

4. ZONING BY-LAW AMENDMENT – PART OF 3864 UPPER DWYER HILL ROAD

MODIFICATION AU RÈGLEMENT DE ZONAGE – PARTIE DU 3864, CHEMIN UPPER DWYER HILL

COMMITTEE RECOMMENDATION

That Council approve an amendment to Zoning By-law 2008-250 for part of 3864 Upper Dwyer Hill Road for the purposes of rezoning the lands from Agricultural Zone, Subzone 1 (AG1) to Agricultural Zone, Subzone 5 (AG5), 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 visant une partie du 3864, chemin Upper Dwyer Hill en vue de faire passer le zonage des terrains de « zone agricole, sous-zone 1 (AG1) » à « zone agricole, sous-zone 5 (AG5) », afin d'interdire toute utilisation résidentielle sur les terres agricoles conservées, comme le précise le document 2.

Documentation/Documentation

Acting Director's report, Planning Services, Planning, Infrastructure and
Economic Development Department, dated May 11, 2020
(ACS2020-PIE-PS-0045)

Rapport du Directeur par intérim, Services de la planification, Direction générale
de la planification, de l'infrastructure et du développement économique, daté le
11 mai 2020 (ACS2020-PIE-PS-0045)

**Report to
Rapport au:**

**Agriculture and Rural Affairs Committee
Comité de l'agriculture et des affaires rurales
4 June 2020 / 4 juin 2020**

**and Council
et au Conseil
10 June 2020 / 10 juin 2020**

**Submitted on 11 May 2020
Soumis le 11 mai 2020**

**Submitted by
Soumis par:
Douglas James**

**Acting Director / Directeur par intérim
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: WEST CARLETON-MARCH (5)

File Number: ACS2020-PIE-PS-0045

SUBJECT: Zoning By-law Amendment – Part of 3864 Upper Dwyer Hill Road

**OBJET: Modification au Règlement de zonage – Partie du 3864, 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 3864 Upper Dwyer Hill Road for the purposes of rezoning the lands from Agricultural Zone, Subzone 1 (AG1) to Agricultural Zone, Subzone 5 (AG5), 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 Office of the City Clerk 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 June 10, 2020," 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 une partie du 3864, chemin Upper Dwyer Hill en vue de faire passer le zonage des terrains de « zone agricole, sous-zone 1 (AG1) » à « zone agricole, sous-zone 5 (AG5) », afin d'interdire toute utilisation résidentielle sur les terres agricoles conservées, comme le précise 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 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 10 juin, 2020 », 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

3864 Upper Dwyer Hill Road

Owner

Double LL Farms

Applicant

D. Scott Murray

Description of site and surroundings

This site is located on Upper Dwyer Hill Road within Ward 5. The property is approximately 33.31 hectares in size and is currently used as cropland. The property is surrounded by parcels with similar agricultural uses along Upper Dwyer Hill Road. The property currently has a detached dwelling, barn, and accessory structures which have frontage along Upper Dwyer Hill Road and Kinburn Side 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-00267. 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 November 6, 2019 with a condition that the owner rezone the retained farmland to prohibit residential development.

The site is currently zoned Agricultural Zone, Subzone 1 (AG1). It is proposed to rezone approximately 32.6 hectares of farmland to prohibit future residential use in accordance

with a condition of severance. The remaining land area of approximately 0.71 hectares will remain zoned Agricultural Zone, Subzone 1 (AG1).

DISCUSSION

Public consultation

Notification and public consultation were 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.

Planning rationale

This Zoning By-law amendment will affect approximately 32.6 hectares of agricultural land, as shown in Document 1. This Zoning By-law amendment to rezone the remnant agricultural lands from AG1 to AG5 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 of 2014 and 2020.

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 the application related to this report and has no concerns.

LEGAL IMPLICATIONS

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

RISK MANAGEMENT IMPLICATIONS

There are no risks associated with this application.

ASSET MANAGEMENT IMPLICATIONS

There are no direct 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:

- Economic Growth and Diversification
- Thriving Communities
- Environmental Stewardship

APPLICATION PROCESS TIMELINE STATUS

This application (Development Application Number: D02-02-20-0013) 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

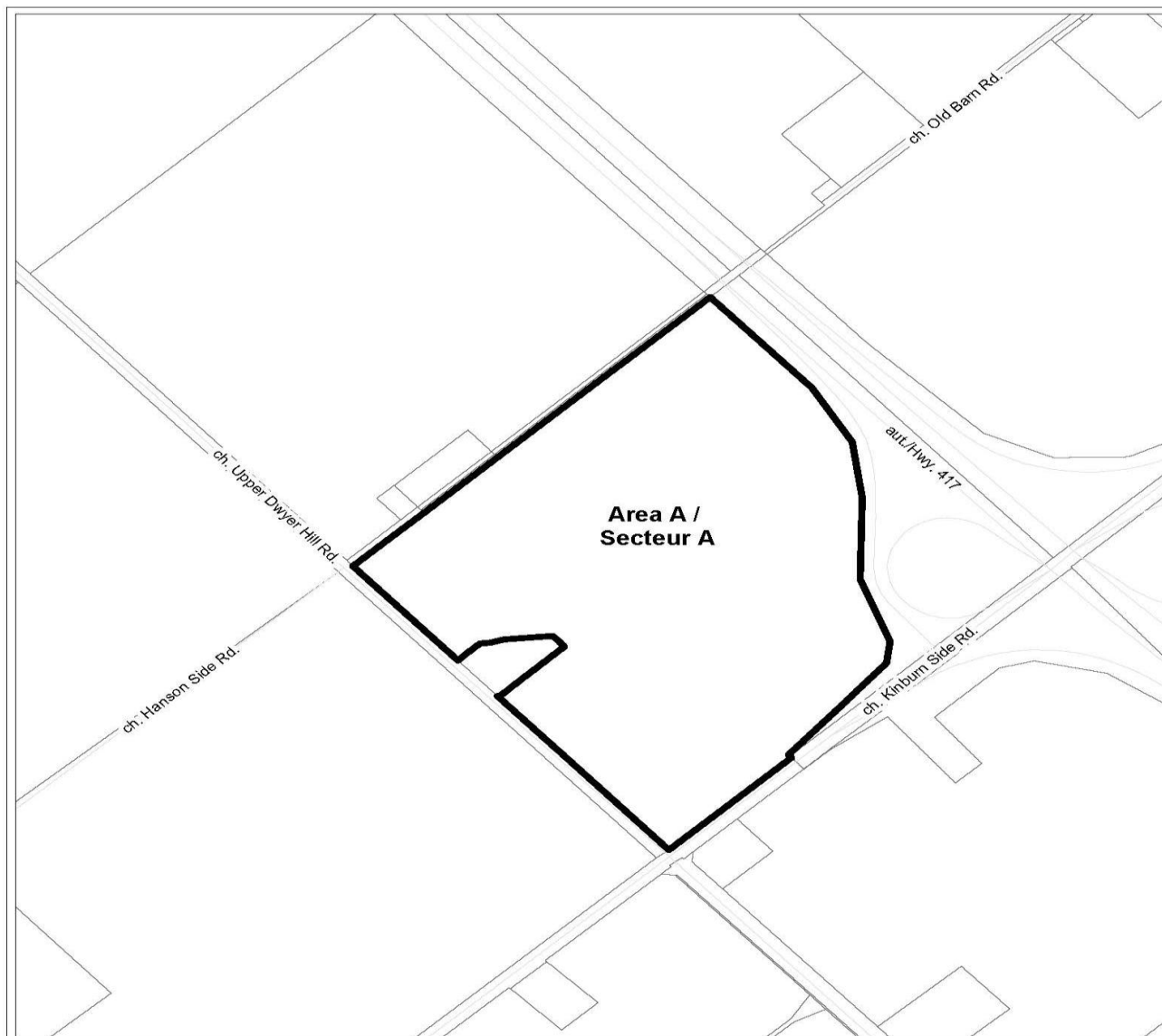
Legislative Services, Office of the City Clerk to notify the owner; applicant; Ottawa Scene Canada Signs, 415 Legget Drive, Kanata, ON K2K 3R1; Krista O'Brien, Tax Billing, Accounting and Policy Unit, Revenue Service, Corporate Services (Mail Code: 26-76) of City Council's decision.

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



D02-02-20-0013

20-0273-D

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REVISION / RÉVISION - 2020 / 03 / 27

LOCATION MAP / PLAN DE LOCALISATION
ZONING KEY PLAN / SCHÉMA DE ZONAGE

3864 ch. Upper Dwyer Hill Road



Area A to be rezoned from AG1 to AG5
Le zonage du secteur A sera modifié de AG1 à AG5



Document 2 – Details of Recommended Zoning

It is proposed to amend the City of Ottawa's Zoning By-law 2008-250 for part 3864 Upper Dwyer Hill Road to rezone the lands shown as Area A in Document 1 from AG1 to AG5.