

**Subject: Zoning By-law Amendment – Part of 3896 8<sup>th</sup> Line Road and 7968  
Marvelville Road**

**File Number: ACS2022-PIE-PS-0115**

**Report to Agriculture and Rural Affairs Committee on 1 September 2022  
and Council 21 September 2022**

**Submitted on August 22, 2022 by Derrick Moodie, Director, Planning Services,  
Planning, Real Estate and Economic Development**

**Contact Person: Stephan Kukkonen, Planner I, Development Review Rural  
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**Ward: Osgoode (20)**

**Objet : Modification du *Règlement de zonage* – Partie du 3896, chemin  
8<sup>th</sup> Line et du 7968, chemin Marvelville**

**Dossier : ACS2022-PIE-PS-0115**

**Rapport au Comité de l'agriculture et des affaires rurales**

**le 1er septembre 2022**

**et au Conseil le 21 septembre 2022**

**Soumis le 22 août 2022 par Derrick Moodie, Directeur, Services de la planification,  
Direction générale de la planification, des biens immobiliers et du développement  
économique**

**Personne ressource : Stephan Kukkonen, Urbaniste I, Examen des demandes  
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**613-580-2424 ext. 24521, Stephan.kukkonen@ottawa.ca**

**Quartier : Osgoode (20)**

## **REPORT RECOMMENDATIONS**

- 1. That Agriculture and Rural Affairs Committee recommend Council approve an amendment to Zoning By-law 2008-250 for Part of 3896 8<sup>th</sup> Line Road and 7968 Marvelville Road, as shown in Document 1, to prohibit residential**

development on the retained agricultural lands, and permit an increase in maximum accessory building and an equestrian establishment as an accessory use, as detailed in Document 2.

2. That Agriculture and Rural Affairs Committee approve the Consultation Details Section of this report be included as part of the 'brief explanation' in the Summary of Written and Oral Public Submissions, to be prepared by the Office of the City Clerk and submitted to Council in the report titled, "Summary of Oral and Written Public Submissions for Items Subject to *the Planning Act* 'Explanation Requirements' at the City Council Meeting of September 21, 2022," subject to submissions received between the publication of this report and the time of Council's decision.

#### RECOMMANDATIONS DU RAPPORT

1. Que le Comité de l'agriculture et des affaires rurales recommande au Conseil d'approuver la modification du *Règlement de zonage* (n° 2008-250) en ce qui a trait à une partie du 3896, chemin 8<sup>th</sup> Line et du 7968, chemin Marvelville (se référer au document 1), afin que soit interdit le développement résidentiel sur les terres agricoles conservées qui s'y trouvent et qu'y soient autorisées une augmentation du maximum permis pour les bâtiments accessoires ainsi que la construction d'un centre équestre à titre d'utilisation accessoire (se référer au document 2).
2. Que le Comité de l'agriculture et des affaires rurales approuve que la section du présent rapport consacrée aux détails de la consultation soit incluse en tant que « brève explication » dans le résumé des observations écrites et orales du public, qui sera rédigé par le Bureau du greffier municipal et soumis au Conseil dans le rapport intitulé « Résumé des observations orales et écrites du public sur les questions assujetties aux 'exigences d'explication' aux termes de la *Loi sur l'aménagement du territoire* à la réunion du Conseil municipal prévue le 21 septembre 2022 », à la condition que les observations aient été reçues entre le moment de la publication du présent rapport et le moment de la décision du Conseil.

## **BACKGROUND**

Learn more about [link to Development Application process - Zoning Amendment](#)

For all the supporting documents related to this application visit the [link to Development Application Search Tool](#).

### **Site location**

Part of 3896 8<sup>th</sup> Line Road and 7968 Marvelville Road

### **Owner**

2342148 Ontario Inc.

### **Applicant**

Jeff Shipman

### **Description of site and surroundings**

The subject property is located on the west side of 8<sup>th</sup> Line Road, south of the 8<sup>th</sup> Line Road and Marvelville Road intersection. The subject lands are currently developed with a single-detached dwelling, accessory and agriculture structures. The property is approximately 77.82 hectares with approximately 392.03 metres of frontage along 8<sup>th</sup> Line Road. The site is currently zoned Agricultural Zone (AG), contains a single-detached dwelling and agriculture-related accessory structures. The surrounding parcels are of similar rural residential and agricultural uses. The retained farmland, described as Area A in Document 1, will merge with Area C - 7968 Marvelville Road, following the finalized severance.

### **Summary of requested Zoning By-law amendment proposal**

The application has been submitted in order to fulfill a condition of severance approval imposed by the Committee of Adjustment with respect to D08-01-21/B-00524. The intent is to prohibit residential uses on the retained lands, permit an increase in maximum accessory building size and an equestrian establishment as an accessory use on the severed surplus farmhouse lands.

### **Brief history of proposal**

Committee of Adjustment Panel 3 heard consent for severance application D08-01-21/B-00524 on April 20, 2022. The application sought to sever an existing residential

dwelling and adjacent farm-related structures as a surplus dwelling lot due to farm consolidation. Staff did not express any concerns with the application. The Committee granted the application.

The current application has been submitted to fulfill a condition, imposed by the Committee on application D08-01-21/B-00524.

## **DISCUSSION**

### **Public consultation**

Notification and public consultation were undertaken in accordance with the Public Notification and Public Consultation Policy approved by City Council for Zoning By-law amendments. No concerns were identified.

### **Official Plan designation(s)**

In this current period, between Council approval of the new Official Plan (OP) and the Minister's approval of the new OP, staff are to apply whichever provision, as between the current and new OP, is more restrictive. The policies are similar between the two Official Plans with respect to agricultural policies.

### **Current Official Plan**

The property is designated as Agricultural Resource Area as per Schedule A of the current Official Plan. The Agricultural Resource Area designation protects prime agricultural areas from loss of lands to other uses. Severances are permitted for a surplus dwelling and immediately adjacent farm buildings due to farm consolidation under Section 3.7.3.9. Section 3.7.3.10.b requires the vacant agricultural parcel be rezoned to prohibit any future residential use, and (10c) stipulates that the size of the severed lot be a size that minimizes the loss of agricultural lands. This Zoning By-law amendment application satisfies the requirements of the Official Plan [Section 3.7.3.10.b] as conditioned by the Committee of Adjustment.

### **New Official Plan**

The property is designated Agricultural Resource Area as per Schedule B9. The Agricultural Resource Area designation protects prime agricultural lands as identified through Land Evaluation and Area Review (LEAR). Section 9.1.3 of the new Official Plan "protect farmland from uses that would impede productive farming operations" prohibits lot creation unless the lot contains a habitable dwelling made surplus through farm consolidation. In such cases, as a condition of severance, the agricultural parcel is

required to be zoned to prohibit residential uses. The newly created residential parcel may only contain buildings or structures including a dwelling unit that are accessory or secondary to the principal residential use (Section 9.1.3, subsection 3 [e]).

### **Planning rationale**

This Zoning By-law amendment will affect approximately 76 hectares of agricultural land, as shown in Document 1. This change is to rezone the retained parcel identified as Part of 3896 8<sup>th</sup> Line Road from Agricultural Zone (AG), to Agricultural Zone, Subzone 4 (AG4) and fulfills a condition of approval for a surplus farm dwelling severance application as granted by the Committee of Adjustment on October 20, 2021. The intent of this zoning designation is to protect prime agricultural lands from being converted to other uses. This change will also rezone the lands known as 7968 Marvelville Road from Agricultural Zone, Subzone 5 (AG5), to Agricultural Zone, Subzone 4 (AG4). 7968 Marvelville Road was previously zoned to prohibit residential development. The subject rezoning will continue to prohibit residential development as well as reflect the new lot area after merging with the retained farmlands. This proposal is consistent with both the existing Official Plan and the new Official Plan.

Additionally, the severed land identified as Area B in Document 1, is to be rezoned from Agricultural Zone (AG) to Agricultural Zone, Rural Exception (AG[XXXr]) to permit an equestrian establishment as an accessory use and permit an increase in maximum accessory building size from 910 square metres to 3,173 square metres. The intent of this rezoning is to permit the continued use of the existing barn structure as an accessory equestrian establishment. Section 55 subsection 9 of the Zoning By-law permits the use of structures formerly used as a part of an agricultural use that remain on a lot created for residential purposes as a part of a surplus farm severance as accessory structures. The accessory use of an equestrian establishment is compatible with the surrounding agricultural lands and the subject rezoning will ensure that the existing farm-related structures will remain accessory in nature to the dwelling. This proposal is consistent with both the existing Official Plan and the new Official Plan as it will not impede surrounding agricultural operations.

### **Provincial Policy Statement**

Staff have reviewed this proposal and have determined that it is consistent with the 2020 Provincial Policy Statement.

## **RURAL IMPLICATIONS**

This Zoning By-law amendment will restrict new residential development and prevent the loss of agricultural land to other competing uses. This application protects the agricultural system and the rural landscape by supporting the continued productive use of agricultural lands as well as reflect the increase in accessory building size and permit an equestrian establishment as an accessory use of an existing farmstead.

## **COMMENTS BY THE WARD COUNCILLOR**

Councillor George Darouze is aware of the application related to this report.

## **LEGAL IMPLICATIONS**

There are no legal impediments to implementing the recommendations of the report.

## **RISK MANAGEMENT IMPLICATIONS**

There are no risk management implications relating to this application.

## **ASSET MANAGEMENT IMPLICATIONS**

The recommendations documented in this report are consistent with the City's [Comprehensive Asset Management \(CAM\) Program](#) objectives. The implementation of the Comprehensive Asset Management program enables the City to effectively manage existing and new infrastructure to maximize benefits, reduce risk, and provide safe and reliable levels of service to community users. This is done in a socially, culturally, environmentally, and economically conscious manner.

## **FINANCIAL IMPLICATIONS**

There are no direct financial implications.

## **ACCESSIBILITY IMPACTS**

There are no accessibility impacts associated with this application.

## **TERM OF COUNCIL PRIORITIES**

The application supports the following Term of Council Priorities:

- Economic Growth and Diversification and Thriving Communities

**APPLICATION PROCESS TIMELINE STATUS**

This application (Development Application Number: D02-02-22-0057) was processed by the "On Time Decision Date" established for the processing of Zoning By-law amendments.

**SUPPORTING DOCUMENTATION**

Document 1 Location Map

Document 2 Details of Recommended Rezoning

**CONCLUSION**

The Planning, Real Estate, and Economic Development Department supports this Zoning By-law amendment as it is consistent with the Provincial Policy Statement, the City's old Official Plan, the City's new Official Plan and the Zoning By-law.

**DISPOSITION**

Office of the City Clerk, Council and Committee Services to notify the owner; applicant; Ottawa Scene Canada Signs, 13-1920 Merivale Road, Ottawa, ON K2G 1E8; Krista O'Brien, Program Manager, Tax Billing and Control, Finance Services Department (Mail Code: 26-76) of City Council's decision.

Zoning and Interpretations Unit, Policy Planning Branch, Economic Development and Long Range Planning Services to prepare the implementing by-law and forward to Legal Services.

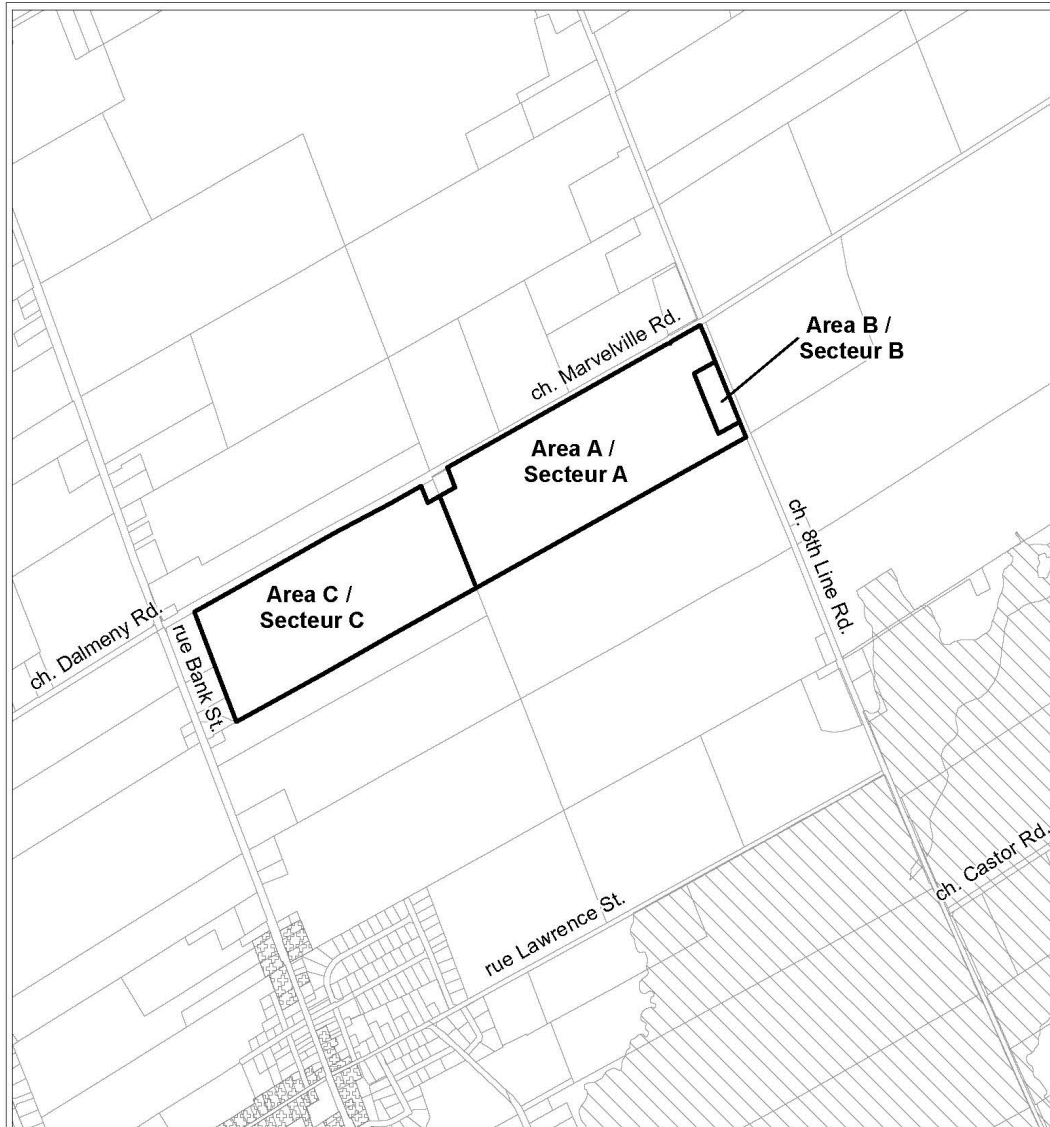
Legal Services, Innovative Client Services Department to forward the implementing by-law to City Council.



Planning Operations Branch, Planning Services to undertake the statutory notification.

## Document 1 – Location Map

For an interactive Zoning map of Ottawa visit [geoOttawa](https://geoottawa.com)

Document 1 is a location map that shows the portion of 3896 8<sup>th</sup> Line Road and 7968 Marvelville Road subject to rezoning application D02-02-22-0057.



		LOCATION MAP / PLAN DE LOCALISATION ZONING KEY PLAN / SCHÉMA DE ZONAGE 3896 CHEMIN 8TH LINE ROAD 7968 CHEMIN MARVELVILLE ROAD	
D02-02-22-0057	22-0715-Y		
I:\CO\2022\Zoning\8thLine_3896			
<small>©Parcel data is owned by Terranet Enterprises Inc. and its suppliers. All rights reserved. May not be produced without permission. THIS IS NOT A PLAN OF SURVEY.                  ©Les données de parcelles appartiennent à Terranet Enterprises Inc. et à ses fournisseurs. Tous droits réservés. Ne peut être reproduit sans autorisation. CE CI N'EST PAS UN PLAN D'ARPENTAGE</small>			
REVISION / RÉVISION - 2022 / 07 / 15		Area A to be rezoned from AG to AG4 Area B to be rezoned from AG to AG[XXXr] Area C to be rezoned from AG5 to AG4	Secteur A devant être rezoné de AG à AG4 Secteur B devant être rezoné de AG à AG[XXXr] Secteur C devant être rezoné de AG5 à AG4
		 Existing Flood Plain (Section 58) / Plaine inondable (Article 58)	 Village Residential Enterprise (Section 128A) / Zone sous-jacente résidentielle de village - Entreprise (article 128A)
			 <small>NOT TO SCALE</small>



## Document 2 – Details of Recommended Zoning

The proposed change to the City of Ottawa Zoning By-law No. 2008-250 for Part of 3896 8<sup>th</sup> Line Road and 7968 Marvelville Road:

1. Rezone the lands shown as Area A Part of 3896 8<sup>th</sup> Line Road in Document 1 from AG to AG4.
2. Rezone the lands shown as Area B Part of 3896 8<sup>th</sup> Line Road in Document 1 from AG to AG[XXXr].
3. Rezone the lands shown as Area C 7968 Marvelville Road in Document 1 from AG5 to AG4.

4. To create a new exception zone as follows:

- Exception Number – XXXr

Applicable Zone – AG[XXXr]

Provision –

Permitted accessory use Equestrian Establishment, Maximum accessory building size 3,173 square metres