

**Report to
Rapport au:**

**Agriculture and Rural Affairs Committee
Comité de l'agriculture et des affaires rurales
6 June 2019 / 6 juin 2019**

**and Council
et au Conseil
12 June 2019 / 12 juin 2019**

**Submitted on 27 May 2019
Soumis le 27 mai 2019**

**Submitted by
Soumis par:**

**Lee Ann Snedden
Director / Directrice**

Planning Services / Services de la planification

**Planning, Infrastructure and Economic Development Department / Direction
générale de la planification, de l'infrastructure et du développement économique**

Contact Person / Personne ressource:

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Ward: OSGOODE (20)

File Number: ACS2019-PIE-PS-0049

SUBJECT: Zoning By-law Amendment – 4205 Nixon Drive

OBJET: Modification au Règlement de zonage – 4205 promenade Nixon

REPORT RECOMMENDATIONS

- 1. That Agriculture and Rural Affairs Committee recommend Council approve an amendment to Zoning By-law 2008-250 for 4205 Nixon Drive, for the purposes of rezoning a portion of the lands from Agricultural Subzone 3**

(AG3), to Agricultural Subzone 7 (AG7), to prohibit residential uses on the retained farmland, as detailed in Document 2.

2. That Planning 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 City Clerk and Solicitor's Office 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 12 June 2019," 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 à ce qu'une partie du 4205, promenade Nixon, actuellement désignée « Zone agricole, sous-zone 3 (AG3) », passe à la désignation de « Zone agricole, sous-zone 7 (AG7) », afin d'interdire des utilisations résidentielles sur les terres agricoles conservées, comme l'indique le document 2.
2. Que le Comité de l'urbanisme 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 de l'avocat général 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 12 juin 2019 », 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

4205 Nixon Drive

Owner

Earl James Wigney and Doreen Wigney

Applicant

Jeff Shipman

Description of site and surroundings

This subject site is located on Nixon Drive within Ward 20, and with an approximate total size of 15.5 hectares. The parcel is surrounded with similar agricultural operations and rural residential dwellings. The property currently has one detached dwelling and three accessory buildings.

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-00049. 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 March 6, 2019 with a condition that the owner rezone the retained farmland to prohibit residential development.

The site is currently zoned Agriculture, Subzone 3 (AG3). It is proposed to rezone approximately 15.5 hectares of farmland to AG7 to prohibit future residential use in accordance with a condition of severance. The remaining land area containing the existing farm dwelling, well, septic and accessory building (approximately 1.0 hectare) will remain zoned AG3.

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 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.

Other applicable policies and guidelines

The subject site is not within the boundary of any applicable Secondary Plans or Community Design Plans.

Urban Design Review Panel

This application was not subject to review by the Urban Design Review Panel.

Planning Rationale

This Zoning By-law amendment will affect approximately 15.5 hectares of agricultural land, as shown in Document 1. This Zoning By-law amendment to rezone the remnant agricultural lands from AG3 to AG7 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, 2014.

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 Darouze is aware of this application.

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 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:

- 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

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

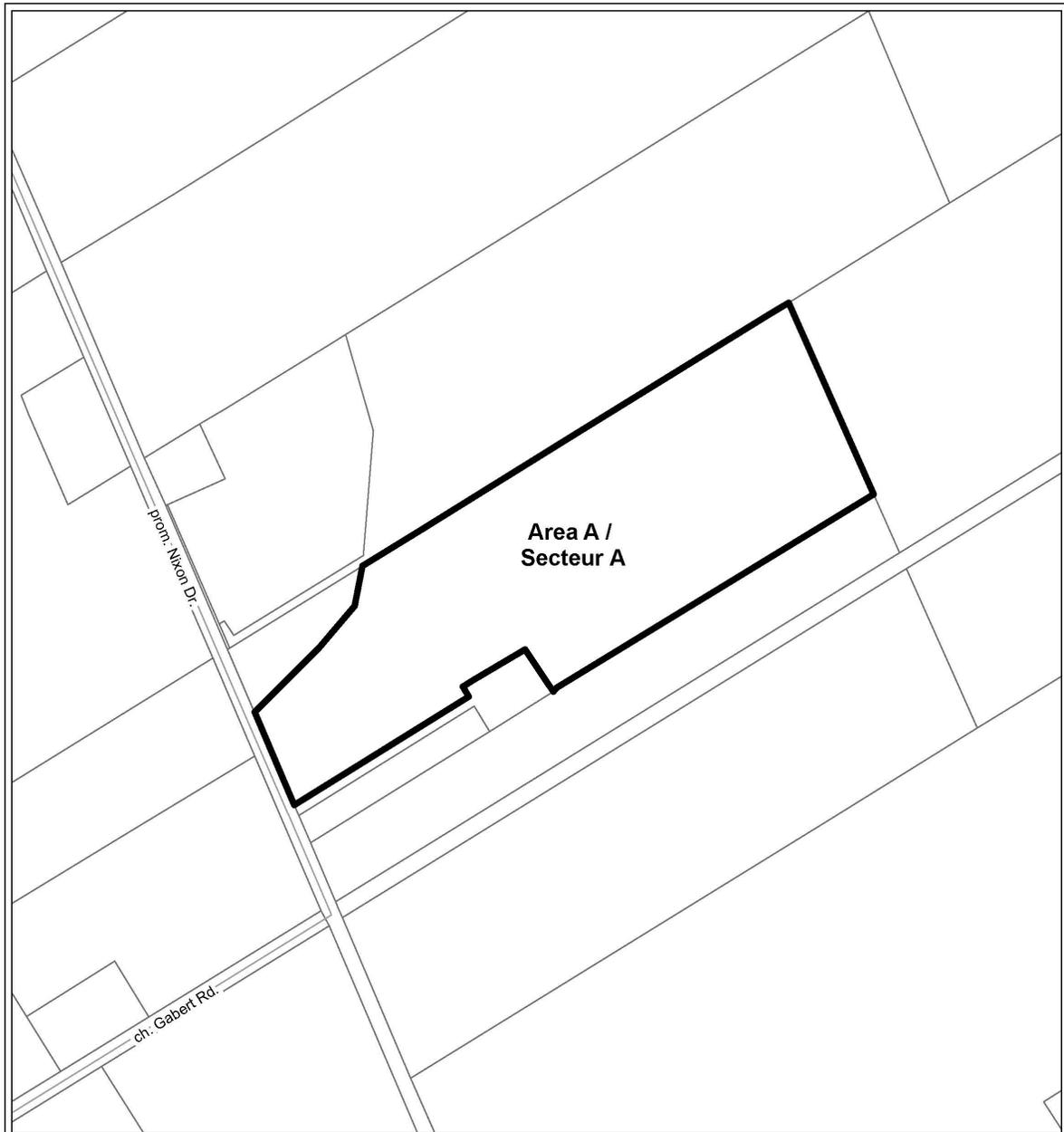
Legislative Services, Office of the City Clerk and Solicitor to notify the owner; applicant; Ottawa Scene Canada Signs, 1565 Chatelain Avenue, Ottawa, ON K1Z 8B5; Krista O'Brien, Tax Billing, Accounting and Policy Unit, Revenue Service, Corporate Services (Mail Code: 26-76) of City Council's decision.

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, Office of the City Clerk and Solicitor to forward the implementing by-law to City Council.

Planning Operations Branch, Planning Services to undertake the statutory notification.

Document 1 – Location Map



		LOCATION MAP / PLAN DE LOCALISATION ZONING KEY PLAN / SCHÉMA DE ZONAGE	
D02-02-19-0015	19-0389-X		4205 promenade Nixon Drive
I:\CO\2019\Zoning\Nixon_4205\...rezone			
<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 A to be rezoned from AG3 to AG7 Le zonage du secteur A sera modifié de AG3 à AG7	
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REVISION / RÉVISION - 2019 / 04 / 18			

Document 2 – Details of Recommended Zoning

It is proposed to amend the City of Ottawa's Zoning By-law 2008-250 for 4205 Nixon Drive to rezone the lands shown in Document 1 from AG3 to AG7.