

<p><b>3. Zoning By-Law Amendment – 3802 and 3812 Greenbank Road</b></p> <p><b>Modification du <i>Règlement de zonage</i> – 3802 et 3812, chemin Greenbank</b></p>
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**Committee recommendation**

**That Council approve an amendment to Zoning By-law 2008-250 for 3802 and 3812 Greenbank Road to permit a Local Commercial zone designation, as detailed in Document 2.**

**Recommandation du Comité**

**Que le Conseil approuve une modification du Règlement de zonage 2008-250, visant les 3802 et 3812, chemin Greenbank, afin qu'une zone de commerces locaux puisse y être établie, comme le précise le document 2.**

**Documentation/Documentation**

1. Director's report, Planning Services, Planning, Infrastructure and Economic Development Department, dated October 9, 2019 (ACS2019-PIE-PS-0114)  
  
Rapport de la Directrice, Services de la planification, Direction générale de la planification, de l'infrastructure et du développement économique, daté le 9 octobre 2019 (ACS2019-PIE-PS-0114)
2. Extract of draft Minutes, Planning Committee, October 24, 2019  
  
Extrait de l'ébauche du procès-verbal du Comité de l'urbanisme, le 24 octobre 2019

**Report to  
Rapport au:**

**Planning Committee  
Comité de l'urbanisme  
24 October 2019 / 24 octobre 2019**

**and Council  
et au Conseil  
6 November 2019 / 6 novembre 2019**

**Submitted on 9 October 2019  
Soumis le 9 octobre 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: BARRHAVEN (3)**

**File Number: ACS2019-PIE-PS-0114**

**SUBJECT: Zoning By-law Amendment – 3802 and 3812 Greenbank Road**

**OBJET: Modification du *Règlement de zonage* – 3802 et 3812, chemin  
Greenbank**

## **REPORT RECOMMENDATIONS**

- 1. That Planning Committee recommend Council approve an amendment to Zoning By-law 2008-250 for 3802 and 3812 Greenbank Road to permit a Local Commercial zone designation, as detailed in Document 2.**

2. That Planning 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 Office of the City Clerk and submitted to Council in the report titled, "Summary of Oral and Written Public Submissions for Items Subject to the *Planning Act* 'Explanation Requirements' at the City Council Meeting of November 6, 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'urbanisme recommande au Conseil d'approuver une modification du *Règlement de zonage 2008-250*, visant les 3802 et 3812, chemin Greenbank, afin qu'une zone de commerces locaux puisse y être établie, comme le précise le document 2.
2. Que le Comité de l'urbanisme donne son approbation à ce que la section du présent rapport consacrée aux détails de la consultation, 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 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 de la *Loi sur l'aménagement du territoire*, à la réunion du Conseil municipal prévue le 6 novembre 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

3802 and 3812 Greenbank Road

### Owner

9621962 Canada Inc.

## **Applicant**

Timothy Beed

## **Description of site and surroundings**

The site includes two adjacent properties located on the west side of Greenbank Road and north of Kilbirnie Drive. They are currently undeveloped with a combined area of 0.284 hectares. To the north of the site is a single detached dwelling on a larger lot, which predates the residential development of the area. To the south is a mix of low and medium-density dwellings. Single detached dwellings are found to the west, and along the east side is the Greenbank Road, and beyond that the Stonebridge Golf Course and surrounding residential neighbourhood.

## **Summary of requested Zoning By-law amendment proposal**

The application proposes a Major Zoning By-Law Amendment to change the zoning on the subject properties from Development Reserve (DR) to Local Commercial (LC). The intent of the Local Commercial zone is to allow for a variety of small, locally-oriented convenience and service uses. Such uses are permitted as individual occupancies or in groupings as part of a small plaza that would meet the needs of the surrounding residential areas. Building setback exceptions are being requested as part of the application, including:

- a reduced setback from 5.0 metres to 4.5 metres along the rear property line closest to the street;
- a reduced setback from 3.0 metres to 1.6 metres in the front yard from the right-of-way protection zone;
- a reduced landscape buffer from 3.0 metres to 1.0 metres where abutting a street, a residential zone, or surrounding the parking lot adjacent to a street; and
- a reduced landscape buffer from 1.5 metres to 1.0 metres where surrounding the parking lot adjacent to the side and rear lot lines.

## **DISCUSSION**

### **Public consultation**

Public consultation was conducted in accordance with the procedure for Zoning By-law amendment applications. Owners within 120 metres of the subject site were notified through a direct mailing and a sign was posted on the site. From the notification, 11

people responded with comments and concerns related to traffic, lighting, crime, noise, and screening the site. An open house was held on June 12<sup>th</sup> at the Minto Recreation Complex. Approximately 10 people attended the open house, and in total 12 members of the community provided comments on the application. Comments and responses have been attached to this report under Document 3.

### **Official Plan designation**

Schedule B of the Official Plan (OP) identifies the subject properties as General Urban Area. The General Urban Area designation allows for a range of residential housing types, combined with conveniently located employment, retail, and service uses. A variety of small, locally-oriented uses are encouraged that are of a size and scale consistent with needs of nearby residential areas. As well, neighbourhood commercial should be situated to take advantage of pedestrian and cycling patterns. The OP identifies this section of Greenbank Road fronted by the subject property as an Arterial Street under Schedule E, and this roadway is also designated as a Cycling Network Spine Route under Schedule C.

### **Other applicable policies and guidelines**

The site is subject to the Barrhaven South Community Design Plan (CDP), which provides guidance on the development of the Barrhaven South community. Within the CDP the site is identified as medium density residential. The Neighbourhood Commercial land use category permits a range of uses, such as retail store, food stores, personal service uses, and medical and professional offices. The CDP identifies what changes to the plan may be considered a major or minor change. Minor changes that do not alter road networks, park or school blocks, water courses, or stormwater management facilities can be dealt through development review and does not require amendments to the CDP.

### **Planning rationale**

The Official Plan under Schedule B identifies the site as General Urban Area, which encourages a variety of small, locally-oriented convenience and service uses that are of a size and scale consistent with the needs of nearby residential areas. The site is located on an arterial road, with a sidewalk and multi-use pathway, and is in close proximity to a bus route. These features allow the site to be accessed by multiple modes of transportation, and appropriate for a locally-oriented commercial use.

The Local Commercial zone (LC) limits non-residential uses to individual occupancies or in groupings as part of a small plaza, still with the intent to service the surrounding residential areas. The proposed use and LC zone comply with the OP designation for the site and the intention related to local commercial areas.

The Barrhaven South Community Design Plan designates the site as medium density residential, which may include triplexes, fourplexes, and stacked and back-to-back townhouses. The CDP identifies Neighbourhood Commercial as a land use to provide opportunities for small-scale commercial areas. The CDP also allows flexibility for reasonable adjustments responding to the development context over time. A prior demonstration plan identified a block of neighbourhood commercial on the southwest corner of Greenbank Road and Cambrian Road. These lands were subsequently developed as residential use leaving the defined commercial use unrealized. The subject site is at a similar location comparing to other neighbourhood commercial sites, that it is at an arterial-collector road intersection, with access to multiple modes of transportation, and is at the fringe of residential areas. Amending the zoning for the subject property from DR to LC zone would constitute a minor change within the CDP as the proposal does not alter road networks, park or school blocks, water courses, or stormwater management facilities.

The proposal also seeks a number of reductions for setbacks and landscaping buffers surrounding the site. Due to the right-of-way protection for Greenbank Road realignment, any building to be developed on site needs to be set back away from the road for approximately 10 metres, measured from the current front property line, which significantly constraints the layout of the site. Should the by-law be approved, the road widening will be taken at the Site Plan Control stage, and the development needs to be compliant at that time under Section 4 of the Zoning By-law. The zoning recommended under Document 2 identifies a front yard setback of 1.6 metres. This setback reflects the movement of the front property line westward as part of the right-of-way expansion for Greenbank Road, identified within Table 1, Annex 1 of the Official Plan. The additional right-of-way is to be taken by the City as part of the companion Site Plan Control application.

The proposed development site sits approximately 1 metre below the neighbouring residential properties to the west side; a 1.8 metres tall board fence exists along the western edge of the property providing significant screening. Tree planting is being proposed to increase the screening. The combination of the grading differences, fencing, and planting is regraded appropriate to buffer between the development and

the residential lots, therefore the requested setbacks in those areas are considered acceptable. Additionally, the proposed site plan places the building close to the street, presenting a positive street presence, enhanced with streetscape planting, and reduces the visual impact of the parking lot from the street.

The intersection of Greenbank Road and Kilbirnie Drive is anticipated to be signalized within one year. With the location of the site adjacent to an arterial roadway, and options for multiple modes of transportation, the site is well situated for requested Local Commercial zone.

A companion Site Plan Control application (Application No. D07-12-18-0203) was also submitted for an 848 square metres commercial plaza that could house up to 10 retail units. The Site Plan Control application reviews details of the proposal such as parking, lighting, landscaping, and accessibility details.

### **Provincial Policy Statement**

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

### **RURAL IMPLICATIONS**

There are no direct implications associated with this report.

### **COMMENTS BY THE WARD COUNCILLOR**

Councillor Harder is aware of the application related to this report.

### **LEGAL IMPLICATIONS**

There no legal impediments to implementing the recommendations of this report.

### **RISK MANAGEMENT IMPLICATIONS**

There are no risk management implications with this proposal.

### **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**

The Accessibility Advisory Committee had no concerns with the Zoning By-Law Amendment application. The companion site plan control application takes into consideration the Ottawa Accessibility Design Standards such as accessible parking spaces, depressed curbs, and tactile walking surface indicators.

## **TERM OF COUNCIL PRIORITIES**

The proposal addresses the following Term of Council Priorities:

- Economic Prosperity (EP) – neighbourhood commercial development geared toward serving the local residential area will help local entrepreneurs and provide employment opportunities.
- Transportation and Mobility (TM) – the location of the subject properties are served by an arterial road with sidewalk and multi-use pathway, as well as being in close proximity to a bus route.
- Healthy and Caring Communities (HC) – a space for local services can help foster a sense of community.

## **APPLICATION PROCESS TIMELINE STATUS**

The application (File No. D02-02-18-0115) was not processed by the "On Time Decision Date" established for the processing of Zoning By-law amendments due to issues needed to be resolved.

## **SUPPORTING DOCUMENTATION**

Document 1 Location Map and Zoning Key

Document 2 Proposed Zoning By-law Amendment

Document 3 Public Consultation Details

Document 4 Proposed Site Plan Concept

Document 5 Proposed Landscape Plan



## **CONCLUSION**

The Planning, Infrastructure and Economic Development Department recommends approval of the application to rezone the lands from Development Reserve (DR) to Local Commercial (LC). The application is consistent with the Provincial Policy Statement and the Official Plan.

## **DISPOSITION**

Legislative Services, Office of the City Clerk to notify the owner; applicant; 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, Innovative Client Services Department, to forward the implementing by-law to City Council.

Planning Operations Branch, Planning Services to undertake the statutory notification.

## Document 1 – Location Map

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



## **Document 2 – Details of Recommended Zoning**

The proposed change to the City of Ottawa Zoning By-law No. 2008-250 for 3802 and 3812 Greenbank Road:

1. Rezone the lands as shown Area A in Document 1:
  - a. Area A from DR to LC[xxxx]
2. Add a new exception, LC[xxxx] to Section 239 – Urban Exceptions with provision similar in effect to the following:
  - a. In Column II, add the text “LC[xxxx]”
  - b. In Column V, add the text:
    - “the minimum required front yard setback is 1.6 metres”
    - “the minimum required setback is 4.5 metres from the property line abutting 105, 107, 109, and 111 Damselfly Way”
    - “the minimum required landscaping buffer abutting a street is 1.0 metre”
    - “the minimum required landscaping buffer abutting a residential property is 1.0 metre”
    - “the minimum required landscaping buffer surround a parking lot adjacent to a street is 1.0 metre”
    - “the minimum required landscaping buffer surround a parking lot adjacent to the side and rear lot lines is 1.0 metre”
    - “the lands zoned LC[xxxx] are considered one lot for zoning purposes”

### **Document 3 – Consultation Details**

#### Notification and Consultation Process

Notification and public consultation were undertaken in accordance with the Public Notification and Public Consultation Policy approved by City Council for Zoning By-law amendments. One public meeting was also held in the community on June 12, 2019 at the Minto Recreation Complex.

#### Public Comments and Responses

##### Comment:

Traffic safety will need to be considered at the outset of the development.

##### Response

A traffic signal at the intersection of Greenbank Road and Kilbirnie is expected to be installed within the year. As well, the intersection will have dedicated right and left southbound turn lanes, a southbound through lane, and one lane northbound. These changes will also mean that access to the site will be right-in-right-out.

##### Comment:

Greenbank Road provides space for residents to go for walks, cycling, and provides access to the sports complex. Ensure the look and feel of Greenbank Road remains.

##### Response:

The proposal for the development will not remove existing multi-use pathway that runs along the front of the subject property. Additionally, the proposal takes into account future Greenbank Road widening requirements and the proposal is setback approximately 10 metres from the existing front property line.

##### Comment:

Relaxing the minimum front yard setback requirements for the proposal could reduce traffic safety.

##### Response:

The minimum setback requirement for the front yard setback in the LC district is 3m. Due to right-of-way protections for Greenbank Road the proposed building is setback

approximately 10 metres for the existing front property line. A landscape plan has been prepared showing front yard landscaping between the building and existing multi-use pathway.

Comment:

Relaxing the minimum side and rear setback requirements for the proposal puts the development too close to the neighbouring residences.

Response:

The right-of-way protections for Greenbank Road has pushed the development envelope further back onto the property away from the street. The proposed relaxations are a 4.5-metre setback along the shallowest portion of the west boundary down from a minimum of 5.0 metres. The proposed development site sits approximately 1 metre lower than the neighbouring residential properties' ground level, as well a 1.8 metres tall board fence exists along the western edge of the property providing significant screening. Additionally, tree planting is being proposed as part of the landscape plan that would increase the screening of the building above the fence line. Additionally, the layout of the proposed site plan gives the building a positive street presence, and reduces the visual impact of the parking lot from the street.

Comment:

Can the City limit the type of business to be run at the location and the hours of operation?

Response:

The Local Commercial zoning designation allows for a variety of small, locally-oriented convenience and service uses, such as: animal care establishment, convenience store, medical facility, office, retail store. Other uses are identified but may not be suitable for the site, such as a drive-through facility. All uses and their hours of operations must adhere to the City of Ottawa Noise By-law.

Comment:

The use will provide disruptions to the community such as: noise, lighting, traffic, safety, housing values.

Response:

The City of Ottawa Noise By-law applies to a number cause of noise to promote public health, safety, welfare and peace and quiet of the inhabitants of the City. The noise bylaw applies to such causes of noise, including but limited to, shouting, sound amplification devices, mechanical equipment (i.e. Exhaust systems), garbage collection, and deliveries.

Lighting on the site is defined through the Site Plan Control application process. A lighting plan will need to ensure that the lighting is directed downward to reduce light spillage and glare onto neighbouring properties.

Greenbank Road is a designated arterial roadway which is where neighbourhood traffic is typically directed. The nearby intersection of Greenbank Road and Kilbirnie Drive is to be signalized within the year.

It is important to ensure that the building is designed to provide as much visibility as possible so that people are able to see into and out of the proposed structure. Good sightlines and visibility can act as a deterrent to crime and make people feel safer. The concept site plan was also circulated with the Crime Prevention Through Environmental Design Co-ordinator (CPTED) and no concerns were identified with the proposal.

The City of Ottawa Official Plan, through the General Urban Area designation, encourages a mix of residential and local services across the City with the intention of improving the sense of community and improve access to services.

Comment:

Shopping areas are accessible less than a 5-minute drive from the area.

Response:

The intent of the General Urban Area of the Official Plan encourages a mix of uses within neighbourhoods to allow for the provision of services for to meet the everyday needs of local residents.

Comment:

The site plan does not show enough parking.

Response:

Vehicle and bicycle parking provided within the proposed Site Plan is to adhere to the types of uses with the structure as outlined within the Zoning By-law parking requirements.

Comment:

Proximity of the dumpster to residences and negative implications.

Response:

Waste collection areas within a parking lot must be at least 3 metres from a lot line not abutting a street, and must be screened by an opaque screen with a minimum height of 2 metres.

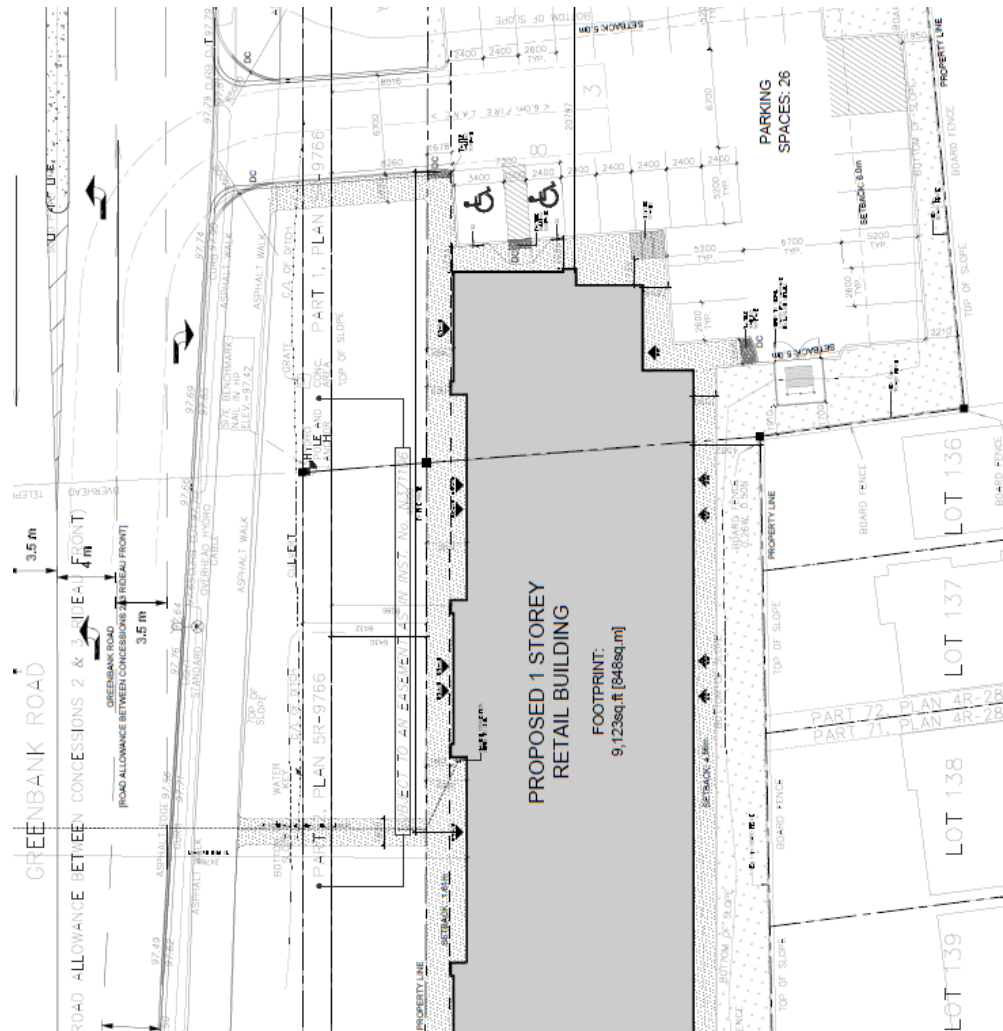
Comment:

The residential area is underserved by services.

Response:

An area identified within the Barrhaven South Community Design Plan identified an area on the south west corner of Greenbank Road and Cambrian Road for neighbourhood commercial. These lands were developed for residential use.

Document 4 – Site Plan Concept





Document 5 – Landscape Plan Concept

