

7. ZONING BY-LAW AMENDMENT –2800 MOODIE DRIVE

**MODIFICATION AU RÈGLEMENT DE ZONAGE –2800, PROMENADE
MOODIE**

COMMITTEE RECOMMENDATION

That Council approve an amendment to Zoning By-law 2008-250 for 2800 Moodie Drive, for the purposes of rezoning the land from Rural Heavy Industrial Zone, Subzone 1, Exception 121r (RH1[121r]) to Rural General Industrial Zone, Exception XXX (RG[xxx]), as indicated in Document 2.

RECOMMANDATION DU COMITÉ

Que le Conseil approuve une modification du *Règlement de zonage 2008-250* visant le 2800, promenade Moodie, afin de faire passer la désignation du terrain de zone d'industrie lourde rurale, sous-zone 1, exception 121r (RH1[121r]) à zone d'industrie générale rurale, exception XXX (RG[xxx]) comme le précise le document 2.

DOCUMENTATION/DOCUMENTATION

1. Director's Rapport, Planning Services, Planning, Infrastructure and Economic Development Department, dated January 17, 2019 (ACS2019-PIE-PS-0010)

Rapport de la directrice, Services de la planification, Direction générale de la planification, de l'infrastructure et du développement économique, daté le 17 janvier 2019 (ACS2019-PIE-PS-0010)

2. Extract of draft Minutes, Agriculture and Rural Affairs Committee, February 22, 2019

Extrait de l'ébauche du procès-verbal, Comité de l'agriculture et des affaires rurales, le 22 février 2019

3. Summary of Written and Oral Submissions to be issued separately with the Council agenda for its meeting of March 6, 2019, 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 February 27, 2019”.

Résumé des observations écrites et orales à distribuer séparément avec l’ordre du jour de la réunion du 6 mars 2019 du 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 27 février 2019 ».

**Report to
Rapport au:**

**Agriculture and Rural Affairs Committee
Comité de l'agriculture et des affaires rurales
22 February 2019 / 22 février 2019**

**and Council
et au Conseil
27 February 2019 / 27 février 2019**

**Submitted on 17 January 2019
Soumis le 17 janvier 2019**

**Submitted by
Soumis par:
Lee Ann Snedden
Director / Directrice**

**Planning Services / Services 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: RIDEAU-GOULBOURN (21)

File Number: ACS2019-PIE-PS-0010

SUBJECT: Zoning By-law Amendment –2800 Moodie Drive

OBJET: Modification au Règlement de zonage –2800, promenade Moodie

REPORT RECOMMENDATIONS

1. That Agriculture and Rural Affairs Committee recommend Council approve an amendment to Zoning By-law 2008-250 for 2800 Moodie Drive, for the purposes of rezoning the land from Rural Heavy Industrial Zone, Subzone 1, Exception 121r (RH1[121r]) to Rural General Industrial Zone, Exception XXX (RG[xxx]), as indicated 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 February 27 2019," 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 du *Règlement de zonage 2008-250* visant le 2800, promenade Moodie, afin de faire passer la désignation du terrain de zone d'industrie lourde rurale, sous-zone 1, exception 121r (RH1[121r]) à zone d'industrie générale rurale, exception XXX (RG[xxx]) comme le précise le document 2.
2. Que 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 27 février 2019 », 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

2800 Moodie Drive

Owner

Philip de Kemp and Martha de Kemp

Applicant

Adam Thompson, Novatech

Description of site and surroundings

This site is approximately 2.09 hectares (ha) in size, and is located on Moodie Drive, approximately 388 metres south of the intersection of Moodie Drive and Fallowfield Road. The site is legally known as Part of Lot 19, Concession 5, Nepean Township.

The parcel is surrounded by commercial and light industrial uses to the north, agricultural lands to the south to the Jock River, a detached dwelling and agricultural lands to the east, and several residential dwellings as well as forested and agricultural lands to the west. The subject site is currently vacant.

Summary of requested Zoning By-law amendment proposal

The applicant has submitted a Zoning By-law amendment application proposing to rezone the subject site from Rural Heavy Industrial Zone, Subzone 1, Exception 121r (RH1[121r]) to Rural General Industrial Zone, Exception xxx1 (RG[xxx1]), with the exception to prohibit sensitive uses on the subject site due to concerns with water quality.

Brief history of proposal

Through Official Plan Amendment 180 (OPA 180), lands abutting the intersection of Moodie Drive and Fallowfield Road were re-designated to Rural Employment Area, including the subject site which was previously designated Agricultural Resource Area. OPA 180 implemented proposed changes to the Official Plan following a comprehensive review of the City's Employment Lands. In January of 2017, Council passed OPA 180. Parts of OPA 180 were appealed to the Ontario Municipal Board in 2017; however, the policies and conversion of this land to Rural Employment Area are not subject to an appeal and are thus in full force and effect.

Currently, the subject site is zoned Rural Heavy Industrial Zone, Subzone 1, Exception 121r (RH1[121r]). While the Rural Heavy Industrial Zone permits a variety of uses, Exception 121r prohibits all heavy industrial uses except for a manufacturing facility limited to the processing of cheese and dairy products.

The applicant has proposed to rezone the subject site to Rural General Industrial Zone, Exception xxx1 (RG[xxx1]) which would expand the number of permitted uses for the site.

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. Four members of the public called the City for more information on the proposed Zoning By-law amendment application and one member of the public submitted a written comment. In the comment letter received, concerns were expressed regarding illegal dumping activity going on at 2760 Moodie Drive and asked that this be taken into consideration for the rezoning application. Staff responded to the letter and directed the resident to the appropriate avenue to voice concerns about illegal waste disposal activities, which is not a permitted use at 2760 Moodie Drive or 2800 Moodie Drive under the Zoning By-law.

Official Plan Designation

The property is designated Rural Employment Area as per Schedule A of the Official Plan. The intent of the Rural Employment Area designation is to support industrial uses including but, not limited to: manufacturing, agriculture, transportation, and commercial services with ancillary retail uses.

Planning Rationale

This Zoning By-law amendment will affect approximately 2.09 hectares of land, as shown in Document 1. This Zoning By-law amendment would affect the entirety of the subject site and would rezone the land from RH1[121r] to RG[xxx1].

The intent of the RG zone is to permit a range of light industrial uses as well as limited commercial services, in accordance with the Rural Employment Area designation under the Official Plan. The RG zone permits a range of uses, including but, not limited to: a dwelling unit, a gas bar, light industrial uses, a retail store, a service and repair shop and a warehouse.

The applicant was required to submit a hydrogeological study as part of the application. As the site does not have sufficient water quality to meet the standards of the Government of Ontario's D-5-5 Guidelines, which pertain to private wells, staff are recommending that the following sensitive uses be prohibited on the subject site: dwelling unit, restaurant, drive-through facility, convenience store, kennel, animal hospital and animal care establishment. Presently, no development has been proposed for the subject site.

Provincial Policy Statement

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

RURAL IMPLICATIONS

The proposed Zoning By-law amendment would expand the permitted uses for the subject site, for which only a manufacturing facility processing dairy and cheese is permitted currently. This Zoning By-law amendment would also assist in the

implementation of the changes made through OPA 180, which re-designated the subject site from Agricultural Resource Area to Rural Employment Area.

COMMENTS BY THE WARD COUNCILLOR

Councillor Moffatt 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 risks associated with this rezoning, in terms of sufficient water quality. Due to an exceedance in the levels of chloride, the water quality for the subject does not meet the Drinking Water Objectives outlined in the Ministry of Environment, Conservation, and Parks D-5-5 Guidelines. As such, to minimize the risks associated with water quality, staff have recommended that sensitive uses permitted within the RG Zone—notably, a dwelling unit, restaurant, drive-through facility, convenience store, kennel, animal hospital and animal care establishment—be prohibited.

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

There will be no impacts to accessibility as a result of the proposed rezoning.

ENVIRONMENTAL IMPLICATIONS

There are no environmental implications associated with the proposed rezoning.

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

CONCLUSION

Planning, Infrastructure and Economic Development supports this Zoning By-law amendment as it is consistent with the intent of the City's Official Plan and the Zoning By-law.

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, Policy Planning Branch, Economic Development and Long Range Planning Services 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



Document 2 – Details of Recommended Zoning

The proposed amendment to the City of Ottawa's Zoning By-law 2008-250 for 2800 Moodie Drive is as follows:

- 1) Rezone the lands shown as Area A in Document 1 from RH1[121r] to RG[xxx1r].
- 2) Add a new exception to Section 240—Rural Exceptions with provisions similar in effect to the following:
 - In Colum II add "RG[xxx1r]
 - In Colum IV, add:
 - dwelling unit;
 - restaurant;
 - drive-through facility;
 - convenience store;
 - kennel;
 - animal hospital; and,
 - animal care establishment.