

REGION OF OTTAWA-CARLETON
RÉGION D'OTTAWA-CARLETON

REPORT
RAPPORT

Our File/N/Réf. 29-00-0110
Your File/V/Réf.

DATE 29 November 2000

TO/DEST. Co-ordinator
 Planning and Environment Committee

FROM/EXP. Planning and Development Approvals Commissioner

SUBJECT/OBJET **APPEAL TO OMB**
 TOWNSHIP OF WEST CARLETON
 ZONING BY-LAW NO. 86 of 2000
 THUNDERBIRD GOLF COURSE EXPANSION
 PART LOT 6 CONCESSION 1 (HUNTLEY))

RECOMMENDATION

That the Planning and Environment Committee recommend that Council confirm Regional staff's Ontario Municipal Board appeal of the Township of West Carleton's Zoning By-law No. 86 of 2000.

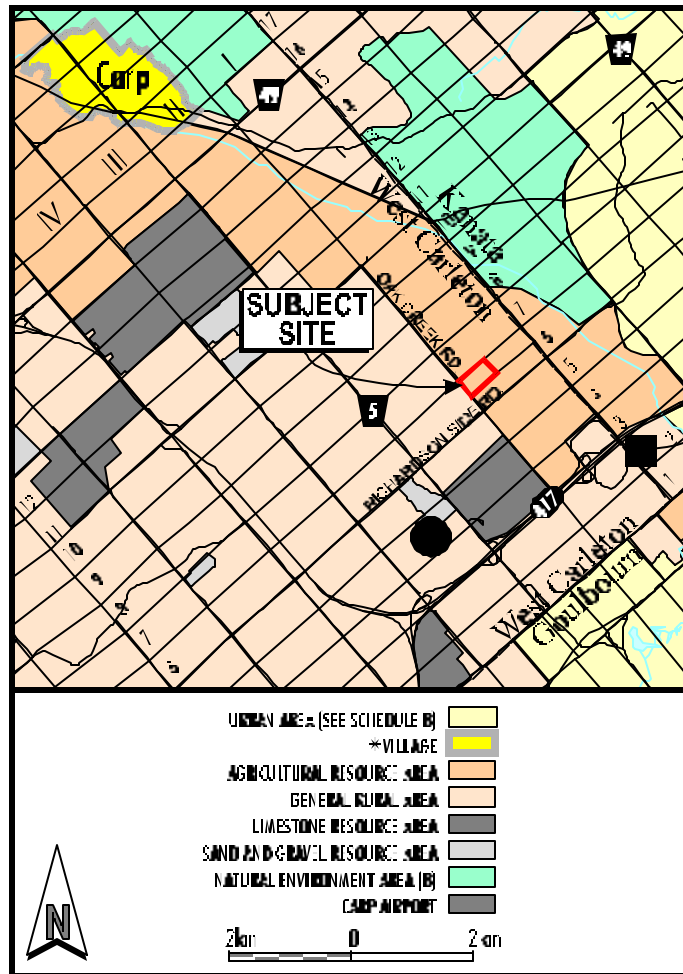
INTRODUCTION

On 7 November, 2000 the Township passed the By-law described above under Section 34 of the Planning Act. The purpose of By-law 86 of 2000 is to rezone a 9.41 hectare (24 acres) parcel of land to permit the expansion of an additional 9 holes for use in conjunction with the existing Thunderbird par 3 golf course on the south side of Bradley's Side Road in West Carleton. The effect of By-law 86 of 2000 is to rezone the subject lands from Rural (RU) to Open Space (OS) in the Township's Official Plan document. The lands subject to By-law 86 of 2000 are located in an "Agricultural Resource Area" designation in the Regional Official Plan. The policies associated with this designation do not permit the proposed use.

This By-law does not conform to the Regional Official Plan or to the Provincial Policy Statement and staff are recommending that By-law No. 86 of 2000 should be appealed.

LOCATION

The subject site is located on part of Part of Lots 1 Concession 1 (Huntley).



BACKGROUND

The subject lands are designated “Agricultural Resource Area” in the Regional Official Plan (ROP). The policies associated with this designations **do not** permit the use proposed.

The Provincial Policy Statement for Agriculture states that the permitted uses in Prime Agricultural Areas are agricultural and agriculture related uses. The ROP implements the Provincial Policy Statement. Golf courses are not permitted in the “Agricultural Resource Area” and the OS zoning to permit an expansion of a golf course does not conform to the Regional Official Plan. The intent of the “Agricultural Resource Area” designation is to designate blocks of land where the primary use is agriculture and not permit new uses which could result in potential land use conflicts that could adversely affect the long-term viability of the farming in the area. As such, the proposed zoning by-law is not in conformity with the objectives of the "Agricultural Resource Area" designation in the Regional Official Plan.

CONCLUSION

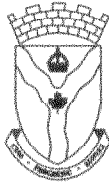
Zoning By-law 86 of 2000 does not conform with the policies for development in the “Agricultural Resource Area” designation in the ROP and should be appealed.

*Approved by
N. Tunnacliffe, MCIP, RPP*

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Legal Department

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ANNEX 1

File No. O.1.2.76

29 November, 2000

Monica Ceschia
Township Clerk
Township of West Carleton
5670 Carp Road
Kinburn, ON KOA 2H0

Dear Ms. Ceschia:

Re: Appeal to the OMB Township of West Carleton Zoning By-law No.86 of 2000

The Regional Municipality of Ottawa-Carleton hereby appeals Township of West Carleton Zoning By-law No.86 of 2000 pursuant to the *Planning Act*, Section 34(19). The reasons for this appeal are as follows:

1. The lands are legally described as Part Lot 6, Concession 1, formerly Township of Huntley, Township of West Carleton. The purpose of By-law 86 of 2000 is to rezone a 9.41 hectare (24 acres) parcel of land to permit the expansion of an additional 9 holes for use in conjunction with the existing Thunderbird par 3 golf course on the south side of Bradley's Side Road in West Carleton. The effect of By-law 86 of 2000 is to rezone the subject lands from Rural (RU) to Open Space (OS) in the Township's Official Plan document. The lands subject to By-law 86 of 2000 are located in an "Agricultural Resource Area" designation in the Regional Official Plan. The policies associated with this designation do not permit the proposed use. Therefore By-law 86 of 2000 does not conform to the Regional Official Plan nor to the Provincial Policy Statement.
2. Non-farm residential development is not a permitted use in the "Agricultural Resource Area" designation in the Regional Official Plan. Golf courses are not permitted in the "Agricultural Resource Area" the OS zoning to permit an expansion of a golf course does not conform to the Regional Official Plan. Such new uses would result in potential land use conflicts that could adversely affect the long-term viability of the farming operation. As such, the proposed zoning by-law is not in conformity with the objectives of the "Agricultural Resource Area" designation in the Regional Official Plan.
3. Non-farm related lot development is permitted under very limited circumstances and when specific criteria are met.

Such further and other grounds as counsel may advise and the Ontario Municipal Board permit.

Enclosed please find a cheque in the amount of \$125.00 payable to the Minister of Finance.

Yours truly,

A handwritten signature in cursive script that reads "A. Taschereau". The signature is written in dark ink and is positioned above the typed name.

Alexia Taschereau

Solicitor

AT/ce

Attach.(1)

cc Jack W. Toppari