

2024-04-10



MINOR VARIANCE APPLICATION

COMMENTS TO THE COMMITTEE OF ADJUSTMENT
PANEL 3

PLANNING, REAL ESTATE AND ECONOMIC DEVELOPMENT DEPARTMENT

Site Address:	5030 MacHardy Road
Legal Description:	Part of Lots 23 & 24, Concession 5, Geographic Township of Fitzroy
File No.:	D08-02-23/A-00135
Report Date:	April 10, 2024
Hearing Date:	April 16, 2024
Planner:	Luke Teeft
Official Plan Designation:	Rural Transect, Rural Countryside, Greenspace, Natural Heritage System Core Area
Zoning:	RU - Rural Countryside; EP3 - Environmental Protection, Subzone 3

DEPARTMENT COMMENTS

The Planning, Real Estate and Economic Development Department **has no concerns with** the application.

DISCUSSION AND RATIONALE.

The application was previously heard on August 1, 2023 and was adjourned to provide the applicant an opportunity to revise the Mineral Resource Impact Assessment (MRIA). The revised submission has satisfactorily addressed staff concerns regarding the proximity of the proposed dwelling to nearby existing and potential mineral extraction operations.

The subject site is zoned RU – Rural Countryside, and EP3 – Environmental Protection, Subzone 3. The purpose of the Rural Countryside Zone is to accommodate agricultural, forestry, and country residential lots created by severance and other land uses characteristic of Ottawa’s countryside. The purpose of the Environmental Protection Zone is to recognize lands which are designated in the Official Plan as Significant Wetlands, Natural Environment Areas and Urban Natural Features that contain important environmental resources.

Staff have reviewed the subject minor variance application against the “four tests” as outlined in Section 45 (1) of the *Planning Act*, R.S.O. 1990 c. P.13, as amended. Staff are satisfied that the requested minor variance meets the “four tests”.

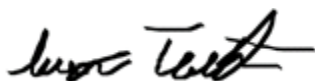
As the proposed development is located within a Natural System Core Area, a Scoped Owner-completed EIS is required as part of the application. Staff have reviewed the submitted report and are satisfied with the findings.

The updated MRIA report has been reviewed and deemed satisfactory by city staff. Sufficient evidence has been provided to demonstrate that the proposed dwelling will not negatively impact potential extraction operations and will itself not be negatively impacted by noise-generating activities.

ADDITIONAL COMMENTS

Right of Way Management

- The Right-of-Way Management Department has **no concerns** with the proposed Minor Variance Application, as there are no requested changes to the driveway/private approach.



Luke Teeft
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Cheryl McWilliams
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