

10. Zoning By-Law Amendment – 6067 First Line Road

Modification au Règlement de zonage – 6067, chemin First Line

Committee Recommendation

That Council approve an amendment to Zoning By-law 2008-250 for 6067 First Line Road, for the purposes of rezoning the lands from Rural Countryside Zone (RU) and Mineral Aggregate Reserve Zone, Exception 7r (MR[7r]) to Rural Residential Zone, Exception xxx1r (RR(xxx1r), Rural Residential Zone, Exception xxx2r (RR(xxx2r), and Rural Residential Zone, Exception xxx3r (RR(xxx3r) and Open Space Zone (O1), to facilitate the development of a conservation subdivision.

Recommandation du Comité

Que le Conseil approuve une modification du Règlement de zonage 2008-250 visant le 6067, chemin First Line, afin de changer le zonage des terrains de Zone d'espace rural (RU) et de Zone de réserve de granulat minéral, exception 7r (MR [7r]) à Zone résidentielle rurale, exception xxx1r (RR [xxx1r]), Zone résidentielle rurale, exception xxx2r (RR [xxx2r]), Zone résidentielle rurale, exception xxx3r (RR [xxx3r]) et Zone de parc et d'espace vert (O1), pour faciliter l'aménagement d'un lotissement de conservation.

Documentation/Documentation

1. Director's report, Planning Services, Planning, Infrastructure and Economic Development Department, dated May 27, 2019 (ACS2019-PIE-PS-0053)

Rapport de la directrice, Services de la planification, Direction générale de la planification, de l'infrastructure et du développement économique, daté le 27 mai 2019 (ACS2019-PIE-PS-0053)

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**

142

**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 27 May 2019
Soumis le 27 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**

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Ward: RIDEAU-GOULBOURN (21)

File Number: ACS2019-PIE-PS-0053

SUBJECT: Zoning By-law Amendment – 6067 First Line Road

OBJET: Modification au Règlement de zonage –6067, chemin First Line

REPORT RECOMMENDATIONS

1. That Agriculture and Rural Affairs Committee recommend Council approve an amendment to Zoning By-law 2008-250 for 6067 First Line Road, for the purposes of rezoning the lands from Rural Countryside Zone (RU) and Mineral Aggregate Reserve Zone, Exception 7r (MR[7r]) to Rural Residential Zone, Exception xxx1r (RR(xxx1r), Rural Residential Zone, Exception xxx2r (RR(xxx2r), and Rural Residential Zone, Exception xxx3r (RR(xxx3r) and Open Space Zone (O1), to facilitate the development of a conservation subdivision.
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 the *Planning Act* 'Explanation Requirements' at the City Council Meeting of 22 May 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 le 6067, chemin First Line, afin de changer le zonage des terrains de Zone d'espace rural (RU) et de Zone de réserve de granulat minéral, exception 7r (MR [7r]) à Zone résidentielle rurale, exception xxx1r (RR [xxx1r]), Zone résidentielle rurale, exception xxx2r (RR [xxx2r]), Zone résidentielle rurale, exception xxx3r (RR [xxx3r]) et Zone de parc et d'espace vert (O1), pour faciliter l'aménagement d'un lotissement de conservation.
2. Que le 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 de la *Loi sur l'aménagement du territoire*, à la réunion du Conseil municipal prévue le 22 mai 2019 », 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

6067 First Line Road

Owner

Bill Seabrook

Applicant

Bill Holzman

Description of site and surroundings

The subject site is approximately 76.68 hectares in size and is located on the eastern side of First Line Road, south of Carsonby Road East. The site is legally known as part of Lots 11 and 12, Concession A or Broken Front, former Township of Rideau, North Gower.

The parcel is surrounded by agricultural lands to the north, an existing gravel pit to the south, the Rideau View Golf and Country Club to the east, and residential and agricultural properties to the west. The subject site is currently occupied by a single family home, a former licensed sand pit (for which the license has been surrendered),

several auxiliary buildings, a portable trailer functioning as an office, and numerous storage tanks for fuel, waste oil and sewage.

Summary of requested Zoning By-law amendment proposal

The application has been submitted to rezone the subject site to allow for the creation of residential lots as well as the creation of open space blocks and the preservation of an existing woodlot. The application has been submitted in accordance with a condition of draft approval of the plan of subdivision.

Brief history of proposal

The lands to which the proposed Zoning By-law amendment applies were the subject of an application for a plan of subdivision filed in April of 2003 (File Number D07-16-03-0019). This initial plan of subdivision proposed to create 76 residential country estate lots on private services. The public was notified of the application and a public meeting held in October 2003, as part of the subdivision process, a requirement under the *Planning Act*. In May of 2005, draft approval for this subdivision application was granted. Since 2005, a number of draft plan approval extensions have been provided. On January 10, 2013, the City received a revised plan of subdivision application for the subject site proposing to create a 95-single-family home lot Conservation Subdivision. Draft approval for the revised plan of subdivision was granted in 2018.

The subject site is approximately 76.7 hectares in size, creating 95 residential lots on approximately 46.2 hectares of land, and setting aside 23.7 hectares for open space/ a conservation feature (lands in common). This 23.7 hectares will create open space corridors. In addition to the open space corridors, 2.04 hectares of land will be preserved as a woodlot, identified as block 106 on the draft approved plan of subdivision, shown in Document 4. The road network within the subdivision will make up the remaining 6.71 hectares of land. The subdivision is to be developed in three phases, as per City policies relating to hydrogeology restricting the creation of lots in rural subdivisions to forty lots per phase.

DISCUSSION

Public consultation

Public consultation and notification was 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 total of three comments were received during the public circulation process.

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

Official Plan Designations

The majority of the property is designated General Rural Area as per Schedule A of the Official Plan, with the exception of the southern portion of the site (utilized for the former aggregate pit) which is designated Sand and Gravel Resource Area.

The General Rural Area designation permits a range of land uses including but not limited to: agricultural uses, forestry, conservation of environmental features such as woodlots, residential uses, open space, and animal establishments for training and breeding purposes. At the time of application, subject to receiving draft approval and a Zoning By-law Amendment, Conservation Subdivisions were a permitted form of development for rural residential subdivisions.

The Sand and Gravel Resource Area designation protects non-renewable aggregate resources and activities. All the aggregate resources on site have been previously extracted and the commercial license for the site was surrendered in 2005, thus allowing the site to be utilized for other purposes. The southern portion of the site to which this designation is applicable will be re-designated during the next comprehensive review of the Official Plan.

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 the entirety of the site, which is currently zoned Rural Countryside Zone (RU) and Mineral Aggregate Reserve Zone, Exception 7r (MR[7r]). The area which will form the residential blocks –blocks 1 to 95 on the plan of subdivision- is to be rezoned to Rural Residential Zone (RR) while the blocks forming the open space areas –blocks 96 to 104 and 106- will be rezoned to Open Space Zone (O1), as shown in Documents 1 and 4.

The proposed RR zone for blocks 1 to 95 on the plan of subdivision will allow residential uses to be developed within the subdivision. Under the RR zone, the following uses are permitted: bed and breakfast, detached dwelling, group home, home-based business, home-based day care, retirement home (converted), secondary dwelling unit, and urban agriculture. A number of exceptions are proposed to the Rural Residential zone including; minimum lot area, minimum lot width and, no touch areas relating to differing setbacks to watercourses. As the subdivision is to be developed over three phases, there will be reserves imposed for Phases 2 and 3, which are to be lifted for the development of each phase. No holding provision is being requested.

There are three exceptions proposed. Part of each exception for Lots 1 through 95 is a reduction in the minimum lot width to 34 metres. In addition to the reduced minimum lot width, part of each exception for Lots 1 through 95 is a reduced minimum lot area of 3,050 square metres.

A number of conditions were drafted and imposed in accordance with the draft approval for the Plan of Subdivision associated with the subject site. According to Condition 36, the draft plan is to be modified prior to registration to show a 60 metre wide corridor to account for a 20-metre buffer on both sides and 20 metres for the watercourse/stormwater management pond (a “no-touch, no-build” setback on either side of the watercourse). Across the three phases, there will be a total of ten lots subject to a “no-touch, no-build” setback, which will protect vegetation and the watercourse that

flows through the subject site. The lots that will be impacted by the “no-touch, no-build” setback are as follows: Lots 15, 16, 52, 63, 64, 91, 92, 93, 94, and 95.

Nine of the ten lots will have a 15 metre “no-touch, no-build” setback, as the watercourse block is approximately 30 metres in width. As shown on the Draft 4M-Plan submitted in March 2019, Lots 15, 16, 63, 64, 91, 92, 93, 94, and 95, will have a setback of 15 metres. As such, the area shown as Area I in Document 1 is proposed to be rezoned to RR[xxx2r] which will account for the “no-touch, no-build” setback and the reduced minimum lot area of 3,050 square metres and reduced minimum lot width of 34 metres.

The last lot subject to this setback, Lot 52 will have a setback of approximately 9 metres due to the widening of the watercourse from 30 metres to approximately 37 metres as it moves across the subject site. As such, the area shown as Area XX in Document 1 will be rezoned to RR[xxx3r], which will account for the “no-touch, no-build” setback and the reduced minimum lot area of 3,050 square meters and reduced minimum lot width of 34 metres.

The proposed O1 zone for blocks 96 to 104 inclusive and 106, permits the creation of parks, environmental preserve and education areas, and urban agriculture. The draft approved plan of subdivision shows blocks 96 to 104 and, 106 as parks and a 2.04-hectare woodlot in the southeast corner (block 106). No exception is proposed for the blocks to be rezoned to O1.

Due to a digital error, some zoning lines do not match up with the current property lines. There are two small slivers of land that will also be rezoned from Agricultural Zone (AG), Open Space Zone (O1) and Mineral Extraction Zone, Subzone 2 (ME2) to O1 and RR to align with the requested zoning for the subdivision.

As part of the conditions of draft approval for this subdivision, the applicant is required to rezone the lands to zoning designations which are appropriate for the proposed uses and the context of the surrounding community. This proposed Zoning By-law Amendment addresses two of the conditions of draft approval.

Provincial Policy Statement

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

RURAL IMPLICATIONS

The proposed Zoning By-law amendment for the subject site would permit the residential subdivision while protecting the natural features.

COMMENTS BY THE WARD COUNCILLOR

Councillor Moffatt is aware of this application.

LEGAL IMPLICATIONS

There are no legal implications associated with this report.

RISK MANAGEMENT IMPLICATIONS

There are no risks associated with 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 CAM program results in timely decisions that minimize lifecycle costs and ensure the long-term affordability of assets. The CAM Policy applies to all physical assets of the city including parks. The implementation of the CAM program results in timely decisions that minimize lifecycle costs and ensure the long-term affordability of assets. To fulfill its obligation to deliver quality services to the community, the City must ensure that assets supporting City services are managed in a way that balances service levels, risk and affordability. Details regarding the future City Park, public roads and sidewalks will be determined through the Plan of Subdivision process.

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 was submitted and reviewed during the Plan of Subdivision application. An updated Environmental Impact Statement is to be submitted by the applicant in accordance with a condition of draft approval of the Plan of Subdivision. There is currently a significant woodlot on the subject site, which is to be preserved in accordance with the conditions of the draft approved Plan of Subdivision.

There is a watercourse on the subject site, along with some vegetation that the City and the Conservation Authority would like to protect. A 60-metre wide “no-touch, no-build” setback was requested as a condition of draft approval of the Plan of Subdivision. Accordingly, the Zoning By-law Amendment application has included two exceptions for the ten lots along the watercourse, as per the condition.

TERM OF COUNCIL PRIORITIES

This project addresses the following Term of Council Priorities:

- ES1 – Support an environmentally sustainable Ottawa.
- EP2 – Support growth of the local economy.

APPLICATION PROCESS TIMELINE STATUS

This application was not processed by the "On Time Decision Date" established for the processing of Zoning By-law amendment applications, due to issues in the complexity of the required zoning and the digital mapping.

SUPPORTING DOCUMENTATION

Document 1 Location Map

Document 2 Details of Recommended Zoning

Document 3 Consultation Details

Document 4 Draft Approved Plan of Subdivision

CONCLUSION

A review of the proposed Zoning By-law amendment has been conducted, and the Planning, Infrastructure and Economic Development Department supports this Zoning By-law amendment as it is consistent with the intent of the City's Official Plan and the Zoning By-law, and the previously approved Plan of Subdivision.

DISPOSITION

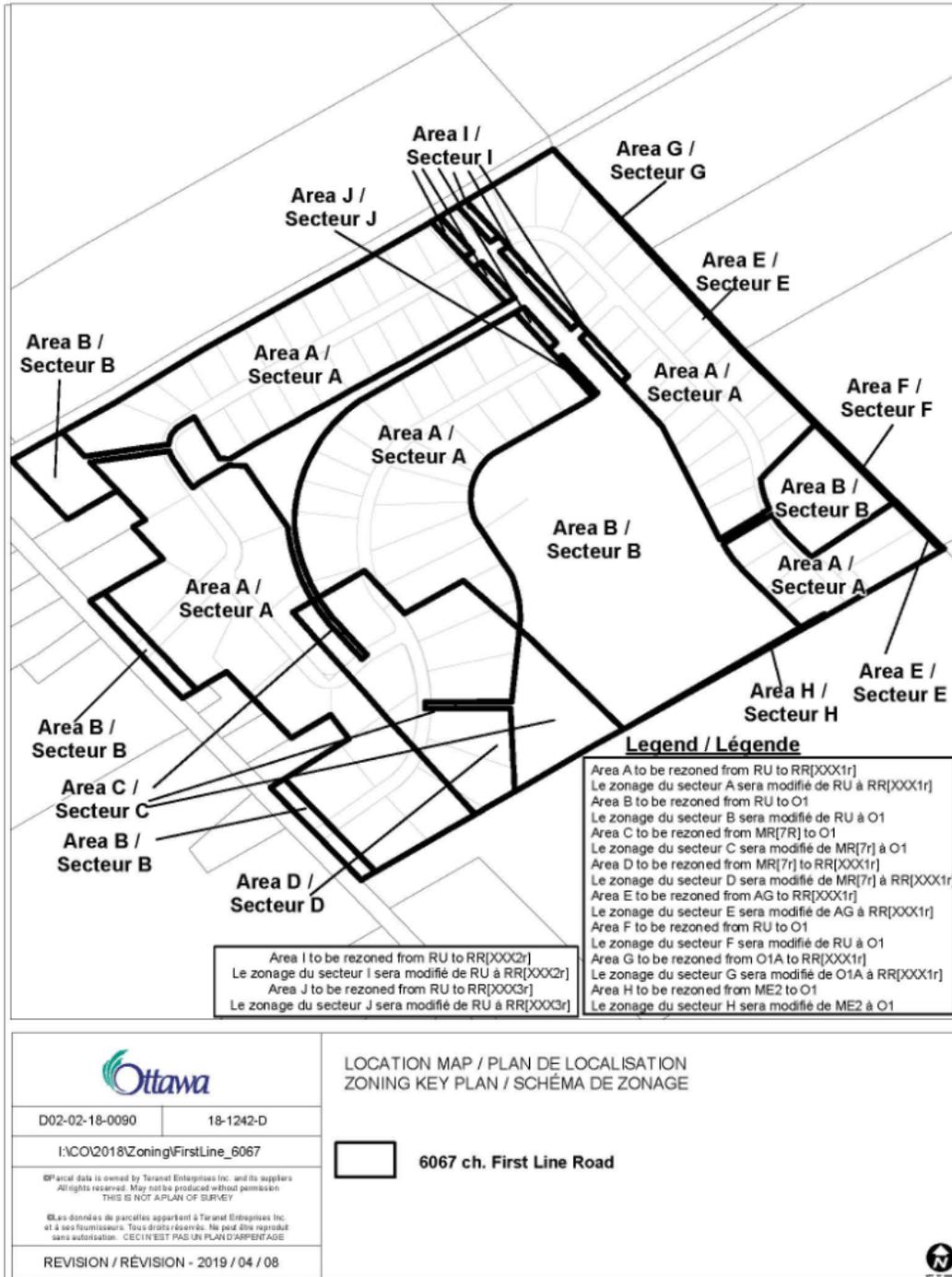
Legislative Services, Office of the City Clerk and Solicitor to notify the owner; applicant; Ottawa Scene Canada Signs, 1565 Chatelain Avenue, Ottawa, ON K1Z 8B5; Krista O'Brien, Tax Billing, Accounting and Policy Unit, Revenue Service, Corporate Services (Mail Code: 26-76) of City Council's decision.

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.

Document 1 – Location Map



Document 2 – Details of Recommended Zoning

It is proposed to amend the City of Ottawa's Zoning By-law 2008-250 for 6067 First Line Road to rezone the lands for 6067 First Line Road:

1. Rezone the lands shown in Document 1 as follows:
 - a. Area A from RU to RR[xxx1r]
 - b. Area D from MR[7r] to RR[xxx1r]
 - c. Area E from AG to RR[xxx1r]
 - d. Area G from O1A to RR[xxx1r]
2. Add a new exception to [xxx1r] Section 240—Rural Exceptions, with provisions to address the reduce the minimum lot area to 3,050 square metres and the minimum lot width to 34 metres for all lots except for Lots 15, 16, 52, 63, 64, 91, 92, 93, 94, 95 in the subdivision.
3. Rezone the lands down in Document 2 as follows:
 - a. Area I from RU to RR[xxx2r]
4. Add a new exception [xxx2r] to Section 240—Rural Exceptions, with provisions to address the 15-metre “no-touch, no build” setback from the watercourse/stormwater management pond for Lots 15, 16, 63, 64, 91, 92, 93, 94 and 95, and the reduced minimum lot area to 3,050 square metres and reduced minimum lot width to 34 metres, as shown on the Draft Approved Plan of Subdivision.
5. Rezone the lands down in Document 2 as follows:
 - b. Area J from RU to RR[xxx3r]
6. Add a new exception to [xxx3r] Section 240—Rural Exceptions, with provisions to address the 9-metre “no-touch, no build” setback from the watercourse/stormwater management pond for Lot 52, as well as the reduced

minimum lot area to 3,050 square metres and the reduced minimum lot width to 34 metres, as shown on the Draft Approved Plan of Subdivision.

7. Rezone the lands shown in Document 1 as follows:
 - a. Area B from RU to O1
 - b. Area C from MR[7r] to O1
 - c. Area F from RU to O1
 - d. Area H from ME2 to O1

Document 3 – Public Consultation Details

Notification and Consultation Process

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. Three members of the public submitted comments pertaining to the subdivision, expressing concerns with the proposed subdivision specifically as it relates to well water, traffic impacts, and preservation of the environment.

Public Comments and responses

Well Water Comments

Is this subdivision going to be serviced by the City? How will this proposal impact my water table?

Response

The subdivision is to be privately serviced. A Hydrogeological Study and Impact Assessment was submitted to the City in March of 2018 for the revised plan of subdivision. The hydrogeological study confirmed that there will be no impact to neighbouring wells as a result of the proposed subdivision.

Traffic Comments

Why was no traffic study required? Given the number of developments nearby, there is concern amongst residents about increased traffic.

What will be done to promote the flow of traffic? What will be the impact of increased traffic on intersections nearby?

Response

As a condition of draft approval, the applicant will be required to provide an updated traffic study which will assess the impact the subdivision will have on traffic, and will take into account nearby developments. Staff have received the updated Transportation Impact Assessment and it is currently under review by City staff. Any recommendations

of the approved Transportation Impact Assessment would be implemented as part of the final approval of the subdivision.

Environment Comments

Is there an environmental study for this subdivision to determine if there been any groundwater contamination as a result of the septic business operating on site?

Response

An Environmental Impact Statement was prepared and submitted with the original draft plan of subdivision application. The Environmental Impact Statement, which is to be updated as per one of the conditions of draft approval, did not deal with groundwater contamination. A Hydrogeological Study and Impact Assessment, submitted in March of 2018, and was reviewed prior to the revised draft plan of subdivision receiving approval. The subdivision is to be developed in three phases, as per City policies relating to hydrogeology restricting the creation of lots in rural subdivisions to forty lots per phase. Each lot will have a 30-centimetre reserve that will need to be lifted.

