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

Committee of Adjustment
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City of Ottawa | Ville d'Ottawa
Comité de dérogation

Attention: Michel Bellemare, Secretary-Treasurer

Reference: Application for Consent (Lot Addition Severance)
6042 Dobson Lane, Richmond ON
Our File No.: 124007

Novatech has been retained by Carol Pasioka to file a consent application for a lot addition in relation to a property known municipally as 6042 Dobson Lane. The subject property is owned by Iris Foster and is legally described as Part of Lot 25, Concession 1, Geographic Township of Goulbourn, City of Ottawa. The subject property is located on the south side of Dobson Lane between McBean Street and McCordick Road.

The subject property has a total lot area of approximately 30 ha and has a broken frontage of approximately 185m on Dobson Lane, with an additional 695m on McCordick Road. The property is presently developed with a single-detached dwelling on private services and which has approximately 35m of frontage on Dobson Lane. The property is primarily in agricultural crop production with some forested areas in the south, and there are no livestock facilities on the property. Surrounding land uses include crop production and smaller residential properties, including the abutting residential use at 6024 Dobson Lane. The Village of Richmond is located some 1.5 km north of the property.

The purpose of the application is to sever an approximately 29.6 ha parcel of vacant agricultural land from 6042 Dobson Lane and add it to the abutting residential property known as 6024 Dobson. The retained parcel at 6042 Dobson Lane would remain as an approximately 0.4 ha parcel with just the single dwelling. In essence, this lot line adjustment would sever the vacant agricultural lands from 6042 Dobson Lane and transfer them to the abutting property. No new lots would be created.

6024 Dobson Lane was created in the 1990s as a 2-ha retirement lot. The current severance application would effectively restore the configuration of the property known as 6024 Dobson Lane, save and except the proposed 0.4 ha land holding containing the dwelling 6042 Dobson, to the original configuration that existed prior to the retirement lot severance.

The proposed consent application is detailed below:

Severed Lands

- The consent application proposes to sever a 29.6 ha vacant agricultural parcel as a lot addition to the abutting residential (formerly agricultural) parcel known as 6024 Dobson Lane, which would be enlarged become an approximately 32 ha parcel suitable for agricultural use.

Retained Lands

- The retained lands will have a lot area of approximately 0.4 ha and lot width of 35m and contain an existing single dwelling for continued residential use.

The property is designated as *Agricultural Resource Area* on Schedule B9 of the City of Ottawa Official Plan and is zoned Agricultural Subzone 2 (“AG2”) in the City of Ottawa Comprehensive Zoning By-law 2008-250.

The Provincial Policy Statement 2020 (PPS) states that prime agricultural areas shall be protected for the long-term use of agriculture. Section 2.3.4 of the PPS outlines policies for lot creation within prime agricultural areas and prohibits the creation of new residential lots except where a residence is deemed surplus to a farming operation (Section 2.3.4.1 (c)) as a result of farm consolidation. Lot line adjustments may be permitted for legal and technical reasons (2.3.4.2).

Consistent with the PPS, the City’s Official Plan prohibits lot creation in the Agricultural Resource Area and permits lot line adjustments for technical and legal reasons only. The proposed lot line adjustment would restore 6042 Dobson Lane to more or less its original configuration that existed prior to the severance in the 1990s that created the retirement lot. The enlarged lot at 6024 Dobson Lane would provide a suitable lot area for continued agricultural use and is considered technical and minor in the sense that both lots already contain detached dwellings and no new lots will result from the lot line adjustment. As per MDS Guideline #8, MDS is not a consideration.

The subject lands are zoned Agricultural Subzone 2 (AG2). The 0.4 ha parcel containing the existing single-detached dwelling will meet the minimum 0.4 ha lot area and 30m lot width requirements for a single dwelling in the AG2 zone and be consistent with many other residential lots in the immediate vicinity of the subject lands.

The following demonstrates how the proposed consent application addresses the applicable consent criteria of the *Planning Act*.

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

53. (1) An owner or chargee of land, or such owner’s or chargee’s agent duly authorized in writing, may apply for a consent as defined in subsection 50 (1) and the council or the Minister, as the case may be, may, subject to this section, give a consent if satisfied that a plan of subdivision of the land is not necessary for the proper and orderly development of the municipality. 1994, c. 23, s. 32; 2020, c. 34, Sched. 20, s. 2 (2).

The application proposes a lot line adjustment between two abutting properties. No new lots will be created as a result of the severance and the proposed consent does not necessitate the construction of new public infrastructure. A plan of subdivision is not necessary for the proper and orderly development of the lands.

Subsection 53(12) of the *Planning Act* notes that provisional consent is to have regard for matters under Subsection 51(24) of the Act. Below notes how the proposed consent addresses the criteria of Subsection 51(24):

51(24) In considering a draft plan of subdivision, regard shall be had, among other matters, to the health, safety, convenience, accessibility for persons with disabilities and welfare of the present and future inhabitants of the municipality and to,

(a) the effect of development of the proposed subdivision on matters of provincial interest as referred to in section 2;

The proposed consent application is found to address matters of provincial interest for development in the agricultural area including the protection of agricultural resources for the long term.

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

The proposed consent application conforms to relevant planning policies, is not considered premature and is in the public interest.

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

The proposed consent is found to conform to the City's Official Plan in that no new residential lots are being created in the Agricultural Resource Area designation, as described above.

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

The proposed severed and retained parcels propose suitable lot configurations for the proposed land uses.

(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, the proposed severed and retained lots front onto an existing publicly owned and maintained road.

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

The dimensions and shape of the proposed lots are considered appropriate for the proposed land uses.

(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;

The lands to be severed will be added to the abutting property as a lot addition. No development is proposed and the lands will continue to be protected for long-term agricultural use.

(h) conservation of natural resources and flood control;

There are no natural resource and/or flood control matters associated with the proposed lot line adjustment.

(i) the adequacy of utilities and municipal services;

No development is proposed.

(j) the adequacy of school sites;

Not applicable.

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

A road widening may be required along Dobson Lane 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.

As noted, the subject lands do not require a plan of subdivision for the proper and orderly development of the lands and addresses criteria outlined in subsection 51(24) of the *Planning Act*.

The proposed severed is consistent with the Provincial Policy Statement and conforms to policies of the City's Official Plan which permits lot line adjustments for legal and technical reasons. It is our opinion the proposed lot line adjustment severance in the Agricultural Resource Area designation is appropriate as no new lots are being created and the proposed lot configuration will allow the continuance of agricultural use.

In support of the consent applications, please find the following enclosed:

- Cover Letter (1 copy);
- Consent Application, including Schedule A for Rural Consent applications (1 original);

- Consent Sketch (1 – 8 ½ x 11 copy and 1 – 11 x 17 copy);
- Parcel Abstracts for PINs both the subject lands and the lot to which the severed lands are to be added, together with registered Survivorship applications, OC2659143 and OC2659144; and
- One Cheque in the amount of \$4,014.

Please do not hesitate to contact me in the event that you require either additional information or clarification with respect to the consent application filed for 6042 Dobson Lane.

Yours truly,

NOVATECH

Prepared by:



Steve Pentz, RPP, MCIP
Senior Project Manager