

<p>2. ZONING BY-LAW AMENDMENT – PART OF 3083 UPPER DWYER HILL ROAD</p> <p>MODIFICATION AU <i>RÈGLEMENT DE ZONAGE</i> –PARTIE DE 3083, CHEMIN UPPER DWYER HILL</p>

COMMITTEE RECOMMENDATION

That Council approve an amendment to Zoning By-law 2008-250 for part of 3083 Upper Dwyer Hill Road for the purposes of rezoning a portion of the lands from Agricultural Subzone 2 (AG2), to Agricultural Subzone 6 (AG6), to prohibit residential uses on the retained farmland, as detailed in Document 2.

RECOMMANDATION DU COMITÉ

Que le Conseil approuve une modification du *Règlement de zonage* 2008-250 portant sur une partie du 3083 chemin Upper Dwyer Hill dans le but de faire passer le zonage d'une partie des terres de Zone agricole, sous-zone 2 (AG2) à Zone agricole, sous-zone 6 (AG6) afin d'interdire les utilisations résidentielles sur les terres agricoles conservées, comme l'indique le document 2.

Documentation/Documentation

Director's report, Planning Services, Planning, Infrastructure and Economic Development Department, dated November 22, 2019 (ACS2019-PIE-PS-0129)

Rapport du directrice, Services de la planification, Direction générale de la planification, de l'infrastructure et du développement économique, daté le 22 novembre 2019 (ACS2019-PIE-PS-0129)

**AGRICULTURE AND RURAL
AFFAIRS COMMITTEE
REPORT 9
DECEMBER 11, 2019**

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**COMITÉ DE L'AGRICULTURE ET
DES AFFAIRES RURALES
RAPPORT 9
LE 11 DÉCEMBRE 2019**

**Report to
Rapport au:**

**Agriculture and Rural Affairs Committee
Comité de l'agriculture et des affaires rurales
5 December 2019 / 5 décembre 2019**

**and Council
et au Conseil
11 December 2019 / 11 décembre 2019**

**Submitted on 22 November 2019
Soumis le 22 novembre 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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demandes d'aménagement ruraux
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Ward: WEST CARLETON-MARCH (5)

File Number: ACS2019-PIE-PS-0129

SUBJECT: Zoning By-law Amendment – Part of 3083 Upper Dwyer Hill Road

**OBJET: Modification au *Règlement de zonage* –partie de 3083, chemin Upper
Dwyer Hill**

REPORT RECOMMENDATIONS

1. That Agriculture and Rural Affairs Committee recommend Council approve an amendment to Zoning By-law 2008-250 for part of 3083 Upper Dwyer Hill Road for the purposes of rezoning a portion of the lands from Agricultural Subzone 2 (AG2), to Agricultural Subzone 6 (AG6), 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 14 November 2018," 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 portant sur une partie du 3083 chemin Upper Dwyer Hill dans le but de faire passer le zonage d'une partie des terres de Zone agricole, sous-zone 2 (AG2) à Zone agricole, sous-zone 6 (AG6) afin d'interdire les 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

3083 Upper Dwyer Hill Road

Owner

Margaret Porter Greene and William Greene

Applicant

Margaret Porter Greene and William Greene

Description of site and surroundings

This site is located on Upper Dwyer Hill Road within Ward 5 and is approximately 21.84 hectares in size. The parcel is surrounded by other agricultural uses and is approximately 1,230 metres away from Grainger Park Road. The property currently has a detached dwelling and accessory structures, which have frontage along Upper Dwyer Hill Road.

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-00200. The intent is to prohibit residential uses on the retained agricultural land, as required by the City's Official Plan.

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 at a public hearing held August 7, 2019 with a condition that the owner rezone the retained farmland to prohibit residential development.

The site is currently zoned Agriculture, Subzone 2 (AG2). It is proposed to rezone approximately 19.02 hectares of farmland to AG6 to prohibit future residential use in accordance with a condition of severance. The remaining land area containing the farmhouse and accessory structures (approximately 2.82 hectares) will remain zoned AG2. Following the clearance of any conditions associated with the severance, the agricultural, severed parcel subject to this Zoning By-law amendment will become known as 3061 Upper Dwyer Hill Road. The retained parcel containing the existing dwelling and accessory structures will remain known as 3083 Upper Dwyer Hill Road.

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.

Urban Design Review Panel

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

Planning Rationale

This Zoning By-law amendment will affect approximately 19.02 hectares of agricultural land, as shown in Document 1. This Zoning By-law amendment to rezone the remnant agricultural lands from AG2 to AG6 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 El-Chantiry is aware of this application and has no concerns.

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

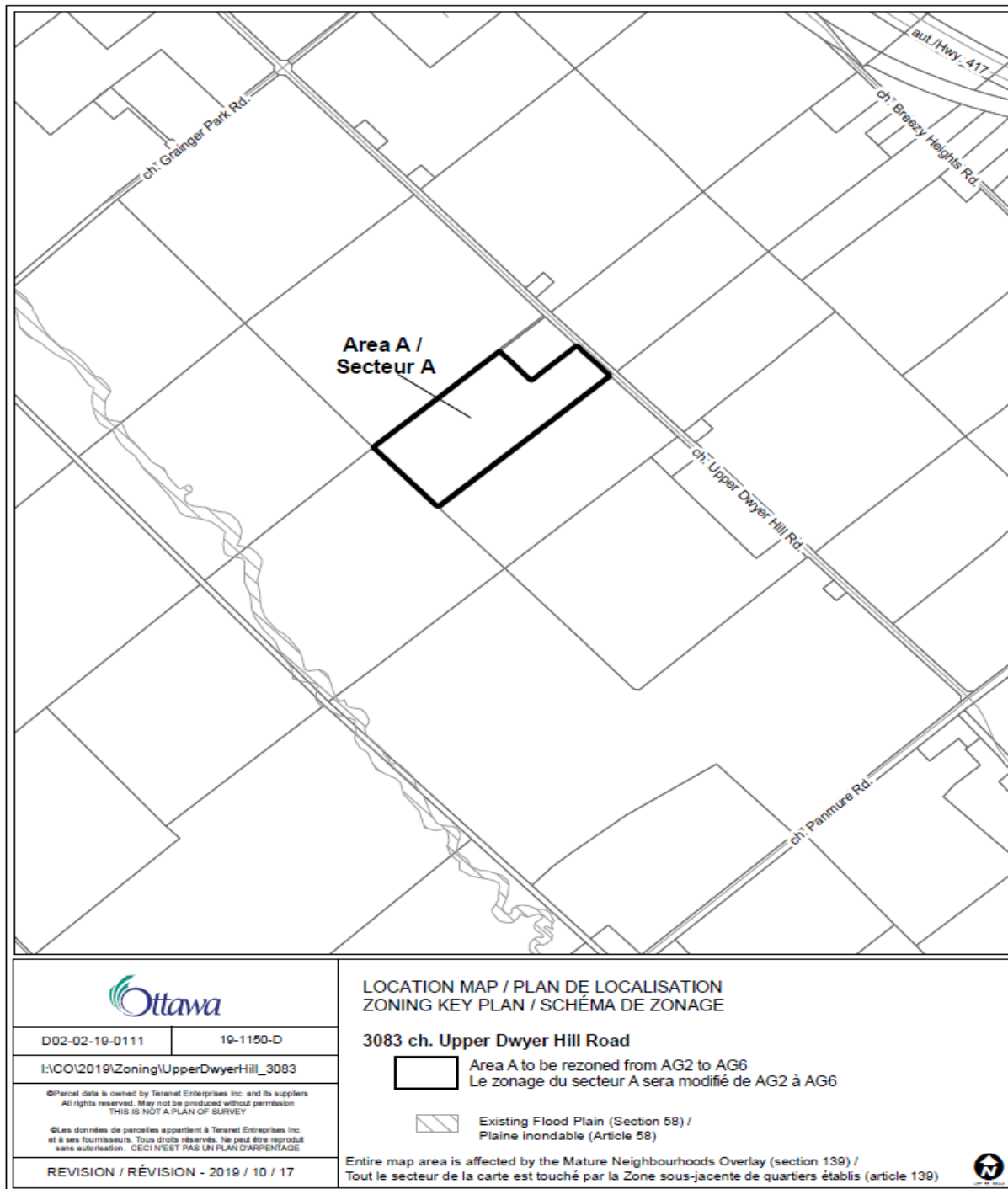
Legislative Services, Office of the City Clerk and Solicitor to notify the owner; applicant; Ottawa Scene Canada Signs, 1565 Chatelain Avenue, Ottawa, ON K1Z 8B5; Krista O'Brien, Tax Billing, Accounting and Policy Unit, Revenue Service, Corporate Services (Mail Code: 26-76) of City Council's decision.

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, 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



Document 2 – Details of Recommended Zoning

It is proposed to amend the City of Ottawa's Zoning By-law 2008-250 for part of 3083 Upper Dwyer Hill Road to rezone the lands shown as Area A in Document 1 from AG2 to AG6.