.

The following pages contain the as-built site plan overlaid on the draft reference plan.

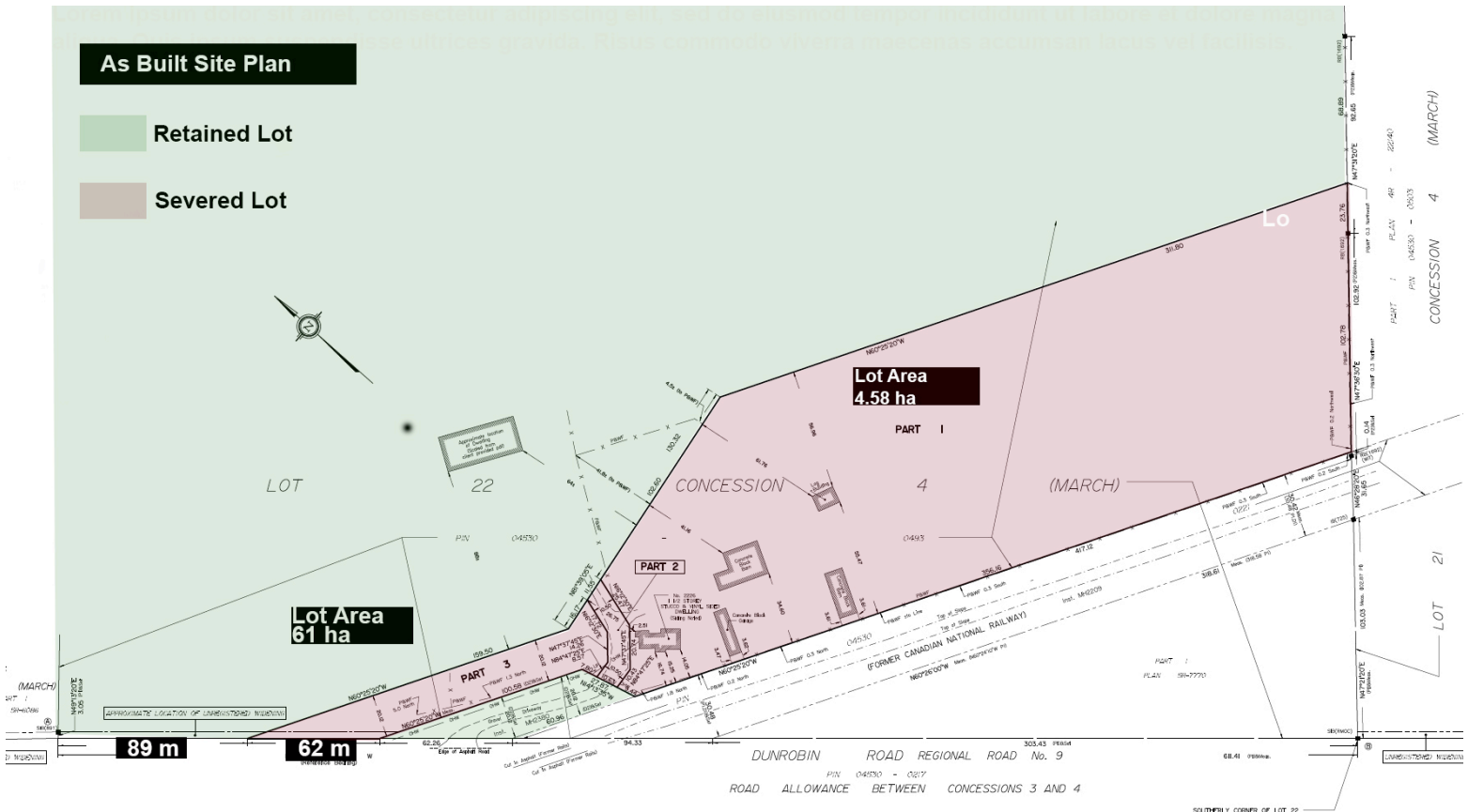


Figure 8: Excerpt from Reference Plan (Source: AOV Surveyors)

SUPPORTING STUDIES

Mineral Resource Impact Assessment

Paterson Group

On May 17, 2023, Paterson Group prepared a Mineral Resource Impact Assessment for the proposed consent application at 2226 and 2230 Dunrobin Road.

A visit to observe the aforementioned Bedrock Resource Area was completed on February 15, 2023. Based on the observations at the Bedrock Resource Area, the area is currently an undeveloped area covered with snow. Evidence of aggregate extraction is not present at any location within the Bedrock Resource Area. Given that the Bedrock Resource Area is also separated from the subject site by Dunrobin Road, it is anticipated that there will be a minimum 20 metres setback between subject site and Bedrock Resource Area.

Based on Paterson's review of documentation and site visit, it is understood that a Bedrock Resource Area is identified to the south of subject site. Upon further review, it was determined that this area has not yet obtained a licence for extraction and it is unknown if and when that licence may be obtained. Evidence of aggregate extraction is also not present at any location within the Bedrock Resource Area and it is unrealistic to create a scenario that may or may not be applicable for future resource extraction. Therefore, mineral resource impact assessment cannot be completed at this time. Once a license for extraction has been obtained by the neighbouring pit, and details of the pit operations can be determined, it is recommended that a review be completed at that time to determine if mitigation measures will be required.

The full report is provided as part of the Consent Application submission.

Environmental Noise Study Review

Paterson Group

On June 1, 2023, Paterson Group prepared a Mineral Resource Impact Assessment for the proposed consent application at 2226 and 2230 Dunrobin Road.

A visit to observe the subject site and the adjacent railway was completed on February 15, 2023. Based on the observations, it is noted the railway has been demolished. Evidence of railway tracks are not present at any location of the railway.

Based on Paterson's review of documentation and site visit, it is understood that given the previously identified 'Beachburg Rail Corridor' railway is not in operation, that the previously existing rail tracks have been removed and the previously identified rail line is not considered a noise source. Therefore, the previously identified railway as a surface transportation noise source is not applicable to this development and a noise study is not required.

The full report is provided as part of the Consent Application submission.

POLICY REVIEW

In order to obtain approval of the proposed severance, a review of the relevant and applicable policies and provisions is required. These are reviewed and discussed below. Relevant policies will be indicated in *italics*.

Provincial Policy Statement, 2020

The Provincial Policy Statement, 2020 (PPS) came into effect on May 1, 2020 and provides broad policy direction on matters of provincial interest related to land use planning and development. The Plan is intended to provide for appropriate development while protecting Provincial resources of interest, public health and safety, and the quality of the natural and built environment. The PPS is complemented by other Provincial plans as well as municipal plans such as Official Plans and Secondary Plans. All plans and decisions affecting planning matters “shall be consistent with” the PPS.

Section 1.0 intends to wisely manage change and plan for efficient land use and development patterns, which in turn help support sustainability through strong, liveable, healthy, and resilient communities.

1.1.1 *Healthy, liveable and safe communities are sustained by:*

- a) *promoting efficient development and land use patterns which sustain the financial well-being of the Province and municipalities over the long term;*
- b) *accommodating an appropriate affordable and market-based range and mix of residential types (including single-detached, additional residential units, multi-unit housing, affordable housing and housing for older persons), employment (including industrial and commercial), institutional (including places of worship, cemeteries and long-term care homes), recreation, park and open space, and other uses to meet long-term needs;*
- c) *avoiding development and land use patterns which may cause environmental or public health and safety concerns;*
- d) *avoiding development and land use patterns that would prevent the efficient expansion of settlement areas in those areas which are adjacent or close to settlement areas;*
- e) *promoting the integration of land use planning, growth management, transit-supportive development, intensification and infrastructure planning to achieve cost-effective development patterns, optimization of transit investments, and standards to minimize land consumption and servicing costs;*
- f) *improving accessibility for persons with disabilities and older persons by addressing land use barriers which restrict their full participation in society;*
- g) *ensuring that necessary infrastructure and public service facilities are or will be available to meet current and projected needs;*
- h) *promoting development and land use patterns that conserve biodiversity;*
and
- i) *preparing for the regional and local impacts of a changing climate.*

Comment: The proposed severance will divide the property so that each of the existing two dwelling units (currently on one lot), will be on their own unique parcels. The proposal does not result in additional density but supports the continuance of the detached uses on

the property and results in smaller lots that not only comply with the lot size and area in the Zoning By-law but provide an improved condition where there is a maximum of 1 principle dwelling unit per lot.

- 1.1.4.1 *Healthy, integrated and viable rural areas should be supported by:*
- a) *building upon rural character, and leveraging rural amenities and assets;*
 - b) *promoting regeneration, including the redevelopment of brownfield sites;*
 - c) *accommodating an appropriate range and mix of housing in rural settlement areas;*
 - d) *encouraging the conservation and redevelopment of existing rural housing stock on rural lands;*
 - e) *using rural infrastructure and public service facilities efficiently;*
 - f) *promoting diversification of the economic base and employment opportunities through goods and services, including value-added products and the sustainable management or use of resources;*
 - g) *providing opportunities for sustainable and diversified tourism, including leveraging historical, cultural, and natural assets;*
 - h) *conserving biodiversity and considering the ecological benefits provided by nature; and*
 - i) *providing opportunities for economic activities in prime agricultural areas, in accordance with policy 2.3.*

Comment: The subject site is located outside of the urban boundary and within the rural area, which is an appropriate location for detached rural uses. The dwellings are existing and the severance will allow the units to be sold independently which will contribute to the housing options in rural settlement areas. The existing access will service both of the properties through a right-of-way condition. Therefore no new vehicular access to Dunrobin Road will be required. The development utilizes private services and will not require expansion to public service facilities.

1.2.6.1 *Major facilities and sensitive land uses shall be planned and developed to avoid, or if avoidance is not possible, minimize and mitigate any potential adverse effects from odour, noise and other contaminants, minimize risk to public health and safety, and to ensure the long-term operational and economic viability of major facilities in accordance with provincial guidelines, standards and procedures.*

Comment: The proposed development is located within the rural area away from sensitive uses and is not anticipated to generate any adverse impacts from odour, noise, and contaminants. No new development is being proposed as part of the severance application. Therefore no impacts beyond what is currently present will exist as a result of this application.

Section 2.0 of the PPS aims to ensure Ontario's long-term prosperity, environmental health, and social well-being through the wise management and conservation of natural resources. This includes policy direction on conserving biodiversity, protecting the Great Lakes, and protecting natural heritage, water, agricultural, mineral, and cultural heritage and archaeological resources.

Section 2.1 provides policies that address the long-term protection of natural heritage features. It ensures the connectedness and diversity of natural features so that the ecological function and biodiversity of natural heritage systems is maintained, restored, or improved.

Section 3.0 of the PPS intends to provide for Ontario's long-term prosperity, environmental health, and social wellbeing by reducing potential natural and human-made hazards and threats to public safety. Development is to be directed away from natural or human-made hazards.

Section 3.1 provides policies that are intended to address natural hazards, ensuring that development is directed away from hazardous lands and sites.

Comment: Part of the floodplain for the nearby Lake Constance is located on the northeast portion of the site. The rear portion of the site, also to the northeast is zone EP3 Environmental Protection, Subzone 3. The existing buildings will not be located within the identified floodplain and will be setback >800 m from the floodplain. The proposed severance will not result in any impact to the environmental health of the area and existing buildings are already directed away from the natural environment and natural hazards.

Based on our review, it is our professional planning opinion that the proposed development conforms with the Provincial Policy Statement (PPS), 2020.

City of Ottawa Official Plan

Designation: Rural Countryside & Greenspace

The City of Ottawa Official Plan was passed by City Council on November 24th, 2021 and was approved by the Ministry of Municipal Affairs and Housing (MMAH) on November 4th, 2022. The new Official Plan contains renewed goals, objectives, and policies that will guide growth and future change to the year 2046.

The subject site is noted as being part of the rural area, in which it is partially designated **Rural Countryside & Greenspace**. The subject site is also within the Natural Heritage System Core Area & Natural Heritage System Linkage Area and within a Natural Environmental Area Overlay.

Section 2 provides the overarching strategic directions for the new Official Plan in order to help Ottawa become the most liveable mid-sized City in North America over the next century. It is centred around the Five Big Moves, which call for increased growth through intensification, more sustainable transportation, more context-based urban and community design, environmental, climate, and health resiliency, and planning policies based on economic development. The property is recognized as being in the rural area, in which there are a number of designations.

Comment: The proposed severance of the subject property into two lots supports the potential to separately convey the units in the format of one detached unit per lot. It supports the existing density provided by the dwellings on the property, which is compatible with the other properties in the area.

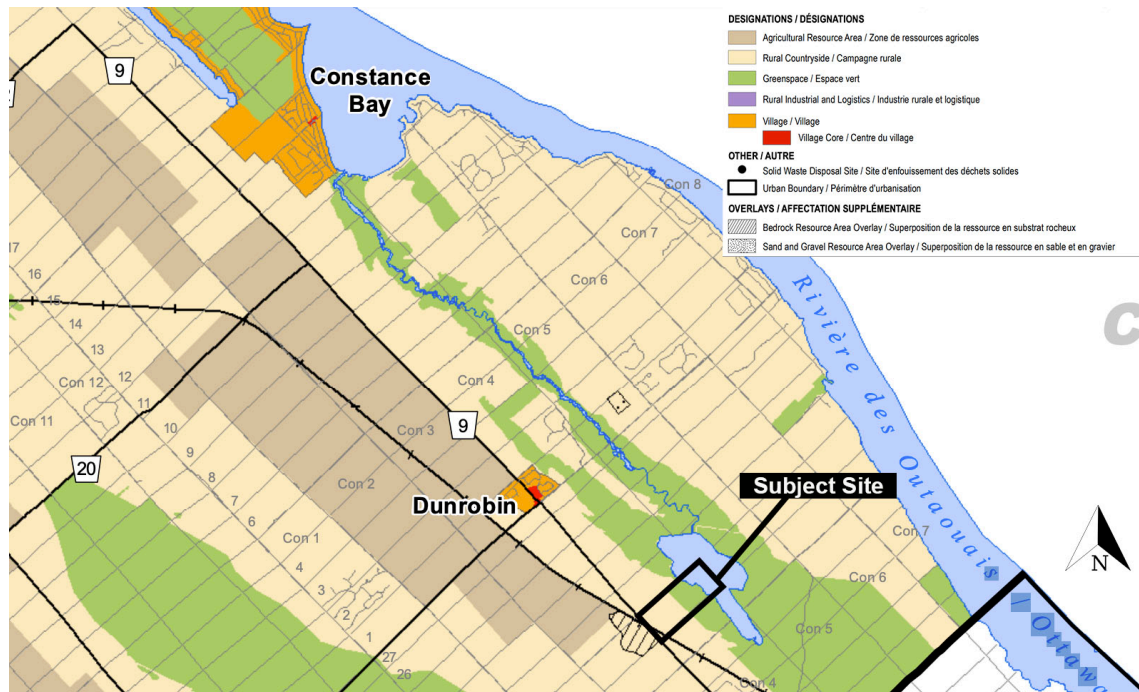


Figure 10: Official Plan Rural Transect Schedule. (Source: City of Ottawa).

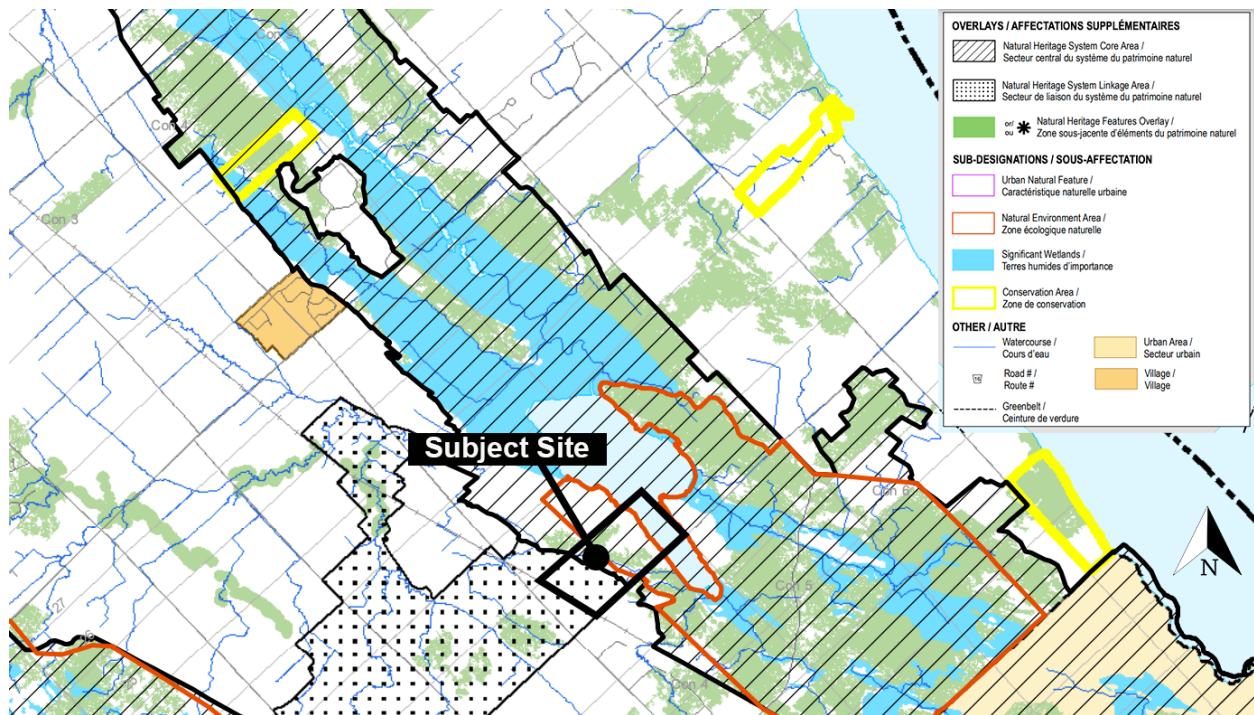


Figure 11: Official Plan Natural Environmental Area Overlay (Source: City of Ottawa).

The subject site is also within the Natural Heritage System Core Area & Natural Heritage System Linkage Area and within a Natural Environmental Area Overlay as outlined in the Official Plan (see Figure 10). There is a small bit of Floodplain on the property surrounding Constance Bay (see Figure 11).

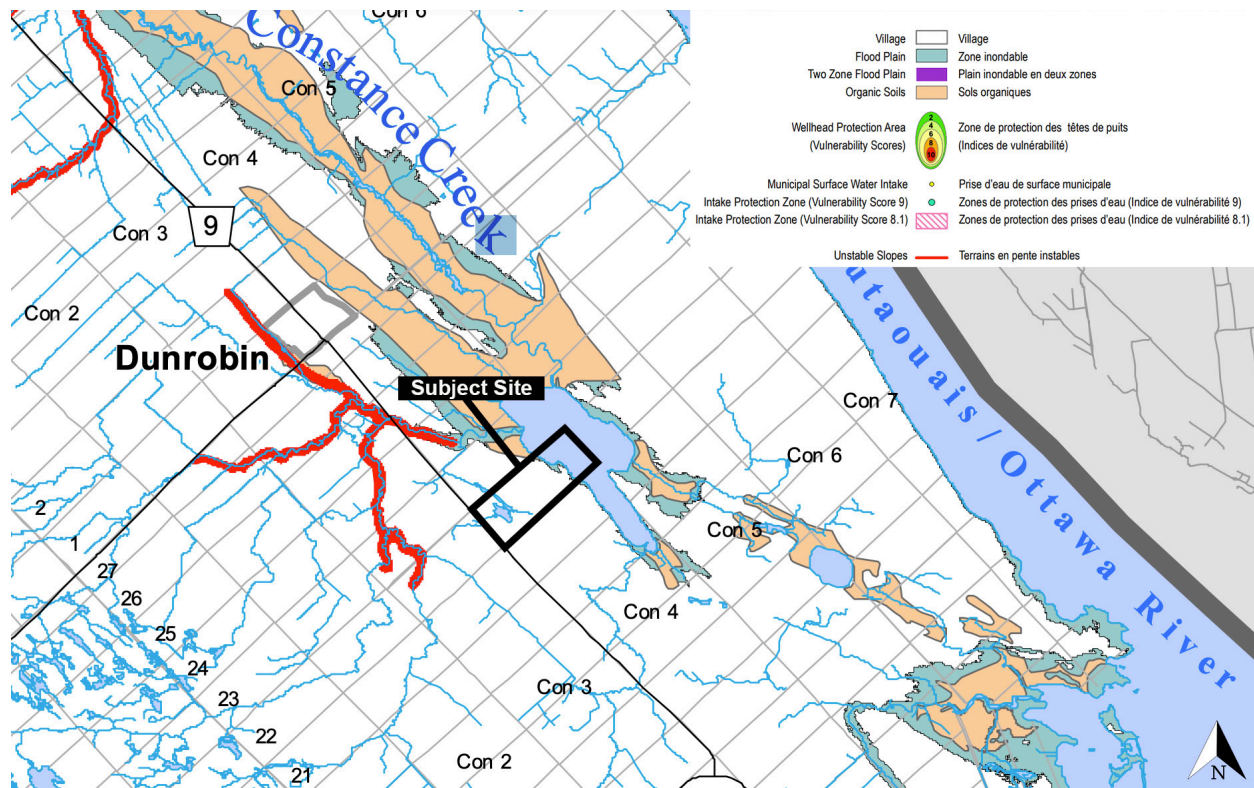


Figure 12: Environmental Constraints Schedule Official Plan. (Source: City of Ottawa).

Section 5.6.4.1 speaks to development within Natural Heritage System Core Area and Natural Heritage System Linkage Areas and states that:

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 longterm enhancement and restoration of the ecological integrity, biodiversity and ecosystem services of the area; and b) In Natural Heritage System Linkage Areas, development or site alteration shall maintain or improve the ecological and recreational connectivity of the area; and, not compromise the potential for longterm enhancement and restoration of ecological and recreational connectivity of the area.

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. 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.

Comment: The existing development on the site is located within the Natural Heritage System Linkage Area. No new development is proposed on the subject property associated with the severance. Therefore there will be no site alterations that will

compromise the potential for long-term enhancement and restoration of ecological recreational connectivity of the area. The consent will have no negative impact on the Natural Heritage System or the Natural Heritage Features. No development exists or is proposed in the floodplain area.

Section 5.6.3.2 provides policies to protect existing licensed mineral aggregate operations from incompatible development and minimize negative effects on neighbourhoods. These policies state that:

3) New development shall not be approved within 500 metres of lands within the Bedrock Resource Area Overlay, or within 300 metres of lands within the Sand and Gravel Resource Area Overlay, unless it can be demonstrated that such development shall not conflict with future mineral aggregate extraction. Conflicting land uses are new sensitive land uses that interfere with mineral aggregate extraction, including but not limited to: a) The creation of new lots; b) Rezoning to permit dwellings or lodging places (motels, campgrounds, nursing homes, etc.); and c) Small-scale business uses where animals, equipment or employees may be adversely affected by pit or quarry activities.

4) New development may be approved within 500 metres of an existing licensed bedrock quarry or within 300 metres of an existing sand and gravel pit if it can be demonstrated that the existing mineral aggregate operation, and potential future expansion of the operation in depth or extent, will not be affected by the development.

5) Where the City approves the development of land in accordance with the Policies 3) or 4) above, it may impose conditions to ensure the development provides adequate buffering and/or separation between the new proposed use and the mineral aggregate area/operation.

6) The City may permit the creation of new lots on land within the influence areas, where all of the following criteria are met: a) The intention is to sever a lot for a house existing as of July 9, 1997; b) The vacant parcel that remains within the Sand and Gravel Resource Area Overlay, the Bedrock Resource Area Overlay or within an influence area identified in Policy 3), is rezoned to prohibit the construction of a new residential building; and c) Where the severance is within an influence area identified in Policy 3), it shall also be permitted by and be consistent with the policies of the underlying designation of the land.

Comment: The subject property is directly across the road from lands designated on the Rural Transect Schedule as Bedrock Resource Overlay. A Mineral Aggregate report was completed from Paterson's on May 16, 2023. Based on Paterson's review of documentation and site visit, it is understood that a Bedrock Resource Area is identified to the south of subject site. Upon further review, it was determined that this area has not yet obtained a licence for extraction and it is unknown if and when that licence may be obtained. Evidence of aggregate extraction is also not present at any location within the Bedrock Resource Area.

Section 9.2 includes policies applicable to the Rural Countryside designation, which contain a variety of rural uses, including small clusters of commercial development. The intent of the designation is to accommodate a variety of uses that are compatible with rural locations. Various permitted uses are included in the Rural Countryside designation.

Section 9.2.3 provides an overview of policies that are intended to guide development in rural areas and to limit the fragmentation of rural lands and ensure the preservation of health:

1) In the case of non-residential uses, for the creation of three or more lots in a three-year period, development shall be by plan of subdivision;

2) Where the creation of less than three lots is proposed for a non-residential use, the Zoning By-law shall permit for non-residential uses prior to the application for a consent to sever and the City may require an amendment to the Zoning By-law to prohibit residential uses as a condition of severance;

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; 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; i) The development is supported by adequate water quality and quantity. 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; 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; 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. 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. 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; and i) Confirmation of sufficient reserve sewage system capacity and/or reserve water system capacity within municipal water and/or sewage services, or private communal water and/or sewage services;

4) Country lot estate subdivisions are prohibited except on those lands where an application for a plan of subdivision was received and deemed complete by December 31, 2009, or where the proposed subdivision meets the conditions established in Subsection 3.4, Policy 8);

5) A new lot shall not be created from a lot within a registered plan of subdivision unless all of the following conditions are met: a) The minimum size of the severed and retained lots are no less than 0.8 hectares; b) The retained and severed lots can be adequately serviced; and c) It is demonstrated that the creation of any new lot shall not adversely affect the water and wastewater systems of adjacent developments;

6) Multi-Unit residential developments are prohibited.

Comment: The proposed severance will represent the creation of one new lot which will contain an existing dwelling. The new lot will provide a condition where there is one dwelling unit per lot. Currently there are two dwelling units, both on the same lot. The retained parcel will be greater than 10 hectares and the severed portion will be greater than 0.8 ha. The lots will be privately serviced with services on each lot. A right-of-way is proposed to provide access to both lots from one driveway access. All development on the lots is existing, and as such the existing development is located towards the roadway and away from areas with mature vegetation or natural features.

Section 7 provides policies for lands that are within the Greenspace Designation. Section 7.3 provides policies for development within lands partially containing the Natural Environment Area designation:

d) *The City shall permit a single-detached dwelling and accessory buildings on an existing lot of record, which has open, maintained, public road frontage. The building shall be subject to site plan control. Where new construction occurs on a lot that lies partially within the boundaries of a designated area, the new construction and on-site servicing shall be located outside the boundary of the area to the greatest extent possible on the lot and disturbance of the natural area will be minimized;*

e) *Development and site alteration within 120 metres of the boundary of a Natural Environment Area must demonstrate no negative impacts on the natural features or their ecosystem services within the area.*

Comment: The existing development is outside of the Greenspace designation. The severance is to allow each dwelling unit to be on a separate lot as required by policy. The existing development is located >120 metres from the boundary of the Greenspace Designation. No development is proposed as part of this application. Therefore there will be no negative impacts on the natural features or their ecosystem services within the area.

Based on our review, it is our professional planning opinion that the proposed development conforms with the City of Ottawa Official Plan.

City of Ottawa Zoning By-law

The property is currently split-zoned RU - Rural Countryside Zone and EP3 - Environmental Protection Zone, Subzone 3. The intent of the Rural Zone is to permit uses compatible with rural areas and infrastructure, with residential development generally restricted to detached dwellings. The intent of the Environmental Protection Zone is to restrict development and site alteration within identified floodplains. All of the existing structures are located in the RU - Rural Countryside Zone. The table below provides an overview of the required provisions for the RU zone and the proposed development's compliance. No new development is proposed and no development currently exists within areas zoned EP3.

| Consent Application to create Two Parcels | 2226 - 2230 Dunrobin Road | | | Section/By-law |
|---|--------------------------------|---------------------|---------------------|-------------------|
| RU - Rural Countryside Zone | Required | Retained | Severed | |
| Minimum Lot Frontage | 50 m | 89.13 m | 62.26 m | Section 227 |
| Minimum Lot Area | 0.8 ha severed, 10 ha retained | 61 ha | 4.58 ha | Section 227 |
| Max Building Height | 12 m | <12 m | <12 m | Section 227 |
| Minimum Front/Corner Yard Setback | 10 m | >10 m | >10 m | Section 227 |
| Minimum Rear Yard Setback | 10 m | >10 m | >10 m | Section 227 |
| Minimum Interior Yard Setback | 5 m | >5 m | 14.05 m | Section 227 |
| Maximum Lot Coverage | 20% | <20% | <20% | Section 227 |
| Minimum Parking Spaces | 1 per dwelling unit | 1 per dwelling unit | 1 per dwelling unit | Part 4, Table 101 |

| Consent Application to create Two Parcels | 2226 - 2230 Dunrobin Road | | | Section/By-law |
|---|---|--|--|----------------------|
| RU - Rural Countryside Zone | Required | Retained | Severed | |
| Minimum Distance Separation (Part 2, S.62) | New livestock operations or the expansion of existing livestock operations must comply with the minimum distance separation formulae of the Province. New development in proximity to an existing livestock operation must also comply with the MDS formulae. | No livestock is existing or proposed on the subject property | No livestock is existing or proposed on the subject property | S. 62, Part 2 |
| EP3 - Environmental Protection, Subzone 3 | Required | Retained | Severed | Section/By-law |
| Permitted Uses | One detached dwelling on a lot fronting on a public street | No development existing in the portion of the lot zoned EP | No part of the severed lands are zoned EP | Section 184 |
| Accessory Structure Front / Corner Yard Setback | 10 m | N/A | N/A | Section 55, Table 55 |
| Accessory Structure Interior Yard Setback | In rear yard, 1 m | N/A | N/A | Section 55, Table 55 |
| Accessory Structure Rear Yard Setback | 10 m | N/A | N/A | Section 55, Table 55 |
| Minimum Required Distance to Other Buildings | 1.2 m | N/A | N/A | Section 55, Table 55 |
| Maximum Height | 12 m | N/A | N/A | Section 55, Table 55 |
| Aggregate of all Accessory Buildings | 5% of total lot area or 150 m ² whichever is greater = 2,100 m ² | N/A | N/A | Section 55, Table 55 |

| Consent Application to create Two Parcels | 2226 - 2230 Dunrobin Road | | | Section/By-law |
|---|---------------------------|----------|---------|----------------------|
| RU - Rural Countryside Zone | Required | Retained | Severed | |
| Maximum Number of Accessory Buildings per lot | No restriction | N/A | N/A | Section 55, Table 55 |

PLANNING ACT REVIEW

Review of Section 51(24)

The following is a review of Section 51(24) of the Planning Act to assess the suitability of the proposed severances to sever the single lot at 2226-2230 Dunrobin Road into two lots in order to facilitate each detached dwelling and their respective outbuildings to be located on separate parcels. In the Planning Act, a series of conditions are presented that state in the case of any subdivision of land, including consent to sever, regard shall be had to:

1. *The effect of development of the proposed subdivision on matters of provincial interest as referred to in section 2;*

The proposed consent allows for the creation of two new lots for the existing detached dwellings. The existing dwellings and accessory structures are well-established uses on the property and are permitted within the zoning by-law. The severance is consistent with the all applicable provincial policies including the Provincial Policy Statement.

2. *Whether the proposed subdivision is premature or in the public interest;*

The proposed consent to sever is not premature. It facilitates the creation of separate lots for each of the existing dwelling units.

3. *Whether the plan conforms to the official plan and adjacent plans of subdivision, if any;*

The proposed consent conforms to the new City of Ottawa Official Plan as it supports the continued residential use of the property and creates a development pattern is that more consistent with the by-law maximum of 1 dwelling unit per lot. The severance results in two lots that exceed the area and frontage requirements outlined in the Zoning By-law and do not impact the environmental areas.

4. *The suitability of the land for the purposes for which it is to be subdivided;*

The proposed severance results in two lots being created from the existing parcel. The lots both exceed the size requirements for the severed and retained lots as set out by the Zoning By-law. Furthermore, as the dwelling units and accessory buildings are existing, the lots will be appropriately-sized and suitable to accommodate the use.

5. *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;*

No new roads are proposed as part of this land severance. The proposed development will not impact transportation infrastructure.

6. *The dimensions and shapes of the proposed lots;*

The two created lots will be exceed the area and frontage requirement of the By-law. A

single access easement with a right-of-way will be provided to maintain a single driveway to not add any additional vehicular accesses along Dunrobin Road. No new development is proposed and existing development does not negatively impact the portions of the property zoned for environmental protection. The new lots will be sufficiently sized to accommodate the existing development, since the building is already there and no exterior construction or expansion is proposed.

7. *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;*

There are no restrictions or proposed restrictions that apply to the existing or proposed lot and its uses, beyond the Zoning By-law.

8. *Conservation of natural resources and flood control;*

The proposed consent will require a grading and drainage plan to indicate how runoff will be controlled as a required condition for any severance application. The property is large enough to contain all stormwater on-site. No new construction is being proposed as part of the application.

9. *The adequacy of utilities and municipal services;*

The site has adequate access to utilities and municipal services to serve the severed parcels and the resulting development.

10. *The adequacy of school sites;*

The proposed consent will not result in any additional density. Consequently, no impact on the adequacy of school services is anticipated.

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

No part of the proposed lands are to be conveyed or dedicated for public purposes.

12. *The extent to which the plan's design optimizes the available supply, means of supplying, efficient use and conservation of energy; and*

The proposed severance allows for the separate conveyance of the dwelling units. The consent results in a more efficient lot structure that aligns better with the zoning by-law requirement of a maximum of 1 dwelling unit per lot.

13. *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).*

The proposed development does not require Site Plan Approval and is considered to be a minor development proposal.

CONCLUSION

As noted, the proposed severance to create a new lot from the existing property currently developed with two detached dwellings and four accessory structures would allow for the creation of a new lot so that the surplus dwelling is able to exist on its own lot. The severance would result in a more appropriate lot condition for each detached dwelling. The proposal will result in two contextually-sized lots within the rural area, each greatly exceeding the minimum lot area and frontage. A shared access is being proposed as to not create any additional accesses via Dunrobin Road. No changes or development is being proposed in the environmentally sensitive area to the north on the subject lands.

Collectively considered, the development meets the assessment criteria for the suitability of proposed severances required under Section 51(24) of the Planning Act.

It is the opinion of Q9 Planning + Design that the proposed severance is good land use planning and meets the required tests and criteria set out in the Planning Act.

Yours truly,



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CC: Amy Beaudoin