

Our File/N/Réf. (23) 05-98-0023
 Your File/V/Réf.

DATE 10 March 1998

TO/DEST. Co-ordinator, Planning and Environment Committee

FROM/EXP. Commissioner, Planning and Development Approvals Department

SUBJECT/OBJET **REQUEST BY THE VILLAGE OF ROCKCLIFFE PARK
 TO LEAVE THE REGIONAL LAND DIVISION COMMITTEE
 AND ASSUME RESPONSIBILITY FOR LAND SEVERANCES
 (CONSENTS)**

DEPARTMENTAL RECOMMENDATIONS

That the Planning and Environment Committee recommend that Council:

- 1. Delegate the authority to grant consents to the Village of Rockcliffe Park, and;**
- 2. Adopt the by-law attached as Annex I.**

INTRODUCTION

Regional Council is the approval authority for severance applications in the Townships of Goulbourn, Osgoode, Rideau and West Carleton and the Village of Rockcliffe Park. This authority has been delegated to a Land Division Committee. Elsewhere in Ottawa-Carleton, severance approval rests with the local municipalities. However, apart from the Township of Cumberland, i.e., in the cases of Ottawa, Nepean, Gloucester, Kanata and Vanier, this authority predated the creation of the Regional Municipality (Cumberland was delegated severance approvals in 1992).

As part of staff's discussions with local municipalities on a draft report examining options for restructuring the Land Division Committee, the Village of Rockcliffe Park has adopted the following motion:

“Resolved that the Council of the Village of Rockcliffe Park indicate to the Regional Municipality of Ottawa-Carleton that the Village wishes to assume local responsibility for property severances in the future”.

DISCUSSION

Severances are not a major activity in Rockcliffe Park - there were only 10 applications in the 10 years from 1988-1997 and two applications to date in 1998.

It is most unlikely that a severance application in Rockcliffe Park would raise an issue of Regional concern and, as such, the situation is quite different from the rural area where severance activity is a much greater Regional interest, not just in terms of the number of severances granted (4,000 between 1975 and 1996, or one-third of the total number of rural lots created) but, also, because of the potential impacts on resources of Regional significance (e.g., agriculture, minerals, wetland). In the rural area there is, therefore, much more at stake for the Region, and it is of benefit if the rural municipalities are served by a single Land Division Committee to help bring a consistent approach to lot creation. Another advantage is that it is easier for the Region to monitor the decision of one committee than of several committees of adjustment with regard to the need to determine where appeals to the OMB may be necessary in order to protect the Region's interests.

In summary, as the nature and quantity of severance applications in Rockcliffe Park are unlikely to affect the Region's interest, there is no special advantage to the Region in having the Village remain a member of the Land Division Committee.

When Council delegated its approval authority to the municipalities noted above, it did so subject to several conditions. In summary these are:

- The municipality shall have regard to the Regional Official Plan, the local official plan and to Provincial policies issued under the Planning Act.
- The municipality shall provide the RMOC with a copy of all applications prior to making a decision and a copy of the decision.
- The municipality shall comply with rules and procedures prescribed by the Ministry of Municipal Affairs and Housing.
- Every January and July the municipality shall file a statistical report on the number of applications by type and location and their disposition.
- The municipality shall hold a public hearing when requested by the applicant or a circulated agency.

These same requirements should also apply to Rockcliffe Park.

CONSULTATION

Rockcliffe Park's request resulted from consultation initiated by Regional staff with each local municipality. No wider consultation is deemed necessary.

FINANCIAL IMPLICATIONS

In view of the very few severances that have occurred in Rockcliffe Park (one a year) any loss in application fees or savings in staff time is insignificant.

Although Rockcliffe Park has been a member of the Land Division Committee since its formation in 1971, it has only once (for the year 1992), appointed a representative. As a consequence, there have been no costs (and hence no future savings) in terms of the member's honorarium and mileage expenses.

*Approved by
N. Tunnacliffe, MCIP, RPP*

THE REGIONAL MUNICIPALITY OF OTTAWA-CARLETON

BY-LAW NO. OF 1998

A by-law pursuant to Section 54 of The Planning Act, R.S.O. 1990 delegating authority to the Council of the Village of Rockcliffe Park

WHEREAS pursuant to Section 54 of The Planning Act, R.S.O. 1990, Council may delegate to the Council of a constituent local municipality the authority to give Consents in accordance with Section 53 of The Planning Act, R.S.O. 1990, in respect to land in the local municipality.

AND WHEREAS the Village of Rockcliffe Park has requested Council to delegate to it authority to give consents.

AND WHEREAS Council has agreed to the request.

NOW THEREFORE the Council of the Regional Municipality of Ottawa-Carleton, pursuant to Section 54 of The Planning Act, R.S.O. 1990, ENACTS AS FOLLOWS:

Delegation of Authority

1. The Council hereby delegates to the Council of the Village of Rockcliffe Park the authority to give consents under Section 53 of The Planning Act, R.S.O. 1990 in respect to land situated in the local municipality.
2. The delegation of authority for the giving of consents pursuant to Paragraph 1 shall be subject to the following conditions:
 - a) The Council of the Village of Rockcliffe Park shall have regard to whether the consent conforms to the Official Plan of the Ottawa-Carleton Planning Area, the Official Plan of the Planning Area of the Village of Rockcliffe Park and policy statements that have been issued in accordance with Section 3 of The Planning Act, R.S.O. 1990.
 - b) The Village of Rockcliffe Park shall provide the Planning and Development Approvals Commissioner of the Regional Municipality of Ottawa-Carleton with,
 - i) a copy of all applications within the prescribed time period prior to the making of a decision and,

- ii) a copy of the decision in respect of such application within the prescribed time period after the making of the decision
- c) The Village of Rockcliffe Park shall comply with such rules and procedures as prescribed by the Minister of Municipal Affairs and Housing,
- d) The Village of Rockcliffe Park shall, every January and July, complete and file with the Planning and Development Approvals Commissioner of the Regional Municipality of Ottawa-Carleton a statistical report of the number of consent applications by type and location and the disposition thereof,
- e) The Village of Rockcliffe Park shall hold a public hearing with appropriate time and place when requested by the applicant or a circulated agency and may otherwise hold a public hearing as deemed necessary.

ENACTED AND PASSED this day of 1998.

REGIONAL CLERK

REGIONAL CHAIR