

**4. OFFICIAL PLAN AMENDMENT – PORTOBELLO BOULEVARD  
MODIFICATION DU PLAN OFFICIEL – BOULEVARD PORTOBELLO**

**COMMITTEE RECOMMENDATION**

**That Council adopt the draft Official Plan Amendment, attached as Document 2, that changes the designation of City owned land fronting Portobello and Brian Coburn Boulevards and several private residential lots fronting Trim and Tenth Line Roads in Orleans from an Agricultural Resource Area designation to a General Rural Area designation.**

**RECOMMANDATION DU COMITÉ**

**Que le Conseil adopte le projet de modification du Plan officiel, ci-joint en tant que document 2, qui fait passer de « secteur de ressources agricoles » à « secteur rural général » la désignation du terrain municipal donnant sur les boulevards Portobello et Brian-Coburn et de plusieurs terrains résidentiels privés donnant sur les chemins Trim et Tenth Line, à Orléans.**

**Documentation/Documentation**

Director's report, Economic Development and Long Range Planning, Planning, Infrastructure and Economic Development Department, dated February 20, 2020 (ACS2020-PIE-EDP-0008)

Rapport du Directeur, Développement économique et Planification à long terme, Direction générale de la planification, de l'infrastructure et du développement économique, daté le 20 février 2020 (ACS2020-PIE-EDP-0008)

**AGRICULTURE AND RURAL  
AFFAIRS COMMITTEE  
REPORT 12  
APRIL 8, 2020**

**54**

**COMITÉ DE L'AGRICULTURE ET  
DES AFFAIRES RURALES  
RAPPORT 12  
LE 8 AVRIL 2020**

**Report to  
Rapport au:**

**Agriculture and Rural Affairs Committee  
Comité de l'agriculture et des affaires rurales  
5 March 2020 / 5 mars 2020**

**and Council  
et au Conseil  
25 March 2020 / 25 mars 2020**

**Submitted on February 20, 2020  
Soumis le 20 février 2020**

**Submitted by  
Soumis par:  
Don Herweyer  
Director / directeur**

**Economic Development and Long Range Planning / Développement économique  
et planification à long terme**

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**Ward: CUMBERLAND (19)**

**File Number: ACS2020-PIE-EDP-0008**

**SUBJECT: Official Plan Amendment – Portobello Boulevard**

**OBJET:        Modification du plan officiel – boulevard Portobello**

## **REPORT RECOMMENDATIONS**

**That the Agriculture and Rural Affairs Committee recommend that Council adopt the draft Official Plan Amendment, attached as Document 2, that changes the designation of City owned land fronting Portobello and Brian Coburn Boulevards and several private residential lots fronting Trim and Tenth Line Roads in Orleans from an Agricultural Resource Area designation to a General Rural Area designation.**

## **RECOMMANDATIONS DU RAPPORT**

**Que le Comité de l'agriculture et des affaires rurales recommande au Conseil d'adopter le projet de modification du Plan officiel, ci-joint en tant que document 2, qui fait passer de « secteur de ressources agricoles » à « secteur rural général » la désignation du terrain municipal donnant sur les boulevards Portobello et Brian-Coburn et de plusieurs terrains résidentiels privés donnant sur les chemins Trim et Tenth Line, à Orléans.**

## **BACKGROUND**

The purpose of this report is to rectify an anomaly created as a result of a recent appeal decision by the Local Planning Appeals Tribunal (LPAT) concerning the designation of the Wall Road lands. The Wall Road lands are bounded by Wall Road to the south, Tenth Line Road to the west, Trim Road to the East and the City's land along Brian Coburn Boulevard as well as the urban boundary to the north. Document 1 shows a map of the Wall Road lands.

In December of 2015, the City received an application to re-designate and re-zone 14 rural properties, making up the "Wall Road" lands, and totalling approximately 245 hectares. The applications requested re-designation of the land from Agriculture Resource Area to a General Rural Area designation along with a similar zoning change.

The application included an Agricultural Impact Assessment, that opined that because it was beyond the economic resources of the landowners to drain the land, the soil class criteria used by the city to justify the designation was incorrect. The application argued that because the land was poorly drained the soil no longer met the threshold criteria for

Agricultural land and that the designation should be changed to General Rural Area. The City had the Agricultural Assessment peer-reviewed by an independent agrologist and by the Ministry of Agriculture Food and Rural Affairs. Both reviews resulted in additional information being requested from the applicant. Finally, in May of 2017, the application rose to Committee and Council where it was refused on the recommendation of staff.

The Applicant appealed the Council's refusal, but the matter did not rise to the LPAT until September 2019 due to its inclusion with the concurrent hearings for the Comprehensive Official Plan amendments 150 and 180. The LPAT supported the applicants appeal and issued a decision in November 2019 to change the designation of the subject lands from Agricultural Resource Area (ARA) to General Rural Area (RU).

As a consequence of the LPAT decision the City's land, fronting Portobello and Brian Coburn Boulevards, and nine small residential lots fronting Tenth Line and Trim Roads, remain in an Agricultural Resource designation. The City's policies seek to protect Agricultural Areas not just individual parcels of good agricultural soils. For this reason, Agricultural areas of 250 hectares of contiguous land are designated. The Wall Road application and appeal removed 250 hectares of land and left a remainder of approximately 34 hectares of land that is not sufficient in size to sustain and be protected for agricultural purposes.

This report recommends that the designation of these remnant lands be changed to General Rural Area.

## **DISCUSSION**

This proposal impacts a large piece of land owned by the City, fronting Portobello and Brian Coburn Boulevards. This land has an area of approximately 36 hectares of which approximately 6.5 hectares is in the urban area and contains the Francis Dupuis Recreation Facility and a new city firehall. The remaining 30 hectares is in the rural area and is currently designated Agricultural Resource Area.

The other land impacted by this proposed designation change are residential lots that had been severed in the past and were not included in the Amendment approved by the LPAT in November. Two lots front Tenth Line Road and are surrounded by land designated General Rural Area. Seven lots comprise a residential cluster fronting Trim

Road and are surrounded to the west by the General Rural Area. Trim Road forms the logical boundary between these lots and the Agricultural Resource Area to the east.

The City's Land Evaluation and Area Review (LEAR) system generally identifies areas of prime soils and ongoing farm operations but also requires that agricultural areas containing good soils must comprise an area of at least 250 hectares in size to warrant protection through an Agricultural Resource Area designation.

The re-designation of the Wall Road land by the LPAT reduced the remaining Agricultural Resource Area to a fragmented 30 plus hectares of land and none of this land is being farmed.

As a result of the LPAT decision, the retention of the remnant Agricultural Resource Area designation on the City's land and the remaining residential lots is no longer warranted. Staff recommend that the designation of these lands be amended to General Rural Area as proposed by the Draft Official Plan Amendment attached as Document 2 to this report.

## **RURAL IMPLICATIONS**

The amendment removes a legacy designation from the City's land and the land of the residents along the west side of Trim Road and the east side of Tenth Line Road north of Wall Road. The owners of the affected lands have not indicated any opposition to this change in designation. The re-designation will mean that these lands will be eligible for consideration as candidate urban land in the upcoming comprehensive review of the City's Official Plan should additional land be required.

## **CONSULTATION**

On December 16, 2019, the individual landowners impacted by this proposed re-designation were advised of the City's intention to re-designate their land. Notice of the proposed Official Plan amendment was placed in the Local newspaper.

At the time of writing, none of the owners have objected to their land being re-designated.

## **COMMENTS BY THE WARD COUNCILLOR**

The ward councillor requested that staff proceed to re-designate this land and was given advanced notice that land owners would be contacted and advised of the City's proposal to re-designate their land.

## **LEGAL IMPLICATIONS**

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

## **RISK MANAGEMENT IMPLICATIONS**

This designation change could be appealed, and the City will be responsible for the costs to defend its decision.

## **ASSET MANAGEMENT IMPLICATIONS**

There are no asset management issues related to this report.

## **FINANCIAL IMPLICATIONS**

There are no direct financial implications.

## **ACCESSIBILITY IMPACTS**

The content of this report does not negatively affect people with disabilities or seniors

## **ENVIRONMENTAL IMPLICATIONS**

There are no environmental impacts resulting from this change

## **TERM OF COUNCIL PRIORITIES**

This project addresses the following Term of council Priority:

- HC2 – Revitalize recreation services

## **SUPPORTING DOCUMENTATION**

Document 1 Location Map





Document 2 Official Plan Amendment

**DISPOSITION**

The Planning Services Branch advise the City's Realty Initiatives and Development Branch of the change in the designation of the City's land and advise the landowners of the change made to their individual lands by this amendment.

Document 1 – Location Map



		LOCATION MAP / PLAN DE LOCALISATION OFFICIAL PLAN AMENDMENT / MODIFICATION DU PLAN OFFICIEL	
D01-01-19-0023      19-1399-A		<b>2263 boul. Portobello Blvd, 2360, 2430, 2448, 2484, 2470, 2502,                  2530 chemin Trim Road, and/et 2647 &amp; 2727 chemin Tenth Line Road</b>	
I:\CO\2019\OPA\Porto_2263_Trim_2360			
<small>©Parcel data is owned by Terranet Enterprises Inc. and its suppliers                  All rights reserved. May not be produced without permission                  THIS IS NOT A PLAN OF SURVEY</small>			
<small>©Les données de parcelles appartiennent à Terranet Enterprises                  Inc. et à ses fournisseurs. Tous droits réservés. Ne peut être                  reproduit sans autorisation. CE CI N'EST PAS UN PLAN D'ARPENTAGE.</small>			
REVISION / RÉVISION - 2019 / 12 / 06		 Lands redesignated by LPAT (Nov 14, 2019) / Terres redésignées par décision du LPAT (novembre 2019)	 Lands to be redesignated by Official Plan Amendment / Terres à redésigner par modification du Plan officiel
			



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**Document 2 – Official Plan Amendment**

Official Plan Amendment XX to the

Official Plan for the

City of Ottawa

**Portobello Road**

**INDEX**

**THE STATEMENT OF COMPONENTS**

**PART A – THE PREAMBLE** introduces the actual amendment but does not constitute part of Amendment No. \_\_\_ to the Official Plan for the City of Ottawa.

**PART B – THE AMENDMENT** constitutes Amendment \_\_\_\_ to the Official Plan for the City of Ottawa.

**PART A – THE PREAMBLE**

**PURPOSE**

**LOCATION**

**BASIS**

**PART B – THE AMENDMENT**

**INTRODUCTION**

**DETAILS OF THE AMENDMENT**

**IMPLEMENTATION AND INTERPRETATION**

**PART A – THE PREAMBLE**

**1. Purpose**

This Official Plan Amendment re-designates land, owned by the City of Ottawa and fronting Portobello and Brian Coburn Boulevards as well as a number of small residential lots fronting Tenth Line and Trim Roads, in Orleans. The designation is to be changed from Agricultural Resource Area to General Rural Area.

This change is intended to make the designation of these lands consistent with the surrounding 250 hectares of land which was recently re-designated to General Rural Area by the Local Planning Appeals Tribunal (LPAT).

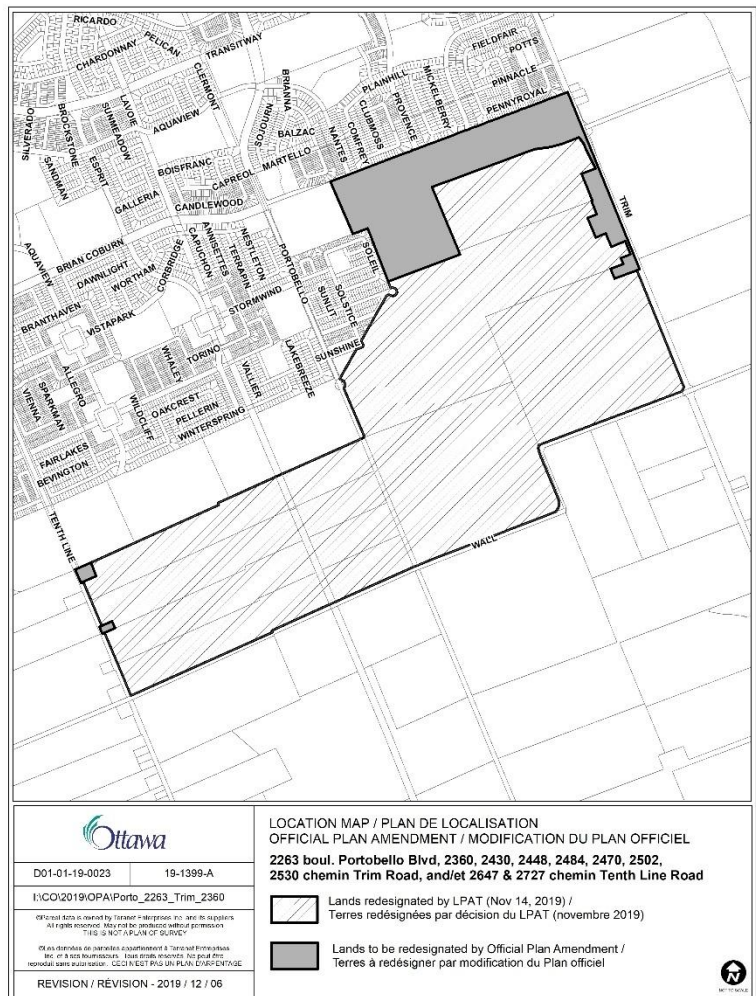
**2. Location**

The proposed Official Plan Amendment applies to City owned land fronting Portobello and Brian Coburn Boulevards in Cumberland as well as small residential lots fronting Trim and Tenth Line Roads north of Wall Road. These properties are shown in grey shading on the location map that follows.

**Basis**

**Rationale**

The body of land shown in the location map has formed part of the City's Agricultural Resource Area dating from the former Regional Official Plan and the Township of Cumberland Rural Official Plan. The City of Ottawa Official Plan continued to



recognise this land as agricultural land to be protected. The owners of the land that is identified by cross-hatching on the location map, applied to re-designate their land from Agricultural Resource Area to General Rural Area. The City refused that application and the owner's appealed the decision. The appeal was considered by the LPAT which, upheld the appeal and changed the designation of the land to General Rural Area. The LPAT decision did not include the remnant City land and residential lots fronting Trim and Tenth Line Roads. As a result, these remnant lots combined no longer meet the City's criteria for protection as an Agricultural Resource Area.

The City's policies, based upon Provincial Guidelines, seek to preserve clusters of agricultural land which are at least 250 hectares in size. This area is considered the minimum that can be effectively protected from adjacent, non agricultural land uses. Given the change approved by the LPAT the remnant pieces of land, subject to this amendment no longer meet this minimum size criterion.

This amendment will re-designate these remnant pieces to a General Rural Area designation consistent with the designation of the lands re-designated by the LPAT.

## **PART B – THE AMENDMENT**

### **1. Introduction**

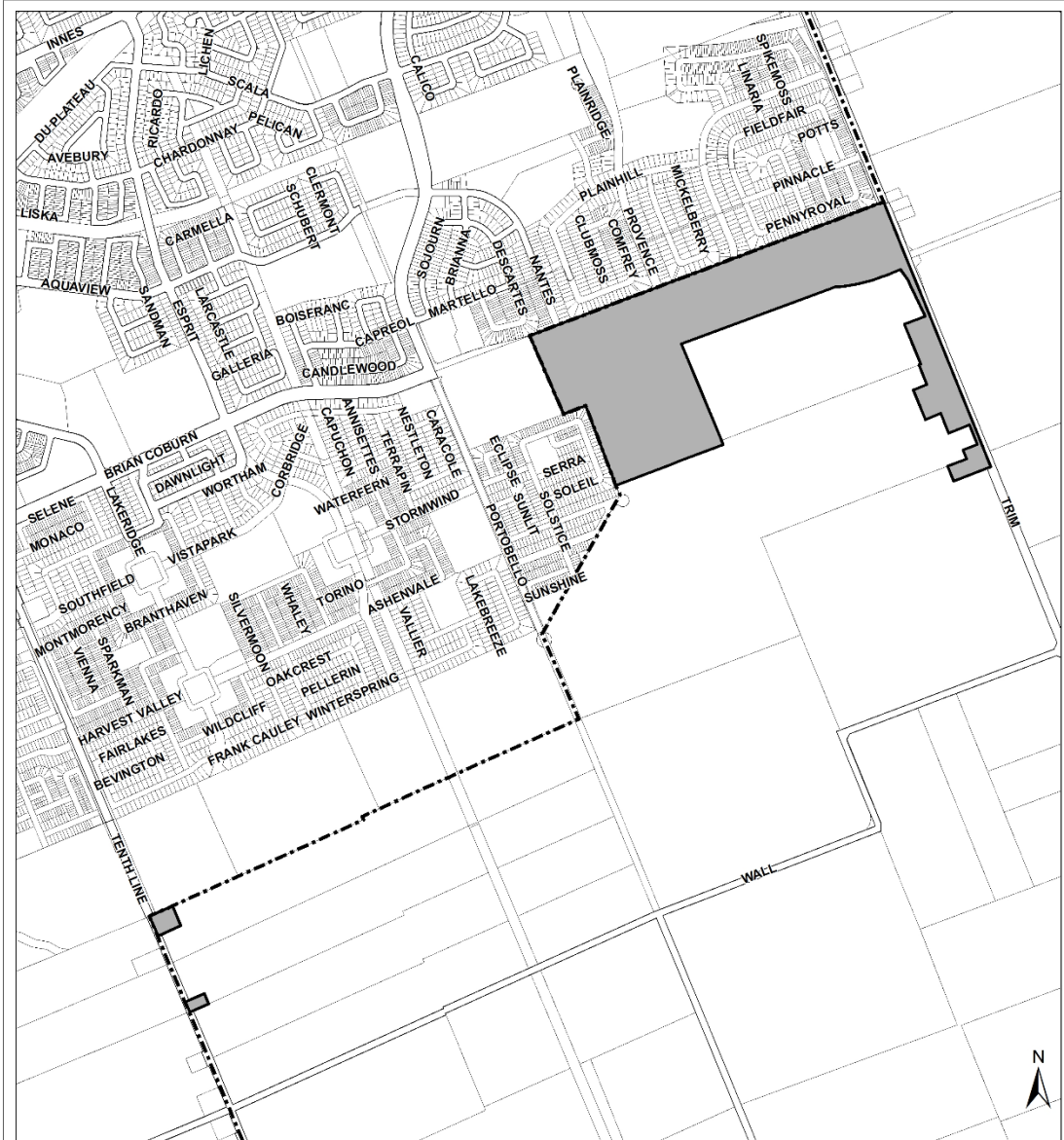
All of this part of this document entitled Part B – The Amendment consisting of the following text and Schedule 1 constitutes Amendment No. XX to the Official Plan for the City of Ottawa.

### **2. Details**

Schedule A of the Official Plan of the City of Ottawa is hereby amended to re-designate the lands shown by heavy outline and shading on Schedule 1 to this from “Agricultural Resource Area” to “General Rural Area”.

### **3. Implementation and Interpretation**

Implementation and interpretation of this Amendment shall be in accordance with the policies of the Official Plan for the City of Ottawa.



Planning, Infrastructure and Economic Development,  
Services de la planification, de l'analyse spatiale,  
technologie et solutions

Infrastructure et du développement économique,  
Analyse géospatiale, technologie et solutions

D01-01-19-0023 20-0036-A

ES/AS/Staff/Sheila/CH/MS/2013/03/13/Photo/Sheila

10 / 08 / 2019

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Scale - N.T.S. / Echelle N.A.E.

**SCHEDULE 1 to  
AMENDMENT NO.**  
to the OFFICIAL PLAN  
for the CITY OF OTTAWA  
Amending Schedule A  
Rural Policy Plan

**ANNEXE 1 de  
L' AMENDEMENT NO.**  
au PLAN OFFICIEL  
de la VILLE D'OTTAWA  
Modifiant l'Annexe A  
Plan des politiques en milieu rural

- LANDS REDESIGNATED FROM "AGRICULTURAL RESOURCE AREA" TO "GENERAL RURAL AREA"  
TERRES DONT LA DÉSIGNATION EST PASSÉE DE « ZONE DE RESSOURCES AGRICOLES »  
À « ZONE RURALE GÉNÉRALE »
- URBAN BOUNDARY /LIMITES DU SECTEUR URBAIN