

**Report to
Rapport au:**

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

August 30, 2016 / 30 août 2016

**and Council / et au Conseil
September 14, 2016 / 14 septembre 2016**

**Submitted on August 11, 2016
Soumis le 11 août 2016**

**Submitted by
Soumis par:**

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Ward: RIDEAU-GOULBOURN (21)

File Number: ACS2016-PIE-PGM-0132

SUBJECT: Zoning By-law Amendment – Part of 6220 and 6284 Malakoff Road

**OBJET: Modification au Règlement de zonage – Partie du 6220 et 6284,
chemin Malakoff**

REPORT RECOMMENDATIONS

1. That Agriculture and Rural Affairs Committee recommend Council approve an amendment to Zoning By-law 2008-250 for part of 6220 and 6284 Malakoff Road to prohibit residential uses on consolidated farmland, and modify regulatory provisions, as detailed in Document 2; and
2. That Agricultural and Rural Affairs Committee approve the Public Consultation Section of this report be included as the “brief explanation” in the Summary of Written and Oral Submissions, to be prepared by the City Clerk and Solicitor’s Office and submitted to Council in tandem with this report, subject to submissions received between the publication of this report and 4 p.m. of the day prior to Council’s consideration.

RECOMMANDATIONS DU RAPPORT

1. Que le Comité de l’agriculture et des affaires rurales recommande au Conseil d’approuver une modification au Règlement de zonage 2008-250 relativement à une partie du 6220 et du 6284, chemin Malakoff, afin d’interdire les utilisations résidentielles sur les terres agricoles regroupées, et de modifier les dispositions réglementaires, comme le précise le document 2;
2. Que le Comité de l’agriculture et des affaires rurales donne son approbation à ce que la section du présent rapport consacrée aux consultations publiques soit incluse en tant que “brève explication” dans le résumé des observations écrites et orales, qu’elle soit rédigée par le Bureau du greffier municipal et chef du contentieux et soumise au Conseil en même temps que le présent rapport, à la condition que les observations aient été reçues entre le moment de la publication du présent rapport et 16 h la veille de l’étude du rapport par le 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

6220 and 6284 Malakoff Road

Owner

Hendrika and Richard Wammes

Schouten Dairy Farms Inc. (Agreement of Purchase and Sale)

Applicant

Jeff Shipman

Description of site and surroundings

The site consists of two abutting parcels of land, one being 6220 Malakoff Road, the other being 6284 Malakoff Road. Each parcel has frontage along Malakoff Road to the east and Proven Line Road to the west. Each parcel contains agricultural operations and a detached dwelling. The surrounding area is agricultural with other residential uses. Each parcel has frontage on Malakoff Road and Proven Line Road to the west.

Summary of requested Zoning By-law amendment proposal

The application has been submitted in order to fulfill a condition of severance imposed by the Committee of Adjustment with respect to application D08-01-15/B-00101, and B-00102. The intent is to prohibit residential uses on the consolidated farmland in order to protect the lands for agricultural uses, as well as to bring the newly created parcel of land into conformance with the Zoning By-law. The property at 6220 Malakoff Road is dual zoned Agriculture Subzone 1 (AG1) and Rural Countryside (RU). It is proposed that each segment be rezoned to prohibit residential uses, as described in Document 2. The property at 6284 Malakoff Road is zoned Agriculture Subzone 1 (AG1) and it is proposed to be rezoned to prohibit residential uses. In addition, it is proposed that the required minimum lot frontage be amended to 53 metres.

Brief history of proposal

The lands to which the proposed Zoning By-law amendment applies were the subject of applications for surplus farm dwelling severances, application number D08-01-15/B-00101, and B-00102. The severance request was granted by the Committee of Adjustment on May 4, 2016 with a condition that the owner rezone the remnant farmland in order to prohibit residential development.

DISCUSSION

Public consultation

Notification and public consultation was undertaken in accordance with the Public Notification and Public Consultation Policy approved by Council for Zoning By-law amendments. No comments were received.

Official Plan designation

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.

This application has been reviewed under the consolidated Official Plan (2003) with regard for the Council approved amendments contained within Official Plan Amendment 150 (OPA 150). Amendments introduced by OPA 150 do not impact the proposed Zoning By-law amendment.

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 consistent with the PPS.

Planning rationale

This Zoning By-law amendment will affect approximately 69 hectares of retained agricultural land. As shown in Document 1, Part A is currently zoned AG1 and Part B is currently zoned RU. This Zoning By-law amendment serves two purposes as shown as Document 2. The first is to rezone Part A of the remnant agricultural lands from AG1 to Agriculture, Subzone 5, exception [xxxxr] (AG5 [xxxxr]), in order to prohibit future residential development, and amend the minimum lot width requirement to 53 metres.

The second is to rezone Part B from RU to Rural Countryside, exception [xxxx] (RU[xxxx]), to prohibit residential uses.

This Zoning By-law amendment clears a condition imposed by the Committee of Adjustment.

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 Moffatt is aware of this application.

LEGAL IMPLICATIONS

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

RISK MANAGEMENT IMPLICATIONS

There are no risk management implications associated with this report.

FINANCIAL IMPLICATIONS

There are no financial implications associated with this reports.

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

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

Document 3 Overview Data Sheet

CONCLUSION

Planning, Infrastructure and Economic Development 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

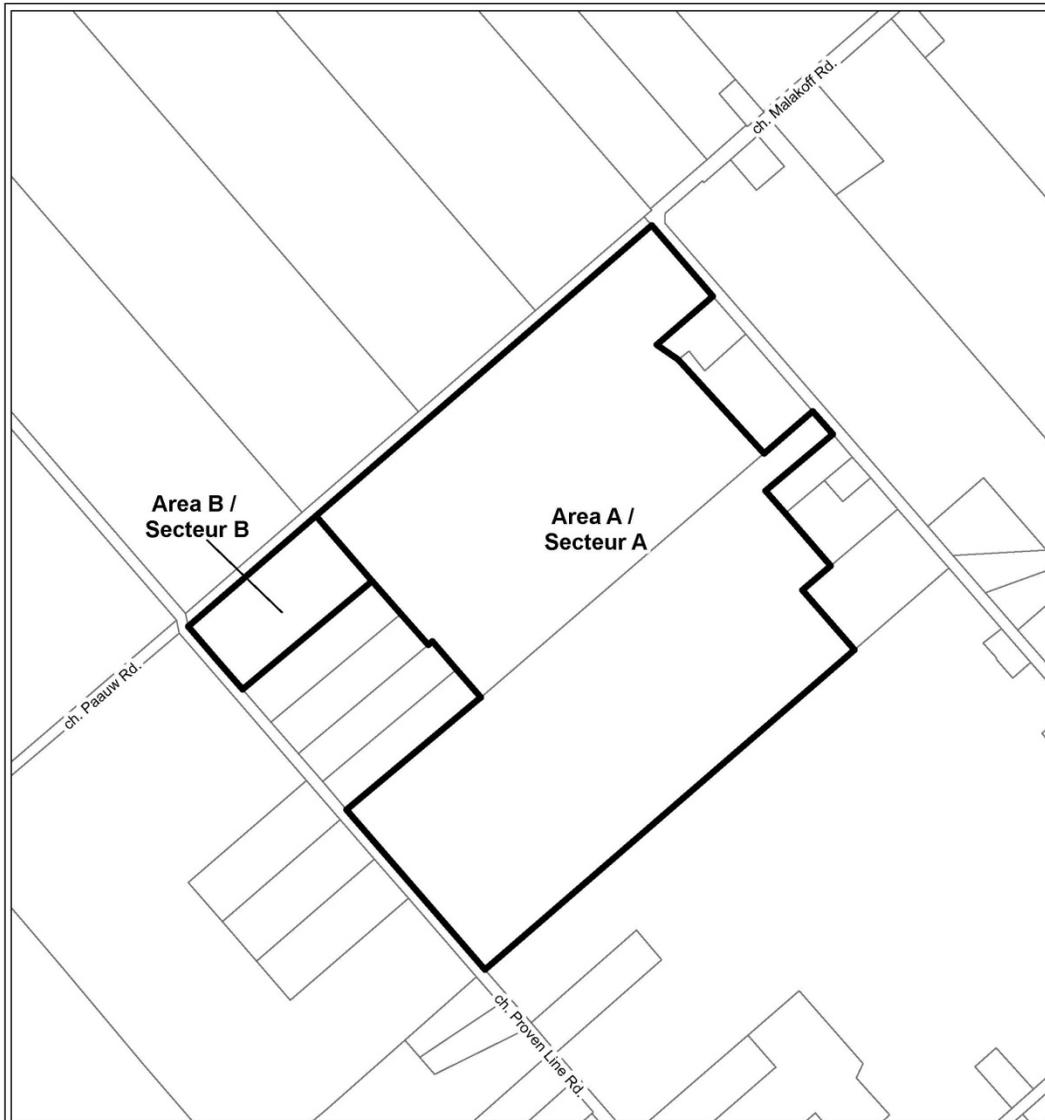
City Clerk and Solicitor Department, Legislative Services, to notify the owner, applicant, OttawaScene Canada Signs, 1565 Chatelain Avenue, Ottawa, ON K1Z 8B5, and Program Manager, Assessment, Financial Services Branch (Mail Code: 26-76) of City Council's decision.

Planning, Infrastructure and Economic Development 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.



		LOCATION MAP / PLAN DE LOCALISATION ZONING KEY PLAN / SCHÉMA DE ZONAGE	
D02-02-16-0041	16-0802-X	6220, 6284 chemin Malakoff Road	
I:\CO\2016\Zoning\Malakoff_6220_6284		Area A to be rezoned from AG1 to AG5[xxxr] Le zonage du secteur A sera modifié de AG1 à AG5[xxxr]	
<small>©Parcel data is owned by Teranet Enterprises Inc. and its suppliers. All rights reserved. May not be produced without permission. THIS IS NOT A PLAN OF SURVEY.</small>		Area B to be rezoned from RU to RU[xyy] Le zonage du secteur B sera modifié de RU à RU[xyy]	
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REVISION / RÉVISION - 2016 / 07 / 28			

Document 2 – Details of Recommended Zoning

The proposed changes to the City of Ottawa Zoning By-law 2008-250 for part of 6220 and 6284 Malakoff Road:

1. Rezone the lands shown in Document 1 as follows:
 - a) Area A from AG1 to AG5[xxxr]; and,
 - b) Area B from RU to RU[xyyr].
2. Add a new exception AG5[xxxr] to Section 240 – Rural Exceptions, with provisions similar in effect to the following:
 - a) minimum lot width is 53 metres.
3. Add a new exception RU[xyyr] to Section 240 – Rural Exceptions, Column IV with provisions similar in effect to the following:
 - a) Detached Dwelling Prohibited