

Subject: Zoning By-law Amendment - 1111 Prince of Wales Drive

File Number: ACS2022-PIE-PS-0139

Report to Planning Committee on 27 October 2022

and Council 9 November 2022

**Submitted on October 12, 2022 by Derrick Moodie, Director, Planning Services,
Planning, Real Estate and Economic Development**

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Ward: River (16)

**Objet : Modification du Règlement de zonage – 1111, promenade Prince of
Wales**

Dossier : ACS2022-PIE-PS-0139

Rapport au Comité de l'urbanisme

le 27 octobre 2022

et au Conseil le 9 novembre 2022

**Soumis le 12 octobre 2022 par Derrick Moodie, Directeur, Services de la
planification, Direction générale de la planification, des biens immobiliers et du
développement économique**

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REPORT RECOMMENDATIONS

- 1. That Planning Committee recommend Council refuse an amendment to Zoning By-law 2008-250 for 1111 Prince of Wales Drive, as shown in Document 1, for an expanded parking lot.**

2. That Planning Committee approve the Consultation Details Section of this report be included as part of the ‘brief explanation’ in the Summary of Written and Oral Public Submissions, to be prepared by the Office of the City Clerk and submitted to Council in the report titled, “Summary of Oral and Written Public Submissions for Items Subject to *the Planning Act* ‘Explanation Requirements’ at the City Council Meeting November 9, 2022, subject to submissions received between the publication of this report and the time of Council’s decision.

RECOMMANDATIONS DU RAPPORT

1. Que le Comité de l’urbanisme recommande au Conseil de refuser une modification du Règlement de zonage 2008-250 visant le 1111, promenade Prince of Wales, un bien-fonds illustré dans le document 1, devant permettre l’agrandissement d’une aire de stationnement.
2. Que le Comité de l’urbanisme donne son approbation à ce que la section du présent rapport consacrée aux détails de la consultation soit incluse en tant que « brève explication » dans le résumé des observations écrites et orales du public, qui sera rédigé par le Bureau du greffier municipal et soumis au Conseil dans le rapport intitulé « Résumé des observations orales et écrites du public sur les questions assujetties aux ‘exigences d’explication’ aux termes de la *Loi sur l’aménagement du territoire*, à la réunion du Conseil municipal prévue le 9 novembre, 2022 », sous réserve des observations reçues entre le moment de la publication du présent rapport et la date à laquelle le Conseil rendra sa décision.

BACKGROUND

Learn more about [link to Development Application process - Zoning Amendment](#)

For all the supporting documents related to this application visit the [link to Development Application Search Tool](#).

Site location

1111 Prince of Wales Drive

Owner

498793 Ontario Inc.

Applicant

Novatech

Description of site and surroundings

The property is located at the north-east corner of Heron Road and Prince of Wales Drive. The subject site is developed with a four-storey office building with 73 underground parking spaces and a surface parking lot with 90 parking spaces, for a grand total of 163 parking spaces. The remainder of the site is comprised of soft landscaping, trees and shrubs.

The lands to the west, across Prince of Wales Drive, are part of the research fields of the Central Experimental Farm, lands to the south, across Heron Road, are vacant, leisure recreation lands and low-density residential. Lands to the east are developed with a three-storey office building and a place of worship. The abutting site to the north, 1107 Prince of Wales, is vacant and used by the applicant for additional vehicular parking. A three-storey office building is located further to the north. Across the intersection to the south-east is a local commercial plaza. A sheltered OC Transpo bus stop is found at the Heron Road and Prince of Wales Drive intersection immediately adjacent to the site.

Summary of requested Zoning By-law amendment proposal

The site is currently zoned General Mixed-Use with a floor space index of 1.0 (GM F(1.0)). The zone permits a wide variety of uses, such as medical facility, restaurant, retirement home and office.

The site also falls within the “Maximum Limit on Number of Parking Spaces Near Rapid Transit Stations” – Section 103 in the City’s Zoning By-law. The site is within Area B on Zoning By-law Schedule 1 and has an active entrance located within 600 metres of a rapid-transit station as shown on Zoning By-law Schedule 2A. The Zoning By-law limits the maximum parking for this location to 2.2 spaces per 100 square metres of gross floor area (GFA). The site currently contains office spaces of 5,850 square metres of GFA, and accordingly, the maximum parking space permitted is 127 spaces.

The current total number of parking spaces on site, including underground and surface parking, is 163 which already exceeds the allowable number, however, they are permitted to continue, as the site was developed prior to this zoning provision being established therefore it enjoys a legal non-conforming right. At this time, the applicant

also rents space on the abutting vacant property (1107 Prince of Wales) to provide 160 additional parking spaces for their tenants at 1111 Prince of Wales Drive.

The applicant is proposing to add 134 surface parking spaces, resulting in a total of 297 vehicular parking spaces on the property (underground and surface). The rezoning request for an additional surface parking lot is based on the prospect of the abutting site at 1107 Prince of Wales being developed and the applicant losing the rented 160 parking spaces.

DISCUSSION

Public consultation

In accordance with the City's Public Notification and Consultation Policy, two signs were erected on the site, and residents within 120 metres were notified of the proposal by mail. Local registered community groups were also notified.

Comments were received from one member of the public and their comment is summarized in Document 2.

For this proposal's consultation details, see Document 2 of this report.

Official Plan designation(s)

Current Official Plan

The property is designated in Schedule B of the Official Plan, as General Urban Area. Prince of Wales Drive is also identified as a Scenic Entry Route on Schedule I.

The General Urban Area permits a wide range of uses from residential to retail, entertainment and institutional uses and those that generate traffic and noise. Land uses that serve and draw from a wider part of the City and that require car and truck access and parking will be located at the edges of neighbourhoods. Policy 3.6.1 (9d) states that the visual impact of parking lots must be minimized. Transportation Policy 2.3.1 (32 b,c) state that the City will limit the supply of long-term parking to balance transit ridership objectives and will regulate the minimum and maximum parking requirements for development within 800 metres of a future rapid transit station.

New Official Plan

The site is located in the Inner Urban Transect, as shown on Schedule B2, with an Evolving Neighbourhood Overlay and along an at-grade Transitway, as shown on

Schedule C2. Prince of Wales Drive is also identified as a Scenic Route on Schedule C13.

The Inner Urban Transect seeks to prioritize walking, cycling and transit. Policy 5.2.1 (5) states that the Inner Urban Area is planned for development with no on-site parking or where parking is provided in a common parking area. Policy 5.2.2 (3) explains further that accessory surface parking close to planned rapid transit shall be limited in size and location.

Other applicable policies and guidelines

The site is within the Carleton Heights Secondary Plan and is designated as Minor Shopping Area which is to include local, neighbourhood shopping facilities, and Neighbourhood Mid-Rise which permits building forms up to six-storeys in height.

Planning rationale

The site currently uses the underground parking and surface parking lots to the maximum capacity and also rents land at the abutting, vacant site at 1107 Prince of Wales for an additional 160 parking spaces, providing a total of 323 parking spaces, far beyond the permitted maximum parking space under the Zoning By-law. This application is a precautionary action from the owner in case 1107 Prince of Wales Drive is developed and as a result, there will be insufficient parking to support the offices and businesses at 1111 Prince of Wales Drive.

The Zoning By-Law limits the number of parking spaces permitted within 600 metres of a rapid transit station as shown on the pertinent zoning schedules. The Official Plans discourage the expansion of surface parking lots in such locations with the intent to shift toward sustainable modes of transportation. The site directly abuts the future Baseline Bus Rapid Transit (BRT) route that is within the 2031 Affordable Network. The future intent for this area is to develop in a manner that is transit-supportive with an ultimate reduction in vehicular parking spaces. As per Official Plan policies and the Zoning By-Law, an expanded parking lot is not the desirable use for this location.

Staff recognize that the Baseline BRT Environmental Assessment was approved in 2017 and is currently in the detailed design phase, however, it has no confirmed schedule for funding and construction. Although it is within the City's 2031 Affordable Timeline, the timing for funding and/or construction cannot be confirmed at this time.

Under the new Official Plan, Policy 11.6 (9) states that the City may authorize, through a Zoning By-Law Amendment, the temporary use of lands that would otherwise be

prohibited by the City's Zoning By-law. Staff explored the possibility of using a temporary use by-law to permit the requested additional parking spaces on a temporary basis, that the by-law would expire over a period of time, and the City would be under no obligation to renew the temporary use by-law. The permission for the temporary parking lot would also need to be tied with a holding provision, "h", since the need for the additional parking will only be triggered when the owner loses the parking spaces that are currently being rented at the adjacent site. The detail of this alternative solution is included in Document 5.

However, there lacks sufficient evidence of why the owner/business tenants need so many parking spaces, and why other alternatives cannot be explored, for example, whether the business operation model can be adjusted, or employees can be provided with incentives to use sustainable transportation modes. There is also the potential for OC Transpo to review and adjust its services to this location if warranted.

Therefore, although a temporary use by-law in combination with a holding provision may be used and will be effective to address the interim parking challenge that the property owner and its tenants may face prior to the completion of the Baseline BRT, staff have concluded that allowing temporary parking on the site is still inconsistent with the general intent of the Official Plans, and that the objective to encourage the gradual transition toward sustainable modes of transportation should be upheld.

Other authority's approval

The site is also subject to a restrictive covenant in favour of the National Capital Commission (NCC) which was placed on the property when the NCC transferred the property in 2006. The restrictive covenant deals with the landscaped corner at Heron Road and Prince of Wales Drive as it is part of a 'scenic entry' to the Central Experimental Farm. The applicant has met with the NCC and has revised the proposed site plan to reduce the original number of proposed parking spaces and increased the amount of landscaping. The revised plan is shown in Document 4.

Provincial Policy Statement

Staff have reviewed this proposal and have determined that it is NOT consistent with the 2020 Provincial Policy Statement.

RURAL IMPLICATIONS

There are no rural implications.

COMMENTS BY THE WARD COUNCILLOR

Councillor Brockington provided the following comments:

“I support the Planning Department’s recommendation to refuse this application.

In January 2021, I informed residents in the immediate vicinity, as well as the Carleton Heights and Area Residents’ Association of the application. There was no support to construct another parking lot on the subject property.

The proximity to the future Baseline Rapid Bus Corridor does not make sense to add a new lot, given that the current lot provides above the required number of parking spaces.”

ADVISORY COMMITTEE(S) COMMENTS

The advisory committees were not circulated for this file.

LEGAL IMPLICATIONS

There are no legal impediments to implementing the recommendations of this report.

If the applicant chooses to appeal the refusal, Legal Services expects that a 3-day hearing would result. Such a proceeding could be conducted with available Legal Services resources. A staff planning expert could be utilized, but an external parking expert may need to be retained for the hearing.

RISK MANAGEMENT IMPLICATIONS

There are no risk implications.

ASSET MANAGEMENT IMPLICATIONS

For the proposed zoning, servicing requirements will need to be carefully considered at time of site plan submission.

FINANCIAL IMPLICATIONS

There are no direct financial implications. In the event the applications are refused and appealed, it would be necessary to retain an external planner and an external parking expert. These expenses would be funded from within Planning Services operating budget.

ACCESSIBILITY IMPACTS

If this application is supported and a future site plan is submitted, the site plan will be reviewed to ensure accessibility issues are appropriately dealt with.

TERM OF COUNCIL PRIORITIES

This report addresses the following Term of Council Priorities:

- Integrated Transportation: Enable effective mobility through a sustainable, accessible and connected city transportation system.

APPLICATION PROCESS TIMELINE STATUS

This application (Development Application Number: D02-02-20-0123) was not processed by the "On Time Decision Date" established for the processing of Zoning By-law amendments due to the complexities associated with the proposal.

SUPPORTING DOCUMENTATION

Document 1 Zoning Map

Document 2 Consultation Details

Document 3 Draft, Proposed parking lot expansion, post NCC reviews

Document 4 Location of 1107 Prince of Wales Drive for overflow parking

Document 5 Alternative Option, Zoning Details

CONCLUSION

The Planning, Real Estate and Economic Development Department does not support this application because the expanded use does not comply with the Provincial Policy Statement nor policies of the current and new Official Plans.

DISPOSITION

Office of the City Clerk, Council and Committee Services to notify the owner; applicant; Ottawa Scene Canada Signs, 13-1920 Merivale Road, Ottawa, ON K2G 1E8; Krista O'Brien, Program Manager, Tax Billing & Control, Finance Services Department (Mail Code: 26-76) of City Council's decision.

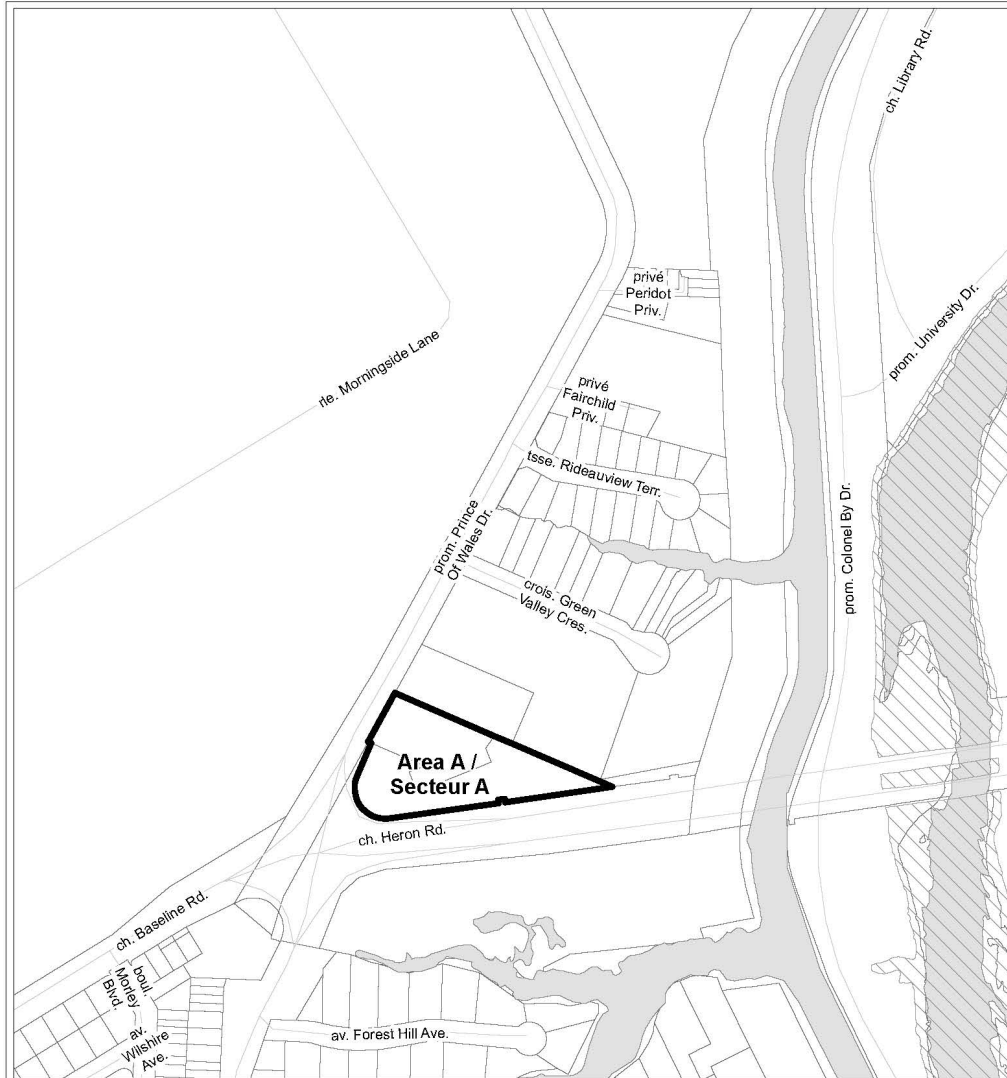
Zoning and Interpretations Unit, Policy Planning Branch, Economic Development and Long Range Planning Services to prepare the implementing by-law and forward to Legal Services.





Legal Services, Innovative Client Services Department to forward the implementing by-law to City Council.

Planning Operations Branch, Planning Services to undertake the statutory notification.

Document 1 – Location Map

For an interactive Zoning map of Ottawa visit geoOttawa



		LOCATION MAP / PLAN DE LOCALISATION ZONING KEY PLAN / SCHÉMA DE ZONAGE	
D02-02-20-0123	22-0815-D	1111 prom. Prince of Wales Drive	
I:\CO\2022\ZKP\PrinceOfWales_1111		 Area A to be rezoned from GM F(1.0) to GM[XXX]-h F(1.0) Le zonage du secteur A sera modifié de GM F(1.0) à GM[XXX]-h F(1.0)	
<small>©Parcel data is owned by Teranet Enterprises Inc. and its suppliers All rights reserved. May not be produced without permission THIS IS NOT A PLAN OF SURVEY</small>		 Existing Flood Plain (Section 58) / Plaine inondable (Article 58)	
REVISION / RÉVISION - 2022 / 08 / 17			

Document 2 – Consultation Details

Notification and Consultation Process

Notification and public consultation were undertaken in accordance with the Public Notification and Public Consultation Policy approved by City Council for Zoning By-law amendments.

Public Comments and Responses

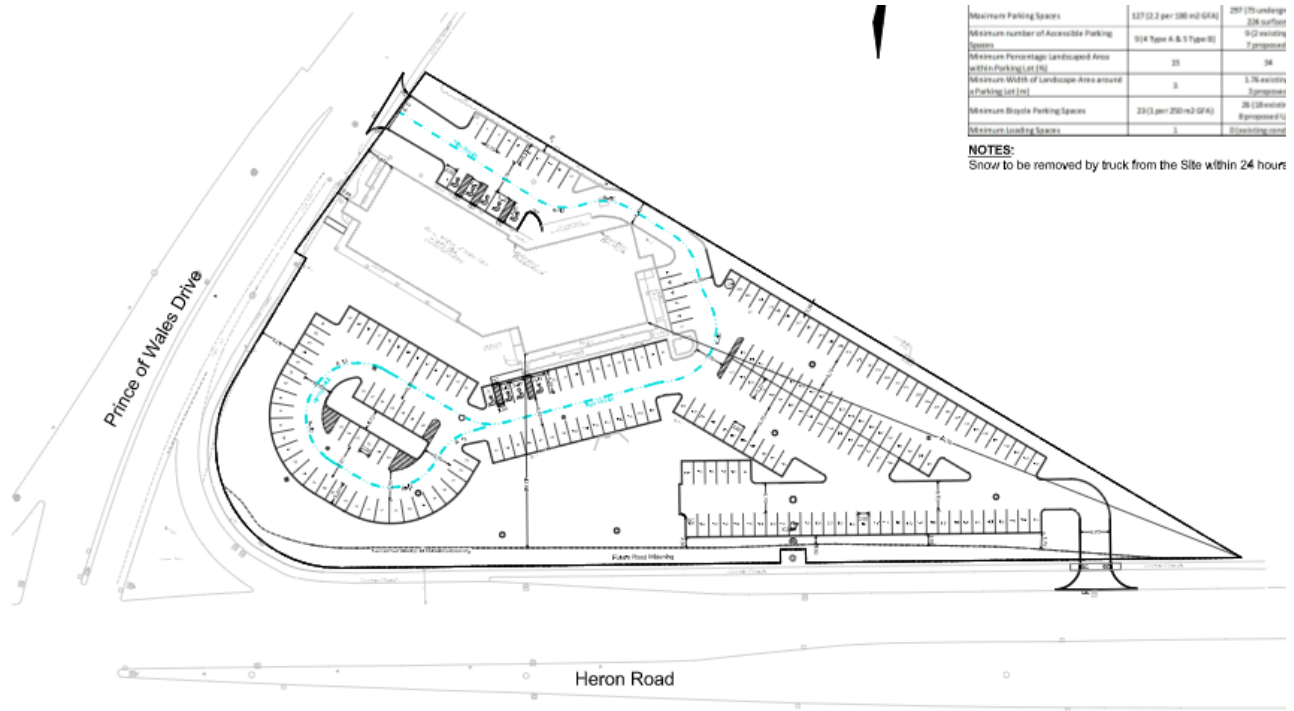
Comment:

Opposed to additional vehicular parking when it is abutting a future rapid bus lane and recently upgraded bike infrastructure and the proposal goes against the City's goals of reducing emissions.

Response

City staff acknowledge and agree with the resident's comment.

Document 3 - Draft Proposed Parking Lot Expansion, post NCC reviews



Minimum Parking Spaces	527 (2.2 per 100 m ² GFA)	287 (1.7 Landscape [28 surface])
Minimum number of Accessible Parking Spaces	2 (4 Type A & 5 Type B)	9 (2 existing, 7 proposed)
Minimum Percentage Landscaped Area within Parking Lot (%)	25	34
Minimum Width of Landscape Area around a Parking Lot (m)	3	3.76 existing, 3.76 proposed
Minimum Bicycle Parking Spaces	23 (1 per 250 m ² GFA)	26 (26 proposed)
Minimum Loading Spaces	1	0 (existing)

NOTES:
Snow to be removed by truck from the Site within 24 hours

Document 4 - Location of 1107 Prince of Wales Drive for overflow parking



Document 5 – Alternative Option, Zoning Details

The proposed change to the City of Ottawa Zoning By-law No. 2008-250 for 1111 Prince of Wales Drive:

1. Rezone the lands as shown in Document 1.
2. Amend Section 239, Urban Exceptions, by adding a new exception [xxxx] similar in intent to the following:
 - a. In Column II, “Applicable Zones”, add the text, “GM [xxxx]-h F(1.0)”
 - b. In Column III, “Exception Provisions - Additional land uses permitted,” add the text, “temporary Parking Lot”
 - c. In Column V, “Exception Provisions – Provisions,” add the following:
 - i. A parking lot is permitted for a temporary period of three years beginning on the date of passing of this bylaw.
 - ii. Notwithstanding the foregoing, a “Temporary Parking Lot” use is prohibited until the holding zone is lifted. The holding zone may only be removed following:
 1. Proof, to the satisfaction of the GM of PRED, that a site plan control application has been submitted for the adjacent property currently known municipally as 1107 Prince of Wales Drive, AND
 2. Proof, to the satisfaction of the GM of PRED, that the construction of the Baseline Bus Rapid Transit (BRT) Route has not been issued for tender by the City of Ottawa.