

Subject: Zoning By-law Amendment – 1400 Upper Canada Street

File Number: ACS2023-PRE-PS-0129

Report to Planning and Housing Committee on 1 November 2023

and Council 8 November 2023

**Submitted on October 11, 2023 by Derrick Moodie, Director, Planning Services,
Planning, Real Estate and Economic Development**

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Ward: Kanata North (4)

Objet: Modification du Règlement de zonage – 1400, rue Upper Canada

Dossier: ACS2023-PRE-PS-0129

Rapport au Comité de la planification et du logement

le 1er novembre 2023

et au Conseil le 8 novembre 2023

**Soumis le 11 octobre 2023 par Derrick Moodie, Directeur, Services de la
planification, Direction générale de la planification, des biens immobiliers et du
développement économique**

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Quartier: Kanata-Nord (4)

REPORT RECOMMENDATIONS

- 1. That Planning and Housing Committee recommend Council approve an amendment to Zoning By-law 2008-250 for 1400 Upper Canada Street, as shown in Document 1, to permit a “Heavy Equipment and Vehicle Sales, Rental and Servicing” use up to a maximum gross floor area of 1,000 square metres.**

2. That Planning and Housing 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 8, 2023,” 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 la planification et du logement recommande au Conseil d’approuver une modification du *Règlement de zonage* (n° 2008-250) relative au 1400, rue Upper Canada, comme indiqué dans le document 1, en vue de permettre une utilisation de type « vente, location et entretien de matériel et de poids lourds » sur une surface de plancher hors œuvre brute maximale de 1 000 mètres carrés.
2. Que le Comité de la planification et du logement donne son approbation afin 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 8 novembre 2023 », 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

1400 Upper Canada Street

Owner

Purolator Inc.

Applicant

Fotenn Planning + Design

Architect

N45 Architecture Inc.

Description of site and surroundings

The site is located at the northwest corner of Palladium Drive and Upper Canada Street in the Kanata West Business Park subdivision. The property is approximately 3.2 hectares in size with 257 metres of frontage on Upper Canada Street and 118 metres of frontage on Palladium Drive. The site is currently vacant. Surrounding land uses include a wellness centre and orthodontic clinic located immediately to the east, offices occupied by a software company immediately to the south, vacant lands within the subdivision to the west, and the Tanger Outlets further to the southeast. Access to the Highway 417 is approximately 600 metres from the site.

Summary of requested Zoning By-law amendment proposal

The property is currently zoned Business Park Industrial Zone, Subzone 13 (IP13), which permits a wide range of commercial and industrial uses including medical facility, office, recreational facility, hotel, automobile dealership and light industrial uses.

The proponent submitted a Site Plan Control application on September 30, 2020, to construct a one-storey warehouse and distribution centre to be operated by Purolator Inc. Due to changing business and programming needs by Purolator, the proposal was redesigned to include a larger facility of 8,835 square metres including a 735 square metre servicing garage to allow for maintenance and servicing of the Purolator delivery vehicles using the facility. The maintenance planned to occur on the site will consist of small-scale regular vehicle maintenance, including oil changes, wiper blade maintenance, and tire changes. Although both warehouse and automobile service shop uses are permitted in the IP13 zone, a servicing garage for these types of vehicles is classified as a “Heavy Equipment and Vehicle Sales, Rental and Servicing” use in the Zoning By-Law and is not currently permitted. To accommodate the proposal, a Zoning By-Law amendment was submitted on June 12, 2023.

The requested Zoning By-law amendment would create a site-specific exception for the property, permitting a Heavy Equipment and Vehicle Sales, Rental and Servicing use accessory to the uses currently permitted in the IP13 zone, up to a maximum gross floor area of 1,000 square metres.

DISCUSSION

Public consultation

Notification and public consultation were undertaken in accordance with the Public Notification and Consultation Policy approved by City Council for Zoning By-law Amendments. No public comments were received.

For this proposal's consultation details, see Document 3 of this report.

Official Plan designation(s)

The property is designated Mixed Industrial on Schedule B5, Suburban (West) Transect) of the City's Official Plan. Under Section 6.5 of the Official Plan, the Mixed Industrial designation permits a range of uses intended to accommodate business and economic activity, including low-impact light industrial uses such as light manufacturing, warehousing, distribution, and storage. Automotive sales and service, including heavy equipment sales and services, are also permitted uses in this designation.

Other applicable policies and guidelines

Kanata West Concept Plan

The Kanata West Concept Plan, approved by City Council in 2003, designated the area in the vicinity of Palladium Drive and Upper Canada Street as Prestige Business Park. The Prestige Business Park was intended to be developed with campus-style high technology uses including research and development facilities, high technology offices, laboratories and training centres. The Kanata West Concept Plan also establishes design guidelines to encourage low profile building form and extensive landscaping within the business park.

Land Use Compatibility Guidelines

The D-6 Compatibility Between Industrial Facilities is a guideline prepared by the Province of Ontario that is intended to be applied when planning for industrial land uses. The guideline identifies and defines three classes of industrial facilities to evaluate and categorize specific industrial land uses based on any perceived negative externalities resulting from a land uses' operations. When evaluated against the criteria, the proposed development would be categorized as a Class I in terms of its outputs, vibration, scale, process, and operation/intensity. The Guidelines require Class I uses to provide a 75-metre buffer from any nearby sensitive land uses. The proposal is in meeting with the guidelines, as the zoning designations do not permit any land uses defined as 'sensitive' within 75 metres of the subject site.

Urban Design Review Panel

The property is not within a Design Priority Area and is therefore not subject to the Urban Design Review Panel process.

Planning rationale

The proposed Zoning By-law amendment to create a site-specific exception allowing a Heavy Equipment and Vehicle Sales, Rental and Servicing Centre as a component of the proposed warehouse facility is consistent with the policies of the Mixed Industrial Designation, and therefore meets the policies set out in the Official Plan.

The Mixed Industrial Area designation permits a range of low-impact light industrial uses including warehousing, distribution, and automotive sales and service, including heavy equipment sales and services. The proposed use is permitted in this designation and will accommodate business and economic activity well-suited for this business park. The proposal will provide employment and permit a packaging and logistics provider to be well located in proximity to a provincial highway. Additionally, the proposal complies with the Provincial D-6 Guidelines for Land Use Compatibility and locates light industrial uses with a buffer from more sensitive land uses.

Through the review of the accompanying site plan application, the proposal's site design will be reviewed with regard to the Kanata West Concept Plan to ensure a low-profile site design with high quality landscaping is maintained. Regarding the land use, the Kanata West Concept Plan was written at a time when the intention of the Prestige Business Park was to house large campus-like tech firms, similar to the Kanata North area. The Kanata West subdivision has since developed to include a mix of employment uses, including warehouse and office facility to be used by Maritime-Ontario and a wellness centre. Through the site plan process, it will be ensured that the building massing and site design guidelines intended by the concept plan are achieved to ensure the building architecture contributed positively to a successful business park.

The proposed Heavy Equipment and Vehicle Sales, Rental and Servicing use would be accessory to the primary warehouse use of the proposed facility and allow Purolator the site functionality needed to locate their business at this site. This use conforms with the site's Official Plan designation and will aid in the business park's primary function as an employment generator.

Provincial Policy Statement

Staff have reviewed this proposal and have determined that it is consistent with the 2020 Provincial Policy Statement.

RURAL IMPLICATIONS

There are no rural implications associated with this report.

COMMENTS BY THE WARD COUNCILLOR

Councillor Curry is aware of the application related to this report.

ADVISORY COMMITTEE COMMENTS

There are no Advisory Committee comments on this report or its recommendations.

LEGAL IMPLICATIONS

There are no legal implications associated with implementing the recommendations contained within this report.

RISK MANAGEMENT IMPLICATIONS

There are no risk implications.

ASSET MANAGEMENT IMPLICATIONS

There are no asset management implications associated with the recommendations of this report.

FINANCIAL IMPLICATIONS

There are no direct financial implications.

ACCESSIBILITY IMPACTS

Design considerations with respect to accessibility are generally addressed through the Site Plan Control review process and are not a key consideration related to a Zoning By-Law amendment. New construction will be required to meet the accessibility requirements in the Ontario Building Code and the City's Accessible Design Guidelines.

ENVIRONMENTAL IMPLICATIONS

There are no direct environmental implications associated with this report. Through the subdivision and site plan control process, a Tree Conservation Report and Environmental Impact Statement was prepared to identify any ecological constraints that might be affected by the development proposal. Recommended mitigation measures and new tree plantings will be required through the Site Plan control application.

TERM OF COUNCIL PRIORITIES

This project addresses the following Term of Council Priorities:

- Diversified and Prosperous Economy

APPLICATION PROCESS TIMELINE STATUS

This application (Development Application Number: D02-0223-0048) was processed by the "On Time Decision Date" established for the processing of Zoning By-law amendment applications.

SUPPORTING DOCUMENTATION

Document 1 Location Map

Document 2 Details of Recommended Zoning

Document 3 Consultation Details

Document 4 Proposed Elevation and Site Plan

CONCLUSION

The Planning, Real Estate and Economic Development department supports the proposed Zoning By-law amendment to permit a Heavy Equipment and Vehicle Sales, Rental and Servicing Use, limited to a maximum GFA of 1,000 square metres, on the subject site. The proposal is consistent with the Mixed Industrial policies and the use is appropriate for the site. The amendment represents good planning and for these reasons, staff recommends approval of the Zoning By-Law amendment.

DISPOSITION

Office of the City Clerk, Council and Committee Services to notify the owner; applicant; Krista O'Brien, Program Manager, Tax Billing & Control, Finance and Corporate 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.

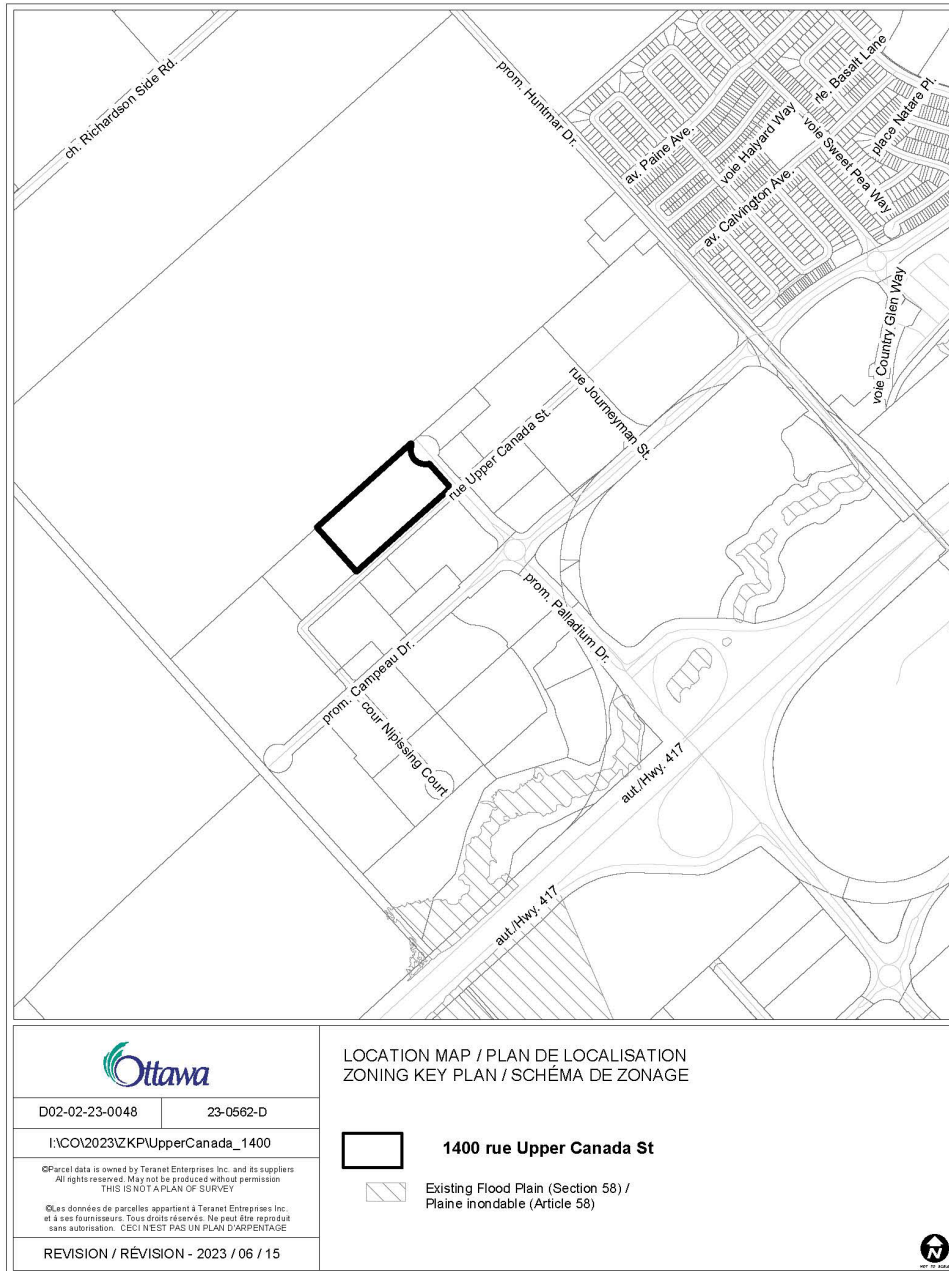
Legal Services, City Manager's Office to forward the implementing by-law to City Council.

Planning Operations, Planning Services to undertake the statutory notification.

Document 1 – Location Map

For an interactive Zoning map of Ottawa visit [geoOttawa](https://geoottawa.com)

The subject site is located on Upper Canada Street, to the northwest of its intersection with Palladium Drive.



Document 2 – Details of Recommended Zoning

The proposed change to the City of Ottawa Zoning By-law No. 2008-250 for 1400 Upper Canada Street:

1. Amend Section 239, Urban Exceptions, by adding a new exception [XXXX] with provisions similar in effect to the following:
 - a) In Column II, add the text “IP13 [XXXX]”
 - b) In Column III, add the text “Heavy Equipment and Vehicle Sales, Rental and Servicing”
 - c) In Column V, add the text “Heavy Equipment and Vehicle Sales, Rental and Servicing use is permitted subject to being accessory to a principal use permitted in the zone, up to a maximum GFA of 1,000 square metres.”

Document 3 – Consultation Details

Notification and Consultation Process

Notification and public consultation was undertaken in accordance with the Public Notification and Public Consultation Policy approved by City Council for Zoning By-law amendments. No public comments were received.

Document 4 – Proposed Site Plan and Elevation (view from Upper Canada Street)

