



November 8, 2023

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

**RE: Applications for Consent
7344 Jock Trail
Part Lot 14, Concession 2
Geographic Township of Goulbourn
City of Ottawa
Owner: Karen Wheaton**

**Committee of Adjustment
Received | Reçu le**

2023-11-20

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

Dear Committee Members,

ZanderPlan Inc. has been retained by the property owner to assist with two Severance Applications for the property located at 7344 Jock Trail, described as Part of Lot 14, Concession 2, in the Geographic Township of Goulbourn. The property is irregular in shape and resides within the rural area of Ottawa. The property owner is looking to sever two parcels on the northwest side of the property, with both of the severances and retained lot fronting onto Jock Trail. Each severance will create a vacant lot 0.8 hectares in size with just over 70m of frontage, leaving the retained lands with 13.1 hectares and 159.7m of frontage to encompass the existing dwelling and livestock facility located to the South East end of the property. The subject property resides within the Rural Countryside land use designation of the Official Plan and is also zoned Rural Countryside (RU) and located within Area D in the City of Ottawa Zoning By-Law. The proposed severance sizes adhere to the policies and provisions in place for the Rural Countryside in the City of Ottawa.

SITE LOCATION

The subject property is located closest to the main intersection of Jock Trail and Green's Road with a civic address of 7344 Jock Trail, at Part of Lot 14, Concession 2 in the former municipality of Goulbourn (Figure 1). The lot is approximately 147,323 sq.m and currently contains an existing dwelling setback approximately 391 metres from the road and a 10 stall horse barn setback 346m from Jock Trail in the South East portion of the lot. The existing driveway resides along the East property line down to the existing dwelling passing through the Bell Easement along Jock Trail and the Hydro Easement intersecting the middle of the property. The depth of the subject property varies as it backs onto the Jock River with approximately 371m of river frontage with floodplains located 125m above the shoreline. All existing and future development is located well outside the identified floodplains along Jock River. Both proposed severances shall be

P.O. Box 20148 Perth, Ontario K7H 3M6 ph. 613-264-9600 fax: 613-264-9609 www.zanderplan.com

located to the West side of the lot with a depth of approximately 111.9 meters and will have 71.5m of frontage onto Jock Trail, exceeding the 50 metre minimum requirement for frontage in the Rural Countryside zone, and will be 0.8 hectares in size. Surrounding properties consist of a mix of small to large rural properties. Minimum Distance Separation has been calculated to ensure the location of the severances will continue to create a compatible rural neighbourhood.



Figure 1. Aerial of Subject Property

PROVINCIAL POLICY STATEMENT, 2020

The Provincial Policy Statement (PPS) 2020 was issued under Section 3 of the *Planning Act* and came into effect May 1, 2020, replacing the Provincial Policy Statement issued April 30, 2014. The PPS provides policy direction on matters of Provincial interest relating to land use planning

while providing for appropriate development that protects resources of provincial interest, public health and safety and the quality of the natural and built environment.

Section 1.0 speaks to efficient land use and development patterns to support sustainability through the promotion of strong, liveable, healthy and resilient communities. The subject land adheres to this policy as the proposed severances will add two new lots fronting to an existing municipal road, creating an increase in value to the lands and to the community while maintaining compatibility with its surrounding area. The new lots will use existing infrastructure and servicing, and contribute to the supply of housing opportunities in the rural area of the City of Ottawa.

Section 1.1. speaks to managing and directing land use in order to achieve efficient and resilient development. The site is located within a rural area with the proposed severances offering opportunities for additional lots for potential development within the rural communities. This will aid in housing opportunities while supporting and promoting the sustainability of these smaller rural communities without affecting settlement area boundaries or the surrounding environment.

Section 1.1.4 speaks to the importance of leveraging rural assets and amenities and protecting the environment as a foundation for a sustainable economy. The subject property currently contains an existing dwelling and 10 stall horse barn located in the South East of the lot. The proposed severances will create two vacant lots consisting of 0.8 hectares, the permitted minimum size for the Rural Countryside zone. Each will maintain 71.5m of frontage and a lot depth of 111.9m to ensure adequate distance from the existing livestock facility on the subject property. The retained 13.1 hectares will continue to encompass the existing dwelling, barn, Hydro and Bell Easements and identified Floodplains along Jock River, with 159.7m of frontage along Jock Trail. The proposed severance size and depth are similar to the smaller lot sizes located along Jock Trail and Green's Road creating opportunities to build upon the rural residential character and maintaining a consistent and cohesive mix of residential properties. Aside from the Floodplains along the South of the property, there are no other Natural Heritage Features identified on the property.

Section 1.2.6 speaks to Land Use Compatibility, noting that "*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*". The future development of the proposed lots does not meet the definition of a major facility as defined by the Provincial Policy Statement and shall not present any adverse effects from contaminant discharges, noise, odour, or other public health risks from creation of the two lots for future residential purposes. There are no other surrounding uses falling within the major facilities classification surrounding the subject property that would result in a conflict with the proposed development.

Section 1.6 speaks to infrastructure and public service facilities. The proposed severances and retained lands will require private individual wells and septic systems for future development, as

there are no municipal services in this rural part of the City. Each lot is large enough to ensure the proper spacing and setbacks is in place for any future development and implementation of private services.

Section 2.1 of the PPS speaks to Natural Heritage. The subject site is located in a rural residential area with no identified natural heritage features found in or around the proposed severed lots.

Section 2.2 speaks to Water, as the subject property abuts along Jock River with an existing dwelling residing approximately 84m from the river in the South East corner. The proposed severances are located over 285m and shall have no effect on the function of the Jock River.

Section 2.3 speaks to Agriculture, with no identified significant agricultural resources identified on or surrounding the subject property. The subject property currently contains a 10 stall horse barn, requiring an MDS setback of 118m. The abutting property along the West contains two older buildings, flagged through aerial imagery. There does not appear to be any paddocks or fencing in place for existing livestock, presuming the buildings are unoccupied at this time. Setbacks for the abutting property known as 7438 Jock Trail were calculated using the approximate area of both the unoccupied buildings determining a setback of 165m. Both proposed severances are outside of the calculated setbacks, as shown on the enclosed sketch, thereby meeting the intent of the MDS guidelines.

Section 2.4 speaks to Minerals and Petroleum, with no identified resources found on the subject property.

Section 2.5 speaks to Mineral Aggregate Resources, with no identified resources found on or surrounding the subject property.

Section 2.6 speaks to Cultural Heritage and Archaeology; given that the existing lot is somewhat developed, it is unlikely to contain resources of archaeological or cultural significance.

Section 3.0 of the PPS speaks to Protecting Public Health and Safety with policies related to natural and man-made hazards. The subject site does contain Floodplains to the rear of the lot, to be encompassed by the retained lands which is already developed. No additional development shall take place in or around the Floodplain area, posing no risk to the proposed severances. The subject property does not contain any known man-made hazards and there have been no documented sources of contamination on the property.

Overall, the proposed severances are consistent with the 2020 Provincial Policy Statement.

CITY OF OTTAWA OFFICIAL PLAN, 2022

The Official Plan sets forth broad policies that will help govern growth and change in Ottawa, as well as specific policies dependent upon land use designations. Schedule B9 of the Official Plan identifies the land designation for the subject property as Rural Countryside bordering a Natural Heritage System Core Area to the South, as seen on Schedule C11-B.

Section 4.8.1 of the Plan speaks to the Natural Heritage System and features as the property resides along a Natural Heritage System Core Area. These areas are subject to a higher standard of protection as identified on schedule C11-B, and recognizes the following as part of the natural heritage features within the overlay as:

- a) Significant wetlands;
- b) Habitat for endangered and threatened species;
- c) Significant woodlands;
- d) Significant valleylands
- e) Significant wildlife habitat;
- f) Areas of Natural and Scientific Interest;
- g) Urban Natural Features;
- h) Natural Environment Areas;
- i) Natural linkage features and corridors;
- j) Groundwater features;
- k) Surface water features, including fish habitat; and
- l) Landform features.

The intent of the Natural Heritage System is to protect the natural features surrounding the subject property and to limit development which could impact these features. The proposed severances are to be situated over 150m from any surrounding Natural Core Areas as identified on Schedule C11 of the Official Plan. This distance provides adequate buffering to ensure any future development of the proposed lots will not impact the Natural Heritage Features surrounding the property. The retained lands are already developed with no additional development plans in place, continuing to conserve the natural features.

Section 9.2 speaks to the Rural Countryside designation with the general intent to create opportunities and accommodate a variety of land uses appropriate for the rural location, predominately protecting the character of the rural countryside. The proposed severances would help create a more diverse range of uses by adding additional residential opportunities within the rural countryside while maintaining the rural character.

Section 9.2.2 lists the uses permitted within the rural countryside that the City notes will help strengthen the rural economy as:

- a) Forestry, conservation and natural resource management activities;
- b) Agriculture, agriculture-related and on-farm diversified uses;
- c) Residential uses according to the policies of this plan;
- d) Animal services boarding, breeding and training and equestrian establishments;
- e) Bed and breakfasts;
- f) Utility Installations;
- g) Cemeteries; and
- h) Sand and gravel pits.

The purpose of the proposed severances is intended to create two severed lots for residential purposes, a permitted use within the City of Ottawa's Official Plan, while leaving the retained lands as is.

Section 9.2.3 sets forth additional policies to limit the fragmentation of rural lands and to ensure the preservation of health by limiting lot creation to only two lots with a minimum lot size of 0.8 hectares from any lot in existence on May 14, 2003, and allowing a minimum of 10 hectares on the retained lot. The proposed lot sizes are the minimum requirements of 0.8ha, and the retained parcel is comprised of a total of 13.1 hectares. Each lot will maintain adequate frontage onto Jock Trail, a public maintained road and will ensure development is restricted to areas away from mature vegetation and natural features as to not disrupt any natural features or resources identified on and surrounding the property.

Overall, the proposed severances comply with and are supported by the policies found within the City of Ottawa Official Plan.

CITY OF OTTAWA ZONING BY-LAW, 2008-250

The Zoning By-Law sets forth specific policies that will help govern growth and change in Ottawa dependent upon specific land designations. The subject property falls in the Rural Countryside (RU) zone in the Zoning By-law.

Part 2 of the Zoning By-law speaks to General Provisions that are applied to all land use designations in the City of Ottawa. **Section 56** of the Zoning By-Law speaks to adequate urban, suburban and rural services to ensure that any expansion or intensification of land can accommodate the required services. The two proposed severances are outside of the municipal service area of Ottawa, therefore requiring private individual well and waste water services which are compatible with the proposed parcel sizes.

Section 62 speaks to Minimum Distance Separation. The subject property resides within the rural area of Ottawa with the potential for surrounding livestock facilities where setbacks must be considered. Information of surrounding livestock facilities has been collected and calculations have been performed to ensure adequate distance from future residential development is maintained. The proposed severance locations and sizes are outside of the required calculated MDS setbacks. The information on the livestock buildings, calculations and setbacks can be seen in the attached MDS report and severance sketch, to be submitted along with this application.

Part 13 speaks to Rural Countryside Zones. The purpose of the zone is *“to 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. To recognize and permit this range of rural based land uses which often have large lot or distance separation requirements and to regulate various types of development in manners that ensure compatibility”*. The proposed severances will not cause any conflict with the intent of the By-Law and the lots will comply with the provisions set forth in the Rural Countryside Zone.

Section 227 outlines the permitted uses within the Rural Countryside as follows;

- A.the provisions of subsection 227(2) to (5);
- B.a maximum of 10 guest bedrooms is permitted in a bed and breakfast
- C.a maximum of 10 persons are permitted in a group home,
- D.a maximum of 10 persons are permitted in a retirement home, converted

agricultural use, see Part 2, Section 62

agriculture-related use, see Part 3, Section 79B (By-law 2021-222)

animal care establishment

animal hospital

artist studio

bed and breakfast, see Part 5, Section 121

Cannabis Production Facility, limited to outdoor and greenhouse cultivation. (By-law 2019-222)

cemetery

detached **dwelling**

equestrian establishment

environmental preserve and educational area

forestry operation

group home, see Part 5, Section 125

home-based business, see Part 5, Sections 127 and 128

home-based day care, see Part 5, Section 129

kennel, see Part 3, Section 84

on-farm diversified use, see Part 3, Section 79A (By-law 2019-41) (By-law 2021-222)

retirement home, converted, see Part 5, Section 122
secondary dwelling unit, see Part 5, Section 133

The proposed severances are intended to be utilized for future residential development, complying with the permitted uses of the Rural Countryside zone and all zone provisions. The retained lands will be maintained as is, continuing its residential use with the ability to accommodate up to 10 horses in the existing barn.

The required zoning provisions for the Rural Countryside Zone (RU) are as follows:

Provisions	Required	Severance 1	Severance 2	Retained
Minimum Lot Width	50m	71.5m	71.5m	159.7m
Minimum Lot Area	0.8ha	0.8ha	0.8ha	13.1ha

The proposed severances and retained lot comply with the Rural Countryside Zoning provisions set forth within the City of Ottawa Zoning By-Law.

SUMMARY

The applicant is seeking two severances from the property known as 7344 Jock Trail for the purpose of future residential dwellings. The retained lands will maintain 159.7 metres of frontage on Jock Trail and 371.3m along Jock River with a total area of 131,323 sq.m. The retained lot will encompass the existing house, 10 stall horse barn, Hydro easement and identified Floodplains to the South. The proposed severances are consistent with the policies in the 2020 Provincial Policy Statement, and meet the intent of the policies in the City of Ottawa’s Official Plan, and will comply with the Zoning By-Law requirements of the Rural Countryside (RU) zone for the intended uses of the 2 new lots.

Should you require any additional information please do not hesitate to contact the undersigned.

All respectfully submitted by:

Tracy Zander, M.PI, MCIP, RPP