

Subject: Zoning By-law Amendment – 101 and 201 Nipissing Court

File Number: ACS2022-PIE-PS-0088

Report to Planning Committee on 7 July 2022

and Council 31 August 2022

**Submitted on June 27, 2022 by Derrick Moodie, Director, Planning, Real Estate
and Economic Development**

Contact Person: Colette Gorni, Planner I, Development Review West

613-580-2424, 21239, Colette.Gorni@ottawa.ca

Ward: Kanata North (4)

Objet : Modification du Règlement de zonage – 101 et 201, cour Nipissing

Dossier : ACS2022-PIE-PS-0088

Rapport au Comité de l'urbanisme

le 7 juillet 2022

et au Conseil le 31 août 2022

**Soumis le 21 juin 2022 par Derrick Moodie, Directeur, Direction générale de la
planification, des biens immobiliers et du développement économique**

**Personne ressource : Colette Gorni, Urbaniste I, Examen des demandes
d'aménagement ouest**

613-580-2424, 21239, Colette.Gorni@ottawa.ca

Quartier : Kanata Nord (4)

REPORT RECOMMENDATIONS

- 1. That Planning Committee recommend Council approve an amendment to Zoning By-law 2008-250 for 101 and 201 Nipissing Court to permit the following additional light industrial uses: light industrial use, technology**

industry, research and development centre, warehouse, and truck transport terminal.

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 of August 31, 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 d’approuver une modification au Règlement de zonage 2008-250 visant les 101 et 201, cour Nipissing, afin de permettre les utilisations d’industrie légère supplémentaires suivantes : utilisation d’industrie légère, industrie de haute technologie, centre de recherche-développement, entrepôt et terminal routier.
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 31 août 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

101 and 201 Nipissing Court

Owner

West Ottawa Land Holdings Inc.

Applicant

Thomas Freeman, Fotenn Consultants Inc.

Architect

CSV Architects

101 and 201 Nipissing Court

Description of site and surroundings

The subject site consists of two rectangular parcels with a combined area of 2.23 hectares, and each with approximately 132 metres of frontage along Nipissing Court. Both parcels are located along the east side of Nipissing Court; 101 Nipissing Court is located at the southeast corner of the intersection of Nipissing Court and Campeau Drive and 201 Nipissing Court is located immediately to south. Surrounding uses include future industrial lands to the north; a commercial plaza to the east; a ravine and Highway 417 to the south; and, future industrial lands and a UPS distribution facility to the west.

Summary of requested Zoning By-law amendment proposal

The subject property is currently zoned GM[2167] (General Mixed use Zone, Exception 2167). The requested zoning is GM[XXXX] (General Mixed Use Zone, Exception XXXX). The amendment is requested to permit additional light industrial uses on the subject lands, including light industrial use, technology industry, research and development centre, warehouse, and truck transport terminal. All provisions in Exception 2167 are to be carried forward into the new site-specific exception.

The proposed zoning amendment seeks to:

1. Rezone Areas A and B to GM[XXXX], as shown in Document 1.
2. Urban Exception XXXX includes provisions addressing the following:
 - Additional permitted land uses are automobile service station, bank, bank machine, bar, cinema, convenience store, garden nursery, parking garage, parking lot, payday loan establishment, personal service business, nightclub, recreational and athletic facility, restaurant, retail

store, retail food store, service and repair shop, sports arena, theatre, light industrial use, technology industry, research and development centre, warehouse, and truck transport terminal.

- Prohibited land uses are low-rise apartment dwelling, mid-rise apartment dwelling, high-rise apartment dwelling, bunk house dwelling, coach house, detached dwelling, duplex dwelling, linked-detached dwelling, townhouse dwelling, semi-detached dwelling, stacked dwelling, secondary dwelling unit, and three-unit dwelling.
- Minimum front yard setback for light industrial use, technology industry, research and development centre, warehouse and truck transport facility is 6 metres.
- Minimum corner side yard setback for light industrial use, technology industry, research and development centre, warehouse and truck transport facility is 6 metres.
- Minimum interior side yard setback for light Industrial use, technology industry, research and development centre, warehouse and truck transport facility is 4 metres.
- Minimum rear yard setback for light Industrial use, technology industry, research and development centre, warehouse and truck transport facility is 6 metres.
- Minimum required front yard setback along Palladium Drive is 1.5 m;
- Minimum required corner side yard setback along Campeau Drive is 0 m;
- Minimum required rear yard setback along Nippissing Court is 0 m.

Brief history of proposal

On February 2, 2022, the applicant applied for a Major Zoning By-law Amendment application on the subject lands to permit additional light industrial land uses, including light industrial use, technology industry, research and development centre, warehouse, and truck transport terminal.

The subject lands were previously subject to Official Plan Amendment (File No. D01-01-14-0001) and Zoning By-law Amendment (File No. D02-02-14-0018) applications, which received approval from City Council in 2014. The associated plan of subdivision (File No. D07-16-14-0003) was registered on June 7, 2016.

DISCUSSION

Public consultation

Notification and public consultation were undertaken in accordance with the Public Notification and Consultation Policy approved by Council for development applications. No comments were received through the public circulation.

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

Official Plan designation(s)

Current Official Plan

The site is designated as General Urban Area on Schedule B of the City of Ottawa Official Plan (2003).

Kanata West Secondary Plan

The Kanata West Secondary Plan provides direction on maximum building heights for the study area.

Kanata West Concept Plan

The Kanata West Concept Plan provides direction for how different areas of the Kanata West community are to be developed. The subject site is designated as Prestige Business Park, which provides the potential for a campus-style work environment featuring uses such as research and development facilities, high tech offices, laboratories, training facilities, etc. in low profile buildings (1-2 storeys).

New Official Plan

The subject site is designated as Neighbourhood on Schedule B5 – Suburban Transect (West) of the new City of Ottawa Official Plan (2021). The site is within the area subject to the Area Specific Policies for Kanata West identified in Volume 2C but does not depend on any of these policies.

Urban Design Review Panel

The property is within a Design Priority Area; however, the proposed development does not trigger the requirement for the Urban Design Review Panel (UDRP) process.

Planning rationale

A complete application was submitted for the proposed Zoning By-law Amendment following the approval of the new Official Plan by City Council on October 27, 2021. As such, this application has been reviewed based on the policies of both the current Official Plan (2003) and the new Official Plan (2021).

The site is designated as General Urban Area (Section 3.6.1) in the current Official Plan, which permits conveniently located employment uses where compatible with the surrounding area. Further, the site is designated as Prestige Business Park in the Kanata West Concept Plan (KWCP). The applicant is seeking to allow several light industrial uses that are currently permitted on abutting lands to the north and west, across Campeau Drive and Nipissing Court, which are zoned IP13 (Business Park Industrial, Subzone 13). The proposed uses are also identified as permitted uses for the Prestige Business Park in the KWCP. Therefore, staff have no concerns with allowing proposed uses on the subject property as they would be consistent with current and future development in the Kanata West Business Park and aligns with the Prestige Business Park designation in the KWCP.

In the new Official Plan, the site is designated as Neighbourhood on Schedule B5 (Suburban Transect – West). Although the direction for Neighbourhoods with Suburban Transects is generally for residential development, Section 6.3.3 Policy 4 of the new Official Plan allows for the introduction of non-residential uses that are not specifically identified as permitted local services in Neighbourhoods where the following criteria is met:

- a) The proposed use is compatible with and complements surrounding uses

The proposed Zoning By-law Amendment would permit several light industrial uses that are currently permitted on abutting lands to the north and west, across Campeau Drive and Nipissing Court that are zoned IP13 (Business Park Industrial, Subzone 13).

- b) The property has frontage on a major street

The subject site has frontage on Campeau Drive, which connects directly to Highway 417 via Palladium Drive. Campeau Drive also connects to a network of arterial roads, which Campeau Drive forms part of beginning approximately 200 metres east of the subject site.

- c) The main buildings are situated to occupy the majority of the site's major street frontage

It is anticipated that the future buildings associated to the proposed uses will occupy the majority of the site's major street frontage along Campeau Drive (See 101 Nipissing Court Concept Plan in Document 3). The building interface with the public realm along Campeau Drive will also be further evaluated at the time of Site Plan Control.

- d) The visual impact of outdoor storage or parking on adjacent uses and from the street is minimized through appropriate site design methods in accordance with transect and overlay policies

Appropriate mitigation of the visual impact of outdoor storage and/or parking from the street will be evaluated at the time of Site Plan Control.

- e) Large land areas for outdoor storage and sale or service of goods (other than uses that do not operate year-round and can be considered a common component of a permitted use, such as a seasonal garden centre in association with a retail use) are not provided

Storage is required to be completely enclosed within a building as per Section 187(4) of the Zoning By-law. No relief has been requested from this provision through the Zoning By-law Amendment, therefore, the proposed development will be required to have all storage within a building to achieve zoning compliance.

- f) Goods for sale or display are not placed in the municipal right-of-way

The proposed uses are not anticipated to have goods for sale or display placed in the municipal right-of-way. Staff will further evaluate these requirements at the time of Site Plan approval.

Staff are satisfied that the requested Zoning By-law amendment to permit light industrial use, technology industry, research and development centre, warehouse, and truck transport terminal as additional permitted land uses on the site is consistent with the policies of both the current and new Official Plans and represents good planning. The proposal allows further flexibility for the range of employment uses that can be located in this portion of the Kanata West Business Park.

The remaining provisions from the current site-specific exception (Exception 2167) have been carried forward into the new exception, including those restricting residential uses on the site. Staff have no concerns as the current proposal does not include any residential. It is understood that should a proponent come forward in the future with a residential proposal on the site, a new Zoning By-law Amendment application will be required, and staff will evaluate policy in effect at that time.

Although not included in the original zoning request, staff have included provisions in the site-specific exception requiring increased setbacks for the proposed light industrial uses, including minimum front yard, corner yard, and rear yard setbacks of 6 metres, and a minimum interior side yard setback of 4 metres. These setbacks mirror the setback requirements identified in the IP zone. The setbacks have been included to ensure the proposed uses are implemented in a consistent manner with surrounding light industrial uses. The applicant has confirmed that they are agreeable to the addition of the above-noted provisions.

In addition, there is a small sliver of land along the Nipissing Court frontage of the site, which is zoned IP13[2166]-h (shown as Area B on Document 1). Staff have confirmed with the Zoning By-law Interpretation Unit that this occurrence is likely a mapping error, which is addressed through Section 32(2) of the Zoning By-law, which notes that “[w]here the boundary of any zone shown on zoning maps...substantially follows lot lines shown on the zoning maps or the electronic consolidation of the zoning map, it is considered to follow such lot lines”. However, the applicant has requested that the error be addressed through the subject Zoning By-law Amendment to avoid any confusion in the future. Staff have no concerns with the request and have recommended that the IP13[2166]-h lands on the subject site are rezoned to GM[XXXX].

Provincial Policy Statement

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

RURAL IMPLICATIONS

There are no rural implications associated with the report.

COMMENTS BY THE WARD COUNCILLOR

Councillor Curry is aware of the application.

LEGAL IMPLICATIONS

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

RISK MANAGEMENT IMPLICATIONS

There are no risk management implications associated with the report.

ASSET MANAGEMENT IMPLICATIONS

There are no Asset Management implications associated with the report.

FINANCIAL IMPLICATIONS

There are no direct financial implications.

ACCESSIBILITY IMPACTS

The proposed development will be required to meet the accessibility requirements contained within Ontario Building Code.

TERM OF COUNCIL PRIORITIES

This project addresses the following Term of Council Priorities:

- Economic Growth and Diversification

APPLICATION PROCESS TIMELINE STATUS

This application (Development Application Number: D02-02-22-0010) was processed by the "On Time Decision Date" established for the processing of Zoning By-law amendment applications.

SUPPORTING DOCUMENTATION

Document 1 Location Map and Zoning Key Plan

Document 2 Details of Recommended Zoning

Document 3 Concept Plans

Document 4 Consultation Details

CONCLUSION

The Planning, Real Estate and Economic Development Department supports the application and proposed Zoning By-law Amendments. The proposed development provides further flexibility for the range of employment uses that can be located in this portion of the Kanata West Business Park and includes provisions to ensure that development is implemented in a manner consistent with similar light industrial uses surrounding the site.

DISPOSITION

This section outlines which departments are responsible for completing the tasks required in order to implement Council's direction and communicate Council's decisions. It should include who needs to be advised of Council's action, who will advise (City Clerk or the originating department), if the decision needs to be communicated to the public (if so, if there is a communication plan) and if a by-law is required to implement Council's decision (if so, Legal Services should be contacted).

For example:

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.

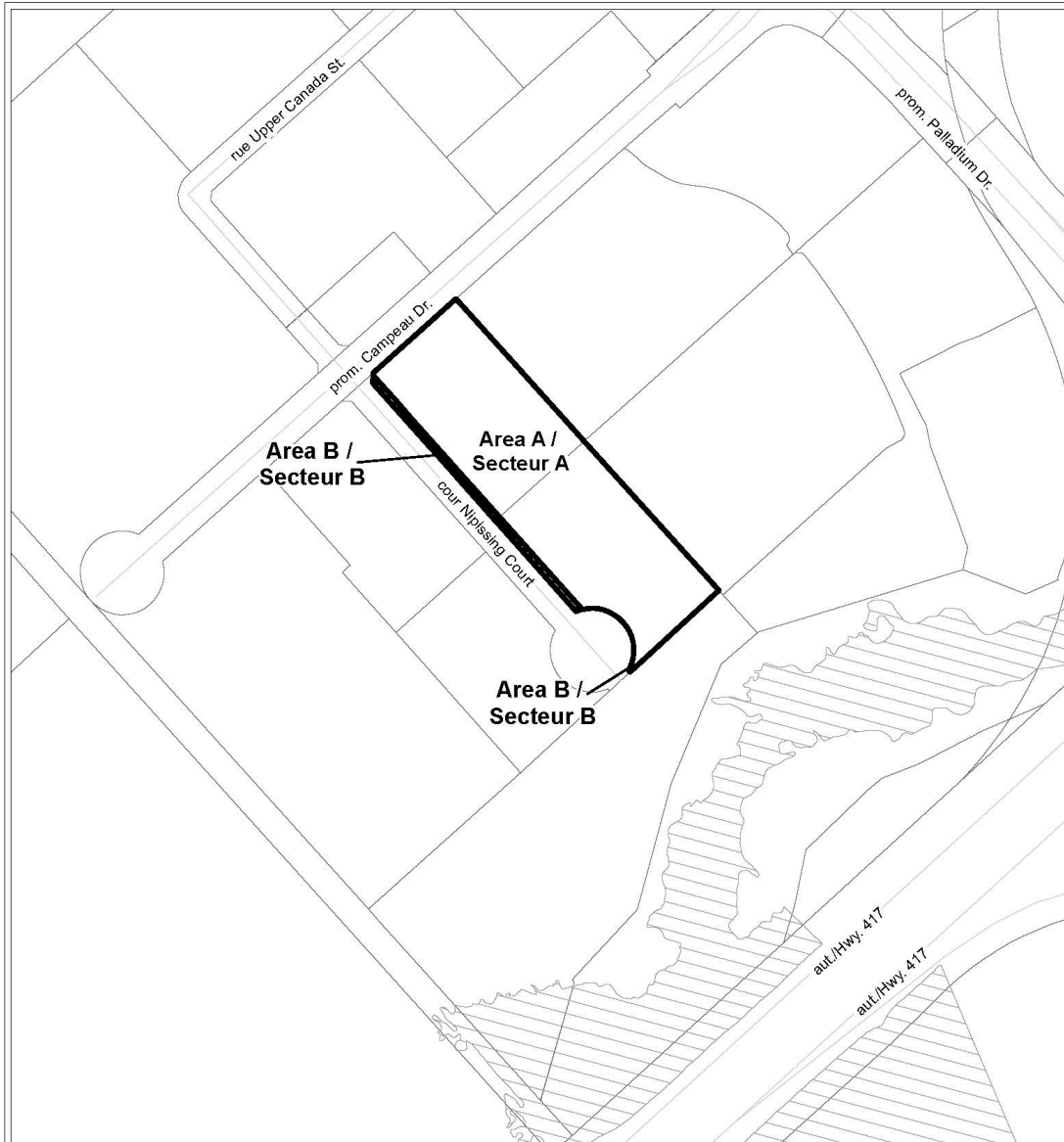
Zoning and Interpretations Unit, Policy Planning Branch, Economic Development and Long Range Planning Services to prepare the implementing by-law and forward to Legal Services.




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	
D02-02-22-0010	22-0102-X	101, 201 cour Nipissing Court	
I:\CO\2022\Zoning\Nipissing_101_201			Area A to be rezoned from GM[2167] to GM[XXXX] Le zonage du secteur A sera modifié de GM[2167] à GM[XXXX]
©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		Area B to be rezoned from IP13[2166] -h to GM[XXXX] Le zonage du secteur B sera modifié de IP13[2166] -h à GM[XXXX]	
©Les données de parcelles appartient à Teranet Entreprises Inc. et à ses fournisseurs. Tous droits réservés. Ne peut être reproduit sans autorisation. CECI N'EST PAS UN PLAN D'ARPENTAGE		 Existing Flood Plain (Section 58) / Plaine inondable (Article 58)	
REVISION / RÉVISION - 2022 / 06 / 10			

Document 2 – Details of Recommended Zoning

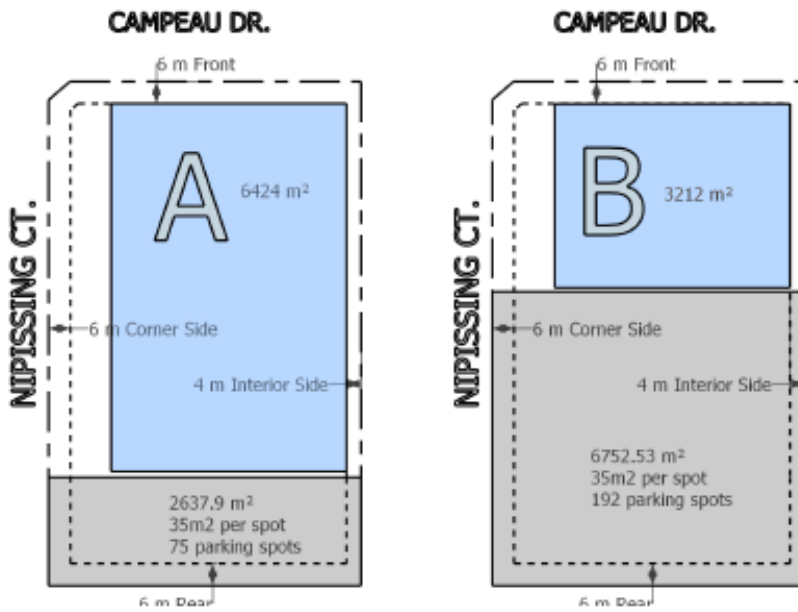
The proposed change to the City of Ottawa Zoning By-law No. 2008-250 for 101 and 201 Nipissing Court:

1. Rezone the lands shown as Area A in Document 1 from GM[2167] to GM[XXXX].
2. Rezone the lands shown as Area B in Document 1 from IP13[2166]-h to GM[XXXX].
3. Amend Section 239 – Urban Exceptions, by adding a new exception [XXXX] with a provision similar in effect to the following:
 - a) In Column III, list the following uses as additional permitted land uses: automobile service station, bank, bank machine, bar, cinema, convenience store, garden nursery, parking garage, parking lot, payday loan establishment, personal service business, nightclub, recreational and athletic facility, restaurant, retail store, retail food store, service and repair shop, sports arena, theatre, light industrial use, technology industry, research and development centre, warehouse, and truck transport terminal.
 - b) In Column IV, list the following uses as prohibited land uses: Apartment dwelling, low-rise, apartment dwelling, mid-high rise, bunk house dwelling, coach house, detached dwelling, duplex dwelling, linked-detached dwelling, townhouse dwelling, semi-detached dwelling, stacked dwelling, secondary dwelling unit, and three-unit dwelling.
 - c) In Column V, add provisions similar in effect to the following:
 - Light Industrial Use, Technology Industry, Research and Development Centre, Warehouse and Truck Transport Facility are subject to the following provisions:
 - i. Minimum front yard setback is 6 metres.
 - ii. Minimum corner side yard setback is 6 metres.
 - iii. Minimum interior side yard setback is 4 metres.
 - iv. Minimum rear yard setback is 6 metres.
 - Minimum required front yard setback along Palladium Drive is 1.5 m;
 - Minimum required corner side yard setback along Campeau Drive is 0 m;

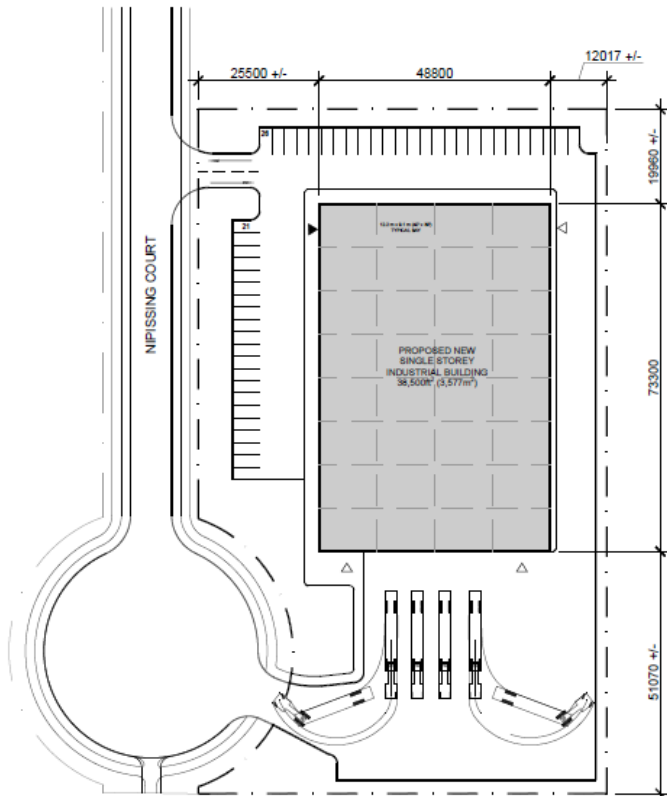
- Minimum required rear yard setback along Nipissing Court is 0 m.
- d) In Column II, add the text, "GM[XXXX]".

Document 3 – Concept Plans

101 Nipissing Court



201 Nipissing Court



Document 4 – 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 comments were received from members of the public.