

**4. ZONING BY-LAW AMENDMENT – 2605 STAGECOACH ROAD
MODIFICATION AU RÈGLEMENT DE ZONAGE – 2605, CHEMIN
STAGECOACH**

COMMITTEE RECOMMENDATION

That Council approve a temporary amendment to Zoning By-law 2008-250 for 2605 Stagecoach Road to permit a take-out restaurant, limited to a chip truck for a period of three years from the date of passing of the by-law, as detailed in Document 2.

RECOMMANDATION DU COMITÉ

Que le Conseil approuve une modification temporaire au Règlement de zonage 2008-250 en ce qui a trait au 2605, chemin Stagecoach, afin de permettre l'aménagement d'un restaurant de mets à emporter, se limitant à un camion de restauration, pour une période de trois ans à partir de la date d'adoption du règlement comme l'explique en détail le document 2.

DOCUMENTATION / DOCUMENTATION

1. John Moser, Acting Deputy City Manager, Planning and Infrastructure, report dated 17 juin 2016 (ACS2016-PAI-PGM-0107).

Rapport du directeur municipale adjoint par intérim, Urbanisme et Infrastructure, John Moser, daté le 17 juin 2016 (ACS2016-PAI-PGM-0107).

2. Extract of draft Minutes, Agriculture and Rural Affairs Committee, 29 June 2016

Extrait de l'ébauche du procès-verbal, Comité de l'agriculture et des affaires rurales, le 29 juin 2016.

3. Summary of Written and Oral Submissions (to be issued separately with the final Council agenda)

Résumé des observations écrites et orales (à publier séparément, en même temps que la version finale de l'ordre du jour de la réunion du Conseil)

**AGRICULTURE AND RURAL
AFFAIRS COMMITTEE
REPORT 18
13 JULY 2016**

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**COMITÉ DE L'AGRICULTURE ET
DES AFFAIRES RURALES
RAPPORT 18
LE 13 JUILLET 2016**

**Report to
Rapport au:**

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

June 29, 2016 / 29 juin 2016

**and Council / et au Conseil
July 13, 2016 / 13 juillet 2016**

**Submitted on June 17, 2016
Soumis le 17 juin 2016**

**Submitted by
Soumis par:**

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Ward: OSGOODE (20)

File Number: ACS2016-PAI-PGM-0107

SUBJECT: Zoning By-law Amendment – 2605 Stagecoach Road

OBJET: Modification au Règlement de zonage – 2605, chemin Stagecoach

REPORT RECOMMENDATION

That Agriculture and Rural Affairs Committee:

- 1. Recommend Council approve a temporary amendment to Zoning By-law 2008-250 for 2605 Stagecoach Road to permit a take-out restaurant, limited to a chip truck for a period of three years from the date of passing of the by-law, as detailed in Document 2.**
- 2. Approve the Consultation Section of this report be included as the “brief explanation” in the Summary of Written and Oral Submissions, to be prepared by the City Clerk and Solicitor’s Office and submitted to Council in tandem with this report, subject to submissions received between the publication of this report and 4 p.m. of the day prior to Council’s consideration.**

RECOMMANDATION DU RAPPORT

Que le Comité de l’agriculture et des affaires rurales :

- 1. recommande au Conseil d’approuver une modification temporaire au Règlement de zonage 2008-250 en ce qui a trait au 2605, chemin Stagecoach, afin de permettre l’aménagement d’un restaurant de mets à emporter, se limitant à un camion de restauration, pour une période de trois ans à partir de la date d’adoption du règlement comme l’explique en détail le document 2.**
- 2. donne son approbation à ce que la section du présent rapport consacrée aux consultations soit incluse en tant que “brève explication” dans le résumé des observations écrites et orales, qu’elle soit rédigée par le Bureau du greffier municipal et chef du contentieux et soumise au Conseil en même temps que le présent rapport, à la condition que les observations**

aient été reçues entre le moment de la publication du présent rapport et 16 h la veille de l'étude du rapport par le 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

2605 Stagecoach Road is located at the north-east corner of Stagecoach Road and Snake Island Road.

Owner

Brian Kearns 1252297 Ontario Inc.

Applicant

City initiated, Planning and Growth Management Department

Description of site and surroundings

The site is currently used as an automobile service station, car wash and tire sales shop. Low-rise residential uses are located to the north of the property. The surrounding area is rural in nature and includes prime agricultural lands to the west and Provincially Significant Wetlands to the east.

Summary of Zoning By-law amendment proposal

The purpose of this Zoning By-law amendment is to allow for a chip truck to be temporarily located and operated on-site for a period of three years. The chip truck will provide for the sale of food and non-alcoholic beverages, from a motorized vehicle, for consumption on or off the premises.

Brief history of proposal

Under the premise that the landowner could operate a chip truck on the property, one was purchased with the intention of operating in summer 2016. Restaurants are not a permitted use on this site which is zoned Rural Commercial, Rural Exception 192r(Rc[132r]. It was determined by staff that a temporary Zoning By-law amendment is appropriate, in order to permit the use, and allow time for staff to evaluate the possibility of a permanent restaurant type use at this location.

DISCUSSION

Public consultation

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. The comments are included in Document 3.

Official Plan designation

The property is designated General Rural Area, which supports a variety of uses that are compatible with the rural nature of the area. The Official Plan states the General Rural Area is intended to provide a location for those non-agricultural uses that, due to their land requirements or the nature of their operation, would not be more appropriately located within urban or village locations (Policy 3.7.2.1.(a)). The current use is an automobile service station in a location that is five to 10 kilometres from other villages.

Provincial Policy Statement

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

The Provincial Policy Statement (PPS), which came into effect on April 30, 2014, identifies rural areas as important to the economic success of the Province and quality of life. Section 1.1.4.1(f) states that healthy, integrated and viable rural areas should be supported by promoting diversification of the economic base through goods and

services. This proposal provides a service in an area where commercial food and beverage options are limited.

Planning rationale

The exception in the current zoning Rc[192r] limits commercial uses to automobile service stations and car washes only. The parent zoning, Rural Commercial however, permits restaurant uses. Given that the property is zoned for commercial uses, permitting a restaurant use could also be appropriate. The temporary nature of this Zoning By-law amendment provides an opportunity for the use to operate on a trial basis. At the end of three years, if the owner/operator wishes to continue the use, they will be responsible for submitting an application to extend the temporary use, or an application for a major Zoning By-law amendment should they wish to establish the use permanently. At the time of either application, staff will evaluate the request in consideration of the plans and studies submitted and the operation of the temporary use over the previous three years.

RURAL IMPLICATIONS

The rural implications have been outlined in the Discussion Section of this report.

COMMENTS BY THE WARD COUNCILLOR

Councillor Darouze is aware of this application.

LEGAL IMPLICATIONS

There are no legal impediments to adopting the recommendation outlined in this report.

RISK MANAGEMENT IMPLICATIONS

There are no risk management implications associated with this report.

FINANCIAL IMPLICATIONS

There are no financial implications associated with this report.

ACCESSIBILITY IMPACTS

There are no accessibility implications associated with this application.

ENVIRONMENTAL IMPLICATIONS

There are no environmental implications associated with this proposed Zoning By-law amendment.

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 processed by the On Time Decision Date established for the processing of Zoning By-law amendment applications.

SUPPORTING DOCUMENTATION

Document 1 Location Map

Document 2 Details of Recommended Zoning

Document 3 Consultation Details

Document 4 Overview Data Sheet

CONCLUSION

Planning and Growth Management department supports this temporary Zoning By-law amendment because it is consistent with the policies of the Official Plan and the Provincial Policy Statement.

DISPOSITION

City Clerk and Solicitor department, Legislative Services, to notify the owner, applicant, OttawaScene Canada Signs, 1565 Chatelain Avenue, Ottawa, ON K1Z 8B5, and Program Manager, Assessment, Financial Services Branch (Mail Code: 26-76) of City Council's decision.

Planning and Growth Management Department to prepare implementing by-law, forward to Legal Services and undertake the statutory notification.

Legal Services to forward the implementing by-law to City Council.

Document 1 – Location Map

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



Document 2 – Details of Recommended Zoning

The proposed changes to the City of Ottawa Zoning By-law No. 2008-250 for 2605 Stagecoach Road:

1. Rezone the lands shown in Document 1 as follows:
 - a) Area A from RC[192r] to RC[xxxr].
2. Add a new exception RC[xxxr] to Section 240 – Rural Exceptions, with provisions similar in effect to the following:
 - a) Column IV All uses except for: automobile service station, car wash including trucks, and take-out restaurant limited to chip-truck;
 - b) Minimum lot area is 3000 square metres;
 - c) A take-out restaurant limited to chip truck is only permitted for a temporary period of three years beginning July 13, 2016 and ending on July 13, 2019; and
 - d) No parking is required for a temporary chip truck.

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. The following comments were received.

Public Comments and Responses

Comment:

Traffic Design

Stagecoach Road and Snake Island Road are busy roads with commuter traffic and a busy intersection. The location of the restaurant will create more traffic and be hazardous from increased vehicles turning right into the intersection, which is not designed nor suited for commercial business traffic.

Response:

The proposed use will have to comply with the required setbacks of the Zoning By-law, which ensures that buildings and structures are not located too close to the roads. The location will not be within the corner site triangle of the property to ensure the intersection is not obstructed.

Comment:

Odors

The restaurant will create a lot of odor from the cooking of french fries, burgers, and other greasy smelling goods, which will linger and affect nearby homes. Exhaust fumes will be an issue in the winter time as people will leave their cars running while they eat inside of them.

Response:

The site is currently used for an automotive service station. The restaurant use should not produce more noxious odors than those related to the automotive use.

Comment:

Temporary Term

It is unfair that this will be permitted for three years. What happens if the restaurant proves to be a terrible nuisance for residents during that time?

Response:

The temporary term provides for an opportunity to evaluate the use at this site. Following the term, the owner can file for an extension or a permanent rezoning, which will follow a public process. At this time, the performance of the use during this time period will be evaluated in determination of whether or not it should continue. Should the use be a disturbance during this time period, and be in contravention of City regulations, individuals can contact Service Ottawa.