

**5. ZONING BY-LAW AMENDMENT – 1848 UPPER DWYER HILL ROAD
MODIFICATION DE ZONAGE – 1848, CHEMIN UPPER DWYER HILL**

COMMITTEE RECOMMENDATIONS

That Council approve an amendment to Zoning By-law 2008-250 for part of 1848 Upper Dwyer Hill Road to prohibit residential uses on the retained farmland, as detailed in Document 2.

RECOMMANDATIONS DU COMITÉ

Que le Conseil approuve une modification au Règlement de zonage 2008-250 pour une partie du 1848, chemin Upper Dwyer Hill, afin d'interdire les utilisations résidentielles sur les terres agricoles conservées, comme le précise le Document 2.

DOCUMENTATION / DOCUMENTATION

John L. Moser, Acting Deputy City Manager report dated 19 June 2015 / Rapport du Directeur municipale adjoint par intérim daté du 19 juin 2015 (ACS2015-PAI-PGM-0115).

**AGRICULTURE AND RURAL
AFFAIRS COMMITTEE
REPORT 6
8 JULY 2015**

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**COMITÉ DE L'AGRICULTURE ET
DES AFFAIRES RURALES
RAPPORT 6
LE 8 JUILLET 2015**

**Report to
Rapport au:**

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

July 2, 2015 / 2 juillet 2015

**and Council / et au Conseil
July 8, 2015 / 8 juillet 2015**

**Submitted on June 14, 2015
Soumis le 14 juin 2015**

**Submitted by
Soumis par:
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Ward: WEST CARLETON-MARCH (5)

File Number: ACS2015-PAI-PGM-0121

SUBJECT: Zoning By-law Amendment – 1848 Upper Dwyer Hill Road

OBJET: Modification de Zonage – 1848, chemin Upper Dwyer Hill

REPORT RECOMMENDATION

That Agriculture and Rural Affairs Committee recommend Council approve an amendment to Zoning By-law 2008-250 for part of 1848 Upper Dwyer Hill Road to prohibit residential uses on the retained farmland, as detailed in Document 2.

RECOMMANDATION 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 pour une partie du 1848, chemin Upper Dwyer Hill, afin d'interdire les utilisations résidentielles sur les terres agricoles conservées, comme le précise le Document 2.

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

The property is located at 1848 Upper Dwyer Hill Road. The rezoning applies only to the retained agricultural lot, resulting from a surplus farm dwelling severance.

Owner:

Adrian Schouten.

Applicant:

Tracy Zander, ZanderPlan Inc.

Description of site and surroundings

The property is located on the north-east corner of the intersection of Upper Dwyer Hill and Carroll Side Road, about 10 kilometres south-west of Carp village. The lands to be rezoned contain 36 hectares, with 683 metres of frontage on Carroll Side Road and 386 metres along Upper Dwyer Hill Road.

Surrounding land uses are agricultural, some estate residential, with a large area of provincially significant woodland and wetland to the south. The severed lot contains a dog kennel.

Summary of requested Zoning By-law amendment proposal

The application has been submitted in order to fulfill the conditions of the Committee of Adjustment's consent for the severance of a surplus farm dwelling. The intent of this rezoning is to prohibit future residential development on the property and protect the agricultural integrity of the land. The rezoning of the vacant remnant lands associated with a surplus farm dwelling severance is consistent with the City's Official Plan policies.

The current zoning designation on the property is Agriculture (AG). This zoning amendment will change the zoning designation to Agriculture, Subzone 5 (AG5), a zoning designation applied to retained lands as a result of a surplus farm dwelling severance.

Brief history of proposal

The land to which the proposed Zoning By-law amendment applies was the subject of an application for a surplus farm dwelling severance, application number D08-01-14/B-00449. The severance request was granted by the Committee of Adjustment on January 14, 2015 with a condition that the owner rezone the remnant farmland in order to prohibit future residential development.

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 comments were received.

Official Plan designation

This application is being processed under the policies of Official Plan Amendment 150. The property is designated Agricultural Resource Area. This designation protects the prime agricultural area from loss of lands to other uses. Severances are permitted for a surplus dwelling due to farm consolidation [Section 3.7.3(8)]. Section 3.7.3(9b) requires the vacant agricultural parcel be rezoned to prohibit any future residential use, and (9c) 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(9b)] as conditioned by the Committee of Adjustment.

Other applicable policies and guidelines

The Provincial Policy Statement (PPS), which came into effect on April 30, 2014, has specific policies with regard to the management of Ontario's agricultural resources. Section 2.3.4.1(c) restricts lot creation in agricultural resource areas to residences that are deemed surplus to a farming operation as a result of farm consolidation. The PPS policies related to severances on agricultural lands provide the basis for the City's related Official Plan and Zoning By-law severance policies, as such this application is in line with the PPS, Official Plan and the Zoning By-law.

Planning rationale

This Zoning By-law amendment will affect 36 hectares of retained agricultural land with 683 metres of frontage along Carroll Side Road and 386 metres Upper Dwyer Hill Road. The parcel will meet the minimum lot area requirements of the AG5 zone, which is 30 hectares, and the minimum lot width requirement of 60 metres. This Zoning By-law amendment proposes to rezone the remnant agricultural lands from AG to AG5, in order to prohibit future residential development.

This Zoning By-law amendment implements conditions imposed by the Committee of Adjustment. No new development is proposed.

RURAL IMPLICATIONS

This Zoning By-law amendment restricts new residential development, thus protecting the agricultural land from fragmentation or competing uses. The effect of this rezoning

will be to maintain the rural heritage, and strengthen 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.

LEGAL IMPLICATIONS

There are no legal impediments to adopting the recommendation outlined in this report.

RISK MANAGEMENT IMPLICATIONS

There are no risk implications.

FINANCIAL IMPLICATIONS

There are no direct financial implications.

ACCESSIBILITY IMPACTS

There are no accessibility implications associated with this application.

ENVIRONMENTAL IMPLICATIONS

This Zoning By-law amendment prohibits residential use on prime farmland and prevents fragmentation of agricultural land, thereby preserving high quality farmland in the City's Agricultural Resource Area.

TERM OF COUNCIL PRIORITIES

The project addresses the following Term of Council Priorities:

EP3 – Support of the Local Economy.

GP3 – Make sustainable choices.

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 Overview Data Sheet

CONCLUSION

Planning and Growth Management Department supports this Zoning By-law amendment because it is consistent with the intent of the City's Official Plan and the Zoning By-law.

DISPOSITION

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

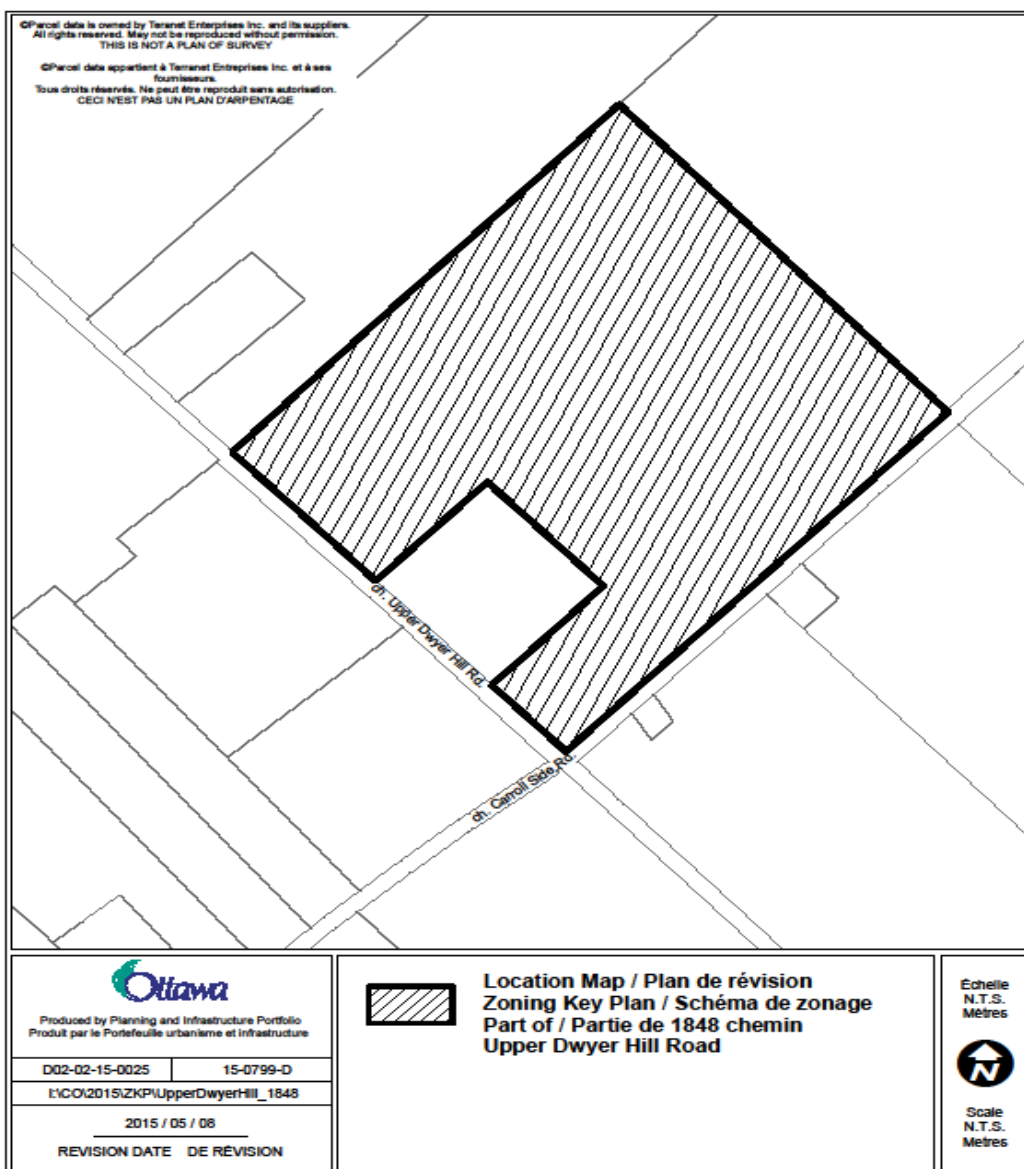
Planning and Growth Management Department to prepare implementing by-law, forward to Legal Services and undertake the statutory notification.

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

Document 1 – Location Map

For an interactive Zoning map of Ottawa visit geoOttawa

This location map includes a part of the property addressed as 1848 Upper Dwyer Hill Road. The hatched area on the map is to be rezoned from AG to AG5.



Document 2 – Details of Recommended Zoning

Proposed changes to Zoning By-law 2008-250 for part of 1848 Upper Dwyer Hill Road:

Rezone part of 1848 Upper Dwyer Hill Road, as shown on Document 1, from AG to AG5.