

3. Zoning By-law Amendment – 5 Orchard Drive

Modification du *Règlement de zonage* – 5, promenade Orchard

Committee recommendation

That Council approve an amendment to Zoning By-law 2008-250 for 5 Orchard Drive to permit a mixed-use subdivision consisting of detached, townhouse and semi-detached dwellings and a commercial block, as detailed in Document 2.

Recommandation du Comité

Que le Conseil approuve une modification au *Règlement de zonage* (n° 2008-250) visant le 5, promenade Orchard afin de permettre l'aménagement d'un lotissement polyvalent comportant des habitations isolées, en rangée et jumelées et un îlot commercial, comme le détaille le document 2.

Documentation/Documentation

1. Director's report, Planning Services, Planning, Infrastructure and Economic Development Department, dated June 26, 2020 (ACS2020-PIE-PS-0003)

Rapport du Directeur, Services de la planification, Direction générale de la planification, de l'infrastructure et du développement économique, daté le 26 juin 2020 (ACS2020-PIE-PS-0003)

2. Extract of draft Minutes, Planning Committee, July 9, 2020

Extrait de l'ébauche du procès-verbal du Comité de l'urbanisme, 9 juillet 2020

**Report to
Rapport au:**

**Planning Committee
Comité de l'urbanisme
9 July 2020 / 9 juillet 2020**

**and Council
et au Conseil
15 July 2020 / 15 juillet 2020**

**Submitted on 26 June 2020
Soumis le 26 juin 2020**

**Submitted by
Soumis par:
Douglas James,
Acting Director / Directeur par intérim
Planning Services / Services 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:
Laurel McCreight, Planner II / Urbaniste II, Development Review West / Examen
des demandes d'aménagement ouest
612-580-2424, 16587, laurel.mccreight@ottawa.ca**

Ward: STITTSVILLE (6)

File Number: ACS2020-PIE-PS-0003

SUBJECT: Zoning By-law Amendment – 5 Orchard Drive

OBJET: Modification du *Règlement de zonage* – 5, promenade Orchard

REPORT RECOMMENDATIONS

- 1. That Planning Committee recommend Council approve an amendment to Zoning By-law 2008-250 for 5 Orchard Drive to permit a mixed-use subdivision consisting of detached, townhouse and semi-detached dwellings and a commercial 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 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 July 15, 2020," 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* (n° 2008-250) visant le 5, promenade Orchard afin de permettre l'aménagement d'un lotissement polyvalent comportant des habitations isolées, en rangée et jumelées et un îlot commercial, comme le détaille 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 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 15 juillet 2020», 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

5 Orchard Drive

Owner

Campanale Homes

Applicant

Cody Campanale, Campanale Homes

Description of site and surroundings

The subject lands are located on the south side of Hazeldean Road, west of Fringewood Drive. Approximately 3.98 hectares in size, the subject lands are predominately vacant with trees along the north, east and southern edges. An existing driveway for an adjacent restaurant is on the westerly side. Surrounding land uses include residential development to the north, the Fringewood Subdivision, which is comprised primarily of single-detached dwellings. To the east is a future retail and office development on the east side of Fringewood Drive. To the immediate west is Poole Creek and an automotive parts supplier (pending site plan approval). To the north of Hazeldean Road are lands designated for future development.

The lands are subject to a concurrent plan of subdivision application. The subdivision plan received Draft Approval on October 2, 2019 and the proponent intends to register the plan of subdivision later this year.

Summary of Proposed Development

The application proposes 12 residential blocks for 65 townhouse dwellings, seven single detached dwellings, two semi-detached dwellings and one commercial block for future development. The development is proposed to be accessed from Fringewood Drive via a newly created public road that will terminate in a cul-de-sac. The townhouse blocks are proposed along the public road, with the semi-detached and single-detached dwellings being located within the cul-de-sac. A walkway block is also proposed at the start of the cul-de-sac that will provide pedestrian and cycling access to the future commercial development fronting Hazeldean Road.

Summary of requested Zoning By-law Amendment

The subject property is currently zoned Arterial Mainstreet Zone, Subzone 9, and Parks and Open Space Zone, Subzone R (AM9 and O1R). The Zoning By-law amendment application proposes to rezone the property from AM9 and O1R to Arterial Mainstreet Zone, Subzone 9, Urban Exception XXXX (AM9[XXXX] SYYY). The AM9 zoning does

not presently permit single detached dwellings or semi-detached dwellings. The proposed site-specific exception would add single detached dwelling and semi-detached dwelling to the list of permitted residential uses for the subject property. The following performance standard changes are also requested:

For Area A:

- Add detached dwelling and semi-detached dwellings as permitted uses; and
- Permit a reduced rear yard setback of six metres instead of the currently required 7.5 metres for residential use dwellings on the northerly lots.

For Areas B and C:

- Consider these lots one lot for zoning purposes;
- A minimum soft landscaped buffer of 5.0 metres is required where Area B abuts Area A;
- A minimum soft landscaped buffer of 3.0 metres is required where Area C abuts Area A; and
- Section 186 9(c)(d) and (f) do not apply to the first phase of development in Area B.

DISCUSSION

Public consultation

Public consultation was carried out in accordance with the City's Public Notification and Consultation Policy for Zoning By-law amendment applications. A statutory public meeting was held in the community for the associated plan of subdivision on August 14, 2018 and attended by approximately 15 residents. Several comments were received through the public notification and consultation process. Consultation details are found in Document 4.

For this proposal's consultation details, see Document 4 of this report.

Official Plan designation(s)

The Official Plan designates the subject property as Arterial Mainstreet. This designation encourages focused intensification along these corridors in the form of mixed-use development which supports increased walking, cycling and transit use. The

proposed Zoning By-law amendment is consistent with the goals, objectives and policies of the Arterial Mainstreet designation.

Policy 3.6.3.5 of the Official Plan permits a broad range of uses on Arterial Mainstreets, including retail and service commercial uses, offices, residential and institutional uses. The proposed Zoning By-law amendment permits residential and commercial uses and will compliment the existing community.

The proposed Zoning By-law Amendment also conforms to the relevant policies of Section 4.11 in the Official Plan addressing compatibility. Such considerations as traffic, adequate parking, building design, massing and scale of the proposed dwellings, landscaping, and outdoor amenity area have all been satisfactorily addressed through the plan of subdivision to ensure the intent of the policies are met. The proposal satisfies all relevant policies of the Official Plan.

Urban Design Review Panel

The proposed development is within a Design Priority Area; however, it does not meet the threshold for the Urban Design Review Panel process. A future Site Plan Control application for the commercial block will address any Urban Design Review Panel requirements that may arise.

Planning rationale

The proposed Zoning By-law amendment is consistent with the Official Plan's policies for Arterial Mainstreets. Under Section 3.6.3 of the Official Plan, the policies state that future development in new communities is to be compact and efficient from a servicing point of view. This approach is based on an underlying commitment to conserving the natural environment and reducing consumption of land and other resources. Compact urban development promotes sustainability by reducing travel distances, making transit service more desirable, reducing overall land consumption, and maximizing the use of existing infrastructure. By permitting the development of a mixed-use subdivision, the proposed Zoning By-law amendment will contribute to the creation of a livable community by offering development of an appropriate urban density.

The Arterial Mainstreet designation supports a mix of uses, including both residential and commercial uses, in order to promote the development of compact, pedestrian-oriented and transit friendly places. Policy 3.6.3.5 of the Official Plan states that the mix of uses may occur side by side in separate buildings. The proposed development also includes a commercial block along the Hazeldean frontage. The commercial block

addresses Policy 3.6.3.4 of the Official Plan which permits the coordinated development of lots with the potential to develop both adjacent to the street and to the rear of the property in a coordinated manner.

The Official Plan provides guidance on how to appropriately incorporate infill development into existing built-up areas. The proposed development is designed to both complement and be compatible with the adjacent residential neighbourhood, which is predominantly comprised of single detached dwellings. The proposed AM9[XXXX] SYYY zoning will permit single detached dwellings and semi-detached dwellings in addition to the currently permitted townhouse dwellings. The proposed development ensures adequate spacing from existing adjacent properties and respects outdoor amenity areas on these properties. The proposed Zoning By-law amendment permits a form of development that is compatible with the surrounding area.

The AM zone already permits a broad range of uses including retail, service commercial, offices, residential uses and commercial uses. The addition of detached dwellings and semi-detached dwellings to the list of permitted uses will allow the draft approved plan of subdivision to be implemented, as well as add the variety of housing options available.

The applicant has sought relief from the required rear yard setback of 7.5 metres only for blocks and lots that directly abut the proposed commercial block. Privacy fencing and landscaping will be required at the rear of the commercial block in order to ensure privacy is maintained. All the blocks and lots that abut the existing single detached dwellings to the south will respect the 7.5 metre setback.

As part of the draft approval of the subdivision, an 8.0 metre servicing block has been required between Area A and Area B (shown on Document 5 as Block 22), which will include storm infrastructure that will provide servicing to both the residential and commercial block. The block will be dedicated to the City as part of registration of the subdivision. In working with the applicant, it was agreed upon that five metres of this block can be used for soft-landscaping and the remaining three metres for a drive aisle for future commercial development.

The zoning provisions regarding landscaping as detailed in Document 2, are in relation to the above noted servicing block, specifically the minimum soft landscaped buffer of five metres where Area B abuts Area A. The second provision regarding landscaping is in reference to Area C in order to provide landscaping (a three metre buffer) along the small section that abuts the proposed single detached lots in the residential subdivision.

The last provision is in reference to Section 186(9)(c) of the Zoning By-law that states “a minimum of 30 per cent of the lot width within three metres of the front lot line, must be occupied by building walls if the lot is 90 metres in width or wider”. A site plan application has been submitted to the City (D07-12-20-0043) for the northeast corner of the commercial block to construct a gas bar, a convenience store and a car wash. The By-law also states (186)(9)(d)) that the above noted clause does not to apply to a lot containing only gas bar, but a maximum front yard setback of three metres shall apply to any building containing these uses. As currently proposed, the convenience store has a greater front yard setback than three metres, therefore, this provision is being amended. The City will ensure that upon full buildout of the commercial block that a minimum of 30 per cent of the lot width will be occupied by building walls.

A Servicing and Stormwater Management Report was submitted in support of the associated subdivision application, to address the servicing needs for the lands. The report assessed water supply servicing, wastewater servicing, stormwater management, site grading, and erosion and sediment control. Staff are satisfied that there is capacity in City infrastructure for this development.

As part of the submission requirements for the subdivision and rezoning applications, a Traffic Impact Assessment was prepared in accordance with Council's approved guidelines, to determine the transportation requirements and identify if road modifications are required. The study demonstrated that the proposed development could be safely accommodated by the existing and proposed road network.

Provincial Policy Statement

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

RURAL IMPLICATIONS

There are no rural implications associated with this report.

COMMENTS BY THE WARD COUNCILLOR

Councillor Gower is aware of the report and recommendations and has no objections.

LEGAL IMPLICATIONS

There are no legal impediments to implementing the recommendation of this report.

RISK MANAGEMENT IMPLICATIONS

There are no risk management implications associated with this report.

ASSET MANAGEMENT IMPLICATIONS

There are no direct asset management implications associated with the recommendations of this report.

FINANCIAL IMPLICATIONS

There are no direct financial implications.

ACCESSIBILITY IMPACTS

Design consideration with respect to accessibility are generally address through the Site Plan control review process and are not a key consideration related to a Zoning By-law Amendment.

ENVIRONMENTAL IMPLICATIONS

A combined Tree Conservation Report and Environmental Impact Statement (EIS) was prepared to identify any ecological constraints that might affect the development proposal for the subject lands. Overall, the EIS identifies Blanding's turtle habitat and the presence of butternut trees. Due to the Blanding's turtle habitat and butternut trees, the Province must provide an approval of this EIS and the proposed mitigation measures prior to draft approval of the subdivision, which has been provided.

Due to the proximity to Poole Creek, a setback requirement of 30 metres from the high watermark is required; no new development is permitted within the 30 metre watercourse setback.

TERM OF COUNCIL PRIORITIES

This project addresses the following Term of Council Priorities:

- Thriving Communities
- Economic Growth & Diversification

APPLICATION PROCESS TIMELINE STATUS

This application (Development Application Number: D02-02-18-0063) was not processed by the "On Time Decision Date" established for the processing of Zoning By-

law amendment applications. The application was on hold for an extended period of time while issues associated with the corresponding plan of subdivision were resolved, and the plan of subdivision was draft approved.

SUPPORTING DOCUMENTATION

Document 1 Location Map

Document 2 Details of Recommended Zoning

Document 3 Schedule

Document 4 Consultation Details

Document 5 Draft Plan of Subdivision

CONCLUSION

The proposed development conforms to the relevant Provincial policies and meets the intent of the Official Plan's Arterial Mainstreet designation, which allows for a range of residential densities and commercial uses. In consideration of the applicable Official Plan policies and compatibility of the use in the area, the Zoning By-law amendment is recommended for approval.

DISPOSITION

Legislative Services, Office of the City Clerk 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.

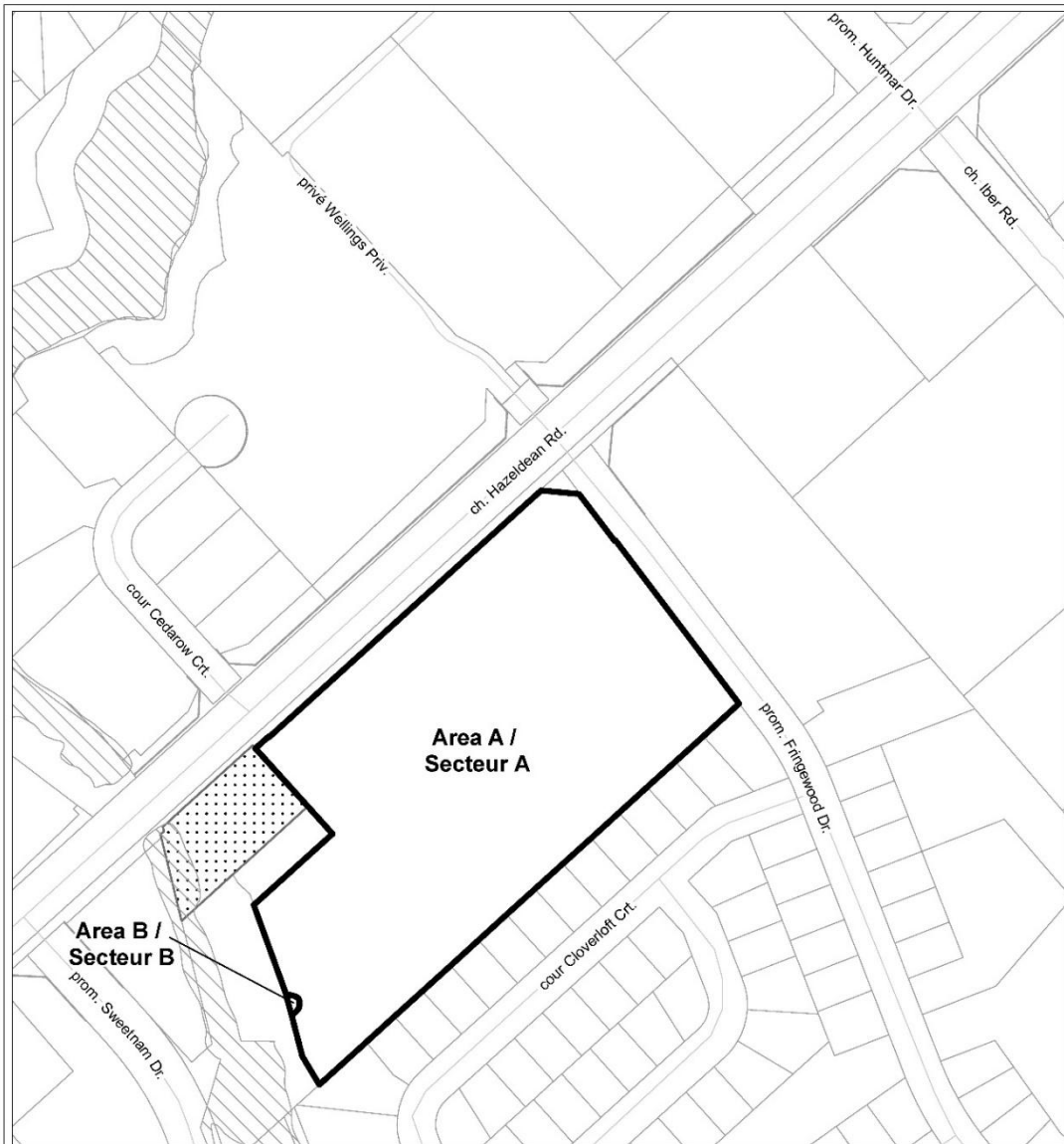
Zoning and Interpretations Unit, Policy Planning Branch, Economic Development and Long Range Planning Services to prepare the implementing by-law and forward to Legal Services.







Legal Services, 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



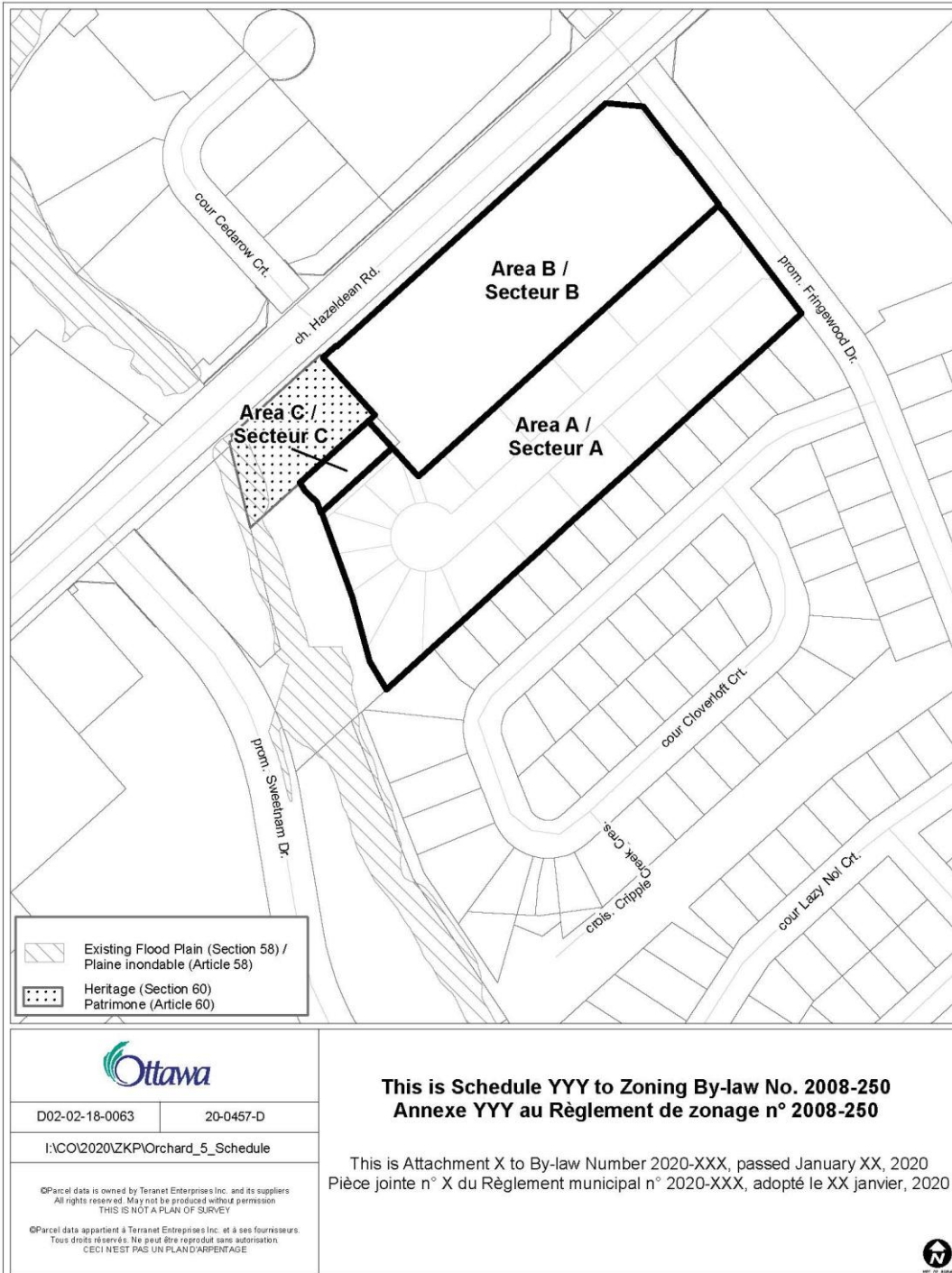
		LOCATION MAP / PLAN DE LOCALISATION ZONING KEY PLAN / SCHÉMA DE ZONAGE PLAN OF SUBDIVISION / PLAN DE LOTISSEMENT	
D02-02-18-0063	20-0455-L		
D07-16-18-0020			
I:\CO\2020\Zoning\Orchard_5			
<small>©Parcel data is owned by Teranet Enterprises Inc. and its suppliers. All rights reserved. May not be produced without permission. THIS IS NOT A PLAN OF SURVEY.</small>			
<small>©Les données de parcelles appartiennent à Teranet Enterprises Inc. et à ses fournisseurs. Tous droits réservés. Ne peut être reproduit sans autorisation. CE CI N'EST PAS UN PLAN D'ARPENTAGE.</small>			
REVISION / RÉVISION - 2020 / 06 / 03			
		5 prom. Orchard Drive  Area A to be rezoned from AM9 to AM9 [XXXX] SYYY Le zonage du secteur A sera modifié de AM9 à AM9 [XXXX] SYYY  Area B to be rezoned from O1R to AM9 [XXXX] SYYY Le zonage du secteur B sera modifié de O1R à AM9 [XXXX] SYYY	
		 Héritage (Section 60) Patrimoine (Article 60)  Existing Flood Plain (Section 58) / Plaine inondable (Article 58)	
			

Document 2 – Details of Recommended Zoning

The proposed change to the City of Ottawa Zoning By-law No. 2008-250 for 5 Orchard Drive:

1. Rezone the lands shown in Document 1 to AM9 [XXXX] SYYY.
2. Amend Part 17 by adding a new schedule, SYYY as shown in Document 3.
3. Amend Section 239, by adding a new exception [xxxx] as follows:
 - a) In Column II, add AM9 [XXXX] SYYY as an applicable zone.
 - b) In Column III, add the following additional land uses:
 - i. Detached dwelling
 - ii. Semi-detached dwelling
 - c) In Column V, add provisions similar in effect to the following:
 - i. Detached dwelling and semi-detached dwelling are only permitted in Area A and Area C of Schedule YYY.
 - ii. Residential uses located in Area A require a minimum rear yard setback of 6 metres where abutting Area B or C on Schedule YYY.
 - iii. Area B and C of Schedule YYY are subject to the following provisions:
 - One lot for zoning purposes applies and for further clarity the line separating Area A from Area B and C is to be considered a lot line.
 - A minimum soft landscaped buffer of 5.0 metres is required where Area B abuts Area A.
 - A minimum soft landscaped buffer of 3.0 metres is required where Area C abuts Area A.
 - Section 186 9(c)(d) and (f) do not apply to the first phase of development in Area B.

Document 3 – Schedule



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.

A statutory public meeting for the associated plan of subdivision was held in the community on August 14, 2018 and attended by approximately 15 residents. Several comments were received through the public notification and consultation process.

Response to Comments

- Comment

The impact of an additional 74 homes to traffic on Huntmar Road in our community will be significant.

Response

The applicant submitted a Traffic Impact Assessment in support of the application. Staff have reviewed the document and determined that it is satisfactory.

- Comment

Concerns regarding the level of the water table and potential for basement flooding with the increase in density. Also concerned about sewer backups and proposed grading.

Response

Staff have reviewed all engineering documents associated with the application and are satisfied that this development will not have any detrimental effects on the neighbouring properties.

- Comment

Fencing between the property line would be nice as the houses will be looking down on us in bungalows.

Response

The draft approval will include conditions regarding fencing along the southern

property line between the existing and proposed development.

- Comment

Construction vehicles should not use Fringewood south of Cloverloft.

Response

The City's Traffic and Parking By-law dictates truck routes and which roads are to be used for heavy vehicles. Traveling south on Fringewood is the last option for heavy vehicles as trucks are obliged to travel on truck routes, which Fringewood Drive is not classified as. Trucks should be traveling directly to Hazeldean, which is an identified truck route.

- Comment

Insist that the sidewalk planned by the developer along Fringewood extend to the very southern edge of their property line, not just to the corner of the street.

Response

A sidewalk adjacent to the applicant's property along Fringewood will be a condition of approval.

- Comment

I would encourage the developer to leave space for a path connecting the new street with Cloverloft near the cul-de-sac circle. The present drawings do not allow for this.

Response

There is a path connecting the new residential development to the commercial block to the north. A path from the proposed residential development (near the cul-de-sac) to Cloverloft is not possible because Cloverloft is private property.

- Comment

If blasting is being done, we want precautions taken so it does not damage basements of the existing homes.

Response

The draft approval will include conditions regarding blasting.

Document 5 – Draft Approved Plan

