

March 17, 2025

**Mr. Michel Bellemare**  
Secretary-Treasurer  
Committee of Adjustment  
101 Centrepointhe Drive, Fourth Floor  
Ottawa, ON K2G 5K7

**RE: Applications for Consent + Minor Variance  
5958 Piperville Road**

**Committee of Adjustment**  
Received | Reçu le

**2025-05-16**

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

Dear Michel Bellemare,

Fotenn Planning + Design ("Fotenn") has been retained by the Roman Catholic Episcopal Corporation of Ottawa (the "Owner") to prepare a Planning Rationale and act as agents for the submission of the enclosed Minor Variance and Consent applications for the lands known as 5958 Piperville Road (the "subject property") in Ward 20 (Osgoode) in the City of Ottawa.

The subject property contains an existing church and cemetery. The intent of the first enclosed consent application is to sever the existing church and rear of the lot for sale to a new owner while allowing the existing cemetery to be retained. The second consent is a lot line adjustment to enlarge the residential lot at 5950 Piperville Road.

The severed and retained parcels comply with the required lot area provisions, but deficient with respect to the required minimum lot width in the existing RI5 Zoning for the subject property. A Minor Variance application is therefore sought for the following relief:

- / To permit a reduced minimum lot width for the severed lot of 52.97 metres whereas 75 metres is required in the RI5 zone;
- / To permit a reduced minimum lot width for the retained lot, after lot line adjustment, of 65.99 metres whereas 75 metres is required in the RI5 zone; and
- / To provide lot width and area relief for the new enlarged residential lot at 5950 Piperville Road arising from its new split-zoned status.

Please find enclosed the following supporting materials:

- / Completed application form;
- / Plan of Survey;
- / Parcel Abstract Page; and,
- / Cheques in the total amount of \$8,386.

Sincerely,



Tyler Yakichuk, MCIP RPP  
Senior Planner



Bria Aird, MCIP RPP  
Senior Planner

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## 1.0 Introduction

Fotenn, acting as agents on behalf of the property owners, has been retained to prepare this Planning Rationale in support of the enclosed Consent application for 5958 Piperville Road.

The intent of this Planning Rationale is to assess the proposed Consent and Minor Variance applications against the applicable policy and regulatory framework and to demonstrate how the proposed severance is appropriate for the subject property and compatible with surrounding land uses and existing infrastructure.

### 1.1 Subject Property & Surrounding Context

The subject property is municipally known as 5958 Piperville Road and located within the Osgoode Ward in the City of Ottawa. The subject property is presently occupied by a place of worship, associated parking, and a cemetery. The existing Église Saint-Laurent was constructed in 1895 serving Paroisse Saint-Laurent. The majority of the remainder of the property is occupied by woodland. The Paroisse Saint-Laurent no longer uses the church building for regular services, but the cemetery continues to be important to members of the parish. Therefore, the Owner is looking to sell the church to a new organization which can make use of the building and land, while retaining the cemetery for the use of the parish.

The subject property is legally described as Part of Lot 3, Concession 8 (Ottawa Front) Geographic Township of Gloucester, in the City of Ottawa. It has an area of 37,988 square metres and is U-shaped due to the historical severance of the former clergy house from the remainder of the property. This severed property is municipally known as 5590 Piperville Road and is zoned for residential use, with a lot frontage of 30.5 metres and a lot area of approximately 2,000 square metres. The subject property has an eastern frontage of 52.97 metres and western frontage of 86 metres, on the south side of Piperville Road. Both the church building and the former rectory are identified on the Heritage Register.



Figure 1: Aerial view of the subject property (outlined in blue) and the surrounding area.

The subject property is surrounded by the NCC Greenbelt, most of which is wooded in this area. However, several dozen lots along Piperville Road between Highway 417 and Boundary Road, including the subject property, are not part of the Greenbelt. The majority of these are residential lots that range in size between 0.13 and 0.2 hectares, which is substantially smaller than the minimum lot size permitted in the current Official Plan. Approximately 200 metres east of the subject

property is the Carlsbad Springs Community Centre, which also includes recreational fields. The subject property is located approximately 600 metres from the Village of Carlsbad Springs, which is situated around the intersection of Russel and Boundary Road. The village is predominately residential but contains several commercial uses. Other uses in the broader vicinity include a golf course to the south-east of the subject property, and agricultural uses.



Figure 2: Street views of the subject property, looking west (1) and east (2) on Piperville Road.

## 1.2 Proposed Consents and Minor Variances

The applications are illustrated in Figure 3 below.

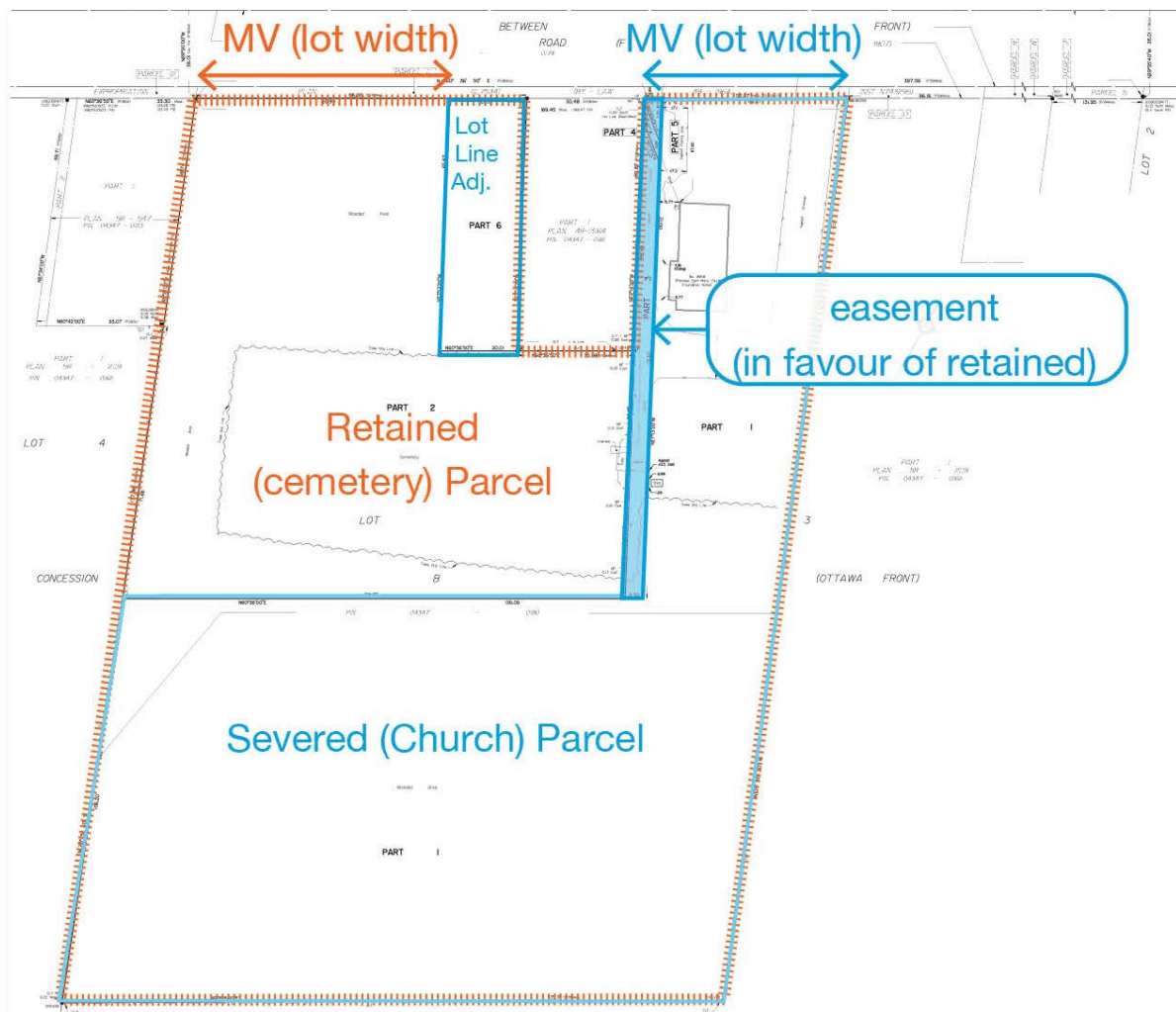


Figure 3: Sketch of Applications  
March 2025

5958 Piperville Road  
Applications for Consent + Minor Variance



The applications consist of:

- A consent to sever parts 1, 3, 4 and 5 on the enclosed survey from the remainder of the lands, creating an L-shaped parcel (blue outline), with an access easement over Parts 3, 4 and 5 in favour of Part 2 (light blue shading);
- A minor variance to permit a 52.97 m lot width for the severed parcel whereas the RI5 zone requires a minimum 75 m width (light blue arrow);
- A consent for lot line adjustment to enlarge the existing lot at 5950 Piperville Road by the addition of permit Part 6 on the enclosed plan of survey (blue outline);
- Minor variance to permit a 65.99-metre lot width for the frontage whereas the RI5 zone requires a minimum 75 m width (orange arrow); and
- Lot width and area minor variances to address the split-zoned condition created by the lot line adjustment.

No new developed is currently proposed as part of these applications, and any future development would be required to be compliant with the RI5 zone that applies to the entirety of the subject property, and which does not permit residential uses.

### 1.2.1 Consent to Sever

Property	Parts on R-Plan	Part Area	Status	Proposed Lot Area	Proposed Lot Width
5958 Piperville Rd. (Severed)	Part 1	23,363 m <sup>2</sup>	Severed	23,958 m <sup>2</sup>	52.97 m
	Part 3	535 m <sup>2</sup>	Severed, access easement in favour of retained		
	Part 4	23 m <sup>2</sup>			
	Part 5	37 m <sup>2</sup>			
5958 Piperville Rd. (Retained)	Part 2	12,727 m <sup>2</sup>	Severed	12,727 m <sup>2</sup>	65.99 m
Lot Line Adjustment	Part 6	1,313 m <sup>2</sup>	Severed	See below	See below

As part of the consent to sever Parts 1, 3, 4 and 5, an access easement in favour of the retained parcel (part 2) is proposed over the existing drive aisle (Parts 3, 4 and 5). Visitors to the cemetery will continue to use this shared drive aisle to access the cemetery, to avoid the need to construct a separate entrance for the retained lot, which would require tree removals. Nevertheless, a separate direct access to Piperville Road may be legally be established in the future for the retained lot.

The second consent, to sever Part 6, will allow the Owner to convey lands that are not required for the cemetery use to enlarge the adjacent residential property at 5950 Piperville. The addition of Part 6 to the existing residential lot will create a parcel that has a width of approximately 50.5 metres and an area of approximately 3,313 square metres.

### 1.2.2 Minor Variances

The requested variances for the retained and severed lots are to allow for reduced minimum lot widths of 52.97 metres (severed) and 65.99 metres (retained) respectively, whereas the RI5 zone requires a minimum width of 75 metres.

The requested variances for Part 6, subject to the lot line adjustment consent, are to permit a reduced lot area of 3,313 square metres, and a reduced lot width of 50.5 square metres, to address the fact that this portion of the lot will retain its current RI5 zoning, even though it will be merged with an existing zoning-compliant RR10-zoned lot.

## 2.0

# Policy and Regulatory Review

### 2.1 Planning Act Criteria for Consent Application

The *Planning Act* is provincial legislation that empowers municipalities to engage in land use planning activities in Ontario.

It is our professional planning opinion that the applications meet the criteria for lot division as described in Section 53(1), 53 (12) and 51 of the *Planning Act*. As the proposal does not include an internal road network, major servicing or other elements of a subdivision, the following criteria are generally those which apply to applications for consent:

#### a) The effect of development of the proposed subdivision on matters of provincial interest

The proposed severance represents the creation of one new lot within the rural area, which are of a shape and size that are consistent with the surrounding area and compatible with the rural landscape. The lot line adjustment will enlarge an existing residential lot. The subject property is not located on existing agricultural lands

**As described below, the proposed consent is consistent with the Provincial Planning Statement, 2024 which expresses how development shall address Provincial Interests.**

#### b) Whether the proposed subdivision is premature or in the public interest

The conveyed lands will be used for the purposes established in the Official Plan and Zoning By-law, and the Consent is intended to facilitate ongoing use of existing institutional uses, including in a building with heritage features.

**The Consent application will facilitate existing uses through the creation of one new parcel from an existing lot, and the minor expansion of an existing rural residential lot. Both the new lot fabric and the existing and potential future uses are appropriate for the Rural area.**

#### c) Whether the plan conforms to the Official Plan and adjacent plans of subdivision, if any

The proposed lot fabric and permitted uses conform with the policies of the Official Plan with respect to land use, natural areas, infrastructure and design/heritage.

**The Consent application conforms with the Official Plan as addressed further below.**

#### d) The suitability of the land for the purposes for which it is to be subdivided

The application proposes to change the lot fabric to facilitate the continuation of the existing uses. The newly severed lot will allow for new ownership of the existing church building, while maintaining access of the original religious congregation to the existing cemetery. The lot line adjustment will expand an existing lot of record.

**Overall, the resulting lot fabric is in keeping with the overall character of the Rural area and the lands are suitable for two parcels whereas one is present.**

#### 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

The subject property, including both the severed and retained lands will continue to have frontage on a public road (Piperville Road). The public road is paved and is sufficient to support the proposed severance.

The existing single access to Piperville Road is proposed to be maintained and shared by both the severed and retained lot. Access over this drive aisle for the retained lot will be protected through an easement. The retained lot has sufficient frontage to create a separate access that complies with the Private Approach By-law in the future, if required.

The abutting roads are all publicly maintained and connected to the larger urban road network of the City of Ottawa. The proposed lots are located within a local road network that provides direct access to the greater road network and highway system within the City and Rural area.

#### f) The dimensions and shapes of the proposed lots

The proposed lot fabric created by the enclosed consents will create a more regular lot fabric along Piperville Road by splitting the unusual U-shaped lot, and by re-balancing the lot widths with the existing residential parcel.



Figure 4: Lot widths along Piperville Road in the Rural Area (shaded area is part of Greenbelt)

The two new proposed lots exceed the minimum area required by the R5I zone and are considerably larger than the majority of parcels along Piperville Road. The new lots are capable of supporting the existing uses, as well as allowing for a range of future non-residential uses as permitted by the Official Plan and Zoning By-law.

**The dimension and shapes of the proposed lots are desirable and appropriate.**

#### 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 subject property is currently zoned RI5, which only permits non-residential uses. This zoning is proposed to remain, and in fact is required to implement the Official Plan policies which restrict the creation of new residential lots which are smaller than two hectares. The portion of the subject property subject to the lot line adjustment will continue to be zoned RI5, and residential uses will not be permitted on that portion of the enlarged parcel at 5950 Piperville Road.

The new lots, except for the lot width as addressed through the enclosed Minor Variance applications, meet the minimum lot dimensions required by the Zoning By-law.

**The restrictions on the land are appropriate and required to permit the proposed consents.**

#### **h) Conservation of natural resources and flood control**

The subject property is wooded where not occupied by the cemetery, church building and parking, and is located approximately 250 metres from a surface water feature. The owner of the subject property retained an ecologist, Kilgour and Associates, to identify and evaluate the Natural Heritage Features on or adjacent to the subject property, to assess the potential impacts of an earlier development proposal for the subject property. No development or site alteration is proposed as a part of the enclosed applications; however, the ecologists' review found no evidence of significant wetlands, confirmed significant wildlife habitat, or significant ecological functions of the woodland onsite. Therefore, moderate disturbance and tree removal on the site in support of future developments would be likely appropriate and supportable, subject to appropriate construction mitigation measures.

**The proposed Severance is appropriate given no negative impact on natural resources or flood control.**

#### **i) The adequacy of utilities and municipal services**

The severed lands will continue to be privately serviced. No servicing is required or proposed for the severed lands, but both the severed and retained parcels have been sized with an adequate lot area to accommodate onsite servicing. The lot line adjustment will not impact the existing private servicing of the enlarged parcel.

**The existing services and utilities are adequate to serve the proposed parcels.**

#### **j) The adequacy of school sites**

The proposal to create a new severed lot, in addition to the existing retained lot will have no impact on the adequacy or capacity of near by schools. The lands are zoned RI5, which prohibits residential uses, and therefore will not provide dwellings for potential future students to the near by schools.

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

No land is proposed to be dedicated or conveyed for public purposes.

#### **l) The extent which the plan's design optimizes the available supply, means of supplying, efficient use and conservation of energy**

The proposed lots are not anticipated to have an impact on energy delivery.

#### **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**

A Site Plan Control application is not required for the creation of lot. Future development of an institutional use may require a Site Plan Control application, but no development is contemplated at this time.

## 2.2 Provincial Planning Statement, 2024

The Provincial Planning Statement ('PPS') provides direction on matters of provincial interest related to land use planning and development. The *Planning Act* requires that decisions affecting planning matters "shall be consistent with" policy statements issued under the *Act*, which includes the PPS.

The PPS came into effect October 20, 2024, and consolidates the Provincial Policy Statement, 2020 and A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2020) into a more streamlined land-use planning policy for the Province of Ontario. The PPS provides policy direction for housing supply in the province, supporting development and alignment with infrastructure. It also provides policy direction on opportunities for job creation and economic development, increasing the supply of developable land, protections for the environment and natural resources, and protections for communities, resources, and properties from natural and man-made hazards.

The following PPS policies are applicable to the proposed development and subject property, among others:

- / Policy 2.5.1 – Healthy, integrated and viable *rural areas* should be supported by:
  - a) building upon rural character, and leveraging rural amenities and assets; [...]
  - d) using rural *infrastructure* and *public service facilities* efficiently; [...]
  - f) providing opportunities for sustainable and diversified tourism, including leveraging historical, cultural, and natural assets; [and]
  - c) conserving biodiversity and considering the ecological benefits provided by nature[.]
- / Policy 2.6.1 – On rural lands located in municipalities, permitted uses are:
  - a) The management of resources; [...]
  - f) Cemeteries; and
  - g) Other rural land uses.
- / Policy 2.6.2 – Development that can be sustained by rural service levels should be promoted.
- / Policy 2.6.3 - Development shall be appropriate to the *infrastructure* which is planned or available, and avoid the need for the uneconomical expansion of this *infrastructure*.
- / Policy 2.6.5 - New land uses, including the creation of lots, and new or expanding livestock facilities, shall comply with the *minimum distance separation formulae*.

**The consent will permit ongoing use of an existing place of worship and a cemetery, supporting the rural character and leveraging existing rural community assets and infrastructure. No alteration at this time to the existing wooded areas of the subject property are proposed, maintaining the value of their ecological services. The cemetery use and existing rural church use are permitted land uses. The newly created lots are more than 1 kilometre from livestock facilities, complying with the Minimum Distance Separation formulae.**

## 2.3 City of Ottawa Official Plan

The Official Plan for the City of Ottawa was approved November 4, 2022. The Plan provides a framework for development in the City until 2046, when it is expected that the City's population will surpass 1.4 million people. The Official Plan directs how the City will accommodate this growth over time and sets out the policies to guide the development and growth of the City.

### 2.3.1 Transect and Designation Policies

The Official Plan divides the City into six concentric policy areas called Transects. Each Transect represents a different gradation in the type and evolution of built environment and planned function of the lands within it, from most urban (the Downtown Core) to least urban (Rural).



As identified on Schedule A (Figure 5) of the City of Ottawa Official Plan, the subject property is located in the Rural Transect, although it is surrounded by the Greenbelt designation.

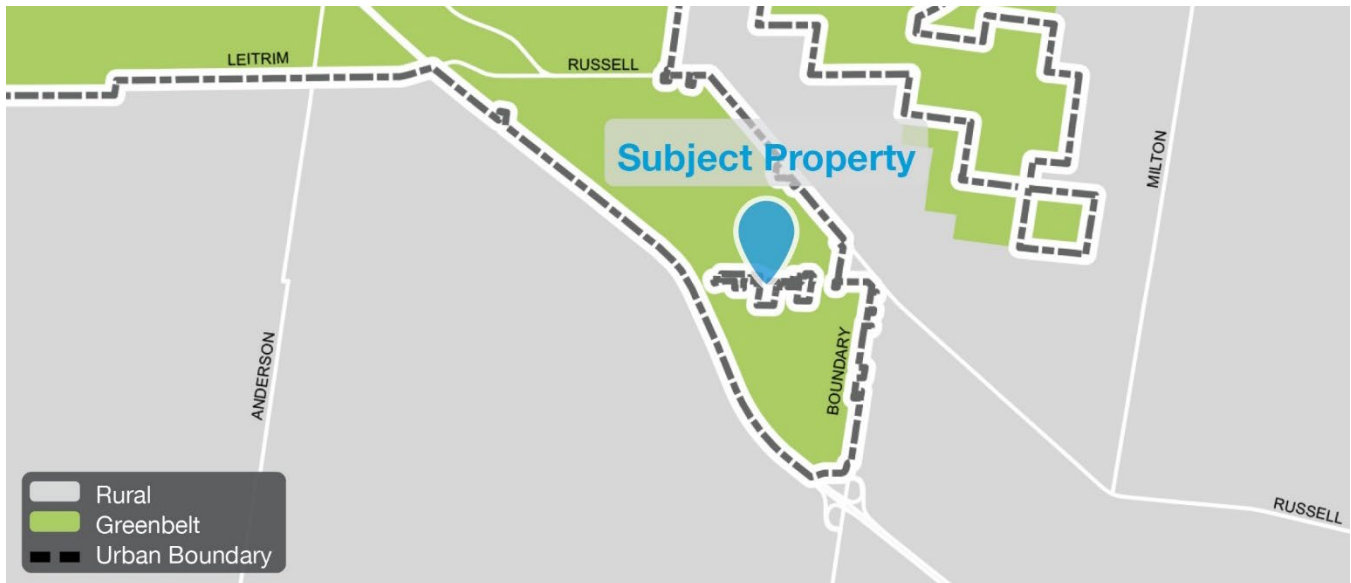


Figure 5: Schedule A – Transect Policy Areas, City of Ottawa Official Plan.

Within the Rural Transect, **designations** further articulate use, built form, and densities. Each designation represents a different progression in the type and evolution of the built and natural environment.

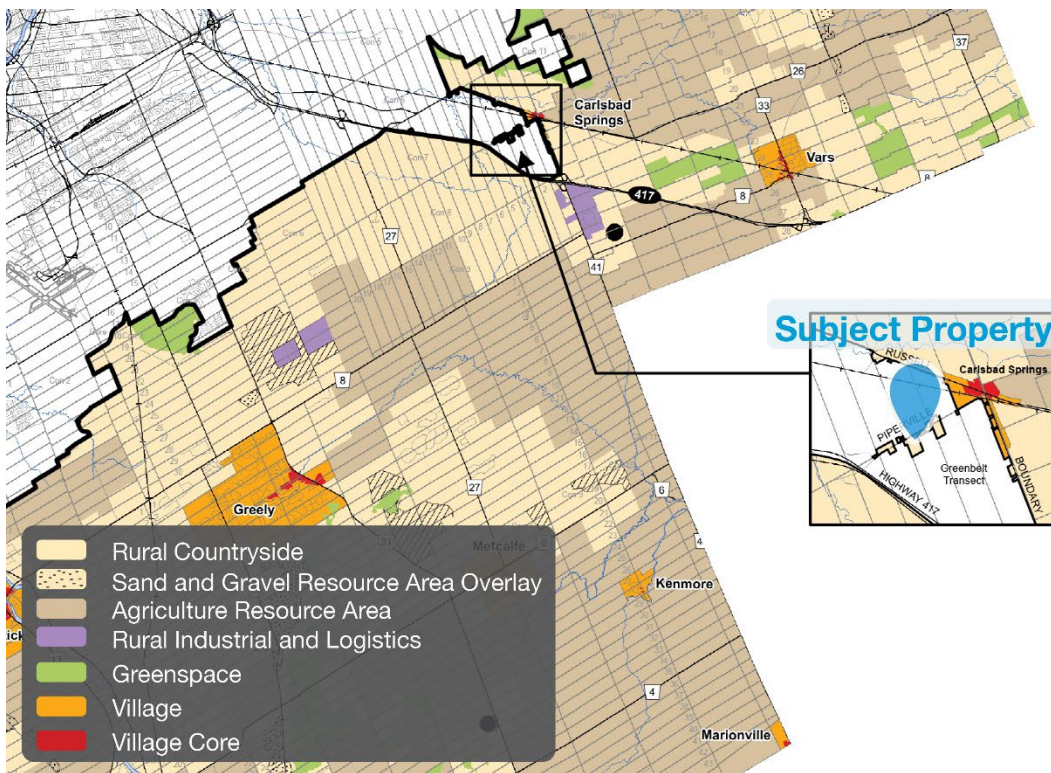


Figure 6: Schedule B9 – Rural Transect, City of Ottawa Official Plan.

As identified on Schedule B9 (Figure 6), the subject property is located within the Rural Countryside designation. The Rural Countryside designation comprises a variety of low intensity uses, such as small-scale farming, small-scale industry, and

outdoor recreation. The intent of the designation is to accommodate a variety of uses that are appropriate for a rural location, while limiting residential development and supporting industries that ensure the existing rural character.

The following policies of the Rural Transect are applicable to the subject property and the proposed Consent applications:

- / Policy 1 of Section 5.5.1 – Built form in the Rural Transect areas, where development is permitted shall be low rise.
  - b) Outside Villages, where development is permitted, built form and site design shall be premised on maintaining the rural character, image and identity; and
  - c) Outside of Villages, sites shall be designed to locate surface parking, storage and paved areas far from the road frontage, and access to such areas shall be designed to maintain rural character. The frontage along the road shall be landscaped and treed in a way that respects the rural landscape and enhances the green edge of rural roads. Elements such as low fences, hedges or landscape-based ornaments may be used to enhance the site frontage.
- / Policy 2 of Section 5.5.1 – Development in the Rural Transect states that development shall:
  - a) “Be of low density throughout, with the majority of residential uses and commercial and institutional uses concentrated within Villages; [...]
  - c) allow for uses that integrate well with the natural environment and rural area [... and
  - e) Be adequately serviced and not create any risk that cannot be adequately mitigated, to the quality and quantity of groundwater for the surrounding area[.]”

**The proposed severances will create one new institutional lot in the rural area, outside of a village boundary, and will slightly increase the area of an existing residential lot. The existing and ongoing site design and land uses (cemetery and place of worship) integrate well with the natural environment and rural area. The new lots will continue to be appropriately serviced. Further development is not proposed as part of the enclosed applications, but would be required, through zoning restrictions, to maintain the rural character, image, and identity.**

**Section 9.2** of the Official Plan outlines policies for lands within the Rural Countryside designation. The following policies apply to the subject property:

**Section 9.2.2.1** states the following uses may be permitted:

- a) Forestry, conservation and natural resource management activities; [...]
- c) Residential uses according to the policies of this plan; [... and]
- g) Cemeteries[.]

**Section 9.2.2.2** states subject to a Zoning By-law amendment or, when the process is enacted, a Community Planning Permit, the following uses may be permitted:

- c) “Institutional uses such as places of worship, medical facilities and post-secondary institutions, but not kindergarten to grade 12 schools.”

**Section 9.2.2.3** states where development, excluding agriculture or agriculture-related uses, is proposed within 1 kilometre of a Village or Urban boundary it will be reviewed to ensure that it shall not impede the expansion of the settlement area and all of the following criteria shall be considered:

- a) The use is a compatible use with a village or urban area;
- b) The development has frontage on an existing public road;
- c) The site shall consider future multi-modal connections and be designed to accommodate these along with street trees in the future; and
- d) The use can be adequately serviced by on-site systems and will not place demand on the extension of public services for any reason, including fire suppression or contaminated groundwater.

**Section 9.2.3.1** states that 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.

**Section 9.2.3.2** states 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.

**Section 9.2.3.3** states that lot creation for the purpose of a residential use is prohibited except where nine conditions are met, including requiring the severed lot to have an area of 0.8 hectares, and the retained lot to have an area of 10 or 0.8 hectares, depending on the context.

**The proposed severance and creation of one new non-residential parcel is permitted on the subject property as per the policies above. The proposed severance adheres to the required minimum lot sizes for both the severed parcel and the retained parcel. Additionally, the proposed lots will have frontage on a public road (Piperville Road) and are not associated with any vegetation removal. The existing uses are permitted in the designation.**

**The proposed severance will result in one new lot and one retained lot, which is consistent with the maximum number of lots permitted to be created. Given that the subject property is surrounded by Greenbelt-designated lands, the severance will have no impact on the potential for future expansion of the Carlsbad Springs village boundary.**

**The consent to permit a lot line adjustment will increase the area of an existing residential lot, but will not create a new residential lot. The existing lot, at 0.2 hectares, is significantly undersized with respect to the current policies of the Official Plan, and therefore the lot line adjustment application is both permitted and desirable.**

## 2.3.2 City-wide policies

### Heritage

In accordance with Section 4.5.1 (5), the existing Church is listed as a property of cultural heritage value on the Heritage Register. Policy 4.5.2 states that the City will manage built and cultural heritage resources through the development process.

Section 4.5.2. Policy 1) states that when reviewing development applications affecting lands and properties on, or adjacent to a designated property, the City will ensure that the proposal is compatible by respecting and conserving the cultural heritage value and attributes of the heritage property, streetscape or Heritage Conservation District as defined by the associated designation bylaw or Heritage Conservation District Plan and having regard for the Standards and Guidelines for the Conservation of Historic Places in Canada.

**The proposed consent will allow for ongoing use of the existing church, which is identified as having cultural heritage value. No alterations to the church or landscape are proposed, and the consent will support and enhance the value of the church by facilitating ongoing stewardship and use of the building.**

### Servicing

Section 4.7 of the Official Plan addresses servicing. Section 4.7.2, Policy 5 states that “All development outside of Public Service Areas shall be on the basis of private services (private well and private sewage system)”.

Policy 9 of this subsection states that “Where new development is proposed that relies upon private sewage systems, including areas of partial servicing, a minimum area of 800 square metres of undeveloped area must be maintained for the sewage system.”

**No development requiring new servicing is proposed as part of these applications. The proposed new lots provide for over 800 square metres of undeveloped land on each parcel to accommodate future servicing requirements.**

### Natural Heritage Systems

The Natural Heritage System in Ottawa is identified and protected by watershed and other environmental plans, land-use designations, and policies that govern how land is used to ensure that development does not result in negative impacts on natural features or their functions.

Section 4.8.1 defines the Natural Heritage System as “**core natural areas and natural linkage areas. Natural Heritage Features** occur both inside and outside the Natural Heritage System. The Natural Heritage System and the features within it are subject to a higher standard of protection than features outside the Natural Heritage System. Schedule C11 identifies Ottawa’s Natural Heritage System and, to the extent possible, Ottawa’s Natural Heritage Features as overlays. Regardless of C11, the City recognizes the following natural heritage features, as defined in Ottawa’s Environmental Impact Study Guidelines, as being subject to the same policies as the Natural Heritage System:

- 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 subject property is located in an area that is surrounded by the Natural Heritage Feature Overlay. The subject property has been carved out of the overlay and policies related to the Overlay do not apply to the subject property. However, as identified on GeoOttawa, Unevaluated Wetlands are located at the rear of the subject property. Additionally, an Environmental Impact Study (EIS) is required when development or site alteration is proposed within 120 metres of Natural Heritage Features.

A field assessment by a qualified ecologist (Kilgour and Associates) was undertaken to evaluate the Natural Heritage Features on and adjacent to the subject property, assess potential impacts of development to existing features, and recommend mitigation measures to minimize or eliminate identified impacts. Their analysis did not identify the Unevaluated Wetland area as contributing to the hydrological functioning of the site or surrounding area. Additionally, given the age, location, and size of forest potentially impacted by the consent and the lack of significant ecological function in relation to the broader forested area, minor site development is not anticipated to significantly impact the forest plot, reduce the size of the significant woodland, or reduce the linkage functionality of the broader woodland.



Figure 7: GeoOttawa image of the subject property and surrounding area with a Natural Features Overlay.



The presence/proximity of natural heritage features does not impact ability to sever the lot. If requested by the City, the findings of the ecologist may be formalized as an EIS as a condition of consent.

## 2.4 Comprehensive Zoning By-law (2008-250)

The subject property is zoned Rural Institutional, Subzone 5 (RI5). The property at 5950 Piperville Road is zoned Rural Residential Subzone 10.

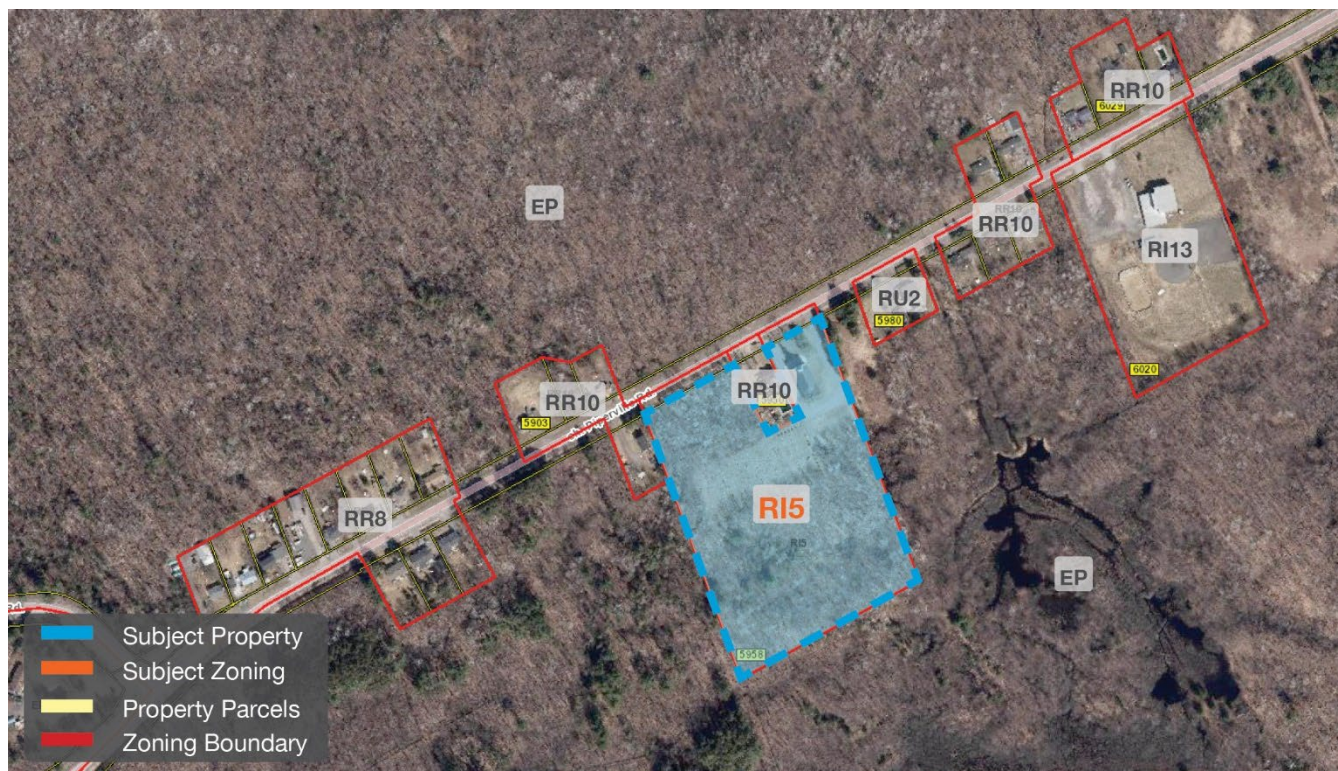


Figure 8: Excerpt from the City of Ottawa Zoning By-law map (GeoOttawa).

The following table outlines the relevant zoning provisions for the subject property, based on the proposed Consent application, and compliance against the RI5 zoning performance standards.

Zoning Mechanism	Provision	Retained	Severed	Compliance
Minimum Lot Width	75 m	65.99 m	52.97 m	NO
Minimum Lot Area	10,000 m <sup>2</sup>	12,727 m <sup>2</sup>	14,625 m <sup>2</sup>	YES
Minimum Front Yard Setback	9 m	N/A	27 m	YES
Minimum Rear Yard Setback	10 m	N/A	~180 m	YES
Minimum Interior Side Yard Setback	9 m	N/A	8.77 m [legal non-conforming condition]	YES
Maximum Height	12 m	N/A	>12 m [legal non-conforming condition]	YES
Maximum Lot Coverage	30%	N/A	3%	YES
Minimum Landscaped Area	20%	>20%	>20%	YES

As identified in the table above, both new lots comply with all provisions of the Zoning By-law, except with respect to the minimum lot frontage. Minor variances are being sought for both new lots.

The church building height and interior side yard setback retains legal non-conforming rights, which are in no way impacted by the proposed severance.

The enlarged lot at 5950 Piperville Road will become a split-zoned lot, as the RI5 zoning will remain with the land conveyed. Although the newly enlarged lot complies with all the provisions of the RR10 zone, the Zoning By-law does not directly address how to apply minimum lot widths split-zoned lots. Where a situation arises that is not covered by a specific regulation of the zoning by-law, all provisions must be complied with. The following table identifies both sets of applicable provisions for lot dimensions:

Zoning Mechanism	Requirement – RI5	Requirement – RR10	Proposed Lot	Compliance
Minimum Lot Width	75 m	30 m	50.49 m	<b>NO</b>
Minimum Lot Area	10,000 m <sup>2</sup>	2,000 m <sup>2</sup>	3,313 m <sup>2</sup>	<b>NO</b>

Out of an abundance of caution, minor variances are being sought for the lot width and area, to recognize the portion of the lot that will be zoned RI5.

## 3.0

### Four Tests of a Minor Variance

As per section 45(1) of the *Planning Act*, it is our professional opinion that the proposed development represents good planning and meets the four tests as discussed below.

#### 3.1 Does the proposal Maintain the General Intent and Purpose of the Official Plan?

The subject property is located in Rural Countryside designation within the Rural transect and adheres to the intent of the Official Plan by facilitating ongoing use of rural institutional uses that serve and are complementary to the surrounding rural area. The proposed lot configurations are also consistent with rural character of the area. Both the proposed Retained and Severed lots meet the general intent and purpose of the Official Plan.

The lot line adjustment to increase the area of the residential lot at 5950 Piperville Road will not create a new residential lot and will move the lot area towards the typical minimum lot size for rural residential lots indicated in the Official Plan.

**The proposed variances maintain the general intent and purpose of the Official Plan, and facilitate consents that support the objectives of the Official Plan.**

#### 3.2 Does the Proposal Maintain the General Intent and Purpose of the Zoning By-law?

The subject property is zoned Rural Institutional, Subzone 5 – RI1. The purpose of the zone is as follows:

- / Permit a range of community-oriented and emergency service uses which serve the needs of the rural population in areas designated primarily as Village in the Official Plan;
- / Permit a limited range of educational and religious-related institutional uses where they exist in areas designated General Rural Area and Agricultural Resource Area in the Official Plan, and,
- / Ensure that future development will have a minimal impact on adjacent land uses and will respect the character of the surrounding village or rural areas.

Minor variances are required to permit reduced lot widths for the severed and retained lots. These are driven by the existing, unusual shape of the subject property, which was created by a historic severance. It is not possible to meet the minimum frontage requirements for the severed lot, given this existing lot fabric, but the severed lot otherwise complies with the zoning provisions, and exemplifies the intent of the RI5 zone.

The proposed widths of approximately 52 and 65 metres retain the rural character of area, and as identified in Figure 4, improve the regularity of the lot fabric along Piperville Road. By meeting the minimum lot area, the new lots continue to provide adequate area on site for servicing and the continued existing institutional use.

The minor variance to permit a reduced lot width for the retained lot and minor variances for lot area and width for the portion of lot proposed to be conveyed through the lot line adjustment is required to allow for the lot line adjustment. These minor variances will permit a consent that increases the area of the abutting residential lot, which is zoned RR10. The intent of Rural Residential subzones 4 to 12 is to acknowledge existing small lot size rural developments in rural lot clusters; however, the parent Rural Residential zone requires a minimum lot area of 0.8 hectares, in conformity with the Official Plan. By increasing the area of the existing residential lot, the lot line adjustment will move towards the intent of the Zoning By-law, which generally requires larger lot sizes for rural lots to protect the rural character and mitigate servicing issues.

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

#### 3.3 Is the Proposal Desirable for the Appropriate Development or Use of the Land?

The requested minor variances are appropriate, as they will allow the creation of a new severed and retained that will facilitate ongoing use of the land for community and social purposes, while also allowing for potential future intensification

of these uses in accordance with the policy and regulatory framework. The minor variances to permit the lot line adjustment will allow for an increase to the size of an existing rural residential lot, which is desirable for protecting the rural character of the area.

**The variances are desirable for the appropriate use of the land.**

### 3.4 Is the Proposal Minor in Nature

The requested minor variances allow for slightly reduced lot widths, which remain wider than the majority of lots along this section of Piperville Road. The reduced lot widths do not negatively impact the functioning of the existing uses and other potential permitted uses. The reduced area for the portion of the lot is due to the split-zoned condition, and will not impact the functioning of the majority of the lot which is zoned rural residential.

**There are no negative impacts anticipated as a result of the variances, and the proposal is minor in nature.**



## 4.0 Conclusion

It is our professional opinion that a full Plan of Subdivision is not required for the orderly development of the lands, and a Consent is appropriate for the subject property. The proposal to create one new lot from an existing parcel, and to enlarge the adjacent existing residential parcel at 5950 Piperville Road through a lot line adjustment satisfies the *Planning Act* criteria for a Consent and conforms with the policies of the Provincial Planning Statement 2024 and the City of Ottawa Official Plan (2022, as amended). The proposed severances are not anticipated to create any undue adverse impacts to the surrounding rural area.

The requested Minor Variances are appropriate as they will permit the above noted Consent applications. Further, as identified in Section 3 of this report, the Minor Variance application meets the four tests outlined in the *Planning Act* for a Minor Variance.

Sincerely,



Tyler Yakichuk, MCIP RPP  
Senior Planner



Bria Aird, MCIP RPP  
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