

7. Zoning By-law Amendment – Part of 2128 Trim Road and Part of 705 Aquaview Drive

Modification au *Règlement de zonage* – Partie du 2128, chemin Trim et partie du 705, promenade Aquaview

Committee Recommendation

That Council approve an amendment to Zoning By-law 2008-250 for Part of 2128 Trim Road and Part of 705 Aquaview Drive to permit 535 residential units, two transitway blocks, one park block, three pathway blocks and one future school block, as detailed in Document 2.

Recommandation du Comité

Que le Conseil approuve une modification au Règlement de zonage 2008-250 visant une partie du 2128, chemin Trim et une partie du 705, promenade Aquaview, afin de permettre l'aménagement de 535 logements, de deux îlots pour le Transitway, d'un îlot de parc, de trois îlots de sentiers et d'un îlot destiné à une école future, comme le précise le document 2.

Documentation / Documentation

1. Director's report, Planning Services, Infrastructure and Economic Development Department, dated August 12, 2019 (ACS2019-PIE-PS-0070)

Rapport de la directrice, Services de la planification, Direction générale de la planification, de l'infrastructure et du développement économique, daté le 12 août 2019 (ACS2019-PIE-PS-0070)

2. Extract of draft Minutes, Planning Committee, August 22, 2019

Extrait de l'ébauche du procès-verbal, Comité de l'urbanisme, le 22 août 2019

3. Summary of Written and Oral Submissions to be issued separately with the Council agenda for its meeting of September 25, 2019, 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 September 11, 2019".

Résumé des observations écrites et orales à distribuer séparément avec l'ordre du jour de la réunion du 25 septembre 2019 du 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 11 septembre 2019 ».

Report to
Rapport au:

Planning Committee
Comité de l'urbanisme
22 August 2019 / 22 août 2019

and Council
et au Conseil
11 September 2019 / 11 septembre 2019

Submitted on 12 August 2019
Soumis le 12 août 2019

Submitted by
Soumis par:

Lee Ann Snedden
Director / Directrice

Planning Services / Services de la planification
Planning, Infrastructure and Economic Development Department / Direction
générale de la planification, de l'infrastructure et du développement économique

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Ward: CUMBERLAND (19)

File Number: ACS2019-PIE-PS-0070

SUBJECT: Zoning By-law Amendment – Part of 2128 Trim Road and Part of 705
Aquaview Drive

OBJET: Modification au *Règlement de zonage* – Partie du 2128, chemin Trim
et partie du 705, promenade Aquaview

REPORT RECOMMENDATIONS

1. That Planning Committee recommend Council approve an amendment to Zoning By-law 2008-250 for Part of 2128 Trim Road and Part of 705

Aquaview Drive to permit 535 residential units, two transitway blocks, one park block, three pathway blocks and one future school block, as detailed in Document 2.

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 City Clerk and Solicitor's Office 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 September 11, 2019," 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 une partie du 2128, chemin Trim et une partie du 705, promenade Aquaview, afin de permettre l'aménagement de 535 logements, de deux îlots pour le Transitway, d'un îlot de parc, de trois îlots de sentiers et d'un îlot destiné à une école future, comme le précise le document 2.
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 de l'avocat général 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 11 septembre 2019 », 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

Zoning By-law amendment to permit the construction of 535 residential units consisting of 295 single detached dwellings, 17 multi-unit residential blocks containing 200 townhouses and 40 back-to-back townhouses, two transitway blocks, one park block, three pathway blocks and one future school block.

Site location

Part of 2128 Trim Road and Part of 705 Aquaview Drive

Owner

Provence Orleans Realty Investments Inc. (Regional Group of Companies)

Applicant

Erin O'Connor

Description of site and surroundings

The subject site contains two parcels: one parcel is 3.4 hectares and situated west of Portobello Boulevard and north of Aquaview Drive and is surrounded to the north by the future transitway corridor and existing residential dwellings as well as to the west; the second parcel is 24 hectares in size and is situated between Provence Avenue and Trim Road and north of Arrowgrass Way and is surrounded to the north by an existing high school and residential development and to the south by the future transitway corridor and existing residential development. Both parcels have been used as farmland in recent years (see Document 1).

Summary of requested Zoning By-law amendment proposal

The current properties are mostly zoned Development Reserve (DR), which permits the development of plans of subdivision for residential purposes. Two small parcels are zoned R3Y[708]. A zoning by-law amendment is required to permit residential single detached dwellings, traditional and back to back townhouse dwellings, a park, a school and a corridor for the future bus rapid transit.

The application is seeking a Zoning By-law amendment to change the current zoning from Development Reserve Zone (DR), R3Y[708] to Residential Third Density zones with exceptions to permit single detached dwellings, townhouse dwellings and back-to-back townhouse dwellings. Section 87 of the City of Ottawa Zoning By-law 2008-250 permits a rapid-transit network in any zone.

A Residential Third Density Zone, Subzone YY (R3YY) with exceptions [XXXX] is being sought for the single detached and traditional townhouse dwellings and the Residential Third Density Zone, Subzone YY, Exception [2328] is requested for back to back townhouse dwellings.

An exception is requested to be added to the proposed R3YY zone to permit the projection of porches up to 1.5 metres into the front and corner side yards. The City's standard projection for porches in "Table 65 – Permitted Projections into Required Yards" of the Zoning By-law 2008-250 permits a maximum of up to 2 metres or 50 percent of the required front and corner side yard. The projection for porches of up to a maximum of 1.5 metres will ensure compliance with the City's "Tree Planting in Sensitive Marine Clay Soils – 2017 Guidelines".

An exception is also being sought from Section 107(3)(b)(ii)(1) of the Zoning By-law 2008-250 which limits the area of the driveway to no more than 50 percent of the area of the yard in which it is located. Relief is requested for the corner townhouse lots such that up to 65 percent of the area of the front yards could be used for the driveways to accommodate one of the applicant's townhouse designs which includes a double vehicle garage as an end unit with the front door facing the opposite street.

There is also a request to rezone one of the blocks from Development Reserve Zone (DR) to a Parks and Open Space Zone (O1) and one of the blocks to a Minor Institutional Zone, Subzone B (I1B)/Residential Third Density, Subzone Y, Exception 708 (R3Y[708]) to permit a school. The school zone will match the existing dual zone already in place for the future school site.

DISCUSSION

Public consultation

The statutory public meeting for the Draft Plan of Subdivision was held on September 6, 2018 at the François Dupuis Recreation Centre at 2263 Portobello Boulevard.

Approximately 40 community residents were in attendance at this session which was organized in their community. The applicant, their engineering and planning consultants, Councillor Blais and his staff, and Planning staff were present. The residents in attendance voiced their concerns with the addition of the new homes and the original intent to extend an existing cul-de-sac, Salzburg Drive. A petition was also presented at this meeting signed by 85 residents on Salzburg Drive expressing concern with the extension of their street. At the meeting, the applicant responded that the existing cul-de-sac could remain with the City's support.

The existing cul-de-sac was intended to be a collector into the proposed subdivision in accordance with the May 1994 Urban Expansion Area of the City of Cumberland.

However, given the time lapse between its construction in 2006 and this current proposal from 2018, consideration was given to eliminate the collector street with the appropriate supporting traffic information. The plan was later revised to maintain the cul-de-sac and include a wide pedestrian connection and servicing block to the new development which received Planning, Infrastructure and Economic Development Department's support.

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

Official Plan designation

The subject application has been examined pursuant to the provisions of the Official Plan and is deemed to comply with its provisions for development in a General Urban designation. The intent of the General Urban designation is to permit a full range of housing types to accommodate the needs of all ages, income levels and life circumstances, along with conveniently located retail, leisure, institutional and employment uses to create a complete and sustainable community. The proposal also meets several principles under the Urban Design Objectives and Principles as well as the Compatibility criteria within the Official Plan.

Other applicable policies and guidelines

A Neighbourhood Development Plan for the residential neighbourhoods in the Urban Expansion Area of the City of Cumberland was approved in May 1994. This plan provided a detailed land use plan for each neighbourhood complete with road patterns and specific land use distributions. The lands subject to this application are located in what was identified as Neighbourhood 3. The intent was for this area near the future transitway corridor and station, to grow with higher density development. The proposal is to continue to provide a mix of residential unit types similar to the rest of the neighbourhood and have the higher density units close to the future O-Train. The proposed development has been designed to recognize the importance of the future transitway, with the higher density in proximity to the future transit station and the lower density further away.

Planning Rationale

The proposed zoning by-law amendment conforms to the policies for greenfield development in the General Urban Area. A range of low-rise residential housing types are proposed within this subdivision which is compatible with the surrounding existing

neighbourhood. The intent of the former City of Cumberland neighbourhood development plan from 1994 for this area is also being followed with the exception of the continuation of the existing collector street from Trim Road which has been modified as a result of the public consultation process and supported from a transportation perspective.

The proposed zoning varies from the existing development in this area. Firstly, "Table 65 – Permitted Projections into Required Yards" of the Zoning By-law 2008-250 which currently permits a maximum of up to 2 metres or 50 percent of the required front and corner side yard, is being amended to allow the projection for porches of up to a maximum of 1.5 metres. This reduction will allow street trees to be planted in the presence of sensitive marine clay soils.

Secondly, where the Zoning By-law typically permits up to 50 percent driveway coverage, an amendment is proposed to allow up to 65 percent driveway coverage in the front yard for corner townhouse units where the front door is facing the opposite street. This relief recognizes that corner lots have less front yard area than an internal lot, due to the corner sight triangle included as part of the road right of way. The provision will require that the balance of the front yard contain soft landscaping.

Provincial Policy Statement

Staff have reviewed this proposal and have determined that it is consistent with the Provincial Policy Statement, 2014 since it is providing residential development within a settlement area, utilizing land and existing infrastructure efficiently. The proposed unit mix provides a variety of housing forms at a range of densities. The proposal is designed to promote a healthy and active community by providing easy access to area recreational amenities within a combined pedestrian and cycling network promoting active transportation.

RURAL IMPLICATIONS

This Zoning By-law amendment application is not expected to impact the rural area.

COMMENTS BY THE WARD COUNCILLOR

Councillor Blais is aware of this report.

LEGAL IMPLICATIONS

Members of Council will be aware that Bill 108 has been enacted by the Legislature. At the time of the writing of this comment, final transitional regulations have not been provided. However, it is anticipated that any appeal of this zoning by-law would be subject to the Bill 108 procedure. In any event, should the recommendations be carried and the matter appealed to the Tribunal, it is anticipated that a two to three day hearing would be necessary and that the appeal could be conducted within staff resources. Should the application be refused, reasons must be provided. In the event of an appeal of a refusal, an external planner would need to be retained and possibly an external transportation consultant.

RISK MANAGEMENT IMPLICATIONS

There are no risk management implications associated with this report.

ASSET MANAGEMENT IMPLICATIONS

The recommendations documented in this report are consistent with the City's [Comprehensive Asset Management \(CAM\) Program](#) objectives.

The implementation of the CAM program results in timely decisions that minimize lifecycle costs and ensure the long-term affordability of assets. To fulfill its obligation to deliver quality services to the community, the City must ensure that assets supporting City services are managed in a way that balances service levels, risk and affordability. The proposed paths, parks and school locations, developed using the Building Better Smarter Suburbs principles, serves to round out the proposed development with the appropriate supporting infrastructure.

FINANCIAL IMPLICATIONS

There are no direct financial implications associated with the approval of the zoning amendment. In the event the zoning amendment is refused and appealed, an external planner and possibly an external transportation consultant would be retained. This expense would be absorbed from within Planning, Infrastructure and Economic Development's operating budget.

ACCESSIBILITY IMPACTS

No accessibility implications are anticipated in association with this report. Proper

accessibility will be ensured through the detailed engineering design review.

ENVIRONMENTAL IMPLICATIONS

An Environmental Impact Assessment was submitted and reviewed, and no environmental concerns were identified.

TERM OF COUNCIL PRIORITIES

This project addresses the following Term of Council Priorities:

- TM2 – Provide and promote infrastructure to support safe mobility choices
- ES1 – Support and environmentally sustainable Ottawa

APPLICATION PROCESS TIMELINE STATUS

The application was not processed by the "On Time Decision Date" established for the processing of Zoning By-law amendments because the appeal period for the Draft Plan of Subdivision approval had to be completed.

SUPPORTING DOCUMENTATION

Document 1 Location Maps

Document 2 Details of Recommended Zoning

Document 3 Consultation Details

CONCLUSION

Staff is of the opinion that the proposed development provides a sensitive design approach that achieves a desired and compatible built form for the area. The proposed development will also contribute to ensure a full range and choice of housing types in close proximity to transit and so staff supports the proposed amendments.

DISPOSITION

Legislative Services, Office of the City Clerk and Solicitor to notify the owner; applicant; Ottawa Scene Canada Signs, 415 Legget Drive, Kanata, ON K2K 3R1; Krista O'Brien, Tax Billing, Accounting and Policy Unit, Revenue Service, Corporate Services (Mail Code: 26-76) of City Council's decision.

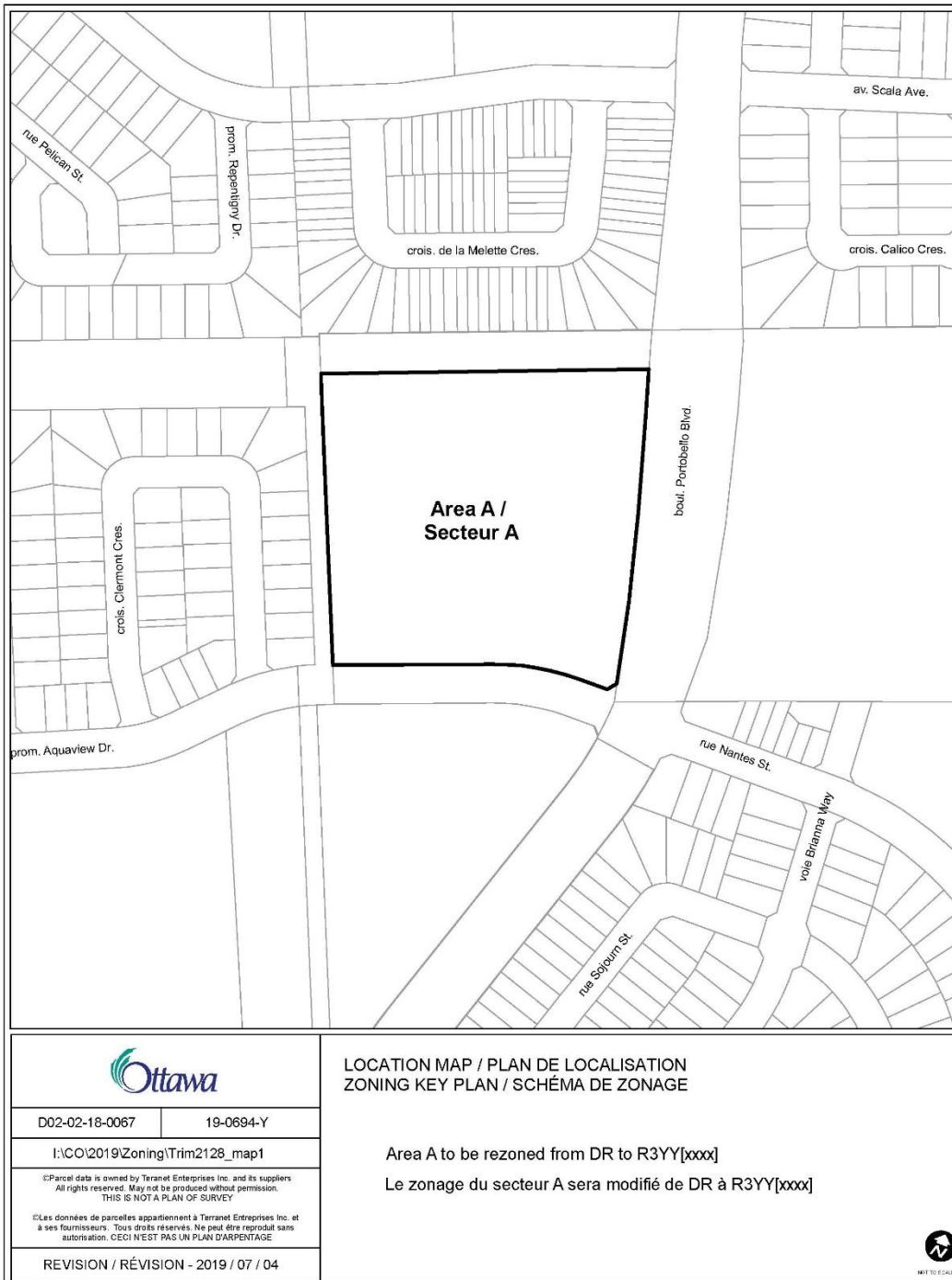
Zoning and Interpretations Unit, Policy Planning Branch, Economic Development and Long Range Planning Services to prepare the implementing by-law and forward to Legal Services.

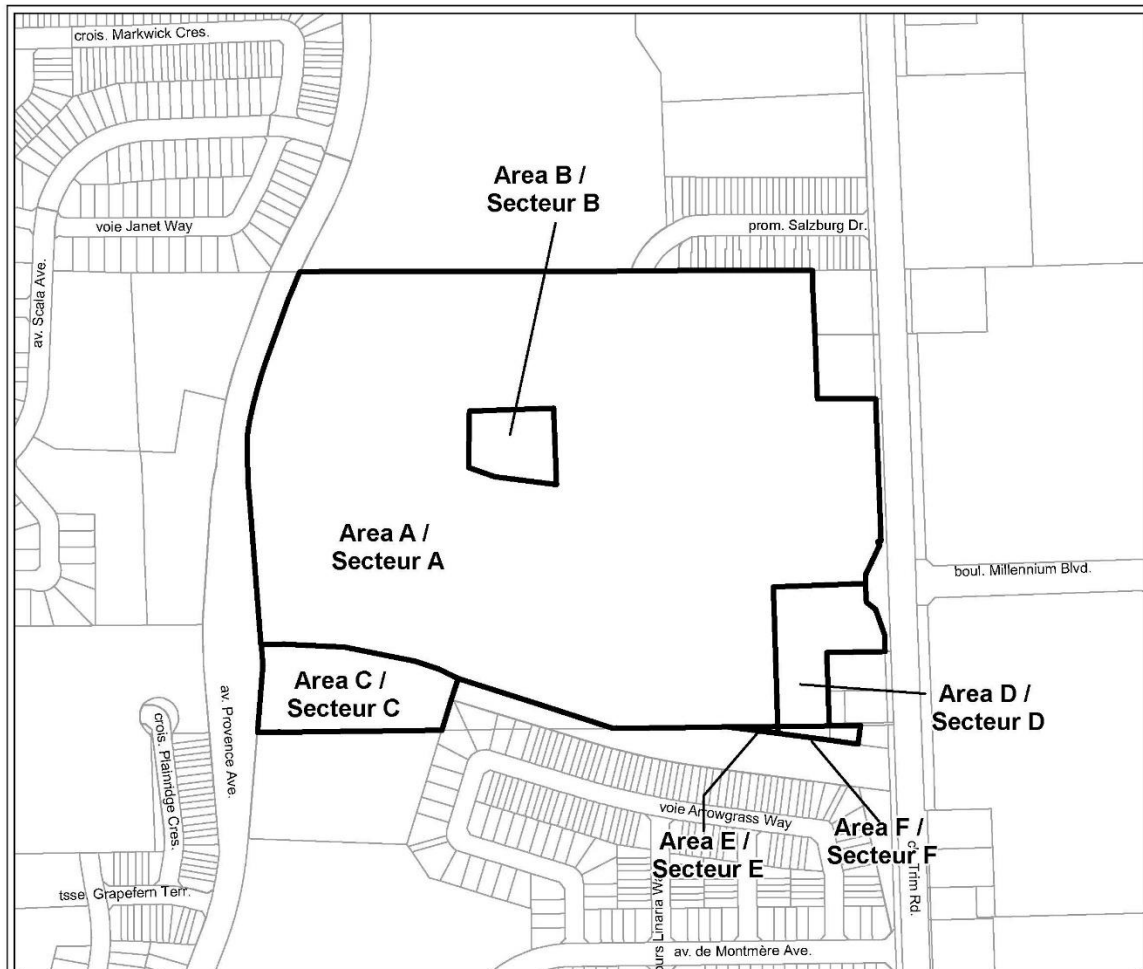
Legal Services, Office of the City Clerk and Solicitor to forward the implementing by-law to City Council.

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

Document 1 – Location Map

The maps show areas of the property that are subject to the Zoning By-law amendment.





Legend / Légende

Area A to be rezoned from DR to R3YY[xxxx]	Le zonage du secteur A sera modifié de DR à R3YY[xxxx]
Area B to be rezoned from DR to O1	Le zonage du secteur B sera modifié de DR à O1
Area C to be rezoned from DR to I1B / R3Y[708]	Le zonage du secteur C sera modifié de DR à I1B / R3Y[708]
Area D to be rezoned from DR to R3YY[2328]	Le zonage du secteur D sera modifié de DR à R3YY[2328]
Area E to be rezoned from R3Y[708] to R3YY[xxxx]	Le zonage du secteur E sera modifié de R3Y[708] à R3YY[xxxx]
Area F to be rezoned from R3Y[708] to R3YY[2328]	Le zonage du secteur F sera modifié de R3Y[708] à R3YY[2328]



LOCATION MAP / PLAN DE LOCALISATION
 ZONING KEY PLAN / SCHÉMA DE ZONAGE

D02-02-18-0067


19-0694-Y

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REVISION / RÉVISION - 2019 / 07 / 04

 Areas to be rezoned as per Legend
 Secteurs devant être rezonés conformément à la légende



Document 2 – Details of Recommended Zoning

The proposed change to the City of Ottawa Zoning By-law No. 2008-250 for part of 2128 Trim Road and part of 705 Aquaview Drive:

1. Rezone the lands shown on Document 1 as follows:
 - a) Area A from DR to R3YY [XXXX]
 - b) Area B from DR to O1
 - c) Area C from DR to I1B/R3Y[708]
 - d) Area D from DR to R3YY[2328]
 - e) Area E from R3Y[708] to R3YY[XXXX]
 - f) Area F from R3Y[708] to R3YY[2328]
2. Add a new exception (R3YY [XXXX]) to Section 239 – Urban Exceptions with provisions similar in effect to the following:
 - a. In Column II, add the text “(R3YY [XXXX])
 - b. In Column V, add the following provisions:
 - i) For a detached dwelling or townhouse dwelling:
 - Despite Section 65, no part of a foundation for a permitted projection is permitted in a front yard, however the projection of porches up to 1.5 metres into the front and corner side yards is permitted.
 - ii) For a townhouse dwelling:
 - Where a corner lot contains a townhouse dwelling with a front door facing one street and a parking space is accessed from a driveway that passes through the front yard on the other street, a maximum of 65 percent of the area of the front yard, or the required width of one parking space, whichever is the greater, may be used for a driveway, and the remainder of the front yard, except for areas occupied by projections permitted under Section 65 or as otherwise noted in this exception, or a walkway, must be landscaped with soft landscaping.

Document 3 – 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.

The statutory public meeting for the Draft Plan of Subdivision was held on September 6, 2018 at the François Dupuis Recreation Centre at 2263 Portobello Boulevard.

Approximately 40 residents were in attendance.

Public Comments and Responses

Comment:

Residents were concerned with an increase in traffic volumes, more speeding on Provence Avenue and noise from this traffic.

Response:

The existing condition on Provence Avenue was already being examined by the City who has undertaken an Area Traffic Management Study for this street. The Noise Impact Assessment submitted in support of this application states that noise mitigation will be applied where required as per the Ministry of Transportation guidelines.

Comment:

The residents on Salzburg Drive prepared a petition as they objected to having their street extended into the new part of the subdivision.

Response:

Although the former City of Cumberland approved a Neighbourhood Development Plan for this residential area in 1994, which included the extension of Salzburg Drive, the applicant in discussions with staff decided to keep the existing street closed off from the new development and replace it with a wide pedestrian/cycling block which will also serve as a servicing block.

Comment:

Some area residents were not aware that the existing corridor north and south of this development is intended to house the future bus rapid transit.

Response:

Staff informed them that the Cumberland Transitway Environmental Assessment Study was completed in October 1999, which determined the alignment of this corridor.

Comment:

A few residents expressed concern with respect to the environmental protection of the wildlife and vegetation on this property and the surrounding area.

Response:

An Environmental Impact Assessment was submitted in support of this application which did not identify any species at risk within the development lands.