

December 7, 2023

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

**Attention: Michel Bellemare, Secretary – Treasurer**

**Reference: 1929 8<sup>th</sup> Line Road  
Applications for Consent and Minor Variance  
Our File No.: 122042**

**Committee of Adjustment**  
Received | Reçu le

2023-12-08

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

Novatech has been retained by the owner of the property municipally known as 1929 8<sup>th</sup> Line Road (the “Subject Property”) to prepare and file consent and minor variance applications to sever the Subject Property into three separate parcels.

This letter describes the existing conditions of the Subject Property, the proposed severances, the proposed minor variances, and provides a rationale in support of the applications.

### Existing Conditions

1929 8<sup>th</sup> Line Road is located in the Osgoode Ward (Ward 20) of the City of Ottawa, east of 8<sup>th</sup> Line Road and north of Forest Green Crescent (see Figure 1). The Subject Property has approximately 123 metres of frontage along 8<sup>th</sup> Line Road, 131 metres of frontage along Forest Green Crescent, and an approximate area of 19.97 hectares.

**Figure 1. Subject Property**



1929 8<sup>th</sup> Line Road is legally described as Part of Lot 12, Concession 8, Osgoode, being parts 1, 2 and 3 on 4R18176, Ottawa. The Subject Property is designated Rural Countryside on Schedule B9 of the City of Ottawa's Official Plan. The property is zoned Rural Countryside [RU] and Parks and Open Space, Subzone O [O1O] by the City of Ottawa's Zoning By-law. The property is currently developed with a detached dwelling, unoccupied livestock facility, and accessory buildings. A driveway off 8<sup>th</sup> Line Road provides access to the existing dwelling on the property.

1929 8<sup>th</sup> Line Road is subject to an easement established in 1958 in favour of Trans-Canada Pipe Lines Limited (instrument number OS21743 amended by OS22666). A pipeline corridor crosses the property generally north-south approximately 320 metres east of 8<sup>th</sup> Line Road. The pipeline corridor is zoned Parks and Open Space, Subzone O [O1O] (see Figure 2).

**Figure 2. Zoning Map**



### Proposed Development

It is proposed to sever 1929 8<sup>th</sup> Line Road into three separate parcels. One new parcel will accommodate the existing detached dwelling on the property. A second new parcel will be vacant and accommodate an existing unoccupied livestock facility and accessory buildings. The retained parcel will be vacant.



## Consent Applications

### Consent Application 1

Consent application 1 will sever a new parcel (the “western severance”) that will accommodate an existing detached dwelling near 8<sup>th</sup> Line Road. The severed parcel will have approximately 123 metres of frontage along 8<sup>th</sup> Line Road and an approximate area of 1.37 hectares. The retained parcel will have approximately 131 metres of frontage along Forest Green Crescent and an approximate area of 18.6 hectares (see Figure 3).

**Figure 3. Consent Sketch 1 Excerpt**



### Consent Application 2

Consent application 2 will sever a new vacant parcel (the “eastern severance”) that will accommodate an existing unoccupied livestock facility and accessory buildings. The severed parcel will have approximately 75 metres of frontage along Forest Green Crescent and an approximate area of 1.5 hectares. The proposed severance will result in two dis-contiguous retained parcels. The western retained parcel is proposed to be independently severed by consent application 1. The western retained parcel will have approximately 123 metres of frontage along 8<sup>th</sup> Line Road, and an approximate area of 1.37 hectares. The eastern retained parcel will have approximately 56 metres of frontage along Forest Green Crescent, and an approximate area of 17.1 hectares (see Figure 4).

Figure 4. Consent Sketch 2 Excerpt



**Consent Rationale**

Planning Act

Subsection 53(1) of the Planning Act states (*emphasis added*):

*“An owner, chargee or purchaser of land, or such owner’s, chargee’s or purchaser’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. 2021, c. 25, Sched. 24, s. 4 (1).”*

The proposed severances do not necessitate the construction of new public infrastructure, including roads and services. A plan of subdivision is not required for the proper and orderly development of the municipality.

Subsection 53(12) of the Planning Act states (*emphasis added*):

*“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 will speak to 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 property at 1929 8<sup>th</sup> Line Road is within the rural transect of the City of Ottawa. The proposed severance has regard for the following matters of provincial interest:

- the protection of ecological systems, including natural areas, features and functions;
- the orderly development of safe and healthy communities; and
- the appropriate location of growth and development.

*(b) whether the proposed subdivision is premature or in the public interest;*

The Subject Property is located within the rural transect of the City of Ottawa. The proposed severances will create two new parcels. One new parcel will accommodate an existing dwelling. The second new parcel will be vacant and will accommodate an existing unoccupied livestock facility and accessory buildings. The proposed severances are not premature and are in the public's interest.

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

1929 8<sup>th</sup> Line Road is designated Rural Countryside on Schedule B9 of the City of Ottawa's Official Plan. Section 9.2 of the Official Plan sets out policies for lands designated Rural Countryside. Section 9.2 of the Official Plan states:

*"The intent of this designation is to accommodate a variety of land uses that are appropriate for a rural location, limiting the amount of residential development and support industries that serve local residents and the travelling public, while ensuring that the character of the rural area is preserved."*

The proposed severances will create one new lot for the existing detached dwelling on the Subject Property, and a new vacant lot that will include the existing unoccupied livestock facility and accessory buildings. The retained lot will be vacant. New residential uses could be developed on the proposed vacant severed and retained parcels. The size of the proposed severed parcels is characteristic of the rural residential character of the area.

Policy 1 of Section 9.2 of the Official Plan states:

*"The following uses may be permitted:*

- b) Agriculture, agriculture-related and on-farm diversified uses;*
- c) Residential uses according to the policies of this plan;*

The Rural Countryside designation permits the existing and future residential uses and agricultural uses on the Subject Property.

City Council approved an Omnibus Official Plan Amendment on September 13, 2023. The Official Plan Amendment updated the rural residential severance criteria set out in Policy 3 of Section 9.2.3 of the Official Plan. The rural severance criteria as amended by City Council are discussed below.

Policy 3 of Section 9.2.3 of the Official Plan states:

*“All applications for a consent to sever for a lot(s) that permits a residential use in the Rural Countryside designation must demonstrate compliance with the policies in this Plan and the following circumstances as applicable:*

Policy 3 b) of Section 9.2.3 states:

*Where an infill lot is proposed between two existing dwellings not more than 250 metres apart on the same road and opposite the front yard of an existing dwelling the following conditions apply:*

- i) The proposed lot is a minimum of 0.8 hectares in size and is generally consistent with the size of surrounding lots on either side and immediately opposite;*
- ii) The retained lot is a minimum of 0.8 hectares in size and is generally consistent with the size of surrounding lots on either side and immediately opposite;*

Consent application 1 proposes to sever a new lot 1.37-hectare parcel to accommodate the existing detached dwelling on the Subject Property. The western severance is adjacent to two parcels developed with detached dwellings on the east side of 8<sup>th</sup> Line Road (1909 8<sup>th</sup> Line Road and 1953 8<sup>th</sup> Line Road). The detached dwellings are approximately 200 metres apart. The proposed severed parcel is across from a residential parcel developed with a detached dwelling that fronts onto 8<sup>th</sup> Line Road (1922 8<sup>th</sup> Line Road).

The western severance exceeds the minimum required 0.8-hectare lot area. 1909 and 1922 8<sup>th</sup> Line Road are approximately 0.42 hectares and 0.2 hectares respectively. These parcels are undersized compared to the minimum required 0.8-hectare lot area. The proposed 1.37-hectare severed parcel is generally consistent with the size of the residential parcels on the east side of 8<sup>th</sup> Line Road south of the Subject Property. The 18.6-hectare retained parcel is proposed to be severed by consent application 2.

Policy 3 d) of Section 9.2.3 states:

*In all other areas the proposed lot size is a minimum of 0.8 hectares in size and the retained lot is a minimum of 10 hectares in size;*

Consent application 2 proposes to sever a 1.5-hectare parcel from the Subject Property. The retained parcel excluding the severance proposed by consent application 1 is 17.1 hectares. The proposed severed and retained parcels exceed the minimum area requirements of Policy 3 d).



Policy 3 e) of Section 9.2.3 states:

*In all circumstances:*

*i) The proposed and retained lots have frontage on an open, maintained public road;*

Consent application 1 proposes to sever a parcel with 123 metres of frontage along 8<sup>th</sup> Line Road. Consent application 2 proposes to sever a parcel with 75 metres of frontage along Forest Green Crescent. The retained parcel will have 56 metres of frontage along Forest Green Crescent.

*ii) The proposed and retained lots can be adequately serviced without impacting existing private services on adjacent lots;*

The proposed severed and retained parcels exceed the minimum lot areas required by policy 3 b) and policy 3 d) above. The proposed severed and retained parcels are adequately sized to accommodate private services.

*iii) If applicable, provide confirmation of sufficient reserve sewage system capacity and/or reserve water system capacity within municipal water and sewage services, or private communal water and sewage services; and*

Not applicable.

*iv) The city may require development on the lot to be directed to areas away from mature vegetation or natural features. Where the proposed lot is located in an area with mature vegetation or natural features, a development agreement may be required as a condition of severance to ensure the protection of these natural features. The development agreement shall be informed by the conclusions and recommendations of an Environmental Impact Study; and*

An Environmental Impact Study has been submitted in support of the proposed severances. The Environmental Impact Study concludes the proposed severances and construction of two residential dwellings of the vacant severed and retained parcels will have no negative impacts on the significant natural heritage features and functions of the area.

*v) Except for c) (country lot subdivision) above, no more than two lots have been created from a lot in existence on May 14, 2003.*

1929 8<sup>th</sup> Line Road as it currently exists was in existence on May 14, 2003. The proposed severances represent two permitted severances from the Subject Property. The proposed severances meet the severance criteria in Policy 3 of Section 9.2.3 of the Official Plan.

**The proposed severances conform to the policies of the City of Ottawa's Official Plan.**

***(d) the suitability of the land for the purposes for which it is to be subdivided;***

1929 8<sup>th</sup> Line Road is designated Rural Countryside on Schedule B9 of the City of Ottawa's Official Plan. Policy 9.2.2 1) of the Official Plan lists "Residential uses according to the policies of this plan" as a permitted use on lands designated Rural Countryside. The proposed severed parcels are zoned Rural Countryside (RU) in the City of Ottawa's Zoning By-law 2008-250. The RU zone requires a minimum lot area of 0.8 hectares and a minimum lot width of 50 metres for a residential use, and a minimum lot area of 2 hectares and a minimum lot width of 60 metres for an agricultural use.

Consent application 1 proposes to sever a 1.37-hectare residential parcel with 123 metres of frontage along 8<sup>th</sup> Line Road. The western severance meets the minimum lot area and minimum lot width for a residential use in the RU zone. Consent application 2 proposes to sever a 1.5-hectare parcel with 75 metres of frontage along Forest Green Crescent. The eastern severance does not meet the minimum required lot area for an agricultural use (the unoccupied livestock facility). A minor variance application has been filed in support of consent application 2. A rationale in support of the proposed minor variance is provided in the following section of this letter. The vacant retained parcel will have an area of 17.1 hectares and 56 metres of frontage along Forest Green Crescent.

Subject to approval of the requested variances, 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;***

Not applicable.

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

The lot width and lot area of the proposed severed and retained parcels complies with the circumstances in Policy 3 of Section 9.2.3 of the Official Plan. A variance is requested to permit a reduced lot area for the eastern severance accommodating an agricultural use. Subject to approval of the requested variances, the requested severances have regard for the dimension and shape of the proposed lots.

***(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;***

A Trans Canada Pipelines Corridor crosses the Subject Property east of the proposed severances. The corridor is located on the retained parcel. A setback from the corridor is required for any future building or structure on the vacant retained parcel.

***(h) conservation of natural resources and flood control;***



The Subject Property is not within nor adjacent to a flood plain. An Environmental Impact Statement has been prepared by Muncaster Environmental Planning Inc. in support of the proposed severances. The Environmental Impact Statement concludes:

*“it is the professional opinion of the author that the construction and operation of two residences and associated infrastructure on the retained lands and east severance in the recommended building areas will not have a negative impact, as defined in the Provincial Policy Statement, on the significant natural heritage features and functions of the area, including the significant woodlands, Copper Hill Road South Upland Natural Area, and potential significant wildlife habitat and Species at Risk utilization, providing the above recommended mitigation measures are properly implemented.”*

*(i) the adequacy of utilities and municipal services;*

Private services including wells and septic systems will be required in support of the future development of the vacant severed and retained parcels.

*(j) the adequacy of school sites;*

The proposed severances are not anticipated to have an impact on the adequacy of school sites.

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

Road widenings may be required for 8<sup>th</sup> Line Road and Forst Green Crescent as a condition of approval.

*(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.

**The requested severances have regard for the criteria outlined in subsection 51(24) of the Planning Act.**

*Provincial Policy Statement*

Section 3 (5) of the Planning Act states:

*“A decision of the council of a municipality, a local board, a planning board, a minister of the Crown and a ministry, board, commission or agency of the government,*

*including the Tribunal, in respect of the exercise of any authority that affects a planning matter,*

*(a) subject to a regulation made under subsection (6.1), shall be consistent with the policy statements issued under subsection (1) that are in effect on the date of the decision;” 2006, c. 23, s. 5; 2017, c. 23, Sched. 5, s. 80; 2023, c. 10, Sched. 6, s. 2 (1).*

A decision by the Committee of Adjustment with respect to a planning matter must be consistent with the Provincial Policy Statement (PPS). The Provincial Policy Statement 2020 came into effect May 1, 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 PPS defines “Rural lands” as “*lands which are located outside settlement areas and which are outside prime agricultural areas.*” 1929 8<sup>th</sup> Line Road is in the rural area of the City of Ottawa and is designated Rural Countryside. The Subject Property is considered rural lands.

Section 1.1.5 of the PPS sets out policies for Rural Lands within municipalities. Policy 1.1.5.2 states:

*“On rural lands located in municipalities, permitted uses are:*

- c) residential development, including lot creation, that is locally appropriate;*
- d) agricultural uses, agriculture-related uses, on-farm diversified uses and normal farm practices, in accordance with provincial standards;”*

The policies of the PPS permit the existing residential dwelling and unoccupied livestock facility on the Subject Property. The PPS also permits residential development, including the creation of new lots, from the Subject Property.

Policy 1.1.5.4 of the PPS states: “*Development that is compatible with the rural landscape and can be sustained by rural service levels should be promoted.*” Consent application 1 proposes to create a new parcel to accommodate an existing detached dwelling, well, and septic system on the Subject Property. Consent application 2 proposes to create a vacant 1.5-hectare parcel. The 17.1-hectare retained parcel will be vacant. The size of the vacant, severed and retained parcels are adequate for the provision of private rural services.

Policy 1.1.5.8 states: “*New land uses, including the creation of lots, and new or expanding livestock facilities, shall comply with the minimum distance separation formulae.*” There is an unoccupied livestock facility on the Subject Property. There are also livestock facilities within the investigation area around the proposed severed and retained parcels.

The Province of Ontario has issued a set of Guidelines titled ‘*The Minimum Distance Separation (MDS) Document*’ that details how to calculate and measure required MDS setbacks.

Minimum Distance Separation (MDS) calculations were completed using the MDS Guidelines to determine the MDS setback requirements for the livestock facilities at 1887 8<sup>th</sup> Line Road, 8320 Copper Hill Road, and the Unoccupied Livestock Facility on the Subject Property. Please see MDS Calculation Reports submitted in support of the consent and minor variance applications.



For the proposed 1.37-hectare severed parcel, MDS Guideline 41 2. States MDS setbacks are measured: “as the shortest distance between the existing dwelling and either the surrounding livestock occupied portions of the livestock barns, manure storages or anaerobic digesters.”

For the proposed vacant severed and retained parcels, MDS guideline 41 4. states MDS setbacks are measured: “as the shortest distance between a 0.5 ha or larger building envelope (for a potential dwelling) and either the surrounding livestock occupied portions of the livestock barns, manure storages or anaerobic digesters.”

The required MDS setbacks from the livestock facilities at 1887 8<sup>th</sup> Line Road and 8320 Copper Hill Road were calculated using a conservative set of assumptions regarding the habitable area of the barns, type of livestock housed, and type of manure storage. The proposed severed and retained parcels meet the required MDS setbacks from the livestock facilities at 1887 8<sup>th</sup> Line Road and 8320 Copper Hill Road (see Figure 5).

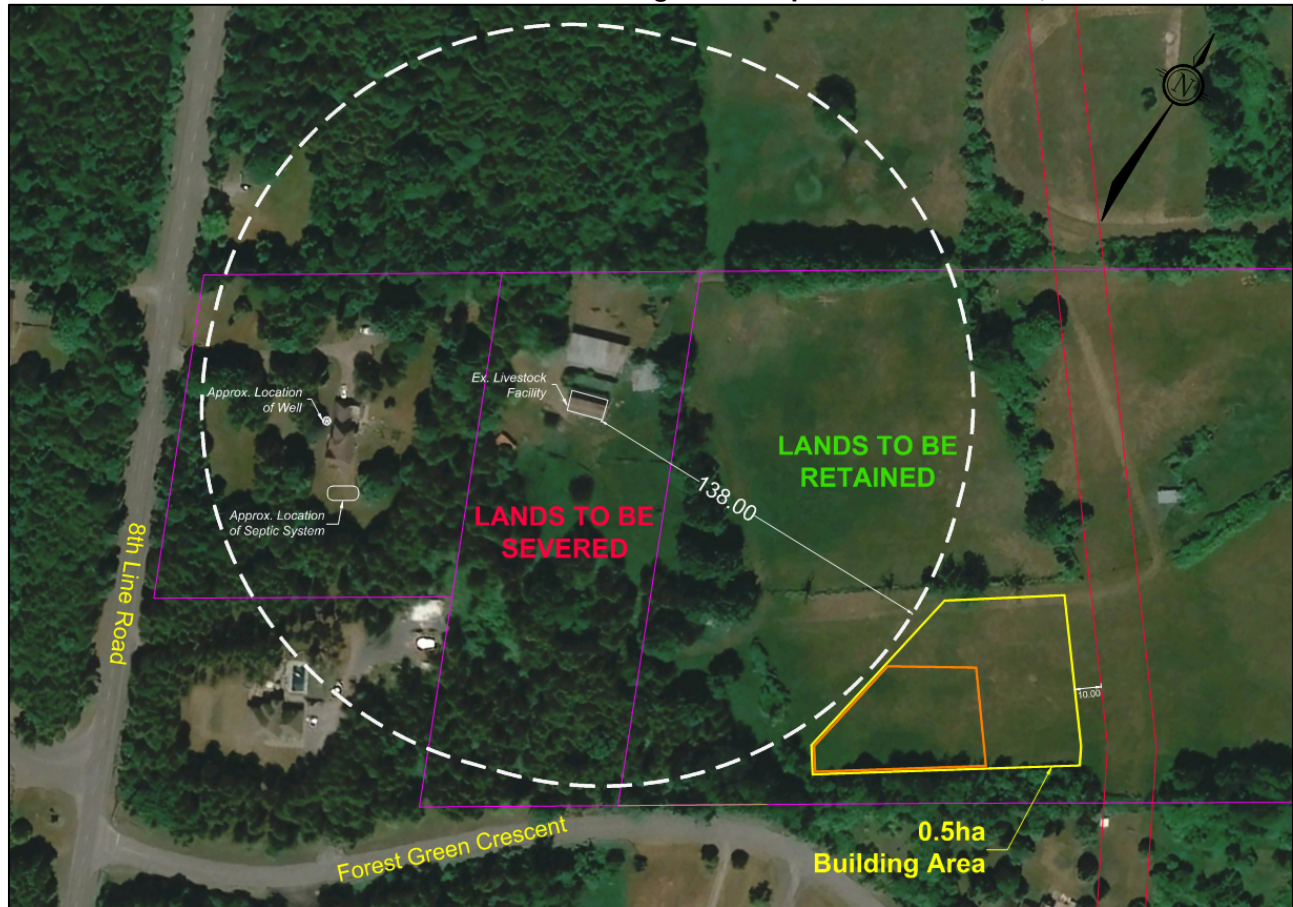
**Figure 5. Required MDS Setbacks, 1887 8<sup>th</sup> Line Road and 8320 Copper Hill Road**





The required MDS setback from the unoccupied livestock facility on the Subject Property is 138 metres (see Figure 6).

**Figure 6. Required MDS Setback, 1929 8<sup>th</sup> Line Road**



MDS Guideline 14 states:

*“An MDS I setback is NOT required to be met for proposed development, dwelling, agriculture-related use, or on-farm diversified use from an existing livestock facility or anaerobic digester located on the same lot as the proposal.”*

An MDS setback from the unoccupied livestock facility does not apply to the proposed 1.5-hectare vacant parcel, which will accommodate the unoccupied livestock facility. A 0.5-hectare building area is identified on the vacant retained parcel beyond the required MDS setback from the unoccupied livestock facility. The vacant retained parcel meets the MDS setback requirements.

The dwelling on the Subject Property is approximately 78 metres from the unoccupied livestock facility. Approval of consent application 1 will sever the dwelling from the unoccupied livestock facility. In establishing separate ownership for the existing dwelling and the unoccupied livestock facility, an MDS setback is required between the two buildings. The distance between the two buildings does not meet the MDS setback requirement from the unoccupied livestock facility. A minor variance has been requested in support of consent application 1. A rationale in support of the proposed minor variance is provided in the following section of this letter.

Policy 2.1.1 of the PPS states that “*natural features and areas shall be protected for the long term.*” An Environmental Impact Study has been prepared in support of the proposed severances. The Environmental Impact Study concludes the proposed severances and construction of two residential dwellings of the vacant severed and retained parcels will have no negative impacts on the significant natural heritage features and functions of the area.

**The consent applications are consistent with the policies of the PPS.**

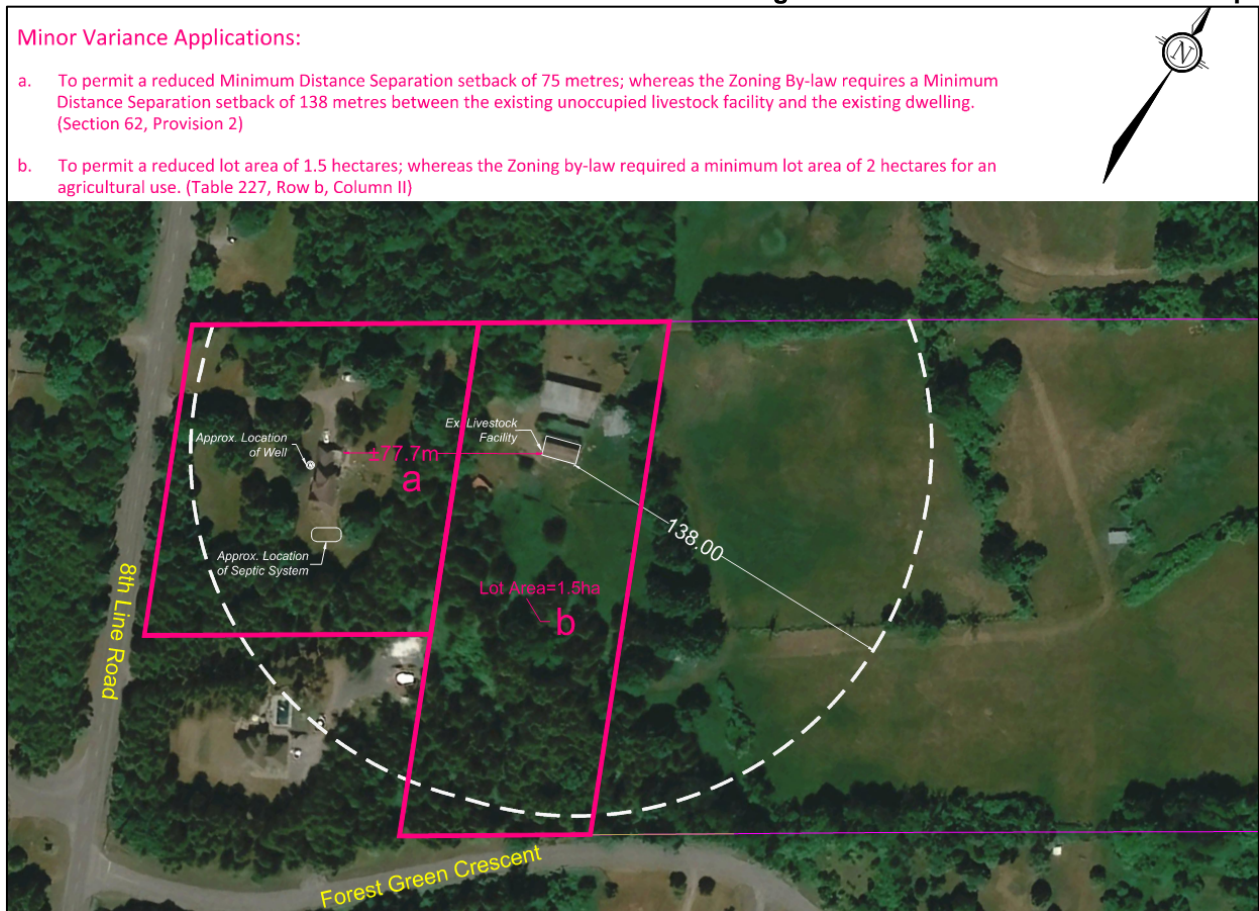
**The requested severances at 1929 8<sup>th</sup> Line Road have regard for the criteria outlined in subsection 51(24) of the Planning Act, and are consistent with the policies of the PPS.**

**Minor Variance Application**

The following minor variances are requested:

- a) To permit a reduced Minimum Distance Separation setback of 75 metres; whereas the Zoning By-law requires a Minimum Distance Separation setback of 138 metres between the existing unoccupied livestock facility and the existing dwelling [Section 62(2)].
- b) To permit a reduced lot area of 1.5 hectares; whereas the Zoning By-law requires a minimum lot area of 2 hectares for an agricultural use [Table 227, Row b, Column II].

**Figure 7. Minor Variance Sketch Excerpt**





## Minor Variance Rationale

The requested variances meet the four tests for minor variance as set out 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.**

1929 8<sup>th</sup> Line Road is designated Rural Countryside on Schedule B9 of the City of Ottawa's Official Plan. Section 9.2 of the Official Plan sets out policies for lands designated Rural Countryside.

As detailed in the previous section of this letter, Section 9.2 of the Official Plan states the intent of the Rural Countryside designation is to *"accommodate a variety of land uses that are appropriate for a rural location, limit the amount or residential development..., while ensuring the character of the rural area is preserved."*

Variance a) recognizes the existing separation distance between the buildings. The detached dwelling and unoccupied livestock facility are permitted uses on lands designated Rural Countryside. Approval of variance a) will not result in new residential development on the western severance. The existing detached dwelling and unoccupied livestock facility maintain the rural residential character of the area around the Subject Property.

Policy 3 d) of Section 9.2.3 of the Official Plan requires a minimum lot area of 0.8 hectares for a severed parcel on lands designated rural countryside. The minimum lot area requirement for an agricultural use in the RU zone is 2 hectares, which exceeds the minimum lot area requirement specified in the Official Plan. Variance b) requests a reduced lot area for an agricultural use of 1.5 hectares. The proposed lot area exceeds the minimum required lot area specified by the Official Plan for a rural severance on lands designated rural countryside.

**The requested variances maintain the general intent and purpose of the City of Ottawa's Official Plan.**

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

1929 8<sup>th</sup> Line Road is zoned Rural Countryside [RU] and Parks and Open Space, Subzone O [O1O] by the City of Ottawa's Zoning By-law.

There is an easement for a TransCanada pipeline corridor that crosses the retained parcel. This easement is zoned O1O. Variance a) applies between the existing dwelling and livestock facility on the severed parcels, and does not apply to lands zoned O1O. Variance b) applies to the proposed lot area of the eastern severed parcel, and does not apply to lands zoned O1O.

The purpose of the RU 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 General Rural Area designation is a reference to the City’s 2003 Official Plan, and is generally similar to the Rural Countryside designation of the 2022 Official Plan.

Variance a) requests relief from the required MDS setback between the existing dwelling and livestock facility on the Subject Property. The requested relief reflects the separation distance between the existing buildings. The unoccupied livestock facility, and the proposed 1.37-hectare severed parcel are consistent with Purpose 1 of the RU zone. Both buildings respect the rural context of the area, and are consistent with Purpose 3 of the RU zone.

Provision 1 of Section 227 of the Zoning By-law lists “*agricultural use*” and “*detached dwelling*” as permitted uses in the RU zone. The dwelling and livestock facility are permitted uses in the RU zone.

Variance b) requests relief to permit a reduced lot area for the eastern severance. The existing livestock facility is a permitted use in the RU zone, and respects the rural character of the area. The proposed lot size is similar to other rural properties in the area. The proposed lot size will accommodate the existing livestock facility, and is a sufficient size to accommodate future residential development.

**The requested variances maintain the general intent and purpose of the Zoning By-law.**

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

The west side of 8<sup>th</sup> Line Road is characterized by rural residential properties that accommodate detached dwellings and large front yard setbacks. A rural residential subdivision is south of the Subject Property along Forest Green Crescent. The existing dwelling and unoccupied livestock facility are characteristic of development in the area and are permitted uses on the Subject Property. Variance a) recognizes the existing separation distance between the buildings on the property today. No additional development potential is created through approval of variance a).

Variance b) requests a reduced lot area for an agricultural use on the eastern severed parcel. The proposed 1.5-hectare severed parcel is vacant and developed with an unoccupied livestock facility. The unoccupied livestock facility is considered an agricultural use. An agricultural use is a permitted use on the Subject Property. The proposed 1.5-hectare eastern severed parcel meets the minimum 0.8-hectare lot area required by the Official Plan, and is designated and zoned to permit an agricultural use. Variance b) recognizes the existing agricultural use on the proposed eastern severed parcel.

**The requested variances are considered desirable for the use of the land.**

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

The purpose of a MDS setback from existing livestock and manure storage facilities is to protect the facility from the introduction of new uses that may conflict with their continued operation. Variance a) is requested to recognize the existing separation distance between the dwelling and livestock facility

on the Subject Property. The 1.37-hectare western severed parcel is already developed to accommodate a detached dwelling. Variance a) will not facilitate residential development within the required MDS setback of the existing livestock facility. Approval of variance a) will have no impact on the existing livestock facility.

Variance b) will permit a reduced lot area for the existing agricultural use on the 1.5-hectare severed parcel. No changes to the existing unoccupied livestock facility are proposed. Approval of variance b) will have no impact on the ability for the future owner of the eastern severed parcel to use the existing livestock facility to house livestock.

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

## **Conclusion**

The proposed severances at 1929 8<sup>th</sup> Line Road do not require a plan of subdivision for the orderly development of the land and have regard for the criteria outlined in subsection 51(24) of the Planning Act. The consent applications are consistent with the policies of the Provincial Policy Statement.

The proposed minor variances maintain the general intent and purpose of the City of Ottawa's Official Plan, and the City of Ottawa's Zoning By-law 2008-250. The requested variances are considered desirable for the use of the land and are minor in nature. The consent applications and proposed minor variances represent good land use planning.

In support of the application for consent please find enclosed:

- One (1) copy of this Cover Letter;
- Complete Consent Application Form 1 (one copy);
- Complete Consent Application Form 2 (one copy);
- Complete Minor Variance Application Form 1 (one copy);
- Complete Minor Variance Application Form 2 (one copy);
- Consent Sketch 1 (one 11x17 copy);
- Consent Sketch 2 (one 11x17 copy);
- Minor Variance Sketch (one 11x17 copy);
- Environmental Impact Statement, prepared by Muncaster Environmental Planning Inc., dated August 24<sup>th</sup>, 2023 (one copy);
- Minimum Distance Separation Calculation Report, prepared by Novatech, dated July 18<sup>th</sup>, 2023 (one copy); and
- Parcel Abstract for 1929 8<sup>th</sup> Line Road, PIN: 04313-0424 (one copy).

Should you have any questions regarding this application, please do not hesitate to contact the undersigned.

Yours truly,

**NOVATECH**



Ryan Poulton, M.PL., MCIP, RPP  
Project Planner