

**4. ZONING BY-LAW AMENDMENT – 3400 AND 3468 OLD MONTREAL ROAD
MODIFICATION AU RÈGLEMENT DE ZONAGE – 3400 ET 3468, CHEMIN
OLD MONTREAL**

COMMITTEE RECOMMENDATION

That Council approve an amendment to Zoning By-law 2008-250 for 3400 and 3468 Old Montreal Road and the unaddressed parcel to the southeast of 3400 Old Montreal Road, to permit a Spiritual Sanctuary and Sculpture Park with associated multi-faith place of worship building and residential quarters, hostel and accessory uses; and to address a condition of draft plan of subdivision to establish a limit of development, as detailed in Document 2.

RECOMMANDATION DU COMITÉ

Que le Conseil approuve la modification au Règlement de zonage (no 2008-250) concernant les 3400 et 3468, chemin Old Montreal, et la parcelle sans adresse au sud-est du 3400, chemin Old Montreal, pour autoriser l'établissement d'un sanctuaire spirituel et d'un parc de sculptures ainsi que la construction d'un bâtiment devant servir de lieu de culte multiconfessionnel, de logements, d'une auberge et d'autres ouvrages qui leur sont connexes, en plus d'assortir le plan de lotissement provisoire de la limite à l'aménagement décrite dans le document 2.

DOCUMENTATION / DOCUMENTATION

Acting Director, Planning Services, Planning, Infrastructure and Economic Development Department report dated 27 March 2017 (ACS2017-PIE-PS-0056).

Rapport du Directrice par intérim, Services de la planification, Direction de la planification, de l'infrastructure et du développement économique daté le 27 mars 2017 (ACS2017-PIE-PS-0056).

**AGRICULTURE AND RURAL
AFFAIRS COMMITTEE
REPORT 24
10 MAY 2017**

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**COMITÉ DE L'AGRICULTURE ET
DES AFFAIRES RURALES
RAPPORT 24
LE 10 MAI 2017**

**Report to
Rapport au:**

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

May 4, 2017 / 4 mai 2017

**and Council / et au Conseil
May 10, 2017 / 10 mai 2017**

**Submitted on March 27, 2017
Soumis le 27 mars 2017**

**Submitted by
Soumis par:**

Lee Ann Snedden,

Acting Director / Directrice par intérim,

Planning Services / Service 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: ACS2017-PIE-PS-0056

SUBJECT: Zoning By-law Amendment – 3400 and 3468 Old Montreal Road

**OBJET: Modification au *Règlement de zonage* – 3400 et 3468, chemin Old
Montreal**

REPORT RECOMMENDATIONS

- 1. That Agriculture and Rural Affairs Committee recommend Council approve an amendment to Zoning By-law 2008-250 for 3400 and 3468 Old Montreal Road and the unaddressed parcel to the southeast of 3400 Old Montreal Road, to permit a Spiritual Sanctuary and Sculpture Park with associated multi-faith place of worship building and residential quarters, hostel and accessory uses; and to address a condition of draft plan of subdivision to establish a limit of development, 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 10 May 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 la modification au Règlement de zonage (no 2008-250) concernant les 3400 et 3468, chemin Old Montreal, et la parcelle sans adresse au sud-est du 3400, chemin Old Montreal, pour autoriser l'établissement d'un sanctuaire spirituel et d'un parc de sculptures ainsi que la construction d'un bâtiment devant servir de lieu de culte multiconfessionnel, de logements, d'une auberge et d'autres ouvrages qui leur sont connexes, en plus d'assortir le plan de lotissement provisoire de la limite à l'aménagement décrite dans 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 10 mai 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.

EXECUTIVE SUMMARY

The subject properties are located east of the Village of Cumberland and on the south side of Old Montreal Road, immediately south of the Old Montreal Road exit from Regional Road 174.

The applicant is requesting permission to allow for a multi-faith place of worship building, workshop, open space, sculpture park, residential quarters for visiting clergy, an education centre, hostel, an administrative office, and associated parking. Additionally, this Zoning By-law amendment application to accommodate the above uses will also consider an amendment to the applicant's Plan of Subdivision (Cumberland Estates Phase 2) to the south.

The subject property is designated as a 'General Rural Area' on Schedule A of the Official Plan. This designation provides for a wide range of uses such as farms, rural housing, wood lots and forests, small industries, golf courses, and in many places, existing clusters of residential subdivisions and severances and commercial development. The General Rural Area is designated with the intent to provide for a location for agriculture and non-agriculture uses that due to their land requirements of the nature of their operation cannot be located within an urban or Village location. New institutional uses such as places of worship and schools although ideally located within a Village may be considered in close proximity to a Village where Village land is insufficient or inappropriate.

The lands are currently subject to two different zones. The small, triangular lot (3468 Old Montreal Road) is in the Rural Countryside (RU) Zone whereas the two large lots (3400 Old Montreal Road and the unaddressed parcel to the southeast) are in Rural

Residential Subzone 1 (RR1). The second part of this zoning amendment which takes into account the ravine lands in plan of subdivision (Cumberland Estates Phase 2) is zoned Rural Residential Subzone 1 (RR1).

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. No public meetings were held in the community. Only requests for further notification and additional information were received.

Staff is supportive of the location in the General Rural Area and subsequent rezoning to accommodate the Sanctuary and Sculpture Park. The lands to be used for the Sanctuary and Sculpture Park are proposed to be rezoned to Parks and Open Space (O1) and Environmental Protection (EP).

Further, portions of the lands subject to the Plan of Subdivision are proposed to be rezoned to an Environmental Protection (EP) zone.

SOMMAIRE

Les terrains concernés se trouvent à l'est du village de Cumberland, sur le côté sud du chemin Old Montreal, et immédiatement au sud de la sortie du chemin Old Montreal de la route régionale 174.

Le demandeur aimerait avoir l'autorisation de construire un bâtiment devant servir de lieu de culte multiconfessionnel, un atelier, des logements pour membres du clergé en visite, un centre de formation, une auberge, un bureau administratif et les stationnements qui y sont assortis, et d'établir un espace vert et un parc de sculptures. De plus, cette demande de modification au *Règlement de zonage*, qui vise à autoriser les utilisations susmentionnées, tient compte d'une modification à la partie sud du plan de lotissement du demandeur (Cumberland Estates Phase 2).

Les terrains visés par la demande sont considérés comme un « secteur rural général » aux termes de l'annexe A du Plan officiel. Cette désignation permet toutes sortes d'utilisations (p. ex., ferme, maison rurale, terre à bois, forêt, petite entreprise, terrain de golf) en plus de permettre à plusieurs endroits des regroupements existants de lotissements résidentiels et leur morcellement, ainsi que des aménagements

commerciaux. La désignation comme secteur rural général vise à prévoir un endroit pour les utilisations agraires ou non qui, compte tenu des besoins en espace associés à leurs activités, ne pourraient pas aussi bien s'exercer en secteur urbain ou dans un village. Même si elles sont idéalement situées dans un village, les nouvelles utilisations institutionnelles, comme des lieux de culte et des écoles, peuvent être considérées comme étant à proximité immédiate d'un village lorsque le terrain de celui-ci est insuffisant ou inapproprié.

Les terrains se trouvent actuellement dans deux zones. Le petit lot triangulaire (sis au 3468, chemin Old Montreal) se trouve en zone d'espace rural (RU) alors que les deux gros lots (celui sis au 3400, chemin Old Montreal et la parcelle sans adresse au sud-est de celui-ci) sont en sous-zone résidentielle rurale 1 (RR1). La deuxième partie de la modification de zonage tient compte des ravins du plan de lotissement (Cumberland Estates Phase 2) qui sont actuellement en sous-zone résidentielle rurale (RR1).

Un avis public a été donné et une consultation publique a eu lieu conformément à la Politique d'avis et de consultation publique approuvée par le Conseil municipal pour les modifications au *Règlement de zonage*. Aucune assemblée publique n'a eu lieu dans la communauté. Les seules demandes reçues visaient un avis subséquent ou des renseignements additionnels.

Le personnel est d'accord avec l'emplacement du sanctuaire et du parc de sculptures dans le secteur rural général et avec la modification subséquente du zonage pour permettre leur aménagement, en situant les terrains en zones de parc et d'espace vert (O1) et de protection de l'environnement (EP).

Il est en outre proposé de modifier le zonage de parcelles des terrains visés par le plan de lotissement pour les mettre en zone de protection de l'environnement (EP).

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

3400 and 3468 Old Montreal Road, and an unaddressed parcel to the southeast of 3400 Old Montreal Road.

Owner

Humanics Universal Inc. : Dr. Ranjit Perera

Applicant

Holzman Consultants Inc. Bill Holzman

Description of site and surroundings

The subject property is located east of the Village of Cumberland and on the south side of Old Montreal Road, immediately south of the Old Montreal Road exit from Regional Road 174.

The lands are currently being used as a sculpture park, but the applicant looks to expand its uses to include buildings on-site. The site is surrounded by rural residential uses to the north, south, east and west. It is noted that the residential use to the south is the applicant's draft approved Plan of Subdivision known as Cumberland Estates Phase 2.

Summary of requested Zoning By-law amendment proposal

The City of Ottawa has received a Zoning By-law amendment with a proposal to rezone the subject lands to permit a spiritual sanctuary and sculpture park. Permission is requested for a multi-faith place of worship building, workshop, open space, sculpture park, residential units for visiting clergy, an education centre, hostel, an administrative office and associated parking.

Additionally this zoning amendment application to accommodate the above uses will also consider an amendment to the applicant's Plan of Subdivision (Cumberland Estates Phase 2) to the south. Final Conditions (#86) of the Plan of Subdivision require

the Owner to rezone the ravine lands to establish a limit of development.

The lands are currently subject to two different zones. The small, triangular lot (3468 Old Montreal Road) is in the Rural Countryside (RU) Zone whereas the two large lots (3400 Old Montreal Road and the unaddressed parcel to the southeast) are in Rural Residential Subzone 1 (RR1). The second part of this zoning amendment takes into account the ravine lands in the Plan of Subdivision (Cumberland Estates Phase 2) for which they are currently zoned Rural Residential Subzone 1 (RR1).

The lands to be used for the sanctuary and sculpture park are proposed to be rezoned from Rural Countryside (RU) and Rural Residential Subzone 1 (RR1) to Parks and Open Space (O1) and Parks and Open Space with an exception (O1 [xxxr]).

As for the ravine lands, they dissect the spiritual sanctuary and sculpture park property and the lands included in draft approved Plan of Subdivision. The ravine lands within the spiritual sanctuary and sculpture park lands will be rezoned from Rural Countryside (RU) and Rural Residential Subzone 1 (RR1) to Environmental Protection (EP). The ravine lands in the draft approved Plan of Subdivision will be rezoned from Rural Residential Subzone 1 (RR1) to EP Environmental Protection.

Brief History of Proposal

A Site Plan Control application (file #D07-12-16-0081) was filed concurrently with this Zoning By-law amendment (see Document 3).

This zoning amendment application proposes the creation of spiritual sanctuary and sculpture park with an associated multi-faith place of worship building, educational centre, workshop, parking, private sewage disposal system and well, parking and open space, and in the future an ancillary dwelling unit, hostel and administrative office. Access to this property is taken from Old Montreal Road.

The sculptures in the park are considered as educational displays of a spiritual and secular nature. With boardwalks, observation platforms, pedestrian bridges located throughout the area, it is not only an environmental reserve, but more specifically an esthetic sculpture park and sanctuary.

The place of worship building, which is intended to be the principal building on-site, will be two storeys. The building will have a gross floor area of 405 square metres. It is one of the two buildings which will be constructed immediately upon Site Plan Control and Zoning By-law amendment approval, the other being the workshop.

The workshop will act as a sheltered area for sculptors to work in a site maintenance building. It will be equipped with carpentry equipment, metal working equipment, and mechanical equipment.

The ancillary dwelling unit, (residential quarters for visiting clergy, scholars and the care taker) will also be a two storey building with two separate residences within it.

The educational centre will also be a two story building. The building will house a large hall for conferences, seminars, retreats, and three or four separate smaller rooms.

Both the ancillary dwelling unit and the educational centre are not expected to be built immediately, but will be built if and when they would be needed and when necessary funding becomes available.

DISCUSSION

Public consultation

Notification and public consultation was undertaken in accordance with the Public Notification and Consultation Policy approved by City Council for Zoning By-law amendments. No City led community information was held in the community.

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

Official Plan designation

The subject property is designated as a 'General Rural Area' on Schedule A of the Official Plan. Section 3.7.2 for the General Rural Area designation provides for a wide range of uses such as farms, rural housing, wood lots and forests, small industries, golf courses, and in many places, existing clusters of residential subdivisions and severances and commercial development. This application has been reviewed under Official Plan Amendment 150 policies as approved by Council in December 2013.

The primary OP policies considered in the review of this application are:

- Section 3.7.2. for General Rural Areas, more specifically Policy 5 f. – Zoning to permit new use Policy 6.
- Section 4 for Review of Development Applications, with specific regards for:
 - 4.3 Walking, Cycling, Transit, Roads and Parking lots;
 - 4.4 Water and Wastewater Servicing;
 - 4.6 Cultural Heritage Resources;
 - 4.7 Environmental Protection;
 - 4.8 Protection of Health and Safety.

Planning Rationale

Located approximately 1 kilometre east of the Village of Cumberland the proposal provides a unique attraction for residents of Ottawa, notably those of a spiritual background. Additionally, it provides a multi-cultural gathering place for a large cross-section of Ottawa's diverse population.

In absence of any specific policies or designations for such a collection of uses Official Plan policy does give direction for non-agricultural uses in the General Rural Area.

Official Plan (OP) Policy 3.7.2, Official Plan (OP) Policy 3.7.2, General Rural Areas are designated with the intent to provide for a location for agriculture and for those non-agriculture uses that due to their land requirements of the nature of their operation cannot be located within an urban or Village location. New institutional uses such as places of worship and schools although ideally located within a Village may be considered in close proximity to a Village where Village land is insufficient or inappropriate. Section 3.7.2.5 f. requires that a Zoning By-law amendment will be required where a new institutional use is proposed in General Rural Areas.

The proposed spiritual sanctuary and sculpture park with its associated uses such as the walking trails, place of worship/residential quarters, workshops, hostel and

administration office require a considerable amount of land to operate. Due to its reliance on open space, walking trails and other features of the rural area, the scope of the proposed development is not appropriate for Village land, nor is the supply of appropriately zoned land adequate in the Village of Cumberland.

Various plans and reports were provide in support of the of the Zoning By-law amendment and site plan applications. These included an Environmental Impact Statement and Tree Conservation report, Geotechnical Study, Hydrogeological and Terrain Analysis, Planning Rationale and a Stormwater Site Management Report. This supporting documentation has been accepted and based on the success of the zoning amendment and will be finalized through the approval of the site plan.

Given the uniqueness of this proposal staff have concluded that the applicant has provided a strong rationale for the location of the sanctuary and sculpture park. The use is appropriate and represents sound land use planning.

Provincial Policy Statement

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

RURAL IMPLICATIONS

The multi-faith sanctuary and sculpture park is appropriately located in the rural area and will act as a hub for the interaction and practice of spirituality for the city.

COMMENTS BY THE WARD COUNCILLOR

Councillor Blais is aware of the 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 the recommendation in this

report.

FINANCIAL IMPLICATIONS

There are no risks associated with this report.

ACCESSIBILITY IMPACTS

There are no accessibility impacts associated with this report. Staff will review accessibility measures during the processing of the site plan control application.

ENVIRONMENTAL IMPLICATIONS

The Conservation Authority and City Staff reviewed the reports and plans provided with the Site Plan control and Zoning By-law amendment applications submission, particularly the Environmental Impact Statement and Tree Conservation Report. The Conservation Authority and City staff are satisfied that the natural features on and adjacent to the site will be adequately protected with the mitigation measures that will be put in place.

TERM OF COUNCIL PRIORITIES

This project addresses the following Term of Council Priorities:

EP3 - Support growth of local economy

APPLICATION PROCESS TIMELINE STATUS

The application was not processed by the "On Time Decision Date" established for the processing of Zoning By-law amendments due to the complexity of the issues associated with the review of the site plan control application.

SUPPORTING DOCUMENTATION

Document 1 Location Map

Document 2 Details of Recommended Zoning

Document 3 Description of Proposed Site Plan

Document 4 Public Consultation Details

CONCLUSION

The Planning, Infrastructure, and Economic Development Department support this application because it is consistent with the Official Plan (OPA 150) and the Provincial Policy Statement (2014).

DISPOSITION

Legislative Services, Office of the City Clerk and Solicitor to notify the owner; applicant; OttawaScene Canada Signs, 1565 Chatelain Avenue, Ottawa, ON K1Z 8B5; Krista O'Brien, Deputy City Treasurer Revenue Branch, Corporate Services (Mail Code: 26-76) of City Council's decision.

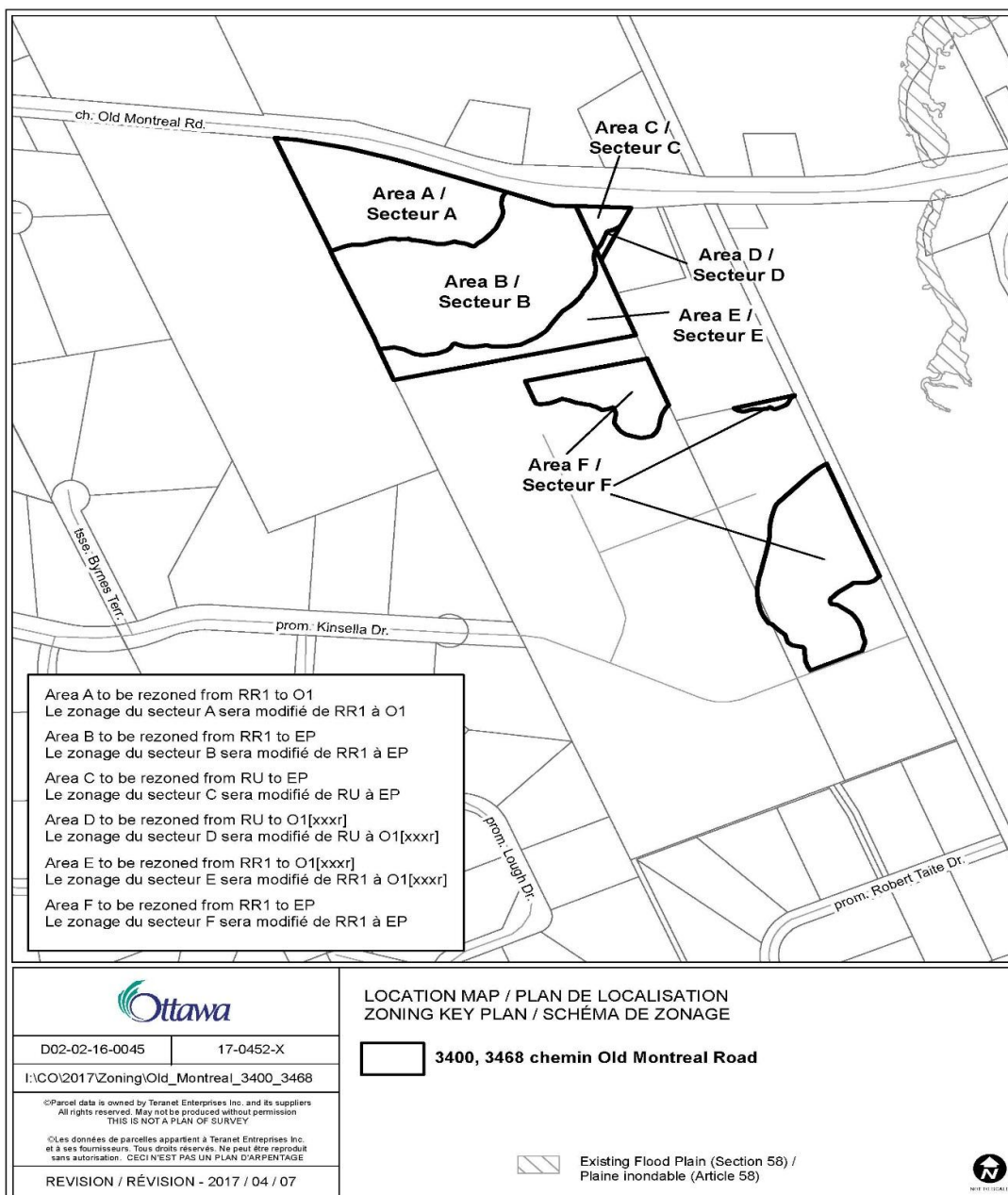
Zoning and Interpretations Unit, Planning Policy Branch, Planning, Infrastructure and Economic Development to prepare the implementing by-law, forward to Legal Operations and Support Services; and undertake the statutory notification.

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

Document 1 – Location Map

For an interactive Zoning map of Ottawa visit geoOttawa

This is a location map that identifies the location of the subject lands and proposed zoning revisions.



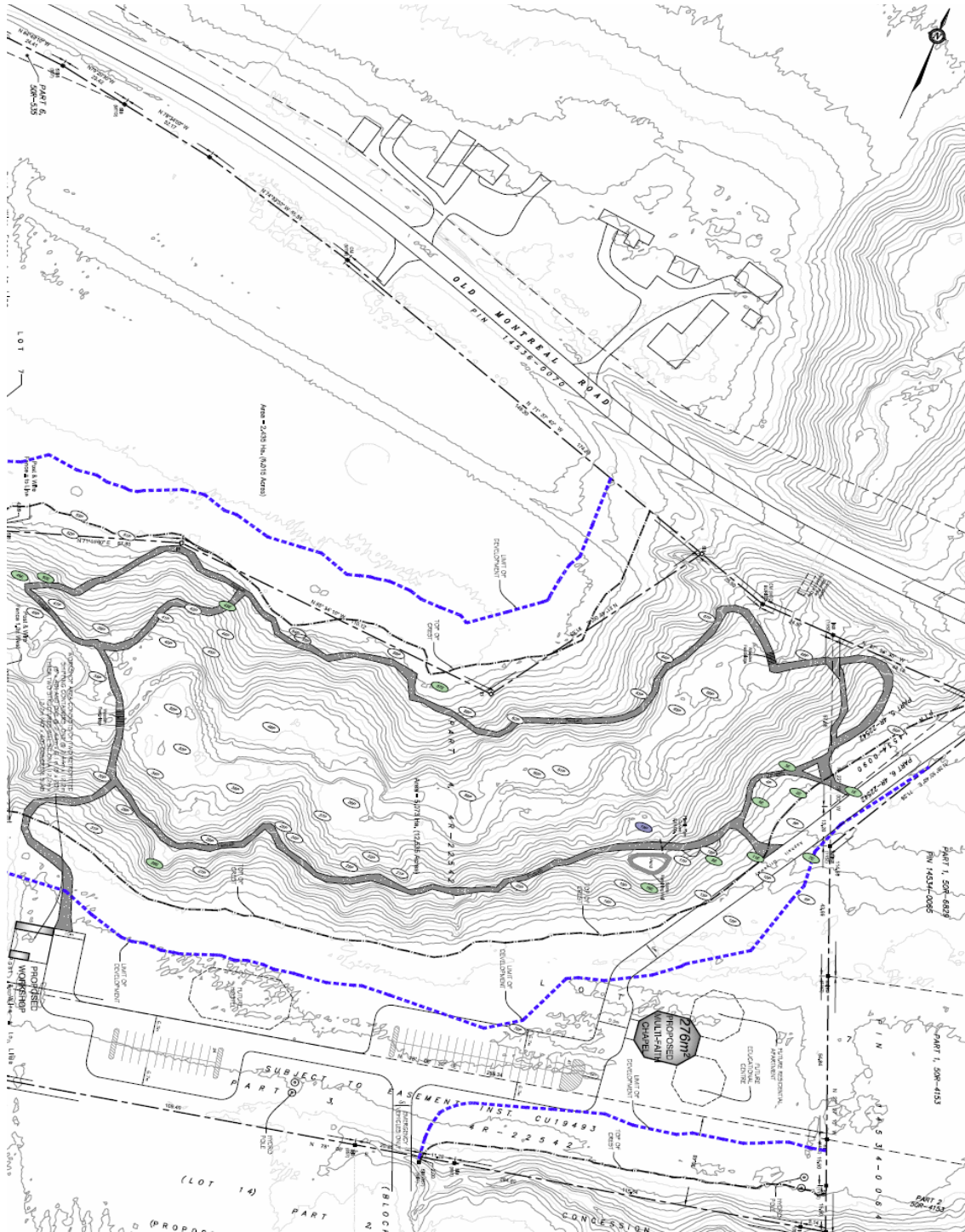
Document 2 – Details of Recommended Zoning

The proposed change to the City of Ottawa Zoning By-law 2008-250 for part of 3400 and 3468 Old Montreal Road and part of unaddressed parcel to the southeast of 3400 Old Montreal Road:

- 1) Rezone the lands shown in Document 1 as follows:
 - a) Area A from RR1 to O1;
 - b) Area B from RR1 to EP;
 - c) Area C from RU to EP; and
 - d) Area D from RU to O1[xxxxr];
 - e) Area E from RR1 to O1[xxxxr]; and,
 - f) Area F from RR1 to EP.
- 2) Add a new exception O1[xxxxr] to Section 240 – Rural Exception with provisions similar in intent to the following:
 - a) In Column II – Applicable Zones add the text, “O1[xxxxr]”
 - b) In Column III – Additional Land Uses Permitted add the following text:
 - place of worship
 - hostel
 - place of assembly
 - instructional facility
 - dwelling unit
 - detached dwelling
 - c) In Column V – Provisions add the following text:

- minimum lot width: 30 m
- minimum lot area: 2000 square metres
- minimum rear yard setback:
 - i. abutting a residential use or zone: 10 m
 - ii. all other cases: 7.5 m
- maximum lot coverage: 30 per cent
- a maximum of 24 hostel units are permitted
- minimum driveway width: 6 m
- a maximum of one ancillary detached dwelling is permitted with a place of worship
- ancillary dwelling units must be located the same building as a place of worship
- a hostel, place of assembly and instructional facility are conditionally permitted only if they are located on the same lot as a place of worship

Document 3 – Description of Proposed Site Plan



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. No public meetings were held in the community.

Public Comments and Responses

Only requests for further notification and additional information was received.