

## Summary of Written and Oral Submissions

**Note: This is a draft Summary of the Written and Oral Submissions received in respect of OFFICIAL PLAN AND ZONING BY-LAW AMENDMENTS – 102 BILL LEATHEM DRIVE (ACS2017-PIE-PS-0041), prior to City Council’s consideration of the matter on 12 April 2017.**

**The final Summary will be presented to Council for approval at its meeting of 26 April 2017, 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 12 April 2017 (ACS2017-CCS-OCC-0006)’. Please refer to the ‘Bulk Consent’ section of the Council Agenda of 26 April 2017 to access this item.**

### **OFFICIAL PLAN AND ZONING BY-LAW AMENDMENTS – 102 BILL LEATHEM DRIVE (ACS2017-PIE-PS-0041)**

In addition to those outlined in the Consultation Details section of the report, the following outlines the written and oral submissions received between the publication of the report and prior to City Council’s consideration:

- **Number of delegations at Planning Committee: 2**
- **Number of Submissions received between 21 March and 12 April 2017: 3**
- **Primary arguments in support:**
  - the type of community support that the Salvation Army is proposing for the new building is good for the community
  - places of worship and community centres are not noise sensitive land uses and should be permitted on the Site
  - federal and provincial policies indicate a study must be done to identify the potential impact of the proposed use and consider design and construction standards to mitigate any impact, which has been done in this case
  - the City’s policies are inconsistent with federal and provincial policies that permit the consideration of the proposed uses if mitigation measures are employed
  - a noise study has been done and indicated that the existing noise level is less than the level of noise anticipated from an arterial road, and that the building can be designed and built to attenuate interior sound levels to the provincially acceptable level

- major facilities and noise-sensitive land uses can cohabitate with proper buffering, separation and design
- the development is located in the South Merivale Business Park, in the Employment Area, and Official Plan Amendment 180 reinforces that institutional uses (community centres, places of assembly, places of worship) are permitted in Employment Areas
- a Salvation Army service is a jubilant and often loud celebration and does not typically require a quiet meditative environment
- there will be no negative impact on the long-term operations of the airport
- it is not appropriate to refuse a site-specific application because of possible land transfer in the future
- the Salvation Army spent seven years looking for a potential site before determining this site to be the most appropriate in terms of location, size and compatibility with the surrounding community

- **Primary concerns and arguments in opposition:**

- the proposed development is located 2500 m off the end of the airport's most used runway, and the development should not be permitted within the Airport Operating Influence Zone (AOIZ) in order to safeguard the public's economic interests by protecting the long-term operation of airport, and in order to prevent any adverse effects of aircraft noise on public health and safety
- the proposed development is a noise-sensitive use that is prohibited within the AOIZ, and this prohibition of noise-sensitive uses is consistent with the federal and provincial policies
- the Salvation Army was made aware, early on, of the AOIZ stipulations and the Airport Authority's opposition to the proposal
- the Airport Authority will not support any application to establish a noise-sensitive development within the AOIZ
- if this application were permitted to move forward the Authority could be impacted by any or all of the following: the applicant does not comply with stated intentions of not complaining about noise; noise-related grievances originate from facility users or employees; further noise sensitive uses are permitted in this area due to the integrity of the AOIZ being eroded, thereby creating more complaints; ownership of the subject property may

change in the future, and with new owners, users and employees are not bound by any “promise” to not complain about noise

- an increase in noise complaints may result in the Airport Authority’s regulator imposing an operating curfew on the Ottawa International Airport, meaning aircraft movements would be prohibited during certain hours, dramatically impacting the Airport’s ability to connect Ottawa with the rest of the country, and the world. Curfews would also reduce Ottawa’s current and future air cargo operations
- airport sanctions could restrict the size of aircraft that are permitted to operate from the airport during certain hours, which could lead to the cancellation of critical non-stop services to London-Heathrow and Frankfurt while diminishing the ability to permit future non-stop service to distant locations, as these routes require large and often noisier aircraft capable of flying overseas. Reduced airport output would mean substantial losses to Ottawa’s economy.

#### **Effect of Submissions on Committee Decision:**

Debate        The Committee spent two hours and ten minutes on this item

Vote:         The Committee CARRIED this item with an amending motion to replace the staff recommendation and approve the application, subject to certain conditions, as follows:

**That Recommendation 1 of Staff Report ACS2017-PIE-PS-0041 be amended by replacing the word “refuse” with the word “approve”; and**

**BE IT FURTHER RESOLVED THAT the proposed site-specific amendments shall be subject to the following conditions:**

- 1. That the only noise-sensitive land uses permitted at this location shall be those defined exclusively as place of assembly, place of worship and community centre;**
- 2. That the above noise-sensitive land uses shall only be permitted where the Owner has provided a noise study to the satisfaction of the General Manager, Planning, Infrastructure and Economic Development. It is understood that the noise mitigation measures recommended in the noise study shall be implemented to the satisfaction of the General Manager, Planning, Infrastructure and Economic Development;**

3. **That the following uses are prohibited at this location:**
  - **daycare**
  - **rooming unit and rooming house**
  - **retirement home**
  - **residential care facility**
  - **shelter**
  
4. **That an appropriate covenant be placed on title reflecting the fact that the property in question is within the Ottawa Airport Operating Influence Zone.**

Committee also directed staff to study where these larger places of worship and places of assembly should be placed in the future and to prepare a motion for Council at its April 12, 2017 meeting outlining how this will be done.

**Effect of Submissions on Council Decision:** Council considered all written and oral submissions in making its decision, and CARRIED the recommendations of the Planning Committee with further amendments, as set out in full below:

**That Council approve:**

1. **an amendment to Zoning By-law 2008-250 and an amendment to the City of Ottawa Official Plan to permit the development of a multi-purpose facility which is proposed to include place of worship, place of assembly and community centre uses in the ‘Ottawa Airport Operating Influence Zone’;**
  
2. **that the proposed site-specific amendments shall be subject to the following conditions:**
  - a. **that the only noise-sensitive land uses permitted at this location shall be those defined exclusively as place of assembly, place of worship and community centre;**
  
  - b. **that the above noise-sensitive land uses shall only be permitted where the Owner has provided a noise study to the satisfaction of the General Manager, Planning, Infrastructure and Economic Development. It is understood that the noise mitigation measures recommended in the noise study shall**

**be implemented to the satisfaction of the General Manager, Planning, Infrastructure and Economic Development;**

- c. that the following uses are prohibited at this location:**
- daycare**
  - rooming unit and rooming house**
  - retirement home**
  - residential care facility**
  - shelter**
- d. that an appropriate covenant be placed on title reflecting the fact that the property in question is within the Ottawa Airport Operating Influence Zone.**
- e. that Planning Services undertake a study relating to select institutional uses in Employment Areas, and provide to Planning Committee and Council by Q1 2018 a report and recommendation(s) on any suggested modification(s) to the Zoning By-law and/or policy documents.**

CARRIED with the following Direction to Staff:

That the covenant placed on title as a result of recommendation 2.d) be very specific as to the airport-related noise and impacts that can be expected