

1. ZONING - 7479 BLEEKS ROAD  
  
ZONAGE - 7479, CHEMIN BLEEKS

**COMMITTEE RECOMMENDATION**

That the Council approve an amendment to Zoning By-law 2008-250 to change the zoning of 7479 Bleeks Road from RU, Rural Countryside to RU[XXXr] and RU[YYYr], as shown in Document 1 and as detailed in Document 2.

**RECOMMANDATION DU COMITÉ**

Que le Conseil approuve une modification au Règlement de zonage 2008-250 visant à faire passer le zonage du 7479, chemin Bleeks de RU, Zone d'espace rural, à RU[XXXr] et RU[YYYr], comme le montre le document 1 et l'explique en détail le document 2.

**DOCUMENTATION / DOCUMENTATION**

Deputy City Manager's report, Planning and Infrastructure, dated 13 September 2012 (ACS2012-PAI-PGM-0216).  
Rapport de la Directrice municipale adjointe, Urbanisme et Infrastructure, le 13 septembre 2012 (ACS2012-PAI-PGM-0216).

Report to/Rapport au :

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

and Council / et au Conseil

September 13, 2012  
13 septembre 2012

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

Contact Person / Personne ressource: Derrick Moodie, Manager/Gestionnaire,  
Development Review-Rural Services/Examen des projets d'aménagement-Services  
ruraux, Planning and Growth Management/Urbanisme et Gestion de la croissance  
(613) 580-2424, 15134 [Derrick.Moodie@ottawa.ca](mailto:Derrick.Moodie@ottawa.ca)

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RIDEAU – GOULBOURN 21

Ref N°: ACS2012-PAI-PGM-0216

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**SUBJECT:** ZONING – 7479 BLEEKS ROAD

**OBJET :** ZONAGE – 7479, CHEMIN BLEEKS

**REPORT RECOMMENDATION**

That the Agriculture and Rural Affairs Committee recommend Council approve an amendment to Zoning By-law 2008-250 to change the zoning of 7479 Bleeks Road from RU, Rural Countryside to RU[XXXr] and RU[YYYr], as shown in Document 1 and 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 visant à faire passer le zonage du 7479, chemin Bleeks de RU, Zone d'espace rural, à RU[XXXr] et RU[YYYr], comme le montre le document 1 et l'explique en détail le document 2.

### **BACKGROUND**

The subject property is located west of Munster Road, south of Mansfield Road at 7479 Bleeks Road.

The site was subject to a recent consent application (D08-01-12/B-00095) to sever the existing dwelling and related outbuildings from the larger parcel. The severed lands will be municipally addressed as 7479 Bleeks Road and the retained lands will be addressed as 7480 Bleeks Road.

### **Existing Zoning**

The subject land is zoned Rural Countryside Zone (RU) and Mineral Aggregate Reserve Zone (MR). The MR zone identifies lands designated as 'Sand and Gravel Resource Area' or 'Limestone Resource Area' in the Official Plan where unexploited mineral aggregate resources exist. The RU zone accommodates agricultural, forestry, country residential lots created by severance and other land uses characteristic of Ottawa's countryside.

### **Proposed Zoning**

The requested zoning amendment is to rezone portions of the retained lands (7480 Bleeks Road) from Rural Countryside Zone (RU) to Rural Countryside Zone with an exception (RU[YYYr]). The purpose of the exception is to limit the list of permitted uses to agricultural uses within proximity of the MR and MR1 zones on the subject property and neighbouring property. The requested zoning amendment also proposes to rezone the severed lands (7479 Bleeks Road) from Rural Countryside Zone (RU) to Rural Countryside Zone with an exception (RU[XXXr]) to recognize a reduced lot width of 30 metres and exempt the property from the provisions in Section 67 'Residential use building setback from mineral aggregate zones' in the Zoning By-law.

### **DISCUSSION**

#### **Official Plan**

The subject land is designated as 'General Rural Area' and 'Sand and Gravel Resource Area'.

Section 3.7.4 (10) of the City's Official Plan states that new development is prohibited within 300 metres of a 'Sand and Gravel Resource Area'. The severed parcel is immediately adjacent to land designated as 'Sand and Gravel Resource Area'. The Official Plan identifies conflicting land uses as farming or small-scale businesses where animals, equipment or employees are affected by pit activities. Policy 3.7.4 (10) also identifies the creation of a new lot as a conflicting land use that will not be considered.

At the time of pre-consultation, the applicant was made aware that the City would support the severance of the house and related outbuildings from the larger parcel provided a condition was added requiring the applicant to rezone the land to limit uses within 300 metres of the 'Sand and Gravel Resource Area'.

Policy 3.7.4 (12) states that where the City approves the development of land in accordance with policies 10 and 11, 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. By permitting only an agricultural use on the retained parcel, the City is ensuring that no development will occur that could potentially conflict with the 'Sand and Gravel Resource Area'.

#### Zoning By-law

##### Severed Lands (7479 Bleeks Road)

The RU zone provisions require that residential uses have a minimum lot area of 0.8 ha with a lot width of 50 metres. An exception has been added to the severed lands to permit a reduced lot width of 30 metres. A lot width of 30 metres was proposed to preserve as much viable agricultural land as possible.

The MR zone identifies lands where unexploited mineral aggregate resources exist. Section 67(a) requires that no dwelling be located any closer than 150 metres to a MR zone. The purpose of the setback is to ensure that new dwelling units are not located in close proximity to an existing or future noise vibration-generating use such as a mineral extraction operation. Given that the house currently exists, the exception placed on the severed lands exempts the property from the provisions of Section 67 of the Zoning By-law.

##### Retained Lands (7480 Bleeks Road)

As indicated, Section 67 of the Zoning By-law provides setbacks for residential uses from mineral aggregate zones. The setback imposed for residential dwellings is 150 metres. This setback applies to any new residences proposed on lots of record. In order to meet the intent of the policies contained within Section 3.7.4(1) of the Official Plan, however, an exception will be added to the current RU zoning to limit conflicting land uses within 300 metres of the MR and MR1 zones. Imposing a 300 metre buffer restriction has the same effect as rezoning all of Area B given the location of the property in relation to the adjacent MR and MR1 zones. The RU zone currently permits a range of uses including an agricultural use, detached dwelling, equestrian establishment and a kennel. The exception placed on the property will limit the permitted uses to only an agricultural use as the continuance of this use will not be in conflict with any future mineral aggregate extraction.

**RURAL IMPLICATIONS**

The retained land will be limited to agricultural uses. By limiting the permitted uses on the retained land any harmful or negative effects from a potential aggregate operation are mitigated.

**CONSULTATION**

Notice of this application was carried out in accordance with the City's Public Notification and Consultation Policy. A summary of public comments is detailed in Document 3.

**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**

The purpose of restricting development within 300 metres of lands designated 'Sand and Gravel Resource Area' is to protect conflicting land uses from one another. The role of the City is to protect the aggregate resource and prevent any development that could potentially preclude or hinder aggregate extraction. Similarly, the City is attempting to mitigate any potential negative effects associated aggregate extraction, such as noise, dust, and odours.

**FINANCIAL IMPLICATIONS**

There are no direct financial implications.

**ACCESSIBILITY IMPACTS**

There are no accessibility implications associated with this report.

**ENVIRONMENTAL IMPLICATIONS**

There are no environmental impacts associated with this report.

**TECHNOLOGY IMPLICATIONS**

There are no technology implications associated with this report.

**TERM OF COUNCIL PRIORITIES**

This report aligns to the following Term of Council priorities:  
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 Consultation Details

**DISPOSITION**

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

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

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

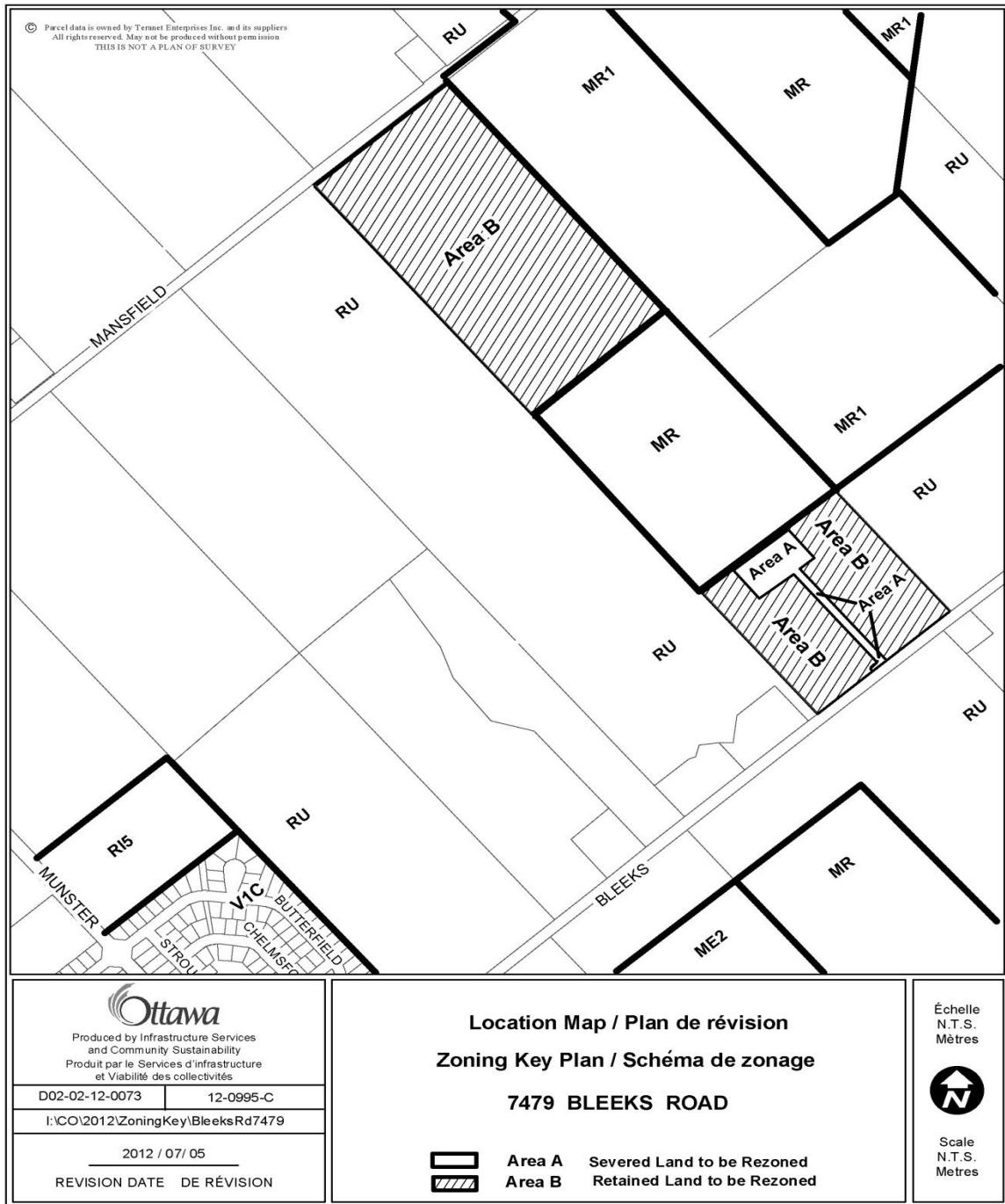
**AGRICULTURE AND RURAL  
AFFAIRS COMMITTEE  
REPORT 23A  
24 OCTOBER 2012**

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**COMITÉ DE L'AGRICULTURE ET  
DES AFFAIRES RURALES  
RAPPORT 23A  
LE 24 OCTOBRE 2012**

## LOCATION MAP

## DOCUMENT 1



**DETAILS OF RECOMMENDED ZONING**

DOCUMENT 2

1. Rezone the subject lands as follows:
  - a. Area A from RU to RU[XXXr]
  - b. Area B from RU to RU[YYYr]

**Proposed Changes to the Comprehensive Zoning By-law**

Area A

Add a new exception to Section 240 – Rural Exceptions with provisions similar in intent to the following:

- c. In column V the text:  
“-minimum lot width: 30 metres”  
“-the provisions of Section 67 do not apply”

Area B

Add a new exception to Section 240 – Rural Exceptions with provisions similar in intent to the following:

- d. In column IV the text:  
“-all uses except: -agricultural use”

**CONSULTATION DETAILS**

DOCUMENT 3

**NOTIFICATION AND CONSULTATION PROCESS**

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.

**PUBLIC COMMENTS**

**Comment**

West half of Lot 13 Concession 6 [7418 Mansfield] was designated 'Agricultural'. It was purchased this spring for 'Agricultural' use. I see no reason why you should now impose restrictions on neighbouring properties.

**Response**

The property municipally addressed as 7418 Mansfield is designated 'General Rural Area' and 'Sand and Gravel Resource Area' and zoned Mineral Aggregate Reserve Zone, Subzone 1 (MR1) and Rural Countryside Zone (RU). Both the MR1 and RU zone permit an agricultural use. No restrictions are being imposed on the property at 7418 Mansfield Road.

**Comment**

I keep wondering why the 300-metre no-development restriction is proposed to go beyond the applicant's MR/RU zoned property -- at this time?

In contrast, adjoining RU properties also have portions zoned as MR and presumably would only trigger the same 300-meter development restriction if/when a development application was to come forward.

**Response**

In accordance with Section 3.7.4 of the Official Plan, no development is permitted within 300 metres of a Sand and Gravel Resource Area. The development restriction is being placed only on the Applicant's property at 7479 Bleeks Road and not on neighbouring properties.

If homeowners on neighbouring properties wished to sever their property and create a new developable lot, they would be subject to the same restrictions imposed by the 300 metre setback distance.

Comment

Can you please help me understand what this zoning proposal is about? I live at 7383 and am quite concerned this has something to do with opening up a gravel or sand pit close to my home!

There is no way we need a pit on this road.

Response

This proposal has nothing to do with opening a new gravel or sand pit. If a proposal was brought forth to begin extraction, a major zoning amendment application would have to be submitted to change the Mineral Aggregate Reserve Zone (MR) to Mineral Extraction (ME). The purpose of this application is to allow the severance of the existing home, but not allow the introduction of an additional residential dwelling within 300 metres of the Sand and Gravel Resource Area.

Comment

Can I build on my existing lot of record?

Response

Section 3.7.4(3) of the Official Plan states:

*In recognition of existing lots of record, the City will permit the construction of a detached dwelling and accessory buildings subject to the following conditions:*

- a. *The lot fronts on a public road;*
- b. *The lot was created under the Planning Act prior to July 9, 1997;*
- c. *The use is shown as permitted in the zoning by-law;*
- d. *All requirements for private servicing requirements are met;*
- e. *New development will be sited on existing lots in order to minimize the impact upon future extraction of mineral aggregate resources.*