

Report to/Rapport au :

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

and Council / et au Conseil

May 31, 2012
31 mai 2012

Submitted by/Soumis par : **Nancy Schepers, Deputy City Manager/Directrice municipale adjointe**, Planning and Infrastructure/Urbanisme et Infrastructure

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West Carleton- March (5)

Ref N°: ACS2012-PAI-PGM-0148

SUBJECT: ZONING - PART OF 1735 OLD CARP ROAD

OBJET : ZONAGE - PARTIE DU 1735, CHEMIN OLD CARP

REPORT RECOMMENDATIONS

That the Agriculture and Rural Affairs Committee recommend Council approve an amendment to the Zoning By-law 2008-250 to change the zoning of part of 1735 Old Carp Road from 01A (Parks and Open Space, Subzone A) to RR3(XXXr) (Rural Residential Third Density, Subzone 3 with a Rural Exception), as shown in Document 1 and as detailed in Document 2.

RECOMMANDATIONS 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 afin de changer la désignation de zonage d'une partie du 1735, chemin Old Carp de O1A (Zone de parc et d'espace vert, sous-zone A) à RR3(XXXr) (Zone résidentielle de densité trois, sous-zone 3 assortie d'une exception rurale), comme il est indiqué dans le document 1 et expliqué en détail dans le document 2.

BACKGROUND

The subject site, 1735 Old Carp Road, is located north of Old Carp Road and east of Huntmar Road. (See location map Document 1.) The site is located within the lands that abut the Loch March Golf Course in the March Highlands Community. Currently, the site is occupied by an existing two-storey detached dwelling with a detached garage and storage structures. The owner has plans to demolish the existing residence and erect a new detached dwelling. The site has access to Old Carp Road through a right-of-way over a shared laneway with the Loch March Golf Course. The subject site is primarily surrounded by the Loch March Golf and Country Club and estate lot subdivisions.

In April 2012, 1735 Old Carp Road was created by a severance application through the Committee of Adjustment (D08-01-12/B-00036). The severance was conditionally approved to permit the severance of a 6.11 hectare lot from 1755 Old Carp Road. A condition of the approval was to rezone the property to permit a detached dwelling.

Purpose of Zoning Amendment

The purpose of the amendment is to rezone the lands for residential purposes similar to the zoning of surrounding properties in order to permit a detached dwelling. An exception will also be added to the property to permit an access to the site that does not coincide with the property's frontage.

Existing Zoning

The current zoning of the parcel is O1A (Parks and Open Space, Subzone A) and EP3 (Environmental Protection, Subzone 3) under Zoning By-law 2008-250. The site is predominantly zoned O1A, with a small portion south of the development site zoned EP3. The O1A zone only permits the use of a golf course. The portion that is zoned EP3 will not be rezoned as part of this application; merely the portion zoned O1A.

Proposed Zoning

The requested zoning amendment proposes to rezone the property from O1A (Parks and Open Space Zone, Subzone A) to RR3(XXXr) (Rural Residential Third Density, Subzone 3, with a Rural Exception). The RR3 zone permits a detached dwelling, which is the proposed use of the property. Furthermore, this zone is consistent with surrounding rural residential development. The Rural Exception relates to section 59(1)(b) of the Zoning By-Law and will permit the site to have an access that does not coincide with the property's frontage. The Exception will also require a minimum lot size of 6 hectares for the subject property.

DISCUSSION

Official Plan

According to the Official Plan, the subject land is designated General Rural Area, Rural Natural Features and Natural Environment Area (NEA).

The General Rural designation accommodates a variety of land uses that are appropriate for a rural location and a limited amount of residential development where such development will not preclude continued agricultural and non-residential uses.

The Rural Natural Features are natural areas in the rural area that contain significant woodlands, wetlands, and wildlife habitat. Any development within or adjacent to these areas must be assessed in terms of its impact on the area's natural features and functions. The Rural Natural Features designation on this property is located in the west corner of the existing golf course on 1755 Old Carp Road.

The NEA designation applies to land having a high environmental value as assessed through federal, provincial and municipal studies. The lands within this designation contain all components of the City's Natural heritage system, including wetlands, significant woodlands, and wildlife habitat.

Zoning By-law

The proposed RR3 exception will acknowledge the residential use of the property and regulate development in a manner that respects the residential character of the area. The standard RR3 zone permits a minimum lot area of 0.8 hectares and lot width of 60 metres. The surrounding properties are also zoned RR3, therefore the proposed zoning of this property matches the zoning of the neighbouring parcels.

A Rural Exception will be applied to the property in order to account for the site's access not coinciding with the property's frontage. Section 59 of the Zoning By-law states that,

No person shall develop or otherwise use any lot unless that land:

- (a) abuts an improved public street for a distance of at least 3.0 metres, except in RU and AG Zones or Subzones where the distance must be equal to the minimum required lot width for the respective zone; and
- (b) has a means of access to the street mentioned in subsection (1)(a) that coincides with the part of the lot which abuts that street.

The access for 1735 Old Carp Road is via a right-of-way over the existing access into Loch March Golf Course, thereby not providing direct access that abuts an improved public street. In order for the property to comply with the By-law an exception to this provision of the By-Law must be applied to the property. While the City does not encourage access by means of rights-of-ways, in this case it is appropriate to the site conditions. The topography makes the installation of a new driveway off of Old Carp Road impractical. This approach ensures the NEA feature of the site is protected and reflects the current situation.

The Rural Exception will also require a minimum lot area of 6 hectares for the subject property. This will ensure that additional lots are not developed adjacent to the NEA feature.

As mentioned above, the portion that is zoned EP3 will remain the same in order to protect the environmental significance of the site.

RURAL IMPLICATIONS

There are no potential rural implications that would alter the character of the area of the site.

CONSULTATION

Notice of this application was carried out in accordance with the City's Public Notification and Consultation Policy. The City did not receive any negative comments or opposition to this application.

COMMENTS BY THE WARD COUNCILLOR

The Ward Councillor is aware of this application and the staff recommendation.

LEGAL IMPLICATIONS

There are no legal implications associated with 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 report.

ACCESSIBILITY IMPACTS

The report's recommendations will not have any negative impacts on people with physical disabilities.

ENVIRONMENTAL IMPLICATIONS

The applicant submitted an Environmental Impact Statement in support of the application and upon review, the reconstruction of a single-family residence in the same location as the current residence, with no tree removal involved and no evidence of

species at risk occurring in proximity to the site, is not likely to cause negative impacts to any natural heritage system features or functions, or to the designated NEA lands.

TECHNOLOGY IMPLICATIONS

There are no technology implications associated with this report.

TERM OF COUNCIL PRIORITIES

The rezoning facilitates the severance of a residential property while enhancing and protecting natural systems (ES2).

APPLICATION PROCESS TIMELINE STATUS

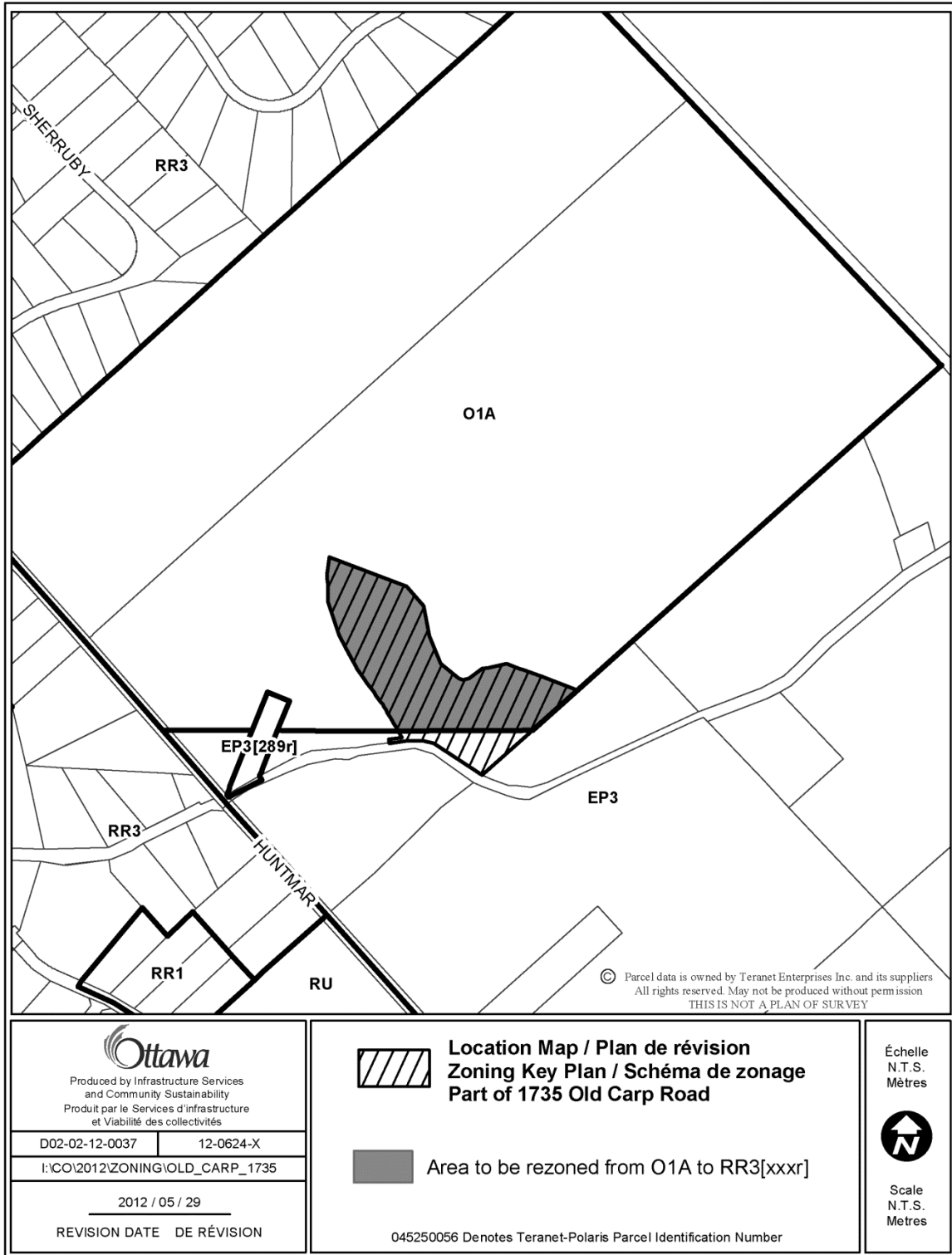
This application was processed by the "On Time Decision Date" established for the processing of Zoning By-law amendment applications.

DISPOSITION

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

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

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



DETAILS OF RECOMMENDED ZONING

DOCUMENT 2

1. The subject land as shown on Document 1 is to be rezoned from O1A to RR3[xxxxr].
2. Section 240 – Rural Exceptions of By-law 2008-250 is amended by adding a new exception, RR3[xxxxr], with the following provisions:
 - clause 59(1)(b) does not apply
 - a minimum lot area of 6 hectares