

7. Motion - Council Resolution regarding Section 45 of the *Planning Act*, in respect of 335 Sandhill Road

Motion - Résolution du Conseil concernant l'article 45 de *la Loi sur l'aménagement du territoire*, à l'égard du 335, chemin Sandhill

Committee recommendation

That Council approve that:

1. pursuant to Section 45 of the *Planning Act*, an application to the Committee of Adjustment be permitted in respect to the property at 335 Sandhill Road for a minor variance associated with the proposed development for Block 10, limited to the interior side yard setback, as per Urban Exception 2630 of By-law 2008-250, as amended; and
2. that there be no further notice pursuant to Subsection 34 (17) of the *Planning Act*.

Recommandation du Comité

Que le Conseil :

1. autorise, en application de l'article 45 de la *Loi sur l'aménagement du territoire*, la présentation d'une demande de dérogation mineure au Comité de dérogation pour la propriété située au 335, chemin Sandhill en vue du projet d'aménagement pour l'îlot 10, demande qui sera limitée au retrait de cour latérale réduit, selon l'exception urbaine 2630 du Règlement municipal no 2008-250, dans sa version modifiée; et
2. approuve qu'en vertu du paragraphe 34(17) de la *Loi sur l'aménagement du territoire*, aucun nouvel avis ne soit donné.

Documentation/Documentation

1. Committee Coordinator's report, Office of City Clerk, dated November 13, 2020 (ACS2020-OCC-PLC-0007)

Rapport de la Coordinatrice du comité, Bureau du Greffier municipal, daté le 13 novembre 2020 (ACS2020-OCC-PLC-0007)

Report to
Rapport au:

Council
Conseil

25 November 2020 / 25 novembre 2020

Submitted on November 13, 2020
Soumis le 13 novembre 2020

Submitted by
Soumis par:
Melody Duffenais, Committee Coordinator / coordonnatrice du Comité

Contact Person
Personne ressource:
Melody Duffenais, Committee Coordinator, Office of City Clerk / Coordonnatrice
du comité, Bureau du Greffier municipal
(613) 580-2424, ext/poste 20113; melody.duffenais@ottawa.ca

Ward: KANATA NORTH (4) / KANATA
NORD (4)

File Number: ACS2020-OCC-PLC-0007

SUBJECT: Motion - Council Resolution regarding Section 45 of the *Planning Act*, in respect of 335 Sandhill Road

OBJET: Motion - Résolution du Conseil concernant l'article 45 de la *Loi sur l'aménagement du territoire*, à l'égard du 335, chemin Sandhill

REPORT RECOMMENDATIONS

That Council approve that:

1. pursuant to Section 45 of the *Planning Act*, an application to the Committee of Adjustment be permitted in respect to the property at 335 Sandhill Road for a minor variance associated with the proposed development for Block 10, limited to the interior side yard setback, as per Urban Exception 2630 of By-law 2008-250, as amended; and

2. that there be no further notice pursuant to Subsection 34 (17) of the *Planning Act*.

RECOMMANDATIONS DU RAPPORT

Que le Conseil :

1. autorise, en application de l'article 45 de la *Loi sur l'aménagement du territoire*, la présentation d'une demande de dérogation mineure au Comité de dérogation pour la propriété située au 335, chemin Sandhill en vue du projet d'aménagement pour l'îlot 10, demande qui sera limitée au retrait de cour latérale réduit, selon l'exception urbaine 2630 du Règlement municipal no 2008-250, dans sa version modifiée; et
2. approuve qu'en vertu du paragraphe 34(17) de la *Loi sur l'aménagement du territoire*, aucun nouvel avis ne soit donné.

BACKGROUND

The Planning Committee, at its meeting of November 10, 2020, approved the following motion, which was added to the agenda pursuant to Subsection 89. (3) of Procedure By-law 2019-8:

WHEREAS report ACS2020-PIE-PS-0051, Zoning By-law Amendment for 335 Sandhill Road, was approved by Planning Committee on May 28, 2020, and by Council on June 10, 2020; and

WHEREAS the report in question outlined the zoning amendment required to permit a planned unit development consisting of 40 townhouse dwellings and 30 back-to-back townhouse dwellings on private streets; and

WHEREAS a request has been received to proceed with a Minor Variance request for one block of townhomes (Block 10 on the proposed 4M-Plan) to permit a reduced side yard setback of 1.2 metres, as the current zoning requires an interior side yard setback of 5 metres; and

WHEREAS Subsection 45 (1.3) of the *Planning Act* does not permit an application for minor variance before the second anniversary of the initial zoning amendment which, in this case, would be June 10, 2022; and

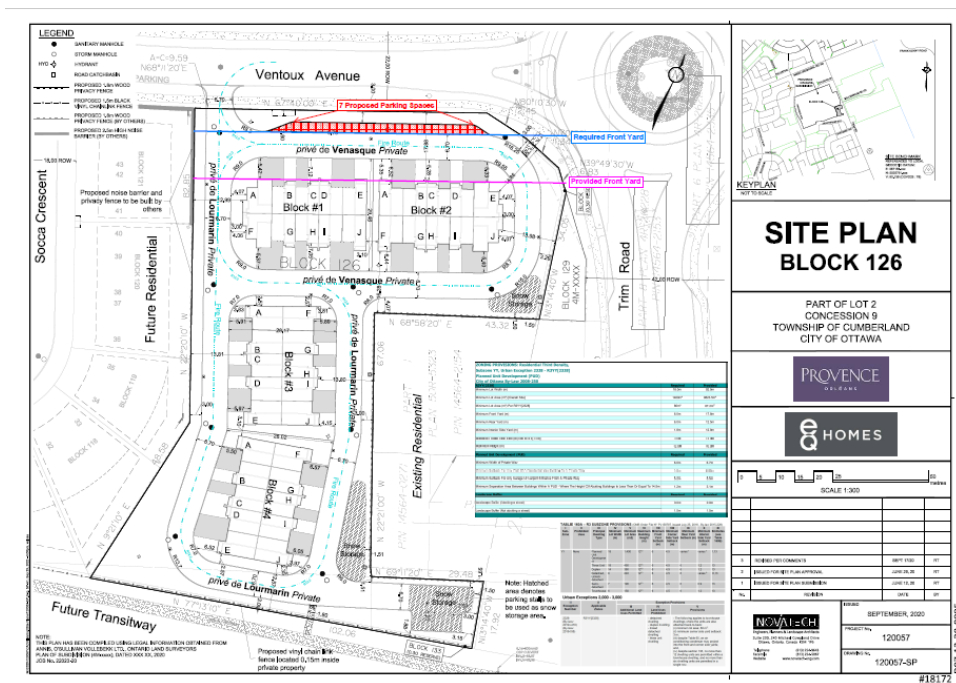
WHEREAS to wait until the June 10, 2022 deadline would delay the construction of this development; and

WHEREAS Subsection 45 (1.3) of the *Planning Act* permits Council to declare by resolution that such an application would be permitted;

THEREFORE IT BE IT RESOLVED that Planning Committee recommend Council approve that pursuant to Section 45 of the *Planning Act*, an application to the Committee of Adjustment be permitted in respect to the property at 335 Sandhill Road for a minor variance associated with the proposed development for Block 10, limited to the interior side yard setback, as per Urban Exception 2630 of By-law 2008-250, as amended; and

BE IT FURTHER RESOLVED that there be no further notice pursuant to Subsection 34 (17) of the *Planning Act*.

Location Map



DISCUSSION

The Committee unanimously supported the aforementioned motion, which is now before Council.

RURAL IMPLICATIONS

There are no rural implications associated with the report recommendation.

CONSULTATION

No consultation was undertaken as this is an administrative item that was added at the Planning Committee meeting.

COMMENTS BY THE WARD COUNCILLOR(S)

Vice-chair G. Gower brought the motion forward at Planning Committee on behalf of Councillor Sudds, who can provide further comment upon request.

LEGAL IMPLICATIONS

Legal staff will be present at the Council meeting and can provide comment if requested.

RISK MANAGEMENT IMPLICATIONS

There are no known risk implications associated with the report recommendation.

FINANCIAL IMPLICATIONS

There are no direct financial implications associated with the report recommendations.

ACCESSIBILITY IMPACTS

There are no impacts to accessibility associated with the report recommendation.

TERM OF COUNCIL PRIORITIES

This report has no direct impacts on the City's strategic priorities or directions identified for the current term of Council.

SUPPORTING DOCUMENTATION

Document 1 – Planning Committee Extract of draft Minutes, November 10, 2020

DISPOSITION

The Office of the City Clerk will communicate Council's decision to the property owner.

Document 1

Planning Committee extract of draft Minutes, November 10, 2020

Additional Item

Motion N^o PLC 2020-32/4

Moved by Vice-chair G. Gower (on behalf of Councillor J. Sudds)

That the Planning Committee approve the addition of the following Item to the agenda for consideration by the Committee at this meeting, pursuant to Section 89(3) of the Procedure By-Law, in order to give timely consideration to this matter as the applicant would like to apply to the Committee of Adjustment as soon as possible.

- **Council Resolution Regarding 335 Sandhill Road pursuant to Section 45 of the *Planning Act*,**

CARRIED with Councillor J. Leiper dissenting.

Motion N^o PLC 2020-32/5

Moved by Vice-chair G. Gower (on behalf of Councillor J. Sudds)

WHEREAS report ACS2020-PIE-PS-0051, Zoning By-law Amendment for 335 Sandhill Road, was approved by Planning Committee on May 28, 2020, and by Council on June 10, 2020; and

WHEREAS the report in question outlined the zoning amendment required to permit a planned unit development consisting of 40 townhouse dwellings and 30 back-to-back townhouse dwellings on private streets; and

WHEREAS a request has been received to proceed with a Minor Variance request for one block of townhomes (Block 10 on the proposed 4M-Plan) to permit a reduced side yard setback of 1.2 metres, as the current zoning requires an interior side yard setback of 5 metres; and

WHEREAS Subsection 45 (1.3) of the *Planning Act* does not permit an application for minor variance before the second anniversary of the initial zoning amendment which, in this case, would be June 10, 2022; and

