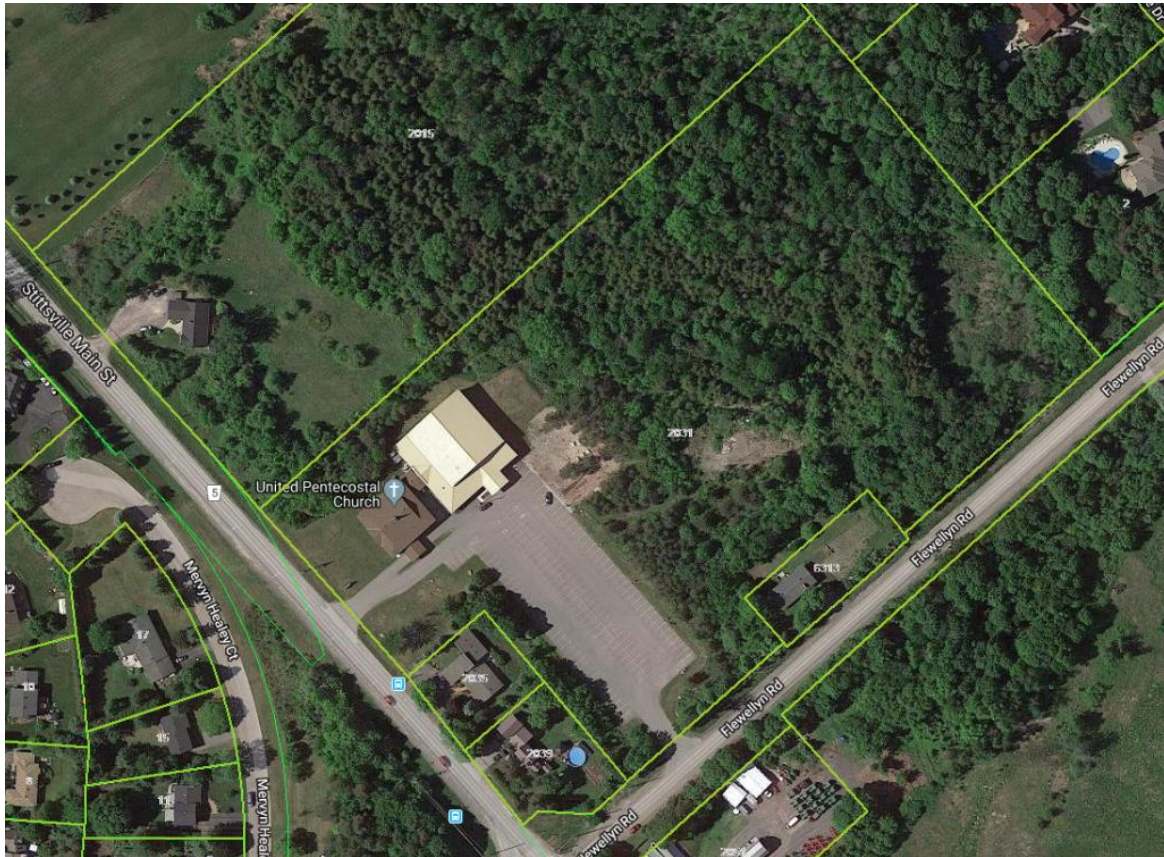


2031 STITTSVILLE MAIN STREET ZONING BY-LAW AMENDMENT PLANNING RATIONALE



Project No.: OPP-18-9581

Prepared for:

Jeffrey Thomas Cavanagh
Thomas Cavanagh Construction
9094 Cavanagh Road
Ashton, ON
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Prepared by:

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115 Walgreen Road
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December 20, 2019

McINTOSH PERRY

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1.0 OVERVIEW

McIntosh Perry was retained by Jeffery Thomas Cavanagh and Stittsville United Pentecostal Church, the respective owners of 2015 and 2031 Stittsville Main Street, to assist with plans to add a surplus portion of 2031 Stittsville Main Street to 2015 Stittsville Main Street.

This Planning Rationale is submitted in support of a Zoning By-law Amendment application for the conditionally severed lands located at 2031 Stittsville Main Street. The conditionally severed lands can be identified as Part 1 within the Draft-R Plan, attached to this report as Appendix A.

A severance was initially applied for; however, after further deliberation with City Staff, it was decided that a lot addition application was the appropriate way of proceeding. As such, a lot addition was applied for August 16, 2019 and conditionally approved September 27, 2019. Committee of Adjustment Staff confirmed October 21, 2019 that no appeals were filed.

Obtaining a Zoning By-law Amendment is required in accordance with Condition 4 of the Committee of Adjustment Decision for File No. D08-01-18/B-00255. Correspondence with City Staff on September 5, 2019 and September 6, 2019 indicated that City Staff does not require any studies to be submitted with the Zoning By-law Amendment. It was indicated during this correspondence that some discussion regarding the nearby aggregate operation is required within this Planning Rationale.

Pre-Consultation results received September 27, 2019 from City Staff are attached to this report as Appendix B. Pre-Consultation results confirmed that discussion within this Planning Rationale should address nearby Sand and Gravel Resource Areas, the impact zoning would have on these properties, the significant woodland on the lands being conveyed (including discussion of the wetlands), and rationale behind what zoning is being requested. Additional requirements include a Draft Survey Plan of the lot line adjustment and the Public Consultation Strategy form, which is based on Bill 73.

The following sections discuss the subject lands, the proposal to rezone the subject lands, and applicable planning policy.

2.0 SITE CONTEXT

The proposed Zoning By-law Amendment applies to a portion of the subject lands known municipally as 2031 Stittsville Main Street in the City of Ottawa. The subject lands are legally described as "PT LT 22 CON 9 GOULBOURN AS IN N377468 ; S/T N614351 GOULBOURN," and are owned by "STITTSVILLE UNITED PENTECOSTAL CHURCH."

The subject lands are the lands that will be conveyed to 2015 Stittsville Main Street upon satisfying all conditions associated with File No. D08-01-18/B-00255. The subject lands have an area of 1.875 hectares, with an irregular frontage on Flewellyn Road. The portion is shown as Part 1 on the Draft R-Plan attached as Appendix A.

The subject lands are largely treed/vacant, with a portion identified as wetland on the southeast corner of the property, nearest Flewellyn Road. The area identified as wetland is not a Provincially Significant Wetland as per Appendix C, which illustrates Ministry of Natural Resources and Forestry natural heritage features.

The lands being added to – 2015 Stittsville Main Street – are known legally as “PT LT 22 CON 9 GOULBOURN AS IN N596378, EXCEPT AS IN N629456; GOULBOURN,” measure approximately 4.02 hectares, and have approximately 137 metres of frontage along Stittsville Main Street. A privately-serviced single detached dwelling is located towards Stittsville Main Street. The remainder of the property largely treed/vacant.

The retained lands are the 2.82 hectares of 2031 Stittsville Main Street that will remain when the conveyance of Part 1 on the Draft R-Plan occurs. A place of worship, the Stittsville United Pentecostal Church, is located towards the western property line, fronting Stittsville Main Street. Primary vehicle access to the Church is provided at Stittsville Main Street, just south of the Church building, and parking is provided to the rear of the building. Secondary parking access is provided at Flewellyn Road. The Church is serviced privately by a well and a septic system. The site is otherwise treed/vacant.

The two-storey portion of the Church was built prior to 2012 and has an area of 507.2 square metres. This portion was expanded on after Site Plan Approval (File No. D07-12-12) on September 12, 2012 to accommodate the needs of the Church. The above-noted Site Plan Approval resulted in a one-storey, 1,151 square metre expansion to the east of the existing building. The original parking area was also expanded on to the south of the existing building, and a new access point was proposed towards the east on Flewellyn Road.

Lands north, east, and west of the subject lands are used for residential purposes. South of the subject lands and north of Flewellyn Road are two rural countryside (RU) properties. Opposite Flewellyn Road to the south and southeast are:

- Capital Services, a landscaping and snow clearing business at 2051 Huntley Road;
- An aggregate pit owned/operated by “WEST CARLETON SAND & GRAVEL INC.” at 6314 Flewellyn Road (Site ID 4117); and
- An aggregate pit owned/operated by “THOMAS CAVANAGH CONSTRUCTION LIMITED” (no address) (Site ID 4166).

Towards the general southwest are the Goulbourn Museum at 2064 Huntley Road, Murray Heating & Cooling Inc. at 6363 Flewellyn Road, and Gramling Electric Limited at 6400 Flewellyn Road.

3.0 DEVELOPMENT PROPOSAL

The proposal is to amend the zoning of the subject lands from Rural Institutional (RI5) to Rural Residential (RR2). This application is being submitted as a result of City Staff’s concern that the future parcel would have split zoning and potentially result in the development of another place of worship. The intent of this application is, therefore, to match the zoning of 2015 Stittsville Main Street and satisfy Condition No. 4 of the Committee

of Adjustment Decision for File No. D08-01-18/B-00255. The retained lands, known as 2031 Stittsville Main Street, will continue to be zoned Rural Institutional (RI5). No development is planned otherwise at this juncture.

In accordance with the September 27, 2019 Pre-Consultation correspondence (Appendix B), any future development on the subject lands may trigger further planning applications and associated requirements. These requirements may include technical reports, plans and/or studies that address applicable policies, noted in the following sections, and requirements relating to the following: natural heritage, site servicing, Minimum Distance Separation, traffic management, drainage and stormwater management, etc.

4.0 PLANNING POLICY & REGULATORY FRAMEWORK

4.1 Provincial Policy Statement

The 2014 Provincial Policy Statement (PPS) provides policy direction on land use planning matters of Provincial interest.

The subject lands are considered *rural lands* in a *rural area*, based on definitions in the PPS. The proposed development is consistent with PPS Section 1.1.5, which directs growth of Rural Lands in Ontario.

PPS Policies do not speak to preventing development of a new place of worship and matching the zoning of subject lands to avoid having a split zone. However, PPS Policies 1.1.4.4 and 1.1.5.4, speak to ensuring appropriate development takes place on *rural lands* in *rural areas*:

Pol 1.1.4.4 Growth and development may be directed to *rural lands* in accordance with policy 1.1.5, including where a municipality does not have a *settlement area*.

Pol 1.1.5.4 Development that is compatible with the rural landscape and can be sustained by rural service levels should be promoted.

PPS Policy 2.1.1 indicates that “natural features and areas shall be protected for the long term.” As noted in Section 3.0 of this report, future development proposals will be planned in accordance with Provincial policies that protect features such as wetlands and woodlands.

The compliance of any future development proposals with associated PPS Policies will be demonstrated by way of the completion of relevant technical studies, plans, and reports, as required. PPS Policies that will be addressed through the above-noted means include:

Pol 1.1.5.9 New land uses, including the creation of lots, and new or expanding livestock facilities, shall comply with the *minimum distance separation formulae*.

Pol 1.6.6.1 Planning for *sewage and water services* shall:

- a. direct and accommodate expected growth or development in a manner that promotes the efficient use and optimization of existing:

2. *private communal sewage services* and *private communal water services*, where *municipal sewage services* and *municipal water services* are not available;
- b. ensure that these systems are provided in a manner that:
 2. can be sustained by the water resources upon which such services rely;
 3. is feasible, financially viable and complies with all regulatory requirements; and
 4. protects human health and the natural environment;
- c. promote water conservation and water use efficiency;
- d. integrate servicing and land use considerations at all stages of the planning process; and
- e. be in accordance with the servicing hierarchy outlined through policies 1.6.6.2, 1.6.6.3, 1.6.6.4 and 1.6.6.5.

Pol 2.4.2.1 *Mineral mining operations* and *petroleum resource operations* shall be identified and protected from *development* and activities that would preclude or hinder their expansion or continued use or which would be incompatible for reasons of public health, public safety or environmental impact.

Pol 2.4.2.2 Known *mineral deposits*, known *petroleum resources* and *significant areas of mineral potential* shall be identified and *development* and activities in these resources or on *adjacent lands* which would preclude or hinder the establishment of new operations or access to the resources shall only be permitted if:

- a. resource use would not be feasible; or
- b. the proposed land use or development serves a greater long-term public interest; and
- c. issues of public health, public safety and environmental impact are addressed.

The proposal does not conflict with policy direction provided by the Provincial Policy Statement and is consistent with matters of Provincial interest.

4.2 City of Ottawa Official Plan

The subject lands are designated General Rural Area on Schedule A (Rural Policy plan) of the City of Ottawa Official Plan. The existing use of 2031 Stittsville is consistent with the purposes of, and the permitted uses in, the General Rural area as outlined in Section 3.7.2 of the Official Plan.

Part of the preamble to Section 3.7.2 of the Official Plan indicates that “The intent of this designation is to accommodate a variety of land uses that are appropriate for a rural location and to limit the amount of

residential development such that development will not preclude or resist continued agricultural and or other non-residential uses.” When development is proposed in the future, nearby constraints will be addressed through technical studies, plans, and reports, and may include aggregate resources, natural heritage, and Minimum Distance Separation.

Future development proposals will ensure compliance with the following Official Plan Policy, if applicable, by way of an Environmental Impact Statement:

- Section 3.7.2 2. “Development proposals within the General Rural Area may impact on natural heritage features that are not designated in this plan. Development and site alteration as defined in Section 4.7.8 will not be permitted for:
- b. Any development permitted under the policies of this plan within 120 metres of the boundary of a natural heritage feature...unless an Environment Impact Statement demonstrates that there will be no negative impacts as defined in Section 4.7.8 on the natural features within the area or their ecological functions.”

Future development proposals will also conform to the Minimum Distance Separation (MDS) formulae, per Section 3.7.3:

- Section 3.7.3 13. All new farm and non-farm development, including severances, will comply with the Minimum Distance Separation (MDS) formulae, as amended from time to time, except in the case of:
- a. the development of an existing lot of record that falls almost all or completely within a calculated MDS I separation distance from a neighbouring livestock facility; or

The lands southeast of 2031 Stittsville Main Street are designated Sand and Gravel Resource Area on Schedule A (Rural Policy Plan) of the Official Plan. Any future development proposals will conform with Section 3.7.4, which discusses restrictions for lands adjacent to Mineral Aggregate Resource Areas:

- Section 3.7.4 10. New development will not be approved within 500 metres of a Bedrock Resource Area or within 300 metres of a Sand and Gravel Resource Area, unless it can be demonstrated that such development will not conflict with future mineral aggregate extraction.
- Section 3.7.4 11. New development may be approved within 500 metres of an existing licensed bedrock quarry or within 300 metres of an existing sand and gravel pit if it can be demonstrated that the existing mineral aggregate operation, and potential future expansion of the operation in depth or extent, will not be affected by the development.
- Section 3.7.4 13. Where the City approves the development of land in accordance with policies above, the City may impose conditions to ensure the development provides

adequate buffering and/or separation between the new proposed use and the mineral aggregate area/operation.

As required, Sections 3.7.2, 3.7.3, and 3.7.4 of the Official Plan will be addressed in any plans for future development for the subject lands.

Future development proposals for land within 300 metres of a licensed pit, where there may be a conflict with existing extraction operations, will require an Impact Assessment Study, as per Section 4.2 of the Official Plan.

The subject lands are located outside of the boundaries of the Stittsville Main Street Secondary Plan.

The proposed Zoning By-law Amendment will not negatively impact surrounding properties and is permitted under Section 4 of the Official Plan. The proposed Zoning By-law Amendment conforms to the City of Ottawa Official Plan.

4.3 City of Ottawa Zoning By-law (No. 2008-250)

The subject lands are zoned Rural Institutional Subzone 5 (RI5) under the City of Ottawa Zoning By-law 2008-250.

As discussed, a Zoning By-law Amendment for the lands conditionally severed from Rural Institutional (RI5) to Rural Residential (RR2) is a condition of approval for the above-noted Consent application.

The severed parcel conforms to the Rural Residential (RR2) Zone Provisions as outlined in Table 225 of the By-law.

The lands southeast of 2031 Stittsville Main Street, including the aggregate pits noted in Section 2.0 of the Planning Rationale, are zoned ME2 Subzone, per the zoning By-law.

All plans for future development will comply with the By-law, including the Section 62, outlining required setbacks from livestock (through MDS):

Section 62 (2) New development in proximity to existing livestock operations must also comply with the minimum distance separation formulae.

(3) Despite subsection (2), development is permitted for one **detached dwelling** on a vacant lot in existence as of the date of adoption of this by-law provided that the dwelling is located the furthest distance possible from the livestock operation and that the applicable zones setback provisions are complied with.

Section 67 of the By-law, which requires setbacks from aggregate operations, applies to the AG, EP3, and RU zones, but not to RR or RI zones. As such, Section 67 does not apply and will not apply to future development proposals.

If any future development proposals do not comply with the By-law, relief will be required.

The proposed Zoning By-law Amendment is in keeping with the intent of the City of Ottawa Zoning By-law 2008-250.

5.0 CONCLUSION

The development is consistent with the Provincial Policy Statement, conforms to the City of Ottawa Official Plan, and is in keeping with the intent of the City of Ottawa Zoning By-Law No. 2008-250.

We trust that this Planning Rationale, together with the enclosed plans and reports, will be satisfactory for your purposes; however, please do not hesitate to contact our office should you have any questions.

Regards,



Sarah Butt, M.PL
Junior Planner



Benjamin Clare, MCIP RPP
Senior Land Use Planner

Encl.

APPENDIX A

Draft R-Plan

Prepared by Annis, O’Sullivan, Vollebekk Ltd.

APPENDIX B

Pre-Consultation Results with City Staff
September 27, 2019

Sarah Butt

From: Turkington, Seana <Seana.Turkington@ottawa.ca>
Sent: September 27, 2019 11:24 AM
To: Sarah Butt
Cc: Benjamin Clare; Whittaker, Damien; Hayley, Matthew
Subject: RE: 2031 Stittsville Main Street - Pre-Application Consultation Form
Attachments: Bill 73 Sample.docx

Follow Up Flag: Follow up
Flag Status: Flagged

Hello Sarah,

Thank you for sending me the pre-consultation form for the required Zoning By-law Amendments for 2031 Stittsville Main Street.

When a formal application is submitted, please include (aside from the required form and fee) a hardcopy and an electronic copy of the following:

- A Planning Rationale that discusses the following: The OP Designation, the nearby Sand and Gravel Resource Areas and the impact the Zoning would have on these properties, the significant woodland on the part being conveyed (including discussion on the wet areas), the current zoning, the zoning being requested and why.
- A draft Survey Plan of the lot line adjustment.
- The completed attached form related to the public consultation strategy for the application. If you intend to go beyond what the City usually does (as per the *Planning Act*), please include information in this regard. This requirement is based on Bill 73, passed by the Government of Ontario some months ago, and is now required for all Zoning By-law Amendments.

Please note that any future proposed development on the site may trigger further planning applications including additional requirements associated with any redevelopment. If you have any questions, please do not hesitate to contact me.

Kind regards,

Seana Turkington
Planner | Urbaniste
Development Review | Examen des demandes d'aménagement
City of Ottawa | Ville d'Ottawa
110 Laurier Avenue West, Ottawa, ON
P: 613-580-2424 ext./poste 27790
E: seana.turkington@ottawa.ca

From: Sarah Butt <S.Butt@McIntoshPerry.com>
Sent: September 18, 2019 3:43 PM
To: Turkington, Seana <Seana.Turkington@ottawa.ca>

Cc: Benjamin Clare <b.clare@mcintoshperry.com>; Taylor Cavanagh <Taylor@thomascavanagh.ca>

Subject: 2031 Stittsville Main Street - Pre-Application Consultation Form

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Good afternoon Seana,

Attached is a completed Pre-Application Consultation Form as well as a severance sketch for 2031 Stittsville Main Street (D08-01-18/B-00255). This Pre-Application Consultation Form is for a Zoning By-law Amendment of the conditionally approved severed lands (refer to Part I of the severance sketch) to match the zoning of lands being added to.

Please let me know if you have any questions!

Thank you,

Sarah Butt

Junior Planner

115 Walgreen Road, Carp, ON K0A 1L0

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,

APPENDIX C

Make a Map: Natural Heritage Areas
Ministry of Natural Resources and Forestry



Legend

- Assessment Parcel
- Woodland
- Conservation Reserve
- Provincial Park
- Natural Heritage System
- Ecoregion
- Wetland**
 - Provincially Significant Wetland Evaluated
 - Non - Provincially Significant Wetland Evaluated
 - Unevaluated Wetland
- Area of Natural Heritage & Scientific Interest (ANSI)**
 - Provincially Significant Life Science ANSI
 - Provincially Significant Earth Science ANSI
- Greenbelt Plan**
 - Boundary
 - River Valley Connections
- Land Use Designations**
 - Protected Countryside
 - Towns and Villages
 - Hamlets
 - Urban River Valley
 - Specialty Crop Area
- Niagara Escarpment Plan (NEP)**
 - Boundary
 - Parks and Open Space System
- Land Use Designations**
 - Escarpment Natural Area
 - Escarpment Protection Area
 - Escarpment Rural Area
 - Mineral Resource Extraction Area
 - Escarpment Recreation Area
 - Urban Area
 - Minor Urban Centre
- Oak Ridges Moraine Conservation Plan (ORM)**
 - Boundary
 - Land Use Designations
 - Natural Core Area
 - Natural Linkage Area
 - Countryside Area
 - Rural Settlement
 - Palgrave Estates Residential Community
 - Settlement Area

0.2 0 0.08 0.2 Kilometers



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