

**8. Zoning By-law Amendment – 352 Aquaview Drive and 2165/2175 Tenth Line Road**

**Modification du *Règlement de zonage* – 352, promenade Aquaview et 2165 et 2175, chemin Tenth Line**

**Committee Recommendations, as amended**

**That Council:**

- 1. approve an amendment to Zoning By-law 2008-250 for 352 Aquaview Drive and 2165/2175 Tenth Line Road to permit 299 residential units, one transitway block, one park block and two pathway blocks, as detailed in Document 2; and**
- 2. direct staff to implement the appropriate rezoning process that would allow parkland at 480 Aquaview to have a “pop-up” restaurant including appropriate performance standards.**

**Recommandations du Comité, telles que modifiées**

**Que le Conseil :**

- 1. approuve une modification au Règlement de zonage 2008-250 visant le 352, promenade Aquaview et les 2165 et 2175, chemin Tenth Line, afin de permettre l'aménagement de 299 logements, d'un îlot pour le Transitway, d'un îlot de parc et de deux îlots de sentiers, comme le précise le document 2; et**
- 2. demande au personnel de mettre en branle le processus de modification du zonage qui permettra l'aménagement d'un restaurant éphémère sur le terrain à vocation de parc situé au 480, promenade Aquaview et de définir un seuil de nuisance approprié.**

**Documentation / Documentation**

- 1. Director's report, Planning Services, Infrastructure and Economic Development Department, dated August 6, 2019 (ACS2019-PIE-PS-0074)  
Rapport de la directrice, Services de la planification, Direction générale de**

la planification, de l'infrastructure et du développement économique, daté le 6 août 2019 (ACS2019-PIE-PS-0074)

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 6 August 2019  
Soumis le 6 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-0074

**SUBJECT: Zoning By-law Amendment – 352 Aquaview Drive and 2165/2175  
Tenth Line Road**

**OBJET: Modification du *Règlement de zonage* – 352, promenade Aquaview et  
2165 et 2175, chemin Tenth Line**

## REPORT RECOMMENDATIONS

1. That Planning Committee recommend Council approve an amendment to Zoning By-law 2008-250 for 352 Aquaview Drive and 2165/2175 Tenth Line

Road to permit 299 residential units, one transitway block, one park block and two pathway blocks, 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 le 352, promenade Aquaview et les 2165 et 2175, chemin Tenth Line, afin de permettre l'aménagement de 299 logements, d'un îlot pour le Transitway, d'un îlot de parc et de deux îlots de sentiers, 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 299 residential units consisting of 49 single detached dwellings, 167 executive townhomes, 56 back-to-back townhomes and 27 rear-lane townhomes, one transitway block, one park block and two pathway blocks.

### **Site location**

352 Aquaview Drive and 2165/2175 Tenth Line Road

### **Owner**

Minto Communities Inc.

### **Applicant**

Beth Henderson, Minto Communities Inc.

### **Description of site and surroundings**

The two parcels are approximately 7.86 hectares and 2.56 hectares in size and are situated south of the future Rapid Transit Corridor and Station on Tenth Line Road and on Aquaview Drive, west and south of the existing Aquaview Storm Water Facility. The parcel south of the pond will be developed with single detached dwellings and the parcel to the west will include a combination of different types of medium density residential dwelling units (see Document 1).

Draft Plan of Subdivision approval has been granted for this property in the Orléans Avalon community to allow for the development of 299 residential units. The proposed development would establish in Stage 1, residential single detached dwellings (49 units) on a cul-de-sac, and in Stage 2, a mix of residential traditional townhouse (167 units), rear-lane townhouse (27) and back to back townhouse dwellings (56 units) for a total of 299 units on public streets. The rear lane townhouses will be facing the collector, Lakepointe Drive, to mirror the existing homes on the south side of this street and garages for these units will be behind on the internal street.

### **Summary of requested Zoning By-law amendment proposal**

Both parcels subject to this proposal and the additional park block are currently zoned Development Reserve (DR), which recognizes lands intended for future urban development in areas designated General Urban Area and Developing Communities in the Official Plan. A Zoning By-law amendment is also being sought with various zones to permit single detached, traditional townhouse, back to back townhouse and rear lane townhouse dwelling units, as well as a park and the transit corridor.

The proposed Zoning By-law amendment to zone the residential parcels of this subdivision from DR to R3YY[XXXX], R3YY[YYYY], R3YY[ZZZZ] and R3YY[2328]

conform to the policies for development in the General Urban Area designation. The proposed housing types are compatible with the existing neighbourhood development, with the higher density back to back townhouses in proximity to the future transit station at Tenth Line Road.

## **DISCUSSION**

### **Public consultation**

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. Owners within 120 metres of the subject lands were notified by mail and signs were posted on the site.

A Statutory Public Meeting was held for this Draft Plan of Subdivision on November 29, 2018 at the Aquaview Community Hall at 318 Aquaview Drive.

Approximately 30 residents were in attendance at this session which was organized in their community. The applicant, engineering and planning consultants, Councillor Blais and his staff, and Planning staff were present. The residents in attendance voiced their concerns with respect to the increase in housing, traffic, speeding and noise expected from this new development within their existing neighbourhood. Issues with existing settlement of Aquaview Drive was discussed which causes water ponding in selected areas. Pedestrian crossings were suggested by some residents to increase safety for residents crossing Aquaview Drive to get to the pond and park.

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 the Community Core for which a Core Area Study was to be prepared for Neighbourhood 2 but was never completed. The intent was for this area near the future transitway corridor and station, to grow with higher density development. Despite the absence of a detailed plan, much of this area has been developed with high density residential housing. 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 transit station. 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 adjacent to the existing Aquaview Community park.

### **Planning rationale**

The proposed Zoning By-law amendment conforms to the strategic directions and policies of the Official Plan. The development will provide a range of housing forms that is in keeping with and compliments the existing urban character and scale of the Avalon community. The proposed development will contribute to the existing network of public space in the area by introducing a new 0.4-hectare park, centrally located within the Stage 2 lands, and a 0.73-hectare extension to the existing Aquaview Park, adjacent to the Stage 2 lands.

The proposed development is designed to be transit-supportive and is located within an approximately 5-minute walk of the proposed Cumberland BRT Station which will provide future residents with convenient transit access and mobility within the broader City. Higher-density units (in the form of townhomes) are generally located closer to the future BRT station to take advantage of this planned transit investment.

The subject lands are currently zoned Development Reserve (DR) in the City's Zoning By-law. The purpose of this zone is to recognize lands intended for future urban development. The following outlines the proposed zoning amendments for the subject lands:

Area A is to be rezoned from Development Reserve (DR) to Residential Third Density zone, subzone YY, with a site-specific exception (R3YY [XXXX]) to permit reduced minimum front and corner yard setbacks.

Area B is to be rezoned from Development Reserve (DR) to Residential Third Density zone, subzone YY, with a site-specific exception (R3YY [YYYY]) to permit reduced minimum front and corner yard setbacks and the projection of an air-conditioner condenser into the corner side yard.

Area C is to be rezoned from Development Reserve (DR) to Residential Third Density zone, subzone YY, Exception 2328 (R3YY [2328]).

Area D is to be rezoned from Development Reserve (DR) to Residential Third Density zone, subzone YY, with a site-specific exception (R3YY [ZZZZ]) to permit rear lane driveways.

Area E is to be rezoned from Development Reserve (DR) zone to Parks and Open Space zone (O1) to permit a park.

### **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 the application related to this report.

### **LEGAL IMPLICATIONS**

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

### **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. An amendment to the Official Plan for the creation new streets, paths, and parks using the Building Better Smarter Suburbs principles are consistent in rounding out the proposed development with the appropriate supporting infrastructure.

### **FINANCIAL IMPLICATIONS**

There are no direct financial implications.

### **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**

There are no environmental implications associated with this report.

### **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 Map

Document 2 Details of Recommended Zoning

Document 3 Consultation Details

Document 4 Concept Plan

## **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 proximity to transit.

## **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.

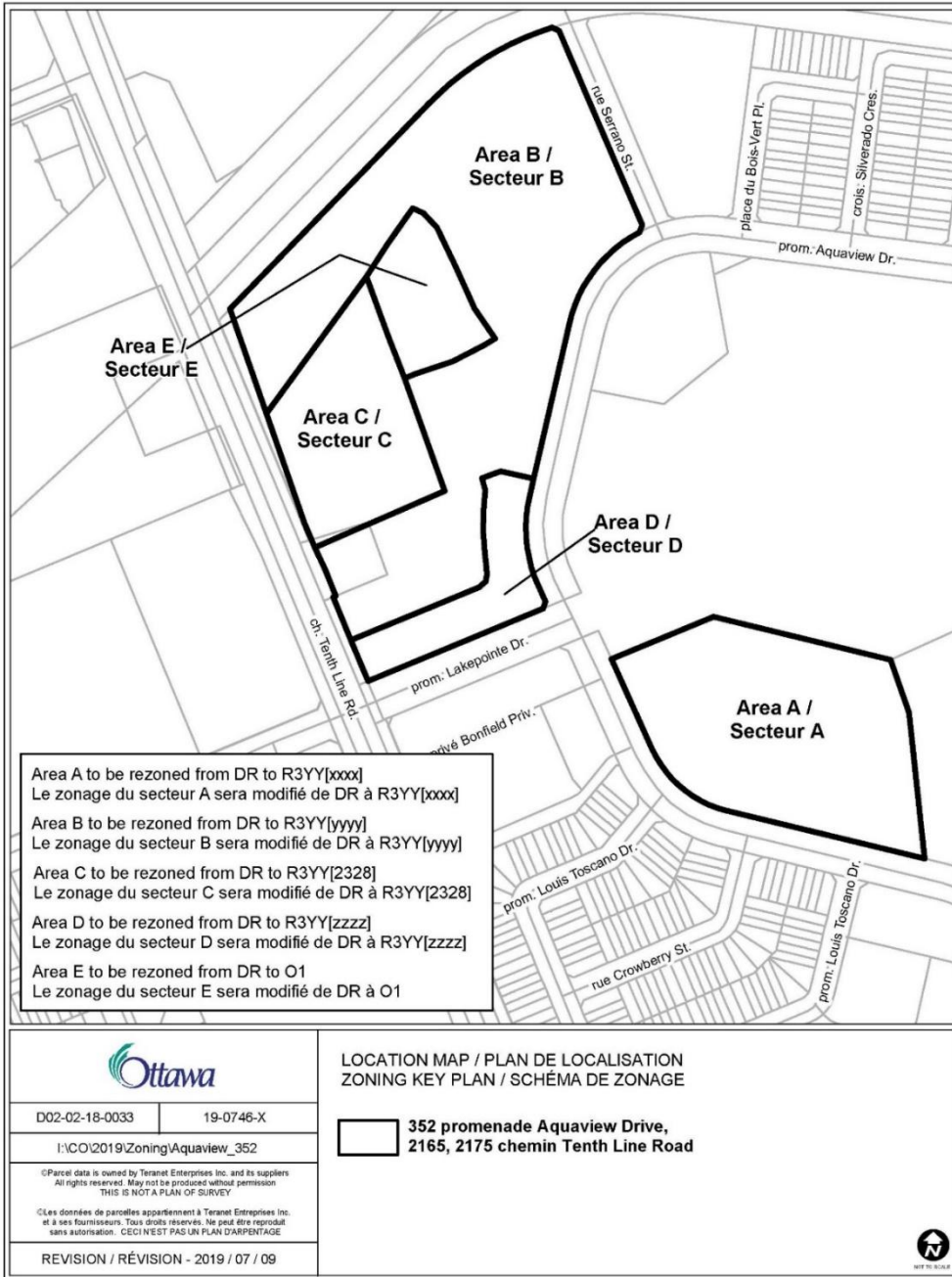
Zoning and Interpretations Unit, Policy Planning Branch, Economic Development and Long Range Planning Services to prepare the implementing by-law and forward to Legal Services.

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 map shows areas of the property that are subject to the Zoning By-law amendment.



## Document 2 – Details of Recommended Zoning

The proposed change to the City of Ottawa Zoning By-law No. 2008-250 for 352 Aquaview Drive and 2165/2175 Tenth Line Road:

1. Rezone the lands shown as shown on Document 1.
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:  
Provisions for detached dwellings:
    - minimum corner side yard setback: 3m
    - minimum rear yard setback for corner lots: 1.2m
    - minimum front yard setback: 5.25m
3. Add a new exception (R3YY [YYYY]) to Section 239 – Urban Exceptions with provisions similar in effect to the following:
  - a. In Column II, add the text “(R3YY [YYYY])”
  - b. In Column V, add the following provisions:
    - minimum corner side yard setback: 3m
    - despite Table 65, an air-conditioner condenser is permitted as a projection into the corner side yard
    - minimum front yard setback: 5.25m
4. Add a new exception (R3YY [ZZZZ]) to Section 239 – Urban Exceptions with provisions similar in effect to the following:
  - a. In Column II, add the text “(R3YY [ZZZZ])”
  - b. In Column V, add the following provisions:
    - (i) Aquaview Drive or Lakepointe Drive is deemed the front lot line

- (ii) minimum lot width: 4 m
- (iii) minimum lot area: 95 m<sup>2</sup>
- (iv) minimum front yard setback: 3 m
- (v) minimum corner side yard setback: 2.5 m
- (vi) minimum rear yard setback: 4.7 m
- (vii) Section 135 does not apply -despite section 65 and except for a cantilevered foundation, no part of a foundation for a permitted projection is permitted within a front yard;
  - Where a lot contains a townhouse dwelling and a parking space is accessed from a driveway within the rear yard, a maximum of 68 per cent of the area of the rear yard, or the required minimum width of one parking space, whichever is the greater, may be used for a driveway.
  - Despite Clause 59(1)(b), access to a lot may be provided by means of a rear lane a minimum of 8.5 metres in width instead of by a public street.

### **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.

A Statutory Public Meeting was held for this Draft Plan of Subdivision on November 29, 2018 at the Aquaview Community Hall at 318 Aquaview Drive. Approximately 30 residents were in attendance.

#### Public Comments and Responses

##### Comments:

Residents expressed concern with the increase in housing, traffic, speeding and construction noise and dust.

##### Response:

It was explained that A Neighbourhood Development Plan for the residential neighbourhoods in the Urban Expansion Area of the City of Cumberland was approved in May, 1994, which anticipated high density development within this core area adjacent to the future Transit station. A Transportation Impact Study and Noise Control Study were required to support the proposed development. The developer will be required to follow the City's noise by-law and acceptable street cleaning practices imposed by the City inspector. A condition to add pedestrian crossings in a location approved by the City's Transportation Department has also been included in the draft subdivision approval.

##### Comment:

Some residents were concerned with the settlement of Aquaview Drive and the water ponding in selected areas as a result.

##### Response:

The City has conditioned the applicant to provide a drainage assessment of the surface ponding at identified locations along Aquaview Drive and to identify improvements at catch basin locations and pedestrian crossings.

Comment:

A few residents expressed concern regarding the environmental preservation and the impact the development may have on the wildlife and the slope stability around the existing stormwater management pond.

Response:

A detailed Environmental Impact Statement and Tree Conservation Report has been prepared in support of this application which states that there are no designated habitats, wetlands, or forest cover within the subject site. A Geotechnical Report was also submitted to ensure this development is supported.

Comment:

Concerned with lack of pedestrian crosswalks in the curve of Aquaview Drive to the existing playground.

Response:

The applicant will be required to add pedestrian crosswalks where deemed necessary by the City.

Document 4 – Concept Plan

