

Subject: Zoning By-law Amendment – 2727 Carp Road and part of 2625 Carp Road

File Number: ACS2022-PIE-PS-0126

**Report to Agriculture and Rural Affairs Committee on 29 September 2022
and Council 5 October 2022**

**Submitted on September 19, 2022 by Derrick Moodie, Director, Planning Services,
Planning, Real Estate and Economic Development**

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Ward: West Carleton-March (5)

**Objet : Modification du *Règlement de zonage* – 2727, chemin Carp et une
partie du 2625, chemin Carp**

Dossier : ACS2022-PIE-PS-0126

**Rapport au Comité de l'agriculture et des affaires rurales
le 29 septembre 2022**

et au Conseil le 5 octobre 2022

**Soumis le 19 septembre 2022 par Derrick Moodie, Directeur, Services de la
planification, Direction générale de la planification, des biens immobiliers et du
développement économique**

**Personne ressource : Sarah McCormick, Urbaniste II, Examen des demandes
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Quartier : West Carleton-March (5)

REPORT RECOMMENDATIONS

- 1. That Agriculture and Rural Affairs Committee recommend Council approve an amendment to Zoning By-law 2008-250 for 2727 Carp Road and part of 2625 Carp Road, as shown in Document 1, for the purposes of rezoning the lands**

to accommodate the development of 78 residential lots, four commercial blocks, and the preservation of the Huntley Creek Corridor.

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 October 5, 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 municipal d'approuver la modification à apporter au *Règlement de zonage 2008-250* pour le 2727, chemin Carp et pour une partie du 2625, chemin Carp, selon les modalités indiquées dans la pièce 1, afin de permettre de rezoner les terrains pour aménager 78 lots résidentiels, quatre quadrilatères commerciaux et de préserver le couloir du ruisseau Huntley.
2. Que le Comité de l'agriculture et des affaires rurales approuve l'intégration de la section Détails de la consultation de ce rapport dans la « brève explication » du Résumé des mémoires déposés par écrit et de vive voix, à rédiger par le Bureau du greffier municipal et à soumettre au Conseil municipal dans le rapport intitulé « Résumé des mémoires déposés par écrit et de vive voix par le public sur les questions assujetties aux "explications obligatoires" de la *Loi sur l'aménagement du territoire* à la réunion tenue par le Conseil municipal le 5 octobre 2022 », sous réserve des mémoires qui seront déposés entre la publication de ce rapport et la date à laquelle le Conseil municipal rendra sa décision.

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

2727 Carp Road and Part of 2625 Carp Road

Owner

1384341 Ontario Ltd.

Applicant

Novatech

Description of site and surroundings

The property is bounded on the west by William Mooney Road, to the east by Carp Road and is located approximately 200 metres north of the intersection of Cavanmore Road and William Mooney Drive.

Surrounding land uses include rural residential estate lot subdivisions and vacant rural land to the north, west and south-east of the subject lands, with a mix of industrial uses located along the Carp Road corridor.

Summary of requested Zoning By-law amendment proposal

The subject lands are currently zoned Rural Countryside (RU) and Rural Commercial, subzone 9 (RC9) in the City of Ottawa's Consolidated Zoning By-law 2008-250.

The proposed zoning of the subject lands includes zoning the majority of the subject lands to Rural Residential, Subzone 4 zone to accommodate the 78 residential lots created through the approved plan of subdivision, as well as an Open Space (O1) zoning to protect the Huntley Creek meander belt and a portion of the existing woodlot adjacent to William Mooney Drive. The proposed Open Space zone would include a rural exception to limit the permitted uses to environmental preserve and education area. The existing Rural Commercial zoning of the property will remain, however will be reduced to only encompass the size of the four rural commercial blocks approved through the plan of subdivision process.

Brief history of proposal

As the subdivision and zoning files were submitted prior to July 23, 2003, they are subject to the policies of the time, allowing the applications to be reviewed in accordance with the policies of the former Township of West Carleton Official Plan and the Regional Municipality of Ottawa-Carleton Official Plan. The most impactful policy from the applicable Official Plans is the ability to apply for country lot subdivisions.

The subject application has been examined pursuant to the provisions of both the Township of West Carleton Official Plan, the Regional Municipality of Ottawa-Carleton Official Plan, and the 2020 Provincial Policy Statement.

The 2002 draft plan of subdivision application was draft approved on December 20, 2021. The draft approved subdivision permitted for the development of 78 residential lots and 4 commercial blocks, with road accesses connecting from William Mooney Drive to Carp Road as well as an extension of Cyd Street on the east side of Huntley Creek. An open space block was included in relation to the preservation of the Huntley Creek corridor.

An updated subdivision application was filed in 2022 relocating the internal street connection with Carp Road. This modification does not alter any of the residential or commercial lots and blocks, increases the setback of the road from Huntley Creek and increases the Open Space block and zoning area. While a decision on this revision is still pending, the initial public circulation period has ended, and only one public comment was received, unrelated to the road modification itself. Staff have no concerns with proceeding with the zoning of this area.

DISCUSSION

Public consultation

Public consultation and notification were undertaken in accordance with the Public Notification and Public Consultation Policy approved by Council for Zoning By-law amendments. No public meetings were held in the community in relation to the proposed Zoning By-law amendment application.

A public meeting was held in July 2003 in relation to the subdivision application. After the file was reactivated in 2019, new on-site signs were posted on February 3, 2020 replacing the original signs which were no longer present on site. A total of eight comments were received after the posting of the updated signs. The main concerns voiced related to the ability for the City to process and approve subdivisions in the rural

area as the current Official Plans do not permit this type of development. Other concerns involved issues surrounding land use compatibility, road connections to existing development, and environmental policy changes since the application was filed.

For this proposal's consultation details, see Document 3 of this report.

Official Plan designation(s)

This Zoning By-law amendment application was filed on July 30, 2002. As previously mentioned, as the application was submitted prior to July 23, 2003, it is subject to the policies of the time, allowing the application to be reviewed in accordance with the policies of the former Township of West Carleton Official Plan and the Regional Municipality of Ottawa-Carleton Official Plan. The most impactful policy from the applicable Official Plans is the ability to apply for country lot subdivisions.

The Zoning By-law amendment application has been examined pursuant to the provisions of both the Township of West Carleton Official Plan, the Regional Municipality of Ottawa-Carleton Official Plan, and the 2020 Provincial Policy Statement

Regional Official Plan of Ottawa-Carleton

The property is identified as General Rural Area on Schedule A of the Regional Official Plan of Ottawa-Carleton. Uses permitted within this designation include country lots created by subdivision, commercial uses, and industrial uses. The development has been reviewed in relation to the General Rural Area policies, and the proposed zoning meets the policy requirements for Country Lot subdivisions, as well as commercial/industrial lot development.

Township of West-Carleton Official Plan

The property is identified as Marginal Resource Area in the Township of West Carleton Official Plan (Consolidated December 31, 2000). The Marginal Resource Area is made up of lands that are identified as not being adequate for agricultural use due to trees, topography, and rock out-crops. This section of the Township Official Plan identifies that both small-scale commercial and quasi-industrial uses servicing or related to the rural economy, as well as residential uses are permitted within the Marginal Resource designation. Further, Country Lot Subdivisions may be permitted in the Marginal Resource Area designation subject to the policies of the Country Lot Residential designation - Section 6(10). This Section has been reviewed and the proposed residential zoning meets the intent of the Country Lot Residential designation. Further, the Open Space zoning proposed along William Mooney Road mitigates the impact on

the existing treescape on the subject property, by limiting permitted uses on this portion of the affected lots to environmental preserve and education area.

Other applicable policies and guidelines

The subject property is not within the boundary of any applicable Secondary Plan or Community Design Plan.

Urban Design Review Panel

The subject property was not subject to review by the Urban Design Review Panel.

Planning rationale

The proposed Zoning By-law amendment application implements zoning to accommodate the development of a previously approved draft plan of subdivision. The property is designated General Rural Area on Schedule A of the Regional Official Plan of Ottawa-Carleton and Marginal Resource Area in the Township of West Carleton Official Place (Consolidated December 31, 2000). Both rural estate lot subdivision and commercial/industrial development are identified as permitted uses within these designations.

The subdivision application was approved with lot areas under 0.8 hectares. This was permitted based on policies provided in both the regional and local Official Plans. The Regional Ottawa-Carleton Official Plan permitted country lot estate subdivision to proceed with lots under 0.8 hectares in size provided the development meets the following requirements:

- a) The lots are part of a development containing a recreational facility such as a golf course, or special landscape feature such as a cultural heritage feature, or geologic feature; the proposed subdivision will maintain the Huntley Creek corridor as a common landscape feature for those lots abutting the corridor.
- b) The development has an average lot size of not less than 0.8 hectares per dwelling unit, when, averaged over all the land in the development; the average lot size over all land in the subdivision is 0.83 hectares.
- c) The requirements of Section 10.3 for servicing are met. The servicing requirements of the subdivision were reviewed and approved through the subdivision draft approval process. As the draft approval occurred in 2021, the subdivision servicing requirements meet both the previous policy requirements, and current best standard practices.

The local township Official Plan also required minimum lot area of 0.8 hectares except in scenarios where condominium or cooperative proposals where minimum lot area requirements were reduced to 0.4 hectares, and the average lot size when lands held in common are included remains between 0.8 to 6 hectares per single family dwelling. The average lot area proposed based on this averaging calculation is 0.83 hectares.

Staff have determined that based on the maintenance of the Huntley Creek corridor in common ownership, the proposal meets the intent of the Official Plan requirements for lot area. Further, those lots under 8,000 square metres in area remain adequately sized for development on private services as the current Official Plan policies permit lot areas of 4,000 square metres for development on private services within Village boundaries. The proposed RR4 zoning accommodates the smallest proposed lot area of 6,041.8 square metres and meets the intent of both the Regional and Local Official Plans.

The second amendment is to rezone the Huntley Creek corridor and the woodlot adjacent to William Mooney Drive, described as Areas C, D and F in the Zoning Plan provided in Document 1, to Open Space with a rural exception. This exception will limit the permitted uses of these portions of the property to environmental preserve and education area. This exception meets the environmental policies of both the Regional and Local Official Plans, by preserving the natural features found on the subject property.

Finally, a minor adjustment to the existing rural commercial zoning is proposed. Through the subdivision draft approval process, the commercial lots were sized smaller than the existing zoning lines. The proposed lot area for the commercial lots were reviewed through the subdivision draft approval process, and the sizing of lots was deemed suitable for commercial development on private services. As discussed above, the modification in zoning to a Rural Residential Subzone 4, Area B in Document 1, meets the intent of the Regional and Local Official Plans. Further, Area D modifies the RC9 zoning to Open Spaces (O1 [xxxr]) to preserve the Huntley Creek corridor.

Provincial Policy Statement

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

RURAL IMPLICATIONS

The proposed Zoning By-law Amendment permits the development of a draft approved residential rural estate lot subdivision, which also includes rural commercial blocks.

COMMENTS BY THE WARD COUNCILLOR

Councillor El-Chantiry is aware of the application related to this report.

LEGAL IMPLICATIONS

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

RISK MANAGEMENT IMPLICATIONS

There are no risk implications.

ASSET MANAGEMENT IMPLICATIONS

There are no asset management implications

FINANCIAL IMPLICATIONS

There are no direct financial implications.

ACCESSIBILITY IMPACTS

There are no accessibility impacts associated with this report.

ENVIRONMENTAL IMPLICATIONS

An Environmental Impact Statement (EIS) was submitted and reviewed during the Plan of Subdivision application. The review of the EIS identified areas of forest suitable to be retained along William Mooney Drive and aided in the development of a “no touch” riparian buffer adjacent to Huntley Creek.

To affectively identify these environmental preservation areas, the zoning by-law amendment includes an Open Space (O1) zone to identify the areas on site which should be allowed to naturalize, and which prohibit development and site alterations by means of grading and drainage.

TERM OF COUNCIL PRIORITIES

This project addresses the following Term of Council Priorities:

- Thriving Communities – the proposed zoning amendment accommodates the development of a previously approved plan of subdivision.
- Environmental Stewardship – the proposed zoning amendment protects existing woodlands along William Mooney Drive as well as the Huntley Creek corridor.

APPLICATION PROCESS TIMELINE STATUS

This application (Development Application Number: OZP2002-0132) was not processed by the "On Time Decision Date" established for the processing of Zoning By-law amendments due to a pause in the project on behalf of the applicant, as well as staff workloads.

SUPPORTING DOCUMENTATION

Document 1 – Location Map and Zoning Key Plan

Document 2 – Details of Recommended Zoning

Document 3 – Consultation Details

Document 4 – Approved Draft Plan of Subdivision

Document 5 – New Draft Plan of Subdivision

CONCLUSION

The Planning, Real Estate and Economic Development Department recommends the approval of this Zoning By-law amendment as it meets the intent of both the Regional Municipality of Ottawa-Carleton and the Township of West-Carleton Official Plans, is consistent with the Zoning By-law as well as the previously approved Plan of Subdivision and represents good planning.

DISPOSITION

Office of the City Clerk, Council and Committee Services to notify the owner; applicant; Krista O'Brien, Program Manager, Tax Billing & Control, Finance Services Department (Mail Code: 26-76) of City Council's decision.

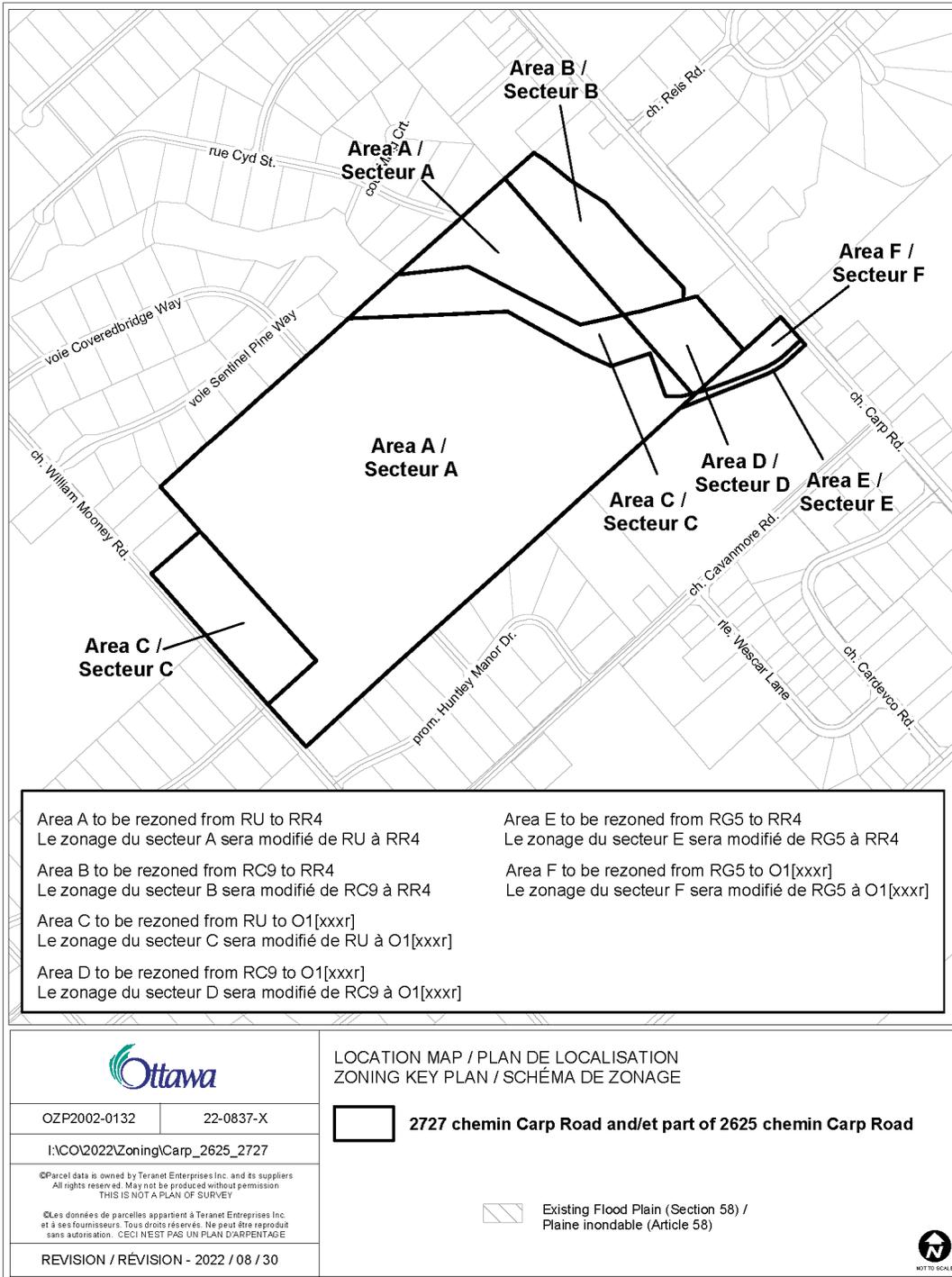
Zoning and Interpretations Unit, Policy Planning Branch, Economic Development and Long Range Planning Services to prepare the implementing by-law and forward to Legal Services.

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 and Zoning Key Plan

For an interactive Zoning map of Ottawa visit geoOttawa



Document 2 – Details of Recommended Zoning

The proposed change to the City of Ottawa Zoning By-law No. 2008-250 for 2727 Carp Road and part of 2625 Carp Road:

1. Rezone the lands identified as Area A, as shown in Document 1, from RU to RR4.
2. Rezone the lands identified as Area B, as shown in Document 1, from RC9 to RR4.
3. Rezone the lands identified as Area C, as shown in Document 1, from RU to O1 [xxxr].
4. Rezone the lands identified as Area D, as shown in Document 1, from RC9 to O1 [xxxr]
5. Rezone the lands identified as Area E, as shown in Document 1, from RG5 to RR4.
6. Rezone the lands identified as Area F, as shown in Document 1, from RG5 to O1 [xxxr].
7. Add exception, O1[xxxr], to Section 240 – Rural Exception with a provision similar in effect to the following:
 - a. Add to Column IV provisions:

All uses, except environmental preserve and education area

Document 3 – Consultation Details

Notification and Consultation Process

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. One public meeting was also held in the community in relation to the concurrent Draft Plan of Subdivision application.

A total of eight comments were received once the subdivision and zoning applications were re-activated in 2019. One additional comment was received on the revision application to modify the road location.

General statements were received regarding concerns with land use, servicing, transit services, building design – building volume, façade, material, colour, building height, vehicular traffic, noise, trees/landscaping, and environmental preservation, along with requests for information to purchase lots.

Specific comments outside of the checklist concerns through the DevApps website included the following:

Comment 1

New residential subdivisions in the rural area are not permitted per the Official Plan, please advise whether this application is a new residential subdivision in the rural area.

Response

As the application was filed in 2002, the application will be reviewed by the policy documents that were in force and effect at the time. Both the Regional and Township Official Plans that were in force and effect when the application was filed permitted the development of residential rural estate lot, or country lot, subdivisions in the General Rural Area.

Comment 2

Given the age of the application, and understanding that the file continues under grandfathering provisions, are there new criteria that must be met in terms of environmental protection, tree conservation, etc?

Response

While the application will be reviewed under the former Regional and Township Official Plans, the proposal must still meet the current, 2020, Provincial Policy Statement.

Comment 3

Are there any concerns with a possible new dump, or issues with the old dump and/or industrial areas around the site that might affect the safety of the estate lot lands?

Response

Staff review every application to ensure there are no negative impacts on the surrounding area. This includes the landfill proposal, any new industrial development, as well as the proposed residential subdivision.

Comment 4

Looking for confirmation that there is no intent to develop Falls Drive into an actual road? Also, would like to see blocks which contain forest habitat minimize tree removal to the extent possible.

Response

Block 34 (Falls Drive) is not proposed as a road and will be considered a pedestrian connection between the two subdivisions. Tree protection along William Mooney Drive through the use of the Open Space zone will be implemented, as well as through the Huntley Creek corridor.

Comment 5

The application should be required to include a playground / recreational area in their development plan. Given the nature of the area, we do not have a playground or other neighbourhood hub.

Response

The overall subdivision application which addressed lot configurations and parks was originally filed in 2002 and draft approved in December 2021. Through the review of the development, the City's Recreation, Cultural & Facility Services Department determined that cash in-lieu of parkland would need to be provided instead of a park. The funds owed in-lieu of parkland are divided between City-wide and Ward-specific accounts.

These funds are then allocated to municipal parks projects throughout the City (City account), and within the Ward (Ward-specific account).

The current application is for the relocation of the new road where it connects to Carp Road. As no modification to residential lots are proposed because of this modification, the review centres solely on the merits of the relocation of the road.

Document 4 – Approved Draft Plan of Subdivision

