

<p><b>2. ZONING BY-LAW AMENDMENT – PART OF 3455 MILTON ROAD</b></p> <p><b>MODIFICATION AU RÈGLEMENT DE ZONAGE – PARTIE DU 3455, CHEMIN MILTON</b></p>
---

**COMMITTEE RECOMMENDATION**

**That Council approve an amendment to Zoning By-law 2008-250 for part of 3455 Milton Road to permit Village Residential uses as detailed in Document 2.**

**RECOMMANDATION DU COMITÉ**

**Que le Conseil approuve une modification au Règlement de zonage 2008-250 visant une partie du 3455, chemin Milton, afin de permettre la présence d'utilisations résidentielles de village, comme l'expose en détail le document 2.**

**DOCUMENTATION / DOCUMENTATION**

Director, Planning Services, Planning, Infrastructure and Economic Development  
Department report dated 9 August 2017 (ACS2017-PIE-PS-0106).

Rapport du Directrice, Services de la planification, Direction de la planification,  
de l'infrastructure et du développement économique daté le 9 août 2017  
(ACS2017-PIE-PS-0106).

**AGRICULTURE AND RURAL  
AFFAIRS COMMITTEE  
REPORT 27  
13 SEPTEMBER 2017**

**11**

**COMITÉ DE L'AGRICULTURE ET  
DES AFFAIRES RURALES  
RAPPORT 27  
LE 13 SEPTEMBRE 2017**

**Report to  
Rapport au:**

**Agriculture and Rural Affairs Committee  
Comité de l'agriculture et des affaires rurales  
7 Septembre 2017 / 7 septembre 2017**

**and Council / et au Conseil  
September 13, 2017 / 13 septembre 2017**

**Submitted on August 9, 2017  
Soumis le 9 août 2017**

**Submitted by  
Soumis par:  
Lee Ann Snedden,  
Director / Directrice,  
Planning Services / Service de la planification  
Planning, Infrastructure and Economic Development Department / Direction  
générale de la planification, de l'infrastructure et du développement économique**

**Contact Person / Personne ressource:  
Natalie Persaud, Planner / Urbaniste, Development Review Rural / Examen des  
demandes d'aménagement ruraux  
(613) 580-2424, 12681, [Natalie.Persaud@ottawa.ca](mailto:Natalie.Persaud@ottawa.ca)**

**Ward: CUMBERLAND (19)**

**File Number: ACS2017-PIE-PS-0106**

**SUBJECT: Zoning By-law Amendment – Part of 3455 Milton Road**

**OBJET: Modification au Règlement de zonage – Partie du 3455, chemin  
Milton**

## **REPORT RECOMMENDATIONS**

- 1. That Agriculture and Rural Affairs Committee recommend Council approve an amendment to Zoning By-law 2008-250 for part of 3455 Milton Road to permit Village Residential uses as detailed in Document 2.**
- 2. That Agriculture and Rural Affairs 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 Bill 73 'Explanation Requirements' at the City Council Meeting of 13 September 2017 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'agriculture et des affaires rurales recommande au Conseil d'approuver une modification au Règlement de zonage 2008-250 visant une partie du 3455, chemin Milton, afin de permettre la présence d'utilisations résidentielles de village, comme l'expose en détail le document 2.**
- 2. Que le Comité de l'agriculture et des affaires rurales 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 du projet de loi 73 », à la réunion du Conseil municipal prévue le 13 septembre 2017, 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**

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**

3455 Milton Road

### **Owner**

Jean-Luc Rivard, 3223701 Canada Inc.

### **Applicant**

Marc Rivet, J.L.R & Associates Limited

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

The site, 3455 Milton Road, is a vacant parcel of land, approximately 13 hectares in size. It is heavily treed, with a partial clearing at the south end where the elevation is lower. It is surrounded by low rise residential uses and abuts lands owned by VIA Rail Canada Inc. These lands are currently leased by the City of Ottawa and used as a multi-use pathway, and are identified by VIA Rail as a potential corridor for future high-speed rail.

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

The site is currently zoned Development Reserve, Subzone 3 (DR). The Development Reserve designation in the Zoning By-law identifies lands that are intended for future neighbourhood development, typically established through Plans of Subdivision, and which would require a zoning amendment process to establish regulations specific to the type of development proposed. It is proposed that the Zoning By-law be amended to a Village First Density zone to permit the creation of 0.4 hectare lots for low rise residential uses. Further, it is proposed to establish exceptions to required setbacks and buffers that are required to mitigate sources of noise, protect the natural environment, and provide separation between existing and proposed development. Where a segment of the lands is proposed for only a road and a storm pond, this will remain zoned as

Development Reserve. Details of the recommended zoning is located in Document 2 of this report.

### **Brief history of proposal**

The site is currently subject to an application for a Plan of Subdivision (D07-16-14-0019), which was draft approved in January 2016. The proposed subdivision features 21 lots; 17 of the lots will be accessed via an extension of Meteor Avenue, while the remaining four lots will be accessed via a proposed road from Milton Road. Each lot will be privately serviced. Prior to registration of the subdivision, the owner must address several conditions of draft approval, one of which is to re-zone the lands accordingly. The site is within the Village of Navan and the surrounding residential development is zoned Village First Density, Subzone E (V1E). While it is proposed that the lands also be zoned to a Village First Density Residential designation, additional modifications are required to address unique characteristics of the site.

The proposed lots are located between 50 metres and 500 metres of a potential high-speed rail corridor and an arterial road. To reduce the impacts from noise generated from these sources, homes must be setback at distances that would allow for noise to be received at acceptable levels. In addition, noise is further mitigated by the retention of the existing trees on each lot. To ensure that soft landscaping is maintained, the zoning amendment includes the provision of a landscape buffer. The zoning exceptions proposed correspond to the proposed subdivision's noise study and tree conservation report, and are discussed in Document 2 of this report.

## **DISCUSSION**

### **Public consultation**

A public consultation meeting was held on March 23, 2015, to discuss the proposed Plan of Subdivision and this related zoning by-law amendment. It was held at Navan Memorial Community Centre, and attend by 30 people from the community, City staff, and representatives from the applicant and Councillor's office.

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

### **Official Plan designation**

The site is designated in Volume 2C – Consolidated Villages Secondary Plan, of the Official Plan. The Village Land Use Schedule O-1 designates the site as Village Residential. This designation defines residential neighbourhoods composed primarily of low-density housing.

### **Planning rationale**

The site is currently zoned Development Reserve, Subzone 3, which is a designation that identifies future residential development. Through review of the related draft approved Plan of Subdivision, the proposed zoning details were identified as they relate to the surrounding context. The proposed building setbacks are such that the homes and outdoor amenity areas will not be impacted by noise. Though the Zoning By-law cannot regulate types of plantings, the proposed provision restricting development of buildings, structures, or hard-landscaping, has the effect of encouraging homeowners to maintain the trees as opposed to replacing them with grass or shrubs. The proposed residential uses are consistent with the existing neighbourhood to the east and is supported by the Official Plan.

### **Provincial Policy Statement**

Staff have reviewed this proposal and have determined that it is consistent with the Provincial Policy Statement, 2014.

### **RURAL IMPLICATIONS**

There are no rural implications associated with this report. The site is designated in the Official Plan for residential uses and the specific exceptions to the proposed village residential zoning discussed in Document 2 address interests in health and environmental protection.

### **COMMENTS BY THE WARD COUNCILLOR**

Councillor Blais is aware of this application.

## **LEGAL IMPLICATIONS**

There are no legal impediments to approving the recommendations contained in the report.

## **RISK MANAGEMENT IMPLICATIONS**

There are no risk management implications associated with this application.

## **FINANCIAL IMPLICATIONS**

There are no financial implications associated with this report.

## **ACCESSIBILITY IMPACTS**

There are no accessibility impacts associated with this report. This report facilitates the development of private residential uses. Accessibility considerations will be reviewed through the building permit process.

## **ENVIRONMENTAL IMPLICATIONS**

The site is heavily treed, primarily deciduous and includes Butternut Trees, which the owner has received approval from the Ministry of Natural Resources and Forestry to remove. A supporting Tree Conservation Report identifies that the clearing of trees be limited. As such, the landscape buffer discussed in Document 2 of this report is one element intended to protect the trees. In addition, the trees also serve a function of reducing noise impacts from the surrounding area.

## **TERM OF COUNCIL PRIORITIES**

This project addresses the following Term of Council Priority:

EP2 – Support growth of local economy

## **APPLICATION PROCESS TIMELINE STATUS**

This application was not processed by the "On Time Decision Date" established for the processing of Zoning By-law amendment applications due to the complexity of the issues related to the associated Plan of Subdivision application.

## **SUPPORTING DOCUMENTATION**

Document 1 Location Map

Document 2 Details of Recommended Zoning

Document 3 Public Consultation Details

## **CONCLUSION**

This application is consistent with the related proposed Plan of Subdivision and approval of this zoning amendment is required as a condition for the registration of the subdivision. The proposed amendments meets the policies of the Official Plan and represents good planning.

## **DISPOSITION**

Legislative Services, Office of the City Clerk and Solicitor to notify the owner; applicant; Ottawa Scene Canada Signs, 1565 Chatelain Avenue, Ottawa, ON K1Z 8B5; 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, Economic Development and Long Range Planning to prepare the implementing by-law and forward to Legal Services.

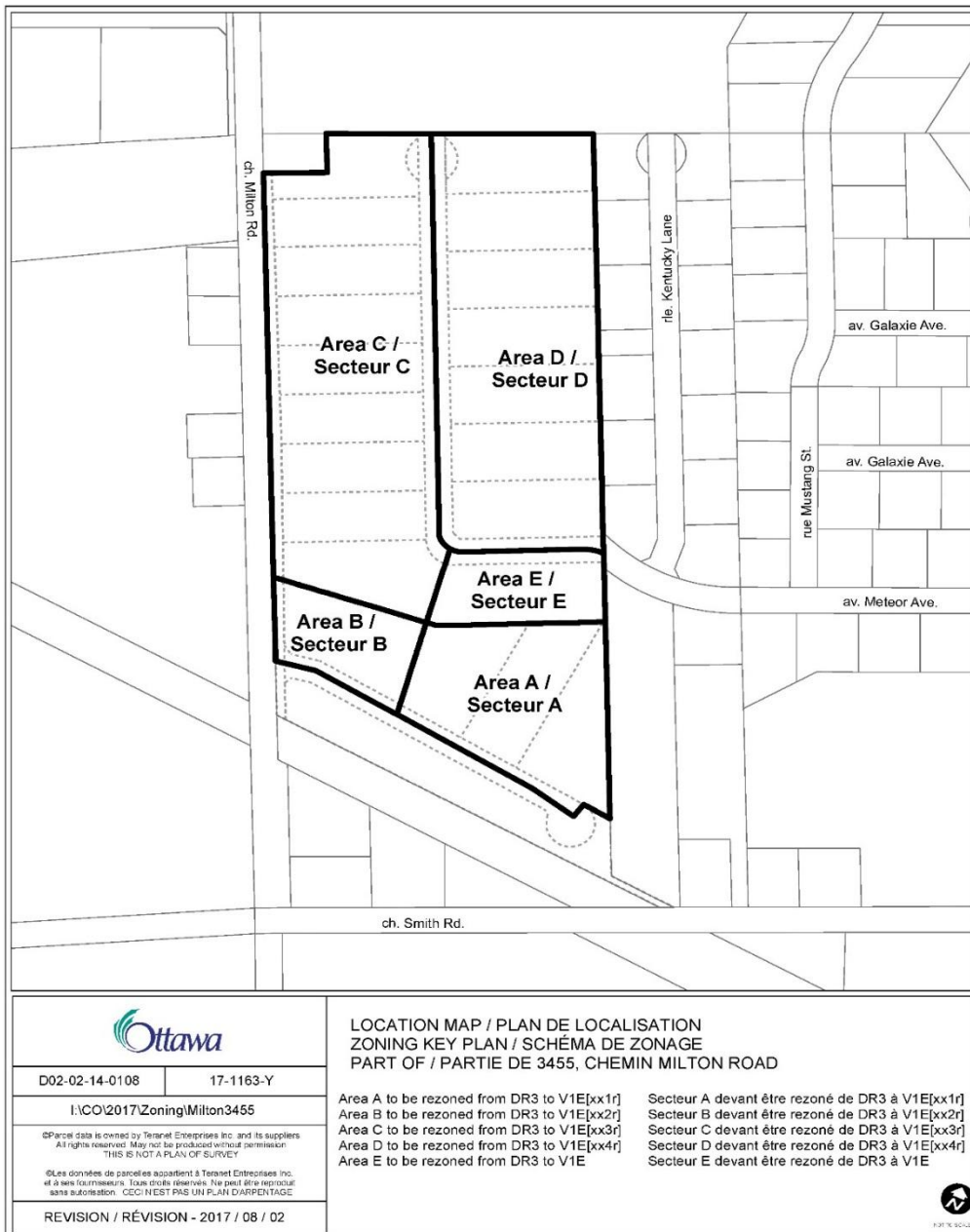
Legal Services, Office of the City Clerk and Solicitor to forward the implementing by-law to City Council.

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



Document 1 – Location Map

For an interactive Zoning map of Ottawa visit [geoOttawa](http://geoOttawa)



## **Document 2 – Details of Recommended Zoning**

The proposed changes to the City of Ottawa Zoning By-law 2008-250 for 3455 Milton Road:

- 1) Rezone the lands shown in Document 1 as follows:
  - a) Area A from DR3 to V1E[xx1r];
  - b) Area B from DR3 to V1E[xx2r];
  - c) Area C from DR3 to V1E[xx3r];
  - d) Area D from DR3 to V1E[xx4r];
  - e) Area E from DR3 to V1E.
- 2) Create a new exception V1E[xx1r] with provisions similar in effect to the following:
  - Minimum Front Yard Setback is 8 metres.
- 3) Create a new exception V1E[xx2r] with provisions similar in effect to the following:
  - Minimum Front Yard Setback is 8 metres.
  - The minimum setback from the westerly lot line is 70 metres.
- 4) Create a new exception V1E[xx3r] with provisions similar in effect to the following:
  - Minimum Rear Yard Setback is 63 metres.
  - No buildings, structures, or hard landscaping may be located within 30 metres of a rear lot line.
- 5) Create a new exception V1E[xx4r] with provisions similar in effect to the following:
  - No buildings, structures, or hard landscaping may be located within 30 metres of a rear lot line.

### **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. One public meeting was also held in the community.

March 23, 2015, Navan Memorial Community Centre

The following comments were received in conjunction with the application for a Plan of Subdivision and includes updated responses in the context of this Zoning By-law and the current stage of review for the Plan of Subdivision.

Comment:

What are the regulations surrounding built form?

Response:

The zoning by-law regulates the development of the lots, such as, types of building/uses and size, lot sizes, and building setbacks. The lots are proposed to be rezoned for low-rise single residential homes and does not permit for commercial uses or higher density uses such as semi-detached dwellings and townhouses which is consistent with the Official Plan. The proposed amendments also include special setback requirements to establish appropriate locations for homes on the lot.

Comment:

What is the history of the existing policies?

Response:

Pre-Amalgamation, the Rural Official Plan for Cumberland (Village of Navan), designated the lands as village-residential. Through the Village review in 2012, the plan was reflected in the current Secondary Plan. During the Village review, two meetings with the public were held at the community centre to discuss the plan. The Development

Reserve, Subzone 3 zoning was implemented in 2008. Prior to this it was Development Reserve, Subzone 1.

Comment:

What is the proposed drainage design?

Response:

Sites will be designed such that post-development rates will not exceed that of the pre-development rates. Sites will be graded such that the water from the lots will drain directly towards the public road. For lots that are adjacent to the existing residential development to the east of the site, a shallow swale is proposed to capture the stormwater run-off.

Comment:

What is the proposed stormwater management design?

Response:

A storm pond is proposed at the southern end of the subject site, abutting the VIA/CN Railway lands. The Stormwater Management Report looked at the area to be captured and the level of imperviousness from the site to the storm pond. The system will be designed based on relevant engineering requirements and guidelines.

Comment:

How will the sites be serviced?

Response:

The lots will be privately serviced by individual well and septic system.

Comment:

How will traffic be managed? Was there consideration given to accesses from Milton Road?

Response:

Access to Milton Road was considered however, there are safety issues associated with Milton Road that did not support the connection. Further, the existing topography does not support a road connection as there are potential issues with grading.

Comment:

What is the proposal for tree removal? What protection measures are in place for wildlife?

Response:

The supporting Tree Conservation Report identifies the trees to be maintained which is a buffer located to the rear of the lots, with the exception of trees to be removed to the rear of the eastern most lots for the construction of a swale. There are butternut trees located on the site and the Owner has received Ministry approval to remove them. In addition to this zoning amendment, which requires that a landscape buffer be maintained, future lot Owners will be bound to a subdivision agreement which indicates preservation of the trees, they will receive a landscape plan identifying the trees, and will also be given a Homeowner's Awareness Package which outlines the environmental details of their lot and how best to be good stewards of their sites.