

Subject: Zoning By-law Amendment – Part of 2666 Tenth Line Road

File Number: ACS2024-PRE-PS-0018

Report to Planning and Housing Committee on 17 January 2024

and Council 24 January 2024

**Submitted on January 8, 2024 by Derrick Moodie, Director, Planning Services,
Planning, Real Estate and Economic Development**

Contact Person: Shoma Murshid, Planner II, Development Review East

613-580-2424 ext.15430, Shoma.Murshid@ottawa.ca

Ward: Orléans South-Navan (19)

**Objet: Modification du Règlement de zonage – Partie du 2666, chemin Tenth
Line**

Dossier: ACS2024-PRE-PS-0018

Rapport au Comité de la planification et du logement

le 17 janvier 2024

et au Conseil le 24 janvier 2024

**Soumis le 8 janvier 2024 par Derrick Moodie, Directeur, Services de la
planification, Direction générale de la planification, des biens immobiliers et du
développement économique**

**Personne ressource: Shoma Murshid, urbaniste II, Examen des demandes
d'aménagement est**

613-580-2424 poste.15430, Shoma.Murshid@ottawa.ca

Quartier: Orléans-Sud-Navan (19)

REPORT RECOMMENDATIONS

1. That Planning and Housing Committee recommend Council approve an amendment to Zoning By-law 2008-250 for part of 2666 Tenth Line Road, as shown in Document 1, to permit the development of an elementary school, as detailed in Document 2.
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 of 24 January 2024,” 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 municipal d’approuver une modification au *Règlement de zonage 2008-250* visant une partie du 2666, chemin Tenth Line, un bien-fonds illustré dans le document 1, afin de permettre la construction d’une école primaire, comme l’expose en détail le document 2.
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 24 janvier 2024 », à la condition que les observations aient été reçues entre le moment de la publication du présent rapport et le moment de la décision du Conseil.

BACKGROUND

Site location

Part of 2666 Tenth Line Road – east of McKinnon’s Creek

Owner

Claridge Homes (Mer Bleue Phase 4) Inc. Attn.: Vincent Denomme

Applicant

Conseil des écoles catholiques du Centre-Est (CECCE) / Attn: Luc Poulin

Architect

Edward J. Cuhaci & Associates Architects Inc.

Description of site and surroundings

The site is located southwest of Tenth Line Road and Sweetvalley Drive and extends west of McKinnon's Creek to Mer Bleue Road. This 10.31-hectare property is currently owned by Claridge Homes. McKinnon's Creek is a natural feature that divides the 10.31-hectare property parcel in two. The Conseil des écoles catholiques du Centre-Est has entered into a Purchase and Sale Agreement to acquire the 1.8-hectare portion (subject site) east of McKinnon's Creek. The subject site has approximately 100 metres of frontage along Tenth Line Road and 200 metres on Sweetvalley Drive, as shown on Document 1.

The subject site currently includes a detached dwelling and accessory building. Immediately north of the site is a residential subdivision. To the west of McKinnon's Creek are the remainder of the lands known as 2666 Tenth Line Road. These lands, as well as lands southwest of McKinnon's Creek, are owned by Claridge Homes and are subject to a draft plan of subdivision application (File No. D07-16-22-0011). Abutting the property to the south is a residential parcel located at 2680 Tenth Line Road. To the east is a residential subdivision known as Avalon, as well as vacant lands held for future residential development.

Summary of proposed development

The proposed L-shaped two-storey elementary school will front onto Sweetvalley Drive and Tenth Line Road to serve as a "gateway" property to the surrounding neighbourhood. The school's main entrance, daycare entrance, bicycle parking areas, and surface parking lot are accessed from Sweetvalley Drive. A bus lay-by is proposed south of the multi-use pathway on Sweetvalley Drive and will require a Road Modification Approval process. The daycare yard is located between the school and parking lot, with a community plaza, playground, and outdoor classroom area located behind the school in the interior yard. The sports field is located at the rear of the site,

adjacent to McKinnon's Creek. A future garden plot is proposed for the southernmost portion of the site. The yard abutting Tenth Line Road, to the south of the school building, is allotted for up to eight future portable classrooms, as shown on Document 6.

Summary of requested Zoning By-law amendment

The Zoning By-law Amendment application proposes to rezone the subject site from Rural Countryside (RU) Zone with a Floodplain Overlay to Minor Institutional Zone, Subzone B (I1B) and Parks and Open Space Zone (O1). As shown in Document 1, the eastern part of the subject site will be rezoned to Minor Institutional Zone, Subzone B (I1B), to permit the development of an elementary school. The western part of the subject site will be rezoned to Parks and Open Space Zone (O1). The related site plan control application for the proposed school is currently under review, but the site layout of the school complies with the Minor Institutional Zone, Subzone B (I1B) and other relevant performance standards of Zoning By-law 2008-250.

DISCUSSION

Public consultation

Notice of this application was carried out in accordance with the City's Public Notification and Consultation Policy. The Planning and Housing Committee meeting fulfills the required statutory public meeting under the *Planning Act*.

One public comment was received expressing concern with four aspects of this development proposal: vehicular traffic, transit services, pedestrian, and cycling safety.

Official Plan designation(s)

Schedule B8 - Suburban (East) Transect – of the Official Plan (OP) designates a portion of the subject site east of McKinnon's Creek as "Neighbourhood" and the lands immediately surrounding the creek as "Greenspace". The subject site fronts on Tenth Line Road, a "Minor Corridor", and is subject in part to the policies of the "Evolving Neighbourhood Overlay."

The OP states that Section 6.3.4 – Neighbourhood generally permits a range of residential and non-residential built forms, including but not limited to institutional and open space uses, to foster the creation and strengthening of 15-minute neighbourhoods.

The Greenspace designation outlines the City's intent to protect, preserve, and enhance its greenspaces and to recognize its role in building resilience to future climate

conditions. McKinnon's Creek, a natural surface water feature that flows north-south along the west side of the subject site, is sub-designated as Open Space in Schedule C12 – Urban Greenspace. Section 7.1 of the OP, Policy 3 states, lot creation shall not be permitted within a Greenspace designation or its associated sub-designations, to protect and maintain its overall integrity and character. Policies 4 and 7 support public access and connections to and through Greenspaces wherever possible, in a manner that supports the OP's goals for strengthening 15-minute neighbourhoods.

The Evolving Neighbourhood Overlay, as outlined in Section 5.6.1 of the OP, is intended to provide built form direction where a change in character is anticipated and applies to areas where more intensive urban forms are envisioned over time.

Section 4.9 – Water Resources establishes policy standards for developments near watercourses in order to preserve their natural state while managing erosion, slope stability, and flooding concerns. Policy 2 of Section 4.9.3 sets out policies for the minimum setback and developable limits from surface water features. The greater of the minimum setbacks identified within this policy: a) Development limits as established by the Conservation Authority's hazard limit, which includes the regulatory flood line, geotechnical hazard limit and meander belt; b) Development limits as established by the geotechnical hazard limit in keeping with Council-approved Slope Stability Guidelines for Development Applications; c) 30 metres from the top of bank, or the maximum point to which water can rise within the channel before spilling across the adjacent land; and d) 15 metres from the existing stable top of slope, where there is a defined valley slope or ravine, shall set the limit of lot creation, and also where passive zones and urban/suburban zones shall be. A visual depiction of the terms used in Policy 2 to identify the minimum setback from surface water features are shown on Document 4.

Other applicable policies and guidelines

The subject site lies within the limits of the Mer Bleue Developing Neighbourhood Secondary Plan. The Secondary Plan is based on the Mer Bleue Urban Expansion Area Community Design Plan (CDP). The Secondary Plan is closely linked to and is read in conjunction with the CDP to assist with interpretation. The Secondary Plan and CDP prioritize walkability, transit-supportive street networks, an integrated greenspace linkage system, and a well-defined community core and mixed-use areas at strategic locations.

The Land Use Plan contained within the CDP designates the site as "High Density Residential", the intent of which is to provide space for High Density residential uses such as stacked or back-to-back townhouses and apartments. Policy 3.8.3 also states

the CDP area will accommodate up to three elementary schools and one secondary school. The subject site may not be dedicated as an elementary school block; instead, it will be required to swap with the reserved French Catholic Elementary School site north of Wall Road. Policy 7.1 – Community Design Plan Amendments classifies changes to the location of school blocks as minor and will not affect the intent of the CDP area.

Policy 4.9 – Pathway System identifies a pathway system and a footbridge connecting both sides of McKinnon’s Creek within an Open Space Zone. The Environmental Management Plan (EMP) for the CDP area states that “No development within 15 metres of the top of slope or 30 metres from the normal highwater mark, whichever is greater (other than for the recreational pathways which are to be a minimum of 10 metres from the top of slope)” shall occur within an Open Space Zone. This pathway system and footbridge will link all schools, parks, residential communities, and other community facilities. The CDP indicates a multi-use and recreational pathway will be required along either side of McKinnon’s Creek.

Urban Design Review Panel

The site is not within a Design Priority Area and the Zoning By-law Amendment application was not subject to the Urban Design Review Panel process.

Planning Rationale

It is staff’s opinion that the proposed Zoning By-law Amendment conforms with the relevant policies of the Official Plan. As detailed in Document 2, this Zoning By-law Amendment proposes a Minor Institutional Zone, Subzone B (I1B) and Parks and Open Space Zone (O1) that fosters the strengthening of a 15-minute neighbourhood while maintaining the integrity of the natural heritage and ecological function of the area.

The proposed elementary school is compatible in scale and built form with the existing surrounding low-rise residential character. In this regard, it conforms with Official Plan policies under Section 6.3.4 – Neighborhood and Section 5.6.1 of Neighborhood Overlay.

The proposed Open Space Zone is also compatible with the city-wide Greenspace policies and its sub-designation of “Open Space” in the Official Plan. A recreational pathway east of McKinnon’s Creek, which promotes public access is an acceptable land use, as identified within the Greenspace policies.

Additionally, the site proposes appropriate developable limits to ensure that after the lands are severed, the proposed O1 Zone will protect and maintain the overall integrity

and character of the site. The minimum setback and developable limits of the property were determined by applying the most restrictive boundary line established by the following: the hazard limit (which includes the regulatory flood line, geotechnical hazard limit, and meander belt), 30 metres from the top of bank or from the normal highwater mark, and 15 metres from the existing stable top of slope. As a result, the proposed development is in accordance with Policy 2 of Section 4.9.3 – Water Resources.

The proposed Plan of Survey (Document 5) and Site Plan (Document 6) demonstrate that adequate space remains within the O1 Zone to create a recreational pathway without encroaching into the requested I1B Zone or over the proposed property line. As per the policies of the EMP and Section 2.5.2 of the Parks Development Manual, a 5-metre width is required for the City's recreational pathway and is to be located beyond the 10-metre top of slope mark.

With respect to the Mer Bleue Urban Expansion Area CDP, the proposed Zoning By-law Amendment introduces Institutional uses on the subject site where High Density Residential uses are designated. Due to the French school board's need to provide an elementary school to address area population increases, the subject site has been identified as a serviceable lot within the CDP area for such a use. The High Density Residential lands, as shown in the CDP, will be swapped with the school block presently reserved for the French Catholic Elementary School, north of Wall Road. While the CDP is intended to guide the development of the Mer Bleue community, it does permit some flexibility in its interpretation, provided the general intent of the policies and guiding principles of the Plan are maintained. The Implementation section of the CDP provides direction when changes to the Plan are proposed prior to approval of a Zoning By-law Amendment. As noted above, Policy 7.1 – Community Design Plan Amendments classifies changes to the location of school blocks as minor, which will not constitute a substantive change to the CDP area or require an Official Plan Amendment.

Provincial Policy Statement

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

RURAL IMPLICATIONS

N/A.

COMMENTS BY THE WARD COUNCILLOR(S)

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

ADVISORY COMMITTEE(S) COMMENTS

No Advisory Committee comments were received in response to the proposed Zoning By-law Amendment.

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 direct Asset Management Implications resulting from this report. Remaining on-site servicing issues can be resolved through the Site Plan Control process.

FINANCIAL IMPLICATIONS

There are no direct financial implications.

ACCESSIBILITY IMPACTS

Design considerations with respect to accessibility are not a key consideration of this Zoning By-law amendment application. If the application is approved, accessibility impacts will be assessed in detail during the ongoing review of the related application for Site Plan Control Approval.

ENVIRONMENTAL IMPLICATIONS

An Environmental Impact Statement (EIS) was completed to fulfill the requirements of the PPS, the City's OP policies, the EMP, and associated provincial regulations. The report concluded that the proposed development would have no significant impact on environmentally sensitive lands, provided the mitigation measures and required setbacks are followed. The portion of the subject site that will be rezoned to Open Space will remain untouched by development, except for a permissible recreational pathway.

TERM OF COUNCIL PRIORITIES

This project addresses the following Term of Council Priorities as it will contribute to a city that is:

- more connected with reliable, safe, and accessible mobility options; and
- green and resilient.

APPLICATION PROCESS TIMELINE STATUS

This application (Development Application Number: D0-02-23-0027) was not processed by the "On Time Decision Date" established for the processing of Zoning By-law amendments due to time required to resolve matters related to functional design.

SUPPORTING DOCUMENTATION

Document 1 Zoning Key Map

Document 2 Details of Recommended Zoning

Document 3 Consultation Details

Document 4 Illustration of Setbacks from Surface Water Features

Document 5 Plan of Survey Delineation of Hazard Limit Setbacks, Proposed Property Line and Zones

Document 6 Proposed Site Plan

CONCLUSION

The proposed Zoning By-law Amendment upholds the general intent of the PPS, Official Plan, Mer Bleue Developing Neighbourhood Secondary Plan, Mer Bleue Urban Expansion Area CDP, and its supporting EMP. It also proposes appropriate zones to permit the development of a two-storey elementary school and a recreational pathway. In staff's opinion, the proposed Zoning By-law Amendment is appropriate and compatible with the intent for the future pattern of desired growth and with the existing surrounding residential community.

The department recommends that the proposed Zoning By-law Amendment be approved.

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 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.

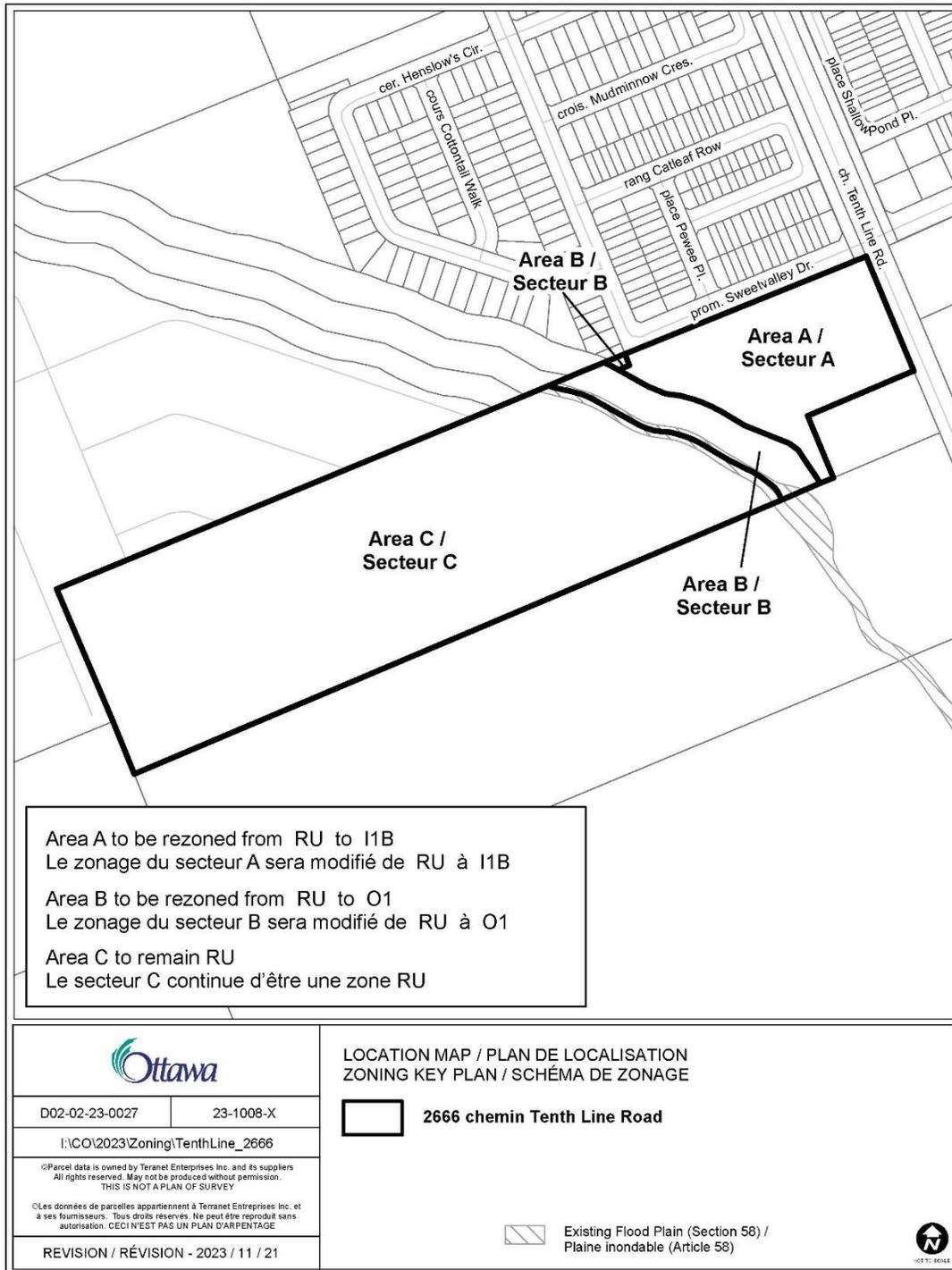
Legal Services, City Manager's Office to forward the implementing by-law to City Council.

Planning Operations, Planning Services to undertake the statutory notification.

Document 1 – Zoning Key Map

For an interactive Zoning map of Ottawa visit geoOttawa

The subject site is located on the southwest corner of Tenth Line Road and Sweetvalley Drive.



Document 2 – Details of Recommended Zoning

The proposed change to the City of Ottawa Zoning By-law No. 2008-250 for part of 2666 Tenth Line Road:

- 1) Rezone the lands as shown in Document 1.

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. The holding of a formal City-organized public information session during the public consultation period was deemed not necessary.

Notice of this application was circulated to surrounding landowners within 120 metres of the subject lands and two standard City signs were installed on-site giving notice of this Zoning By-law amendment in accordance with the Council-approved Public Notification and Consultation Policy and the *Planning Act*.

Public Comments and Responses

Comment:

Concern was expressed with three aspects of this development proposal: vehicular traffic, transit services, pedestrian and cycling safety.

Response:

The supporting Traffic Impact Assessment Study does not identify any traffic concerns with the proposal. The traffic generated by this school use occurs in the 15 minutes of increased activity before school hours and the 15 minutes of increased activity at the end of the school day. The bulk of the traffic is managed internally to the site and adjacent to Sweetvalley Drive, within a school bus lay-by. An internal parking lot provides private vehicles with the ability to drop children off. This spurt of activity can easily be navigated by the residents of this community. This proposal will not affect or require a change to the existing transit service schedule.

Document 4 – Illustration of Setbacks from Surface Water Features

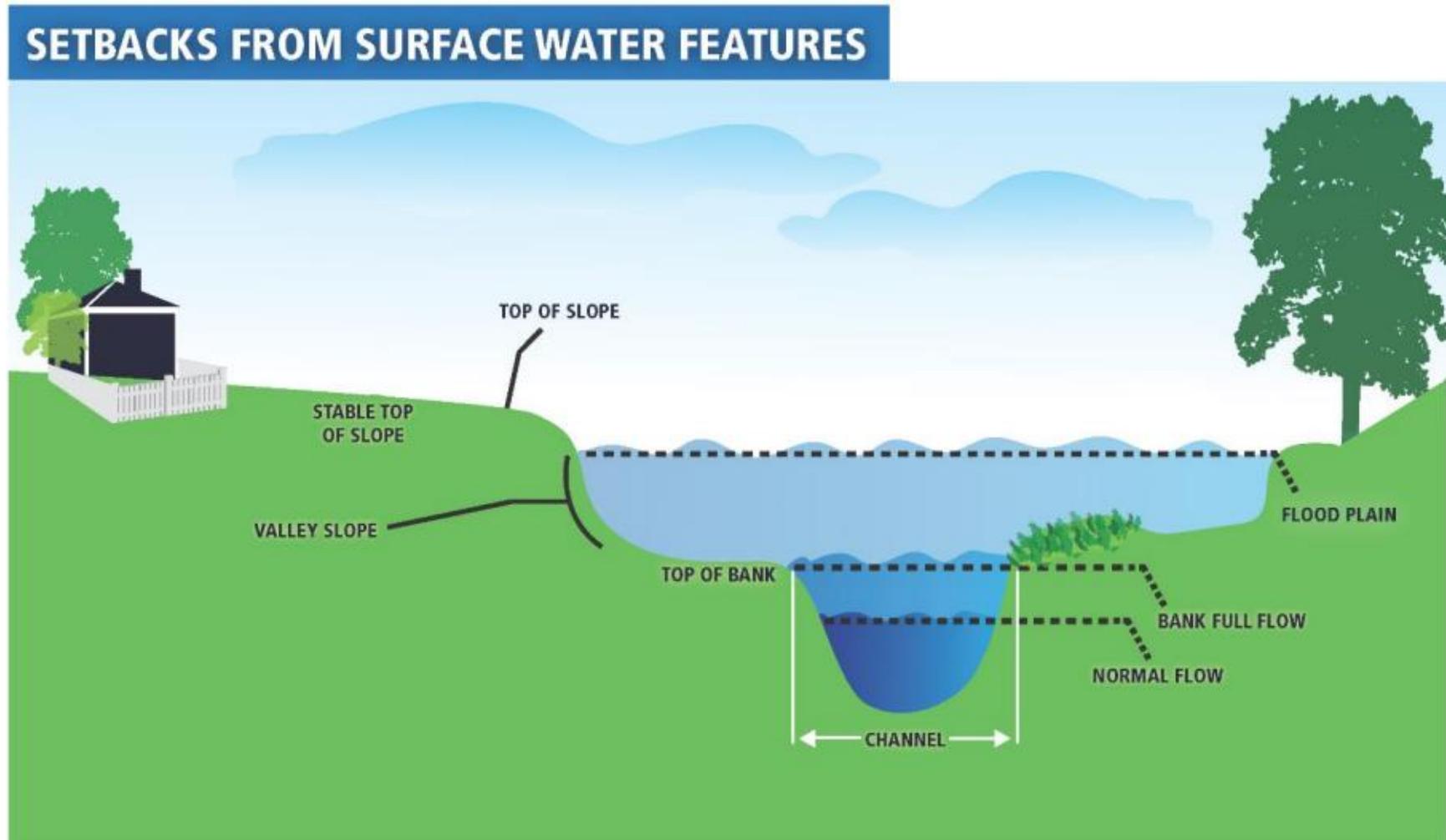
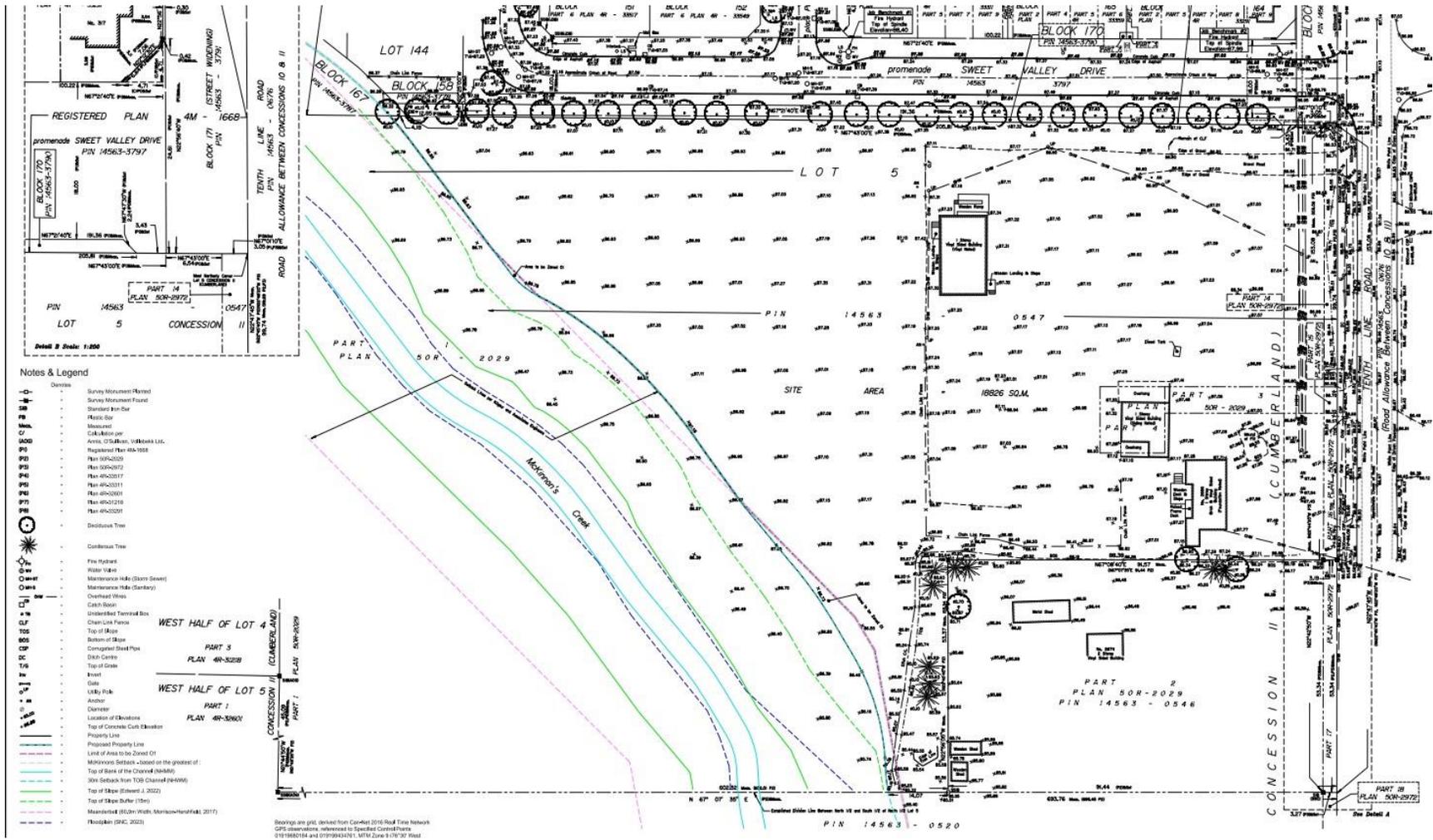


Figure 1 Excerpt from Section 4.9.3 of the Official Plan (Figure 17)

Document 5 – Plan of Survey Delineating Hazard Limit Setbacks, Proposed Property Line & Zones



Document 6 – Proposed Site Plan

