MINOR RE-ZONING BY-LAW AMENDMENT APPLICATION
DELEGATED AUTHORITY REPORT
MANAGER, DEVELOPMENT REVIEW

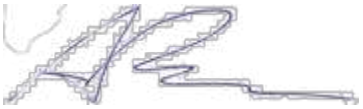
Location of Minor Re-zoning:	5940 Brophy Drive
File No.:	D02-02-25-0008
Date of Application:	February 4, 2025

This MINOR RE-ZONING BY-LAW AMENDMENT application, for the land zoned Agricultural Zone (AG) in Zoning By-law 2008-250, as shown on the attached Zoning Key Map, submitted by Kathryn Curry, Jp2g Consultants, on behalf of Jane Blanchette and Linda Dumoulin, is to fulfill the condition of a surplus farm dwelling severance, as detailed in the attached Supporting Documentation.

This application was processed as a minor re-zoning under the minor re-zoning category of zoning changes required as a condition of severance, and that includes a surplus farm severance.

This MINOR RE-ZONING BY-LAW AMENDMENT IS RECOMMENDED TO BE APPROVED and the following action is required:

1. That the Zoning Map of Zoning By-law 2008-250 be amended to amend the zoning over 5940 Brophy Drive so that it reads Agricultural Zone, Subzone 5 (AG5).



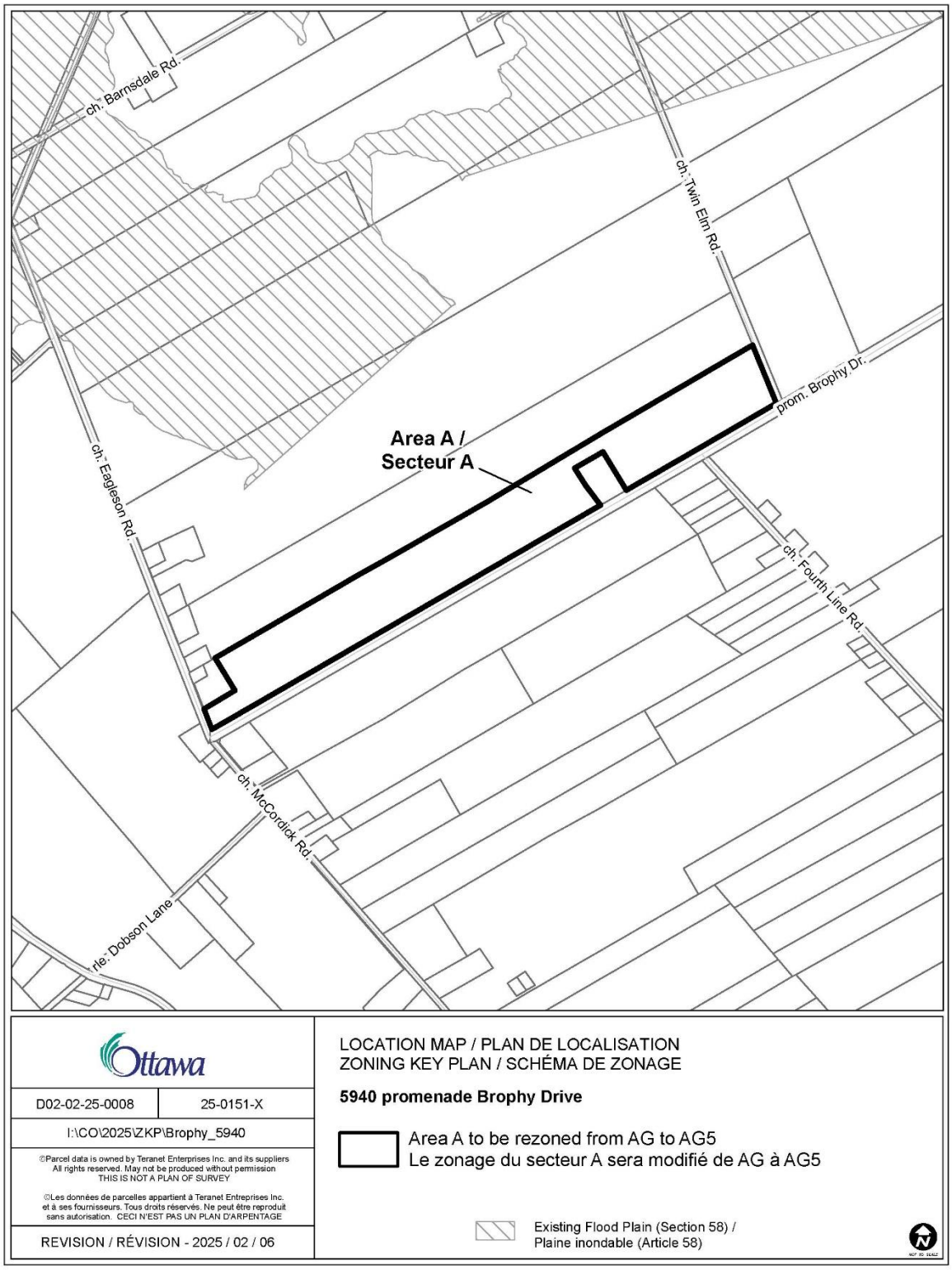
14 April 2025

Date

Adam Brown,
Manager, Development Review
Planning, Development and Building Services Department

Enclosures: Minor Re-zoning By-law Amendment Supporting Information

Document 1: Location Map / Zoning Key Map



MINOR RE-ZONING BY-LAW AMENDMENT APPLICATION
SUPPORTING INFORMATION

File Number: D02-02-25-0008

SITE LOCATION

5940 Brophy Drive, as shown on Document 1.

SYNOPSIS OF APPLICATION

The subject property is an irregular lot measuring 42.2 hectares in area. The property fronts onto Brophy Drive, between Eagleson Road and Twin Elm Road. The site consists of a detached residential dwelling, a garage, an accessory building, and agricultural land.

Currently the property is zoned Agricultural Zone (AG) and is designated as Agriculture Resource Area under Schedule B9 of the Official Plan. The Zoning By-Law Amendment application is to fulfill a condition of approval for a Consent to Sever application granted by the Committee of Adjustment on December 20, 2024. Condition number 4 of provisional consent asserts that the applicant must obtain a Zoning By-Law Amendment to prohibit residential development on the severed lands. The application requests to rezone the severed lands from Agricultural Zone (AG) to Agricultural Subzone 5 (AG5). This zone is used for farm consolidation where a severance of a surplus farmhouse has occurred; it prohibits all residential uses. Section 9.1.3 of the Official Plan indicates that a maximum of one lot may be created from an existing farm holding, provided that the retained lands are transferred to an existing farm operation. It additionally requires the retained lands to be re-zoned to prohibit residential uses as a condition of the severance. This is in alignment with section 4.3.3 of the Provincial Planning Statement which permits the creation of one new residential lot per farm consolidation for a residence surplus to an agricultural operation provided that any additional residential development is prohibited on the remaining parcel of farmland.

The severed farmlands will have an area of 40.6 hectares and will be conveyed to the adjacent farm property, known municipally as 3325 Eagleson Road. The 1.6 hectares of retained lands will remain municipally known as 5940 Brophy Drive and will consist of the existing dwelling, the garage, and the accessory building.

DECISION AND RATIONALE

This application is approved for the following reasons:

- The proposal conforms to the City of Ottawa's Official Plan, particularly the policies in section 9.1.3 – Protect farmland from uses that would impede productive farming operations as they relate to surplus farm dwelling severances.

- Staff have reviewed the proposal and have determined that it is consistent with the 2024 Provincial Planning Statement.

RELATED APPLICATIONS

Consent Application D08-01-24/B-00183

CONSULTATION DETAILS

Councillor David Brown provides concurrence for delegated authority for this report.

and

Councillor David Brown indicated that there are no concerns with the re-zoning application.

Public Comments

Summary of Comments - Public

This application was subject to the Public Notification and Consultation Policy requirements for minor re-zoning amendment applications.

Technical Agency/Public Body Comments

Summary of Comments –Technical

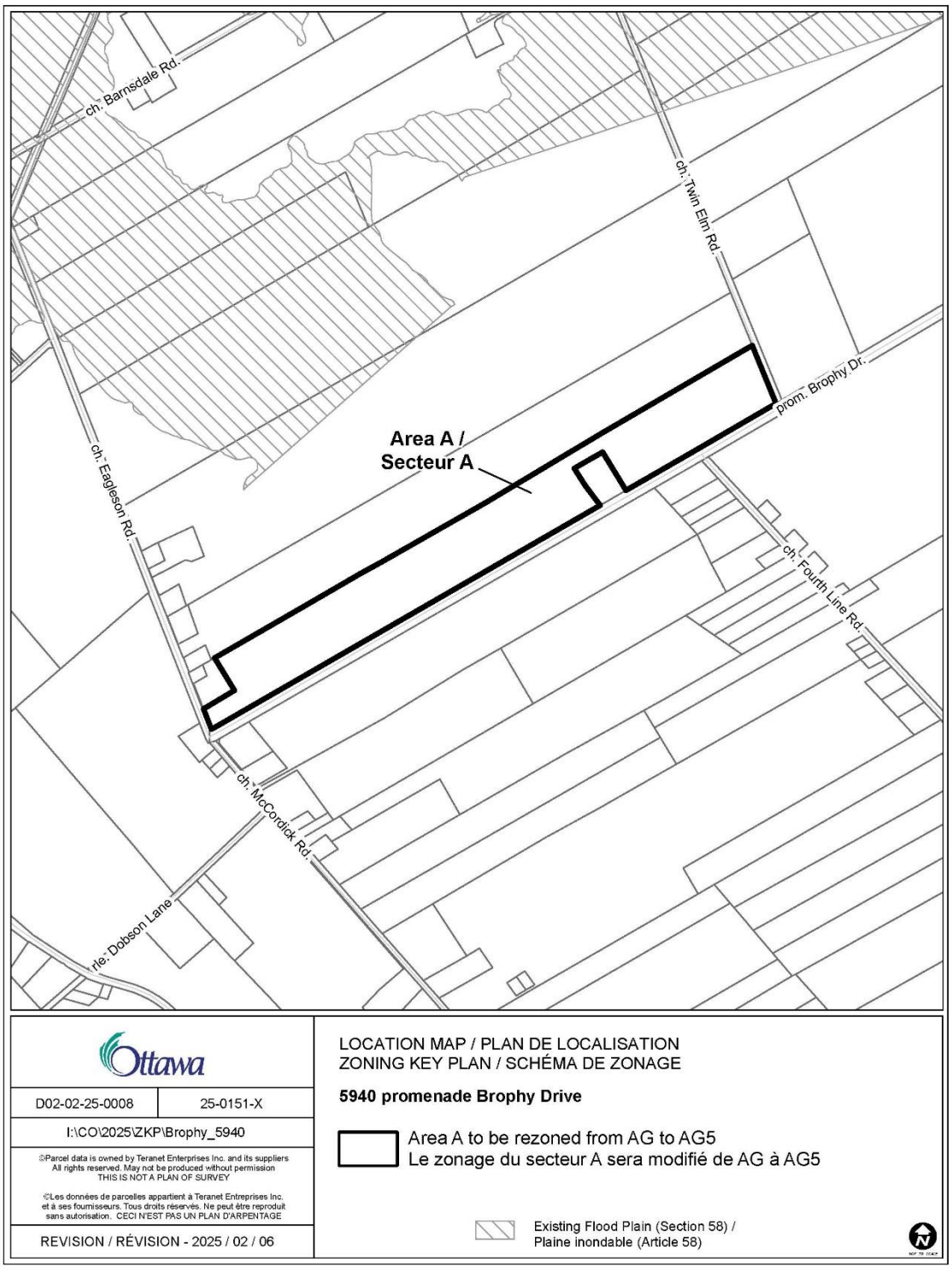
Enbridge Gas has no concerns with the re-zoning application.

Rideau Valley Conservation Authority (RVCA) has reviewed this application with no objection to the proposed Zoning By-law Amendment. The RVCA has noted that any future development activity within 15 metres of the watercourse on the site will be subject to a permit pursuant to section 28.1 of the Conservation Authorities Act. There is no development proposed on the site.

APPLICATION PROCESS TIMELINE STATUS

This Minor Re-zoning application was processed by the On Time Decision Date established for the processing of an application that has Manager Delegated Authority.

Contact: Jerrica Gilbert Tel: 613-580-2424 ext. 16972 or e-mail:

jerrica.gilbert@ottawa.ca

Location Map