

**Report to/Rapport au :**

**Agriculture and Rural Affairs Committee  
Comité de l'agriculture et des affaires rurales**

**and Council / et au Conseil**

**June 21, 2013  
21 juin 2013**

**Submitted by/Soumis par : Nancy Schepers, Deputy City Manager/Directrice municipale adjointe, Planning and Infrastructure/Urbanisme et Infrastructure**

Contact Person / Personne ressource: *Derrick Moodie, Manager/Gestionnaire, Development Review-Rural Services/Examen des projets d'aménagement-Services ruraux, Planning and Growth Management/Urbanisme et Gestion de la croissance (613) 580-2424, 15134 Derrick.Moodie@ottawa.ca*

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CUMBERLAND (19)

Ref N°: ACS2013-PAI-PGM-0132

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**SUBJECT: ZONING - 4565 DUNNING ROAD**

**OBJET : ZONAGE – 4565, CHEMIN DUNNING**

**REPORT RECOMMENDATIONS**

That Agriculture and Rural Affairs Committee recommend Council approve an amendment to Zoning By-law 2008-250 to change the zoning of 4565 Dunning Road from Parks and Open Space Zone, Rural Exception 480, with a holding provision (O1A[480r]-h) to Parks and Open Space Zone, Rural Exception XXX, with a holding provision (O1A[xxxr]-h) as shown in Document 1 and as detailed in Document 2.

**RECOMMANDATIONS DU RAPPORT**

Que le Comité de l'agriculture et des affaires rurales recommande au Conseil d'approuver une modification au Règlement de zonage 2008-250 afin de changer le zonage du 4565, chemin Dunning de Zone de parc et d'espace vert, exception rurale 480, assortie d'une clause d'aménagement différé (O1A[480r]-h) à Zone de parc et d'espace vert, exception rurale XXX, assortie d'une clause d'aménagement différé (O1A[xxxr]-h) comme il est décrit dans le document 1 et expliqué en détail dans le documents 2.

## BACKGROUND

The property, 4565 Dunning Road, is located on the east side of Dunning Road, between Magladry Road and Sarsfield Road. Two gravel roads provide access to the site and the property also includes an unpaved parking lot. The property previously was operated as a quarry and four quarry ponds remain on the site. The site is surrounded by rural residential and agricultural properties.

The property has operated in contravention of the zoning as an outdoor paintball facility since 1995.

No changes to the existing access or parking lots are proposed. A new main building is proposed (195 square metres in size) to support the paintball operation.

### Purpose of Zoning By-law Amendment

The purpose of the zoning amendment is to add an amusement park limited to an outdoor paintball facility as a permitted use to the current zone.

### Existing Zoning

The subject land is currently zoned Parks and Open Space Zone, Rural Exception 480, with a holding provision (O1A[480r]-h).

### Proposed Zoning

The requested zoning amendment proposes to rezone the property to Parks and Open Space Zone, Rural Exception XXX, with a holding provision (O1A[xxxxr]-h) to add an amusement park limited to an outdoor paintball facility in addition to the uses currently permitted in this zone.

## DISCUSSION

### Official Plan

The property is designated as General Rural Area, Rural Natural Features Area and Sand and Gravel Resource Area in the Official Plan.

The intent of the General Rural Area designation is to accommodate a variety of land uses that are appropriate for a rural location where such development will not preclude continued agricultural and non-residential uses. This designation also encourages a limited amount of rural and tourist service areas that would not be better suited located in a village.

A portion of the lands are designated Rural Natural Features. Rural Natural Features are natural areas in the rural area that contain significant woodlands, wetlands and wildlife habitat. These features are important for maintaining biodiversity and ecological functions within the city. An Environmental Impact Statement has demonstrated that

there will be no negative impact on the natural features or ecological function of the Rural Natural Features and significant woodlands.

A small north-easterly portion of the property is designated Sand and Gravel Resource Area. This designation relates to the previous use of the site when it functioned as a mineral extraction operation (Red Dragon Quarry). Schedule K of the Official Plan also identifies that portions of the property are constrained by organic soils.

The continued operation of the outdoor recreational paintball facility does not undermine the intent of the Official Plan designations, as it will not hinder continued agricultural operations and non-residential uses, and there will not be any negative impacts on the natural features on the property.

### Zoning By-law

The proposed zoning of O1A[xxxxr]-h to include an amusement park limited to an outdoor paintball facility is in addition to the uses currently permitted in this zone. Currently, the zoning of O1A[480r]-h permits a golf course, detached dwelling and an environmental preserve and educational area. The holding symbol applies only to the permitted use of a golf course. It is proposed that the holding symbol be carried forward with the site specific exception. The parent zoning of O1A permits a golf course and environmental preserve and educational area, therefore, the proposed exception does not need to list these uses as additional permitted uses. Detached dwelling is not identified as a permitted use in the parent O1A zone so this use will be carried over into the new exception. Details of the proposed exception can be found in Document 2.

### Summary

This facility is an existing recreational use most appropriately located in the rural area. Although the use has existed since 1995, rezoning is supported in this circumstance as the use does not undermine the intent of the Official Plan or Zoning By-law.

### RURAL IMPLICATIONS

This proposed zoning will not have any negative impacts on the surrounding rural area. This operation will continue to provide the rural area with a recreational amenity space.

### CONSULTATION

Notice of this application was carried out in accordance with the City's Public Notification and Consultation Policy. The details of the public comment can be seen in Document 3.

### COMMENTS BY THE WARD COUNCILLOR

The Ward Councillor is aware of this application and the staff recommendation.

### LEGAL IMPLICATIONS

There are no direct legal implications associated with this report.

### RISK MANAGEMENT IMPLICATIONS

There are no risk management implications associated with this report.

### FINANCIAL IMPLICATIONS

There are no direct financial implications.

### ACCESSIBILITY IMPACTS

There are no accessibility implications associated with this report.

### ENVIRONMENTAL IMPLICATIONS

An Environmental Impact Statement (EIS) was submitted in support of the application. There will not be any negative impacts on the natural environment as part of the continued operation of an outdoor paintball facility, as no vegetation is proposed to be removed. Staff are satisfied with the EIS that the use will not result in a negative effect on the natural environment or species at risk and concur with the mitigation measures proposed in the report.

### TECHNOLOGY IMPLICATIONS

Information Technology approved this report without comment.

### TERM OF COUNCIL PRIORITIES

This report aligns to the following Term of Council priority:  
EP3 – Support growth of local economy.

### 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

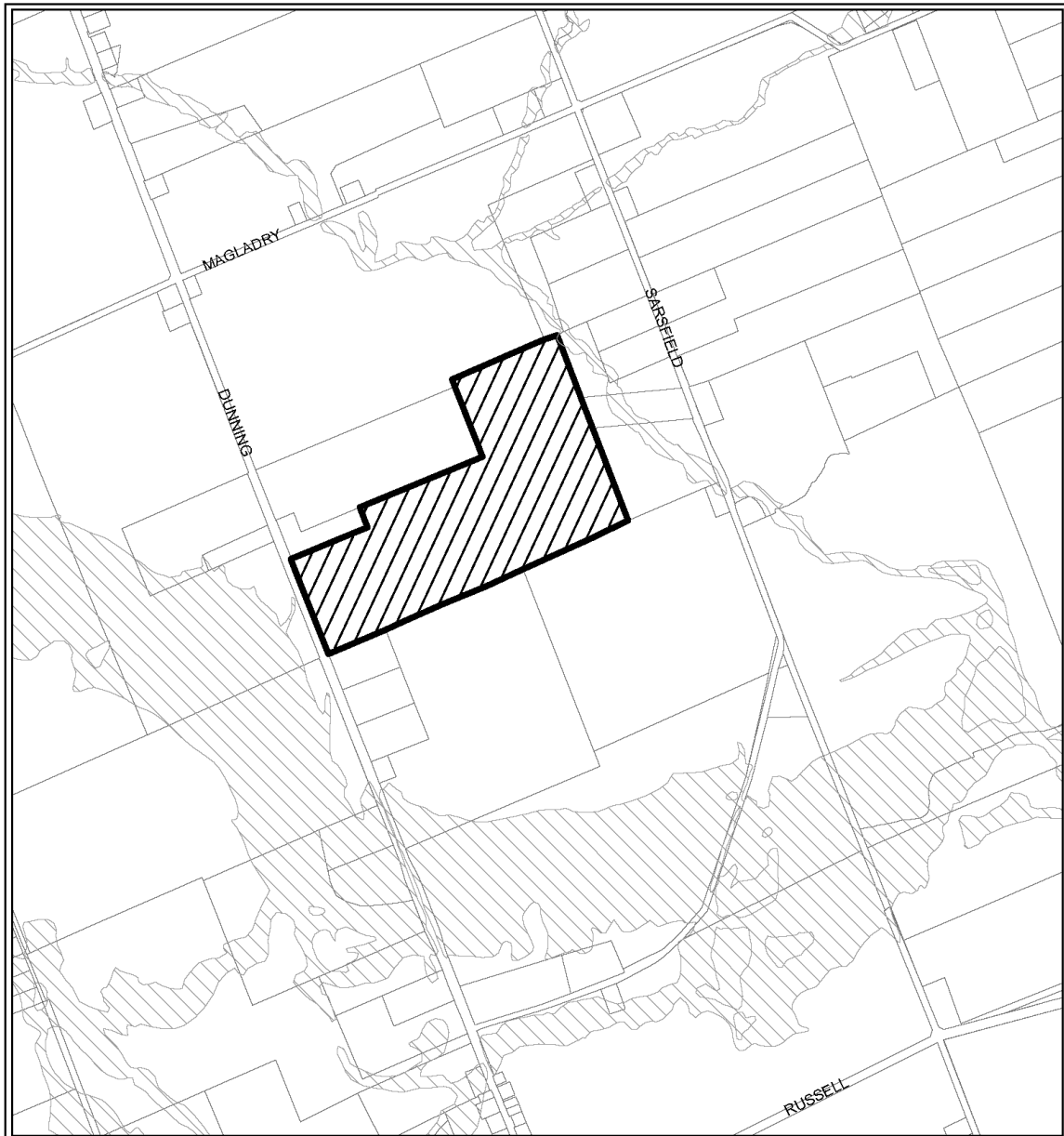
- Document 1 Location Map
- Document 2 Details of Recommended Zoning
- Document 3 Consultation Details


DISPOSITION

City Clerk and Solicitor Department, Legislative Services, to notify the owner, applicant, OttawaScene Canada Signs, 1565 Chatelain Avenue, Ottawa, ON K1Z 8B5, and Ghislain Lamarche, Program Manager, Assessment, Financial Services Branch (Mail Code: 26-76) of City Council's decision.

Planning and Growth Management Department to prepare the implementing by-law, forward to Legal Services and undertake the statutory notification.


Legal Services to forward the implementing by-law to City Council.




  
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Produit par le Portefeuille urbanisme et infrastructure

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2013 / 06 / 12	
REVISION DATE	DE RÉVISION

**Location Map / Plan de révision**  
**Zoning Key Plan / Schéma de zonage**  
**4565 Dunning Road**

 Area to be rezoned from O1A[480r]-h to O1A[xxxr]-h

 Existing Flood Plain (Section 58) / Plaine inondable (Article 58)

145500134 Denotes Teranet-Polaris Parcel Identification Number

Échelle  
N.T.S.  
Mètres



Scale  
N.T.S.  
Metres

**DETAILS OF RECOMMENDED ZONING**

DOCUMENT 2

**Proposed changes to the Comprehensive Zoning By-law**

1. The subject property as shown on Document 1 will be rezoned from O1A[480r]-h to O1A[xxxxr]-h.
2. Section 240 – Rural Exceptions will be amended to add a new exception, (O1A[xxxxr]-h), that will include provisions as follows:

## Additional Land Uses Permitted:

- detached dwelling; and
- amusement park limited to an outdoor paintball facility.

## Provisions:

- the holding symbol applies only to the permitted use golf course; and
- the holding symbol may only be removed by amendment to this by-law upon compliance with the following:
  - approval by the Conservation Authority and the City of a golf course design and management plan which addresses site drainage, water quantity and quality, site grading, turf management, potential impacts of any adjacent watercourses and other related issues, and which identified mitigative measures if such measures are deemed necessary; and
  - any other required Environmental Impact Statements are completed and meet the satisfaction of the Conservation Authority and City.

**CONSULTATION DETAILS**

DOCUMENT 3

**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. There were no public meetings held in the community.

**SUMMARY OF PUBLIC INPUT****Comment**

I do not like this idea because of noise. We already have a lot of noise from this business and this will add to the noise (paint guns and people screaming).

**Response**

This operation has existed since 1995. The purpose of the zoning application is to permit a use that is not currently permitted in the O1A[480]-h zone. No changes are proposed to the operation other than the replacement of an accessory building. Based on the information provided by the applicant, the majority of playing fields are located approximately 400 metres from the nearest residence and 150 metres from the operation's property line to nearest residence. The Official Plan's guidance on noise mitigation is based on transportation corridors and stationary noise. An outdoor paintball facility does not constitute either a transportation corridor or stationary noise, therefore, a noise study is not required.