

8. Zoning By-Law Amendment – Part of 4344 9th Line Road

Modification au Règlement de zonage – partie du 4344 chemin 9th Line

Committee Recommendation

That Council approve an amendment to Zoning By-law 2008-250 for Part of 4344 9th Line Road, for the purposes of rezoning a portion of the lands from Agricultural (AG) and Agricultural Subzone 1 (AG1), to Agricultural Subzone 4 (AG4), to prohibit residential uses on the retained farmland, as detailed in Document 2.

Recommandation du Comité

Que le Comité de l'agriculture et des affaires rurales recommande au Conseil d'approuver une modification du *Règlement de zonage 2008-250* visant à ce qu'une partie du 4344, chemin 9th Line, désignée « zone agricole (AG) » et « sous-zone agricole 1 (AG1) », passe à la désignation de « sous-zone agricole 4 (AG4) », afin d'interdire des utilisations résidentielles sur les terres agricoles conservées, comme l'indique le document 2.

Documentation/Documentation

1. Director's report, Planning Services, Planning, Infrastructure and Economic Development Department, dated May 14, 2019 (ACS2019-PIE-PS-0050)

Rapport de la directrice, Services de la planification, Direction générale de la planification, de l'infrastructure et du développement économique, daté le 14 mai 2019 (ACS2019-PIE-PS-0050)
2. Summary of Written and Oral Submissions to be issued separately with the Council agenda for its meeting of June 26, 2019, 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 June 12, 2019".

Résumé des observations écrites et orales à distribuer séparément avec l'ordre du jour de la réunion du 26 juin 2019 du 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 12 juin 2019 ».

**Agriculture and Rural Affairs
Committee
Report 4
June 12, 2019**

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**Comité de l'agriculture et des
affaires rurales
Rapport 4
le 12 juin 2019**

**Report to
Rapport au:**

**Agriculture and Rural Affairs Committee
Comité de l'agriculture et des affaires rurales
6 June 2019 / 6 juin 2019**

**and Council
et au Conseil
12 June 2019 / 12 juin 2019**

**Submitted on 14 May 2019
Soumis le 14 mai 2019**

**Submitted by
Soumis par:**

**Lee Ann Snedden
Director / Directrice**

Planning Services / Services de la planification

**Planning, Infrastructure and Economic Development Department / Direction
générale de la planification, de l'infrastructure et du développement économique**

Contact Person / Personne ressource:

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demandes d'aménagement ruraux**

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Ward: OSGOODE (20)

File Number: ACS2019-PIE-PS-0050

SUBJECT: Zoning By-law Amendment – Part of 4344 9th Line Road

**OBJET: Modification au Règlement de zonage – partie du 4344 chemin 9th
Line**

REPORT RECOMMENDATIONS

1. That Agriculture and Rural Affairs Committee recommend Council approve an amendment to Zoning By-law 2008-250 for Part of 4344 9th Line Road, for the purposes of rezoning a portion of the lands from Agricultural (AG) and Agricultural Subzone 1 (AG1), to Agricultural Subzone 4 (AG4), to prohibit residential uses on the retained farmland, 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 City Clerk and Solicitor's Office and submitted to Council in the report titled, "Summary of Oral and Written Public Submissions for Items Subject to Bill 73 'Explanation Requirements' at the City Council Meeting of 6 June 2019," 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 une modification du *Règlement de zonage 2008-250* visant à ce qu'une partie du 4344, chemin 9th Line, désignée « zone agricole (AG) » et « sous-zone agricole 1 (AG1) », passe à la désignation de « sous-zone agricole 4 (AG4) », afin d'interdire des utilisations résidentielles sur les terres agricoles conservées, comme l'indique le document 2.
2. Que Comité de l'agriculture et des affaires rurales donne son approbation à ce 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 de l'avocat général 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 du projet de loi 73 », à la réunion du Conseil municipal prévue 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

4344 9th Line Road

Owner

Rockhaven Farms Ltd., Leo Van Haren

Applicant

Jeff Shipman

Description of site and surroundings

This subject site is located on 9th Line Road within Ward 20, and approximately 117.43 hectares in size. The parcel is surrounded with similar agricultural operations and scattered rural residential dwellings. The lot to be severed would enclose a dwelling, well, septic and two small sheds while the lot to be retained would contain a shed and three-grain silo accessory to the existing agricultural use. The retained lands, zoned Agriculture Zone (AG) and Agriculture Zone, Subzone 1 (AG1), despite being shown as two separate parcels on GeoOttawa, have merged on title.

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 application [D08-01-19/B-00073](#). The intent is to prohibit residential uses on the retained lands.

Brief history of proposal

The lands to which the proposed Zoning By-law amendment applies were the subject of an application for a surplus farm dwelling severance. The severance request was

granted by the Committee of Adjustment on March 20, 2019 with a condition that the owner rezone the retained farmland to prohibit residential development.

The site is currently zoned Agriculture (AG) and Agricultural Subzone 1 (AG1). It is proposed to rezone approximately 117 hectares of farmland to AG4 to prohibit future residential use in accordance with a condition of severance. The remaining land area containing the existing dwelling and accessory buildings (approximately 0.43 hectares) will remain zoned AG.

DISCUSSION

Public consultation

Notification and public consultation was 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 Designations

The property is designated Agricultural Resource Area as per Schedule A of the Official Plan. This designation protects prime agricultural areas from loss of lands to other uses. Severances are permitted for a surplus dwelling due to farm consolidation [Section 3.7.3.7]. Section 3.7.3.8.b requires the vacant agricultural parcel be rezoned to prohibit any future residential use, and (8c) 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 3.7.3.8.b] as conditioned by the Committee of Adjustment.

Other applicable policies and guidelines

The subject site is not within the boundary of any applicable Secondary Plans or Community Design Plans.

Urban Design Review Panel

This application was not subject to review by the Urban Design Review Panel.

Planning Rationale

This Zoning By-law amendment will affect approximately 117 ha of agricultural land, as shown in Document 1. This Zoning By-law amendment to rezone the remnant agricultural lands from AG and AG1 to AG4 fulfills a condition relating to the approval of surplus farm dwelling severance application heard by the Committee of Adjustment. Staff had no concerns with the severance application and have determined that the proposed rezoning is consistent with the Official Plan. No new development is proposed.

Provincial Policy Statement

Staff have reviewed this proposal and have determined that it is consistent with the Provincial Policy Statement, 2014.

RURAL IMPLICATIONS

This Zoning By-law amendment restricts new residential development and prevents the loss of agricultural land to other competing uses. This Zoning By-law amendment protects the rural landscape by supporting the continued productive use of agricultural lands.

COMMENTS BY THE WARD COUNCILLOR

Councillor Darouze is aware of this application.

LEGAL IMPLICATIONS

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

RISK MANAGEMENT IMPLICATIONS

There are no risks associated with this application.

ASSET MANAGEMENT IMPLICATIONS

There are no asset management implications associated with the recommendations of this report.

FINANCIAL IMPLICATIONS

There are no direct financial implications.

ACCESSIBILITY IMPACTS

There are no accessibility impacts associated with this application.

ENVIRONMENTAL IMPLICATIONS

This Zoning By-law amendment will prevent fragmentation of agricultural land and protecting farmland in the City's Agricultural Resource Area.

TERM OF COUNCIL PRIORITIES

This project addresses the following Term of Council Priorities:

- ES1 – Support an environmentally sustainable Ottawa.
- ES2 – Reduce long-term costs through planned investment and staging of diversion and conservation strategies.

APPLICATION PROCESS TIMELINE STATUS

This application was processed by the "On Time Decision Date" established for the processing of Zoning By-law amendment applications.

SUPPORTING DOCUMENTATION

Document 1 Location Map

Document 2 Details of Recommended Zoning

CONCLUSION

Planning, Infrastructure and Economic Development supports this Zoning By-law amendment as it is consistent with the intent of the City's Official Plan and the Zoning By-law.

DISPOSITION

Legislative Services, Office of the City Clerk and Solicitor to notify the owner; applicant; Ottawa Scene Canada Signs, 1565 Chatelain Avenue, Ottawa, ON K1Z 8B5; Krista O'Brien, Tax Billing, Accounting and Policy Unit, Revenue Service, Corporate Services (Mail Code: 26-76) of City Council's decision.

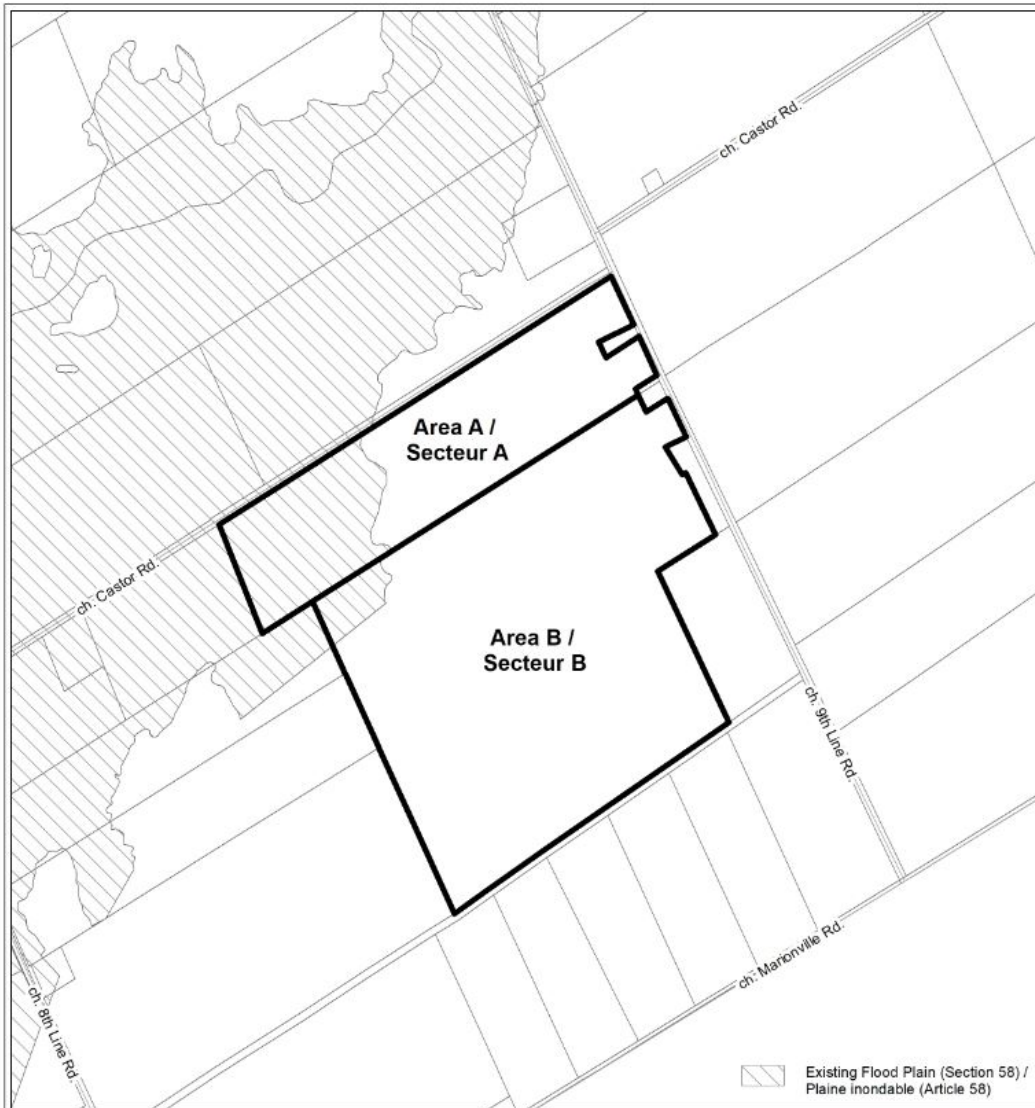
Zoning and Interpretations Unit, Policy Planning Branch, Economic Development and Long Range Planning Services to prepare the implementing by-law and forward to Legal Services.




Legal Services, Office of the City Clerk and Solicitor to forward the implementing by-law to City Council.

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

** Note: The French recommendation was corrected, pursuant to the City Clerk and Solicitor's Delegated Authority to correct clerical, spelling, or minor errors of an administrative nature as set out in section 36 of Schedule "C" to the Delegation of Authority By-Law (By-law no. 2018-397).*

Document 1 – Location Map



		LOCATION MAP / PLAN DE LOCALISATION ZONING KEY PLAN / SCHÉMA DE ZONAGE	
D02-02-19-0022	19-0390-X		Part of / partie de 4344 chemin 9th Line Road
I:\CO\2019\Zoning\9thLine_4344\...rezone_rev			<p>Area A to be rezoned from AG1 to AG4 Le zonage du secteur A sera modifié de AG1 à AG4</p> <p>Area B to be rezoned from AG to AG4 Le zonage du secteur B sera modifié de AG à AG4</p>
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REVISION / RÉVISION - 2019 / 04 / 18			

Document 2 – Details of Recommended Zoning

It is proposed to amend the City of Ottawa's Zoning By-law 2008-250 for Part of 4344
9th Line Road to rezone the lands as shown on Document 1.