

# 6356 FOURTH LINE ROAD

Prepared by The Stirling Group in support of the Minor Zoning By-law Amendment Application

Planning Rationale &  
Urban Design Brief

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## 1. Introduction

This report has been prepared by The Stirling Group in support of the Minor Zoning By-Law Amendment application for the property located at 6356 Fourth Line Road in the City of Ottawa. The property is presently zoned Agricultural (AG) within the City of Ottawa Zoning By-law, 2008-250.

The Owner wishes to develop an Equestrian Establishment on the subject property and while that is a permitted use, Zoning By-Law 2008-250, Table 211 stipulates that the minimum lot area for an Equestrian Establishment under the Agricultural zone is 36 hectares. The approximate area of the subject property is 137,401.18 ft<sup>2</sup> or 1.28 hectares. Further, it states that the Minimum Lot Width is 90m whereas the subject property is 79.15m wide. All other provisions of an Equestrian Establishment within the Agricultural (AG) zone can be met.

In consultation with The City of Ottawa, it was determined that the best way to seek relief from these provisions was to undertake a Minor Zoning By-Law Amendment.

This Rationale will provide an overview of the proposed zoning and highlight the applicable planning policy.

## 2. Site Context

The property is located at 6356 Fourth Line Road in Ottawa. Legal Description; PT LT 16 CON 4 N GOWER PTS 3, 4 & 5, 5R8904; S/T NG7633; RIDEAU.

An aerial image on Page 4 shows the approximate boundaries of this 137,401.18 ft<sup>2</sup> or 3.15 acre site. The site is currently occupied by a dwelling and an Agricultural Use (barn for keeping livestock).

The subject site is surrounded by Agricultural uses including active farm operations to the East and West. Residential homes exist to the North and South.



### 3. Pre-Application Consultation and Study List

A virtual pre-application consultation meeting was held with the City of Ottawa on November 23<sup>rd</sup>, 2023. A further study list was provided on November 28<sup>th</sup>, 2023. The following is a list of studies completed in support of this amendment.

- Geotechnical Study
- Grading and Drainage Study
- Hydrogeological and Terrain Analysis
- Minimum Distance Separation
- Plan of Survey
- Planning Rationale
  - Urban Design Brief
  - Zoning Confirmation Report
- Site Plan

## 4. Proposal

The proposal is to amend the provisions of the Agricultural zone, through a Minor Zoning By-law Amendment with a site-specific exception, to permit an Equestrian Establishment to proceed on the subject property which has a lot area of 1.28 hectares whereas the bylaw requires a lot area of 36 hectares for such use. Further, the Minimum Lot Width provision needs to be amended to reflect a 79.15m lot width whereas the by-law requires 90m.

The Owner is proposing to develop an Equestrian Establishment to be used for Horse housing, training, and raising. The public would be able to access the establishment to house and ride their horse.

The existing house on the property would be demolished in time. It should be noted that at the Phase I Pre-consultation with the City of Ottawa, the existing house on the property was to remain. At the time of the Phase I Pre-Consultation, the dwelling located on the subject property was on the City of Ottawa non-designated Heritage List. Since that time, the City has undertaken a review of all properties on the Heritage Register due to Bill 23 requirements. Report ACS2024-PRE-RHU-0020 presented to Built-Heritage Committee on February 12, 2024, recommended removal of the dwelling at 6356 Fourth Line from the Heritage Register. This report was ultimately approved by Planning Committee and Council and thus the property has no heritage requirements any longer. Further, given its age, the house is rapidly declining and becoming unsuitable for habituating.

## 5. Provincial Policy Statement

The Provincial Policy Statement 2020 (PPS) provides policy direction on land use planning and development matters of provincial interest. Under Section 3 of the Planning Act, decisions affecting planning matters “shall be consistent with” the PPS. The proposed zoning amendment at 6356 Fourth Line Road is consistent with the policies in the PPS, notably;

### Section 1.1.5 – Rural Lands in Municipalities

*Section 1.1.5.8* of the PPS states ... “New land uses, including the creation of lots, and new or expanding livestock facilities, shall comply with the minimum distance separation formulae.”

- Section 8 of this letter discusses the Minimum Distance Separation formula in detail
- Through consultation with the City and the Ministry, the confirmed Minimum Distance Separation was calculated and confirmed to be 46m
- In short, the proposed Equestrian Establishment is confirmed to be 46+m away from all neighboring Type A land uses

### Section 2.3 – Agriculture

*Section 2.3.3* of the PPS defined Permitted Uses on Agriculture lands and further, *Section 2.3.3.1* states...

- In prime agricultural areas, permitted uses and activities are: **agricultural uses**, agriculture-related uses and on-farm diversified uses.
- Agricultural Uses is further defined in Section 6 (Definitions) of the PPS as “Agricultural uses: means the growing of crops, including nursery, biomass, and horticultural crops; **raising of livestock**; raising of other animals for food, fur or fibre, including poultry and fish; aquaculture; apiaries; agro-forestry; maple syrup production; and associated on farm buildings and structures, including, but not limited to livestock

facilities, manure storages, value-retaining facilities, and accommodation for full-time farm labour when the size and nature of the operation requires additional employment.”

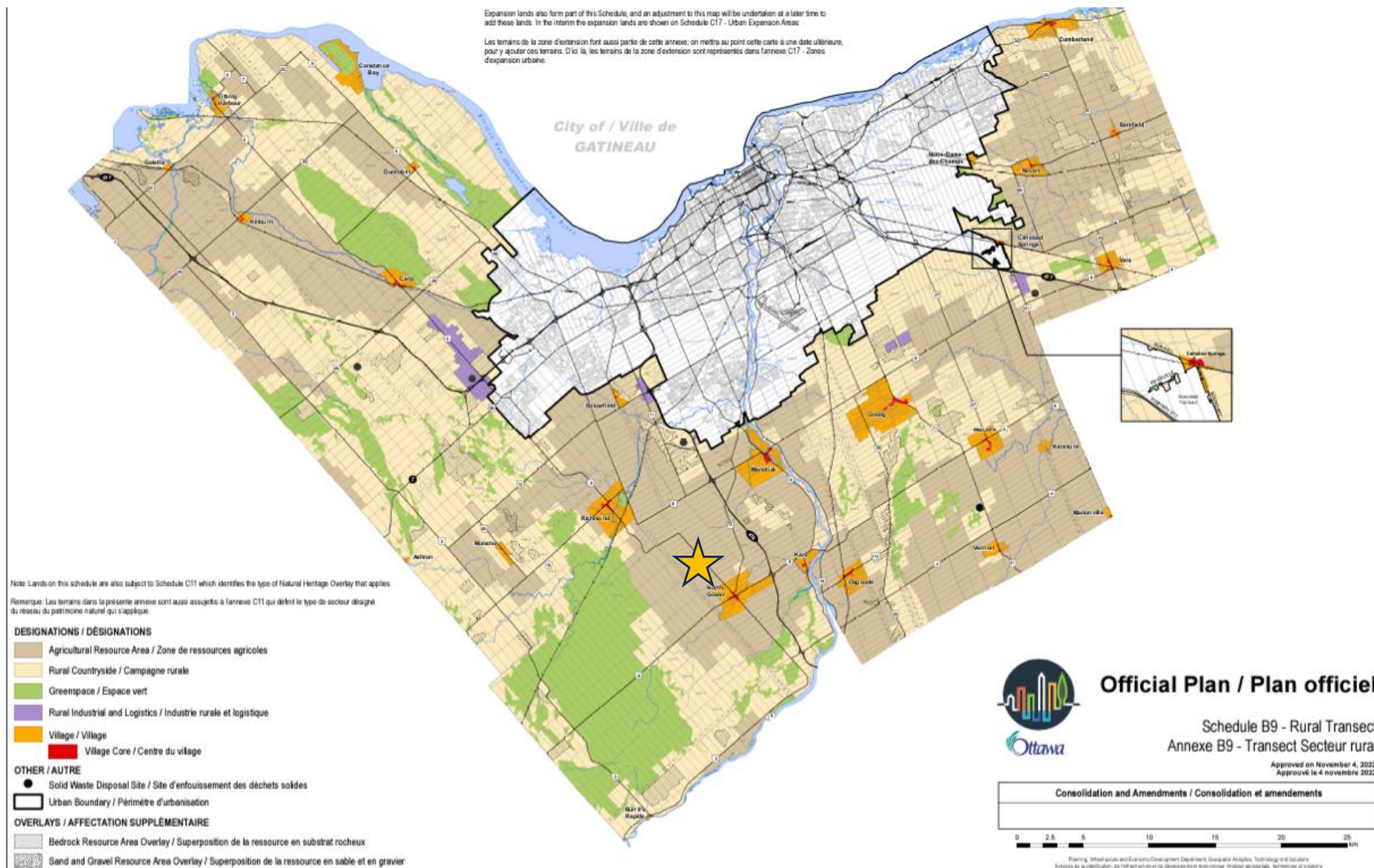
- *Given that the Provincial Policy Statement is a broad document and does not delve in to specifics, there is nothing within the PPS that defines or separates Equestrian Establishments or Equine related uses the way a Zoning By-Law does. Given this, it is clear that Equestrian Establishments would fall into the **Agricultural Uses** category given the below.*
  - *The proposal, to build an Equestrian Establishment, is to raise livestock. It is well documented that Horses are considered livestock*
    - *The Census of Agriculture completed by Statistics Canada notes Horses (or Equine) to be considered Livestock: <https://www150.statcan.gc.ca/n1/pub/96-325-x/2017001/article/54874-eng.htm>*
  - *This proposal would see on farm buildings and structures built including livestock facilities*
- Section 2.3.3.1 also states... “Proposed agriculture-related uses and on-farm diversified uses shall be compatible with, and shall not hinder, surrounding agricultural operations. Criteria for these uses may be based on guidelines developed by the Province or municipal approaches, as set out in municipal planning documents, which achieve the same objectives.”
    - *This proposal is compatible with the surrounding uses as the majority of uses surrounding the subject property are zoned Agricultural and are operating as Agricultural uses (growing of crops, raising of livestock).*
    - *The addition of an equestrian establishment in this area further promotes the Agricultural essence of this area within the City and does not hinder surrounding agricultural operations.*

## 6. Official Plan

The City of Ottawa Official Plan (OP) was approved in 2021 and adopted in late 2022. The new Official Plan outlines a comprehensive land use policy framework to guide growth and development within the city to the year 2046, including policies and schedules that address housing and growth management; long-term planning for employment and infrastructure; protect water resources, natural heritage and agricultural areas; manage non-renewable resources; plan for climate change; and safeguard public health and safety.

### Official Plan Designation

Schedule B9 – Rural Transect – designates the subject lands as “Agricultural Resources Area”. The figure shown on the subsequent page shows Schedule B9 and a yellow star is placed at the approximate location of the subject site.



Section 9.1 of the City of Ottawa Official Plan discusses the “Agricultural Resource Area” designation and states...

- Farmland accounts for approximately 40 per cent of Ottawa’s Rural area and is required by the Provincial Policy Statement to be protected for long-term use for agricultural production by limiting development that would compromise productivity of these operations.
- These lands are comprised of Class 1, 2 and 3 soils, as identified through a Land Evaluation and Area Review (LEAR) study. Lands designated Agricultural Resource Area may also include lands with other classes of soil in order to recognize their part in an agricultural system.
- Ottawa’s agrieconomy is a mix of agricultural operations including cash crop and livestock across approximately 1000 farm holdings, varying in size, and is a valuable industry which plays an important role to ensuring food security in the region.

Section 9.1.2 aims to “Support diversification of farming operations to increase local supply of goods and services in the rural regional economy”.

- On lands designated as Agricultural Resource Area, a variety of types, and intensities of agricultural uses and normal farm practices are permitted and shall be consistent with Provincial guidelines related to uses and practices in prime agricultural areas.
  - *The proposed Equestrian Establishment is considered to be an Agricultural use and is consistent with Provincial guidelines*
- On-farm diversified uses and agriculture-related uses that are compatible with and do not hinder surrounding agricultural operations are permitted subject to limitations on size, scale and location on the property as determined by the Zoning By-law. A Zoning By-law amendment is required for any increase to the permitted size of an on-farm diversified or agriculture-related use.
  - *The proposed Equestrian Establishment is certainly compatible with and does not hinder surrounding agricultural operations*
  - *As noted in Section 5 of this Rationale, the proposed Equestrian Establishment is to raise livestock (in this case, Horse or Equine)*

- *As this Rationale will discuss in Section 7, Equestrian Establishment is already a permitted use on the subject property and an amendment is not required to permit the use itself but rather to amend the specific provisions of an Equestrian Establishment within the AG zone.*
- *This proposal adds to and further cements this area as a significant contributor to the overall Agrieconomy within Ottawa*

## 7. Proposed Amendment to the Zoning By-law

Under the City of Ottawa Zoning By-law 2008-250, the subject property is zoned Agricultural (AG).

Permitted uses within the AG zone include:

- agricultural use
- agriculture-related use
- bed and breakfast
- Cannabis Production Facility
- detached dwelling
- environmental preserve and educational area
- **equestrian establishment**
- forestry operation
- group home
- home-based business,
- home-based daycare
- kennel
- on-farm diversified use
- additional dwelling unit

**Equestrian Establishment** is further defined within the City of Ottawa Zoning By-Law (2008-250), Section 54 as “Equestrian establishment means a commercial establishment where horses are housed or boarded and are available for riding, riding instruction, agility training or jumping.”

- As described throughout this Rationale, this is exactly what is proposed; an establishment where horses are housed and are available for riding, training, etc.

Table 211 within the Zoning By-law sets out AG Zone Provisions.

Zoning Mechanism	Requirement	Provided
Minimum Lot Width	90m	79.15m
Minimum Lot Area	36 ha	137,401.18 ft <sup>2</sup> OR 1.28 ha
Minimum Front Yard Setback	10m	10m
Minimum Rear Yard Setback	10m	84.41m
Minimum Interior Side Yard Setback	5m	5m
Minimum Corner Side Yard Setback	10m	N/A
Maximum Height	12m	~10m
Maximum Lot Coverage	20%	14.56%

A Minor Zoning By-Law Amendment is required to seek relief from the two provisions highlighted above; Minimum Lot Width and Minimum Lot Area. Discussion regarding the relief sought is provided on the subsequent pages.

Given the proposed use, an evaluation of **Section 62** – Minimum Distance Separation – of the City of Ottawa Bylaw is required. The By-Law States ... *“The development of new livestock operations or the expansion of existing livestock operations must comply with the minimum distance separation formulae of the Province of Ontario Ministry of Agriculture and Food. The minimum distance separation is applied between a livestock operation and another land use in order to minimize the impact of odours emanating from the livestock facility.”*

- The Minimum Distance Separation formulae has been run on the subject property and it was determined through consultation with the City of Ottawa and the Ministry of Agriculture and Food to be 46m
- This separation has been met and shown on the provided concept plan

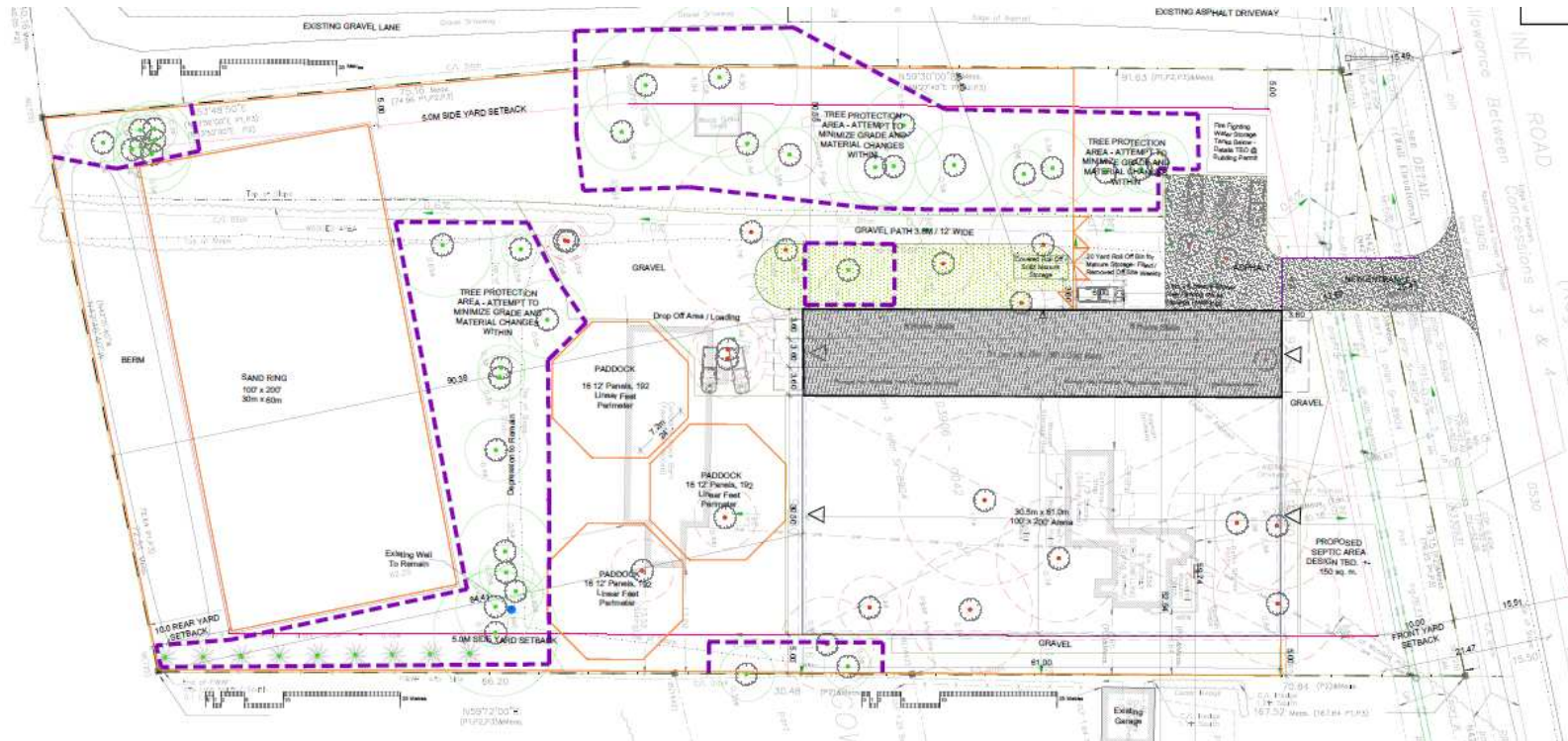
The City of Ottawa Zoning By-Law permits an Equestrian Establishment to proceed within a number of different zones. Below, a summary of the zones that permit Equestrian Establishment along with the coinciding provision within that zone surrounding Minimum Lot Width and Minimum Lot Area.

<b>Zone</b>	<b>Minimum Lot Width</b>	<b>Minimum Lot Area</b>
Agricultural (AG)	90m	36ha
Agricultural Subzone 1 (AG1)	60m	30ha
Agricultural Subzone 2 (AG2)	60m	18ha
Agricultural Subzone 3 (AG3)	60m	10ha
Agricultural Subzone 4 (AG4)	90m	45ha
Agricultural Subzone 5 (AG5)	60m	30ha
Agricultural Subzone 6 (AG6)	60m	18ha
Agricultural Subzone 7 (AG7)	60m	10ha
Agricultural Subzone 8 (AG8)	60m	5ha
Mineral Extraction (ME)	30m	10ha
Mineral Aggregate Reserve (MR)	30m	10ha
Rural (RU)	60m	2ha

It is clear, given the summary above, that the City acknowledges an Equestrian Establishment *can* function on varying lots with different widths and areas. It is believed that the AG zone stipulates a property with an Equestrian Establishment is to have an area of 36 hectares because in general, the AG zone aims to have large lot areas. The goal, of course, for Agricultural uses (farming operations predominantly) is to have a significant lot area to allow ample room for the permitted uses to function. The subject lot was created long before this Zoning By-law in 2008 and thus, the Lot Width and Area are an existing provision.









As shown in the concept plan on the following page, the subject property lot area of 1.28 hectares is in no way restricting the Equestrian Establishment to function as it should. There is ample space for the horses, their riding

and training needs and parking all while meeting the required setback provisions and lot coverage provision for the AG zone.



## 8. Minimum Distance Separation

Given the proposed Equestrian Establishment, compliance with the Minimum Distance Separation formulae created by the Province of Ontario Ministry of Agriculture and Food. The calculation has been run based on the existing facilities on the property and the proposed Equestrian Establishment and the below shows the agreed upon appropriate setbacks. The provided concept plan shows that the proposed facility is 46+M away from neighboring building.

Setback distance summary				
Description	Building setbacks		Storage setbacks	
Type A land uses	Minimum 46 m (151 ft)	Actual NA 	Minimum 46 m (151 ft)	Actual NA 
Type B land uses	Minimum 92 m (302 ft)	Actual NA 	Minimum 92 m (302 ft)	Actual NA 
Nearest lot line (side or rear)	Minimum 5 m (15 ft)	Actual NA 	Minimum 5 m (15 ft)	Actual NA 
Nearest road allowance	Minimum 9 m (30 ft)	Actual NA 	Minimum 9 m (30 ft)	Actual NA 

## 9. Scoped Urban Design Brief

At the Phase I Pre-Consultation Meeting, a handful of Urban Design comments were received.

- This proposal does not run along or does not meet the threshold in one of the City's Design Priority Areas and need not attend the City's UDRP. Staff will be responsible for evaluating the Urban Design Brief and providing design direction.
  - *Noted*
- If the site will provide access to the public, we recommend that a site plan illustrate the public access location, line of travel, parking area, pedestrian circulation, etc.
  - *Revised concept plan provided with this submittal that shows this*
- An Urban Design Brief is a required submittal and can be combined with the planning rationale. The Urban Design Brief can contain the new building reference images and a site plan drawing. Please include any landscaping improvements to the site plan drawing.
  - *Please see below images and site plan drawing. Note that the Site Plan document makes reference to landscaping improvements that are proposed to be made*

## 100 X 200 Arena Reference Images





## 10. Conclusion

Based on a thorough review and understanding of the proposed request and the applicable policy, it is our opinion that the proposed amendment to the Zoning by-law is minor in nature.

### **CONSISTENT WITH THE PROVINCIAL POLICY STATEMENT**

The proposed amendment is consistent with the Provincial Policy Statement (PPS) by preserving Agricultural Lands and proposing an Agricultural related use.

### **CONFORMS TO THE CITY OF OTTAWA OFFICIAL PLAN (adopted 2021, approved 2022)**

The proposed zoning amendment conforms to the City of Ottawa Official Plan designation “Agricultural Resource Area”. The proposed Equestrian Establishment is compatible with and does not hinder surrounding agricultural operations. The proposed Equestrian Establishment would be utilized to raise livestock (in this case, Horse or Equine). Equestrian Establishment is already a permitted use on the subject property and an amendment is not required to permit the use itself but rather to amend the specific provisions of an Equestrian Establishment within the AG zone. This proposal adds to and further cements this area as a significant contributor to the overall Agrieconomy within Ottawa.

In our opinion, the proposed amendment achieves the objectives of good planning and is in the public interest.

*Allison Clarke*