

**Report to  
Rapport au:**

**Council  
Conseil**

**25 October 2017 / 25 octobre 2017**

**Submitted on October 20, 2017  
Soumis le 20 octobre 2017**

**Submitted by  
Soumis par:**

**Council Coordinator / coordonnatrice du Conseil**

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**Ward: CITY WIDE / À L'ÉCHELLE DE LA VILLE      File Number: ACS2017-CCS-OCC-0016**

**SUBJECT: SUMMARY OF ORAL AND WRITTEN PUBLIC SUBMISSIONS FOR  
ITEMS SUBJECT TO BILL 73 'EXPLANATION REQUIREMENTS' AT THE CITY  
COUNCIL MEETING OF OCTOBER 11, 2017**

**OBJET : RÉSUMÉS DES OBSERVATIONS ORALES ET ÉCRITES DU PUBLIC  
SUR LES QUESTIONS ASSUJETTIES AUX EXIGENCES D'EXPLICATION AUX  
TERMES DE LA LOI 73 EXAMINÉS À LA RÉUNION DU CONSEIL 11 OCTOBRE 2017**

#### **REPORT RECOMMENDATION**

**That City Council approve the Summaries of Oral and Written Public Submissions for items considered at the City Council Meeting of October 11, 2017 that are subject to the 'Explanation Requirements' of Bill 73, the *Smart Growth for Our Communities Act, 2015*, as described in this report and attached as Documents 1 to 5.**

## RECOMMANDATION DU RAPPORT

**Que le Conseil municipal approuve les résumés des observations orales et écrites du public sur les questions assujetties aux exigences d'explication aux termes de la loi 73, la *Loi de 2015 pour une croissance intelligente de nos collectivités*, qui ont été étudiées à la réunion du Conseil du 11 octobre 2017, comme les décrit le présent rapport et qui sont joints à titre des documents 1 à 5.**

## EXECUTIVE SUMMARY

This report was prepared pursuant to the process approved by City Council on November 9, 2016 to address Bill 73, the *Smart Growth for Our Communities Act, 2015*, which amended the *Planning Act* such that municipalities are required to explain the effect of public input on planning decisions.

At its meeting of October 11, 2017, City Council considered five planning applications for which written and/or oral submissions were received after publication of the staff report:

1. Zoning By-law Amendment – Part of 1156 Jinkinson Road (ACS2017-PIE-PS-0107)
2. Zoning By-law Amendment – 5721, 5731 and 5741 Manotick Main Street 2017 (ACS2017-PIE-EDP-0103)
3. Revised Requirements for Rural Coach Houses on Private Services (ACS2017-PIE-EDP-0040)
4. Zoning By-law Amendment – 1867 Alta Vista Drive (ACS2017-PIE-PS-0110)
5. Zoning By-law Amendment – 3490 Innes Road (ACS 2017-PIE-PS-0046)

A 'Summary of Written and Oral Submissions' for each application is attached as a supporting document to this report. Council considered all written and oral submissions received prior to Council consideration of this matter in making its decision on this matter.

## SOMMAIRE

Le présent rapport a été préparé conformément au processus approuvé par le Conseil municipal le 9 novembre 2016 en vue de répondre aux exigences de la loi 73, la Loi de 2015 pour une croissance intelligente de nos collectivités, modifiant la Loi sur l'aménagement du territoire de telle sorte que les municipalités doivent expliquer les répercussions des commentaires du public sur les décisions d'urbanisme.

Lors de sa réunion du 11 octobre 2017, le Conseil municipal a examiné cinq demandes d'aménagement pour lesquelles il a reçu des observations orales ou écrites suivant la publication du rapport du personnel :

1. Modification au Règlement de zonage – partie du 1156, chemin Jinkinson (ACS2017-PIE-PS-0107)
2. Modification au Règlement de zonage – 5721, 5731 et 5741, rue Manotick Main (ACS2017-PIE-PS-0103)
3. Révision aux exigences relatives aux annexes résidentielles rurales viabilisées par des services privés (ACS2017-PIE-EDP-0040)
4. Modification au Règlement de zonage – 1867, promenade Alta Vista (ACS2017-PIE-PS-0110)
5. Modification au Règlement de zonage – 3490, chemin Innes (ACS2017-PIE-PS-0046)

Un « Résumé des observations orales et écrites » pour chacune des demandes est soumis en pièce jointe. Le Conseil a pris connaissance de toutes les observations orales et écrites reçues avant son examen afin d'éclairer son décision.

## BACKGROUND

Effective July 1, 2016, provisions of Bill 73, the *Smart Growth for Our Communities Act, 2015*, took effect to amend certain Subsections of the *Planning Act* such that municipalities are required explain the effect of public input on planning decisions. Generally, the legislation requires City Council to ensure that a written Notice of its decision is given in the prescribed manner, and that this Notice contain a “brief explanation of the effect, if any, that the written and oral submissions ... had on [Council’s] decision.” Oral submissions include the public delegations that appear at Committee, and written submissions include any that were provided formally to Council between the date a report is published in the Committee agenda and the date of Council’s decision.

The legislation applies to the following Subsections of the *Planning Act*:

<b>Subsections</b>	<b>Related Matters</b>
17(23)-(23.2), 17(35)-(35.2)	Official Plan
22(6.6)-(6.8)	Official Plan
34(10.9)-(10.11), 34(18)-(18.2)	<i>Zoning By-laws</i>
45(8)-(8.2)	Committee of Adjustment
51(37)-(38.2)	Plan of Subdivision
53(17)-(18.2)	Consents

In anticipation of the legislation coming into effect, City Council, at its meeting on 22 June 2016, passed Motion No. 34/7 to adopt an interim practice to ensure the City's compliance with these particular new Bill 73 requirements, with the intent of adopting a new process as part of the Mid-term Governance Review later that year.

On November 9, 2016, City Council considered the report titled, "2014-2018 Mid-term Governance Review" (ACS2016-CCS-GEN-0024), and approved the following revised process to ensure the City's compliance with these particular new Bill 73 requirements:

1. Staff reports to Planning Committee and Agriculture and Rural Affairs Committee with respect to affected planning matters include the following recommendation:

That 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 [Date of Council meeting at which the item is considered]," subject to submissions received between the publication of this report and the time of Council's decision";

2. Following Council's decision with respect to the matter, Clerk's staff, in consultation with the relevant Committee Chair and Legal shall prepare the report titled, "Summary of Oral and Written Public Submissions for Items Subject to Bill 73 'Explanation Requirements' at the City Council Meeting of [Date of Council meeting at which the item is considered]." This report would include information with respect to all items considered at the Council meeting that were subject to the relevant Bill 73 provisions. For each item included in the report, a 'Summary of Written and Oral Submissions' would be attached as a supporting document. Each 'Summary of Written and Oral

Submissions' would incorporate the information above and other submissions that were received in advance of Council's decision;

3. The above-noted report would be placed on the Bulk Consent Agenda for the next City Council meeting. As there is a requirement that Notice of decision be circulated within 15 days after a Council decision, and given that the Notice would typically be circulated before the next Council meeting, the Notice would be circulated indicating that the 'Summary of Written and Oral Submissions' for the matter was subject to Council approval.

This report was prepared pursuant to the process approved by City Council on November 9, 2016, and includes information with respect to all items considered at the Council meeting of November 23, 2016, that were subject to the relevant Bill 73 provisions. A 'Summary of Written and Oral Submissions' is attached as a supporting document for each item.

As noted above, there is a requirement that Notice of Decision be circulated within 15 days after a Council decision. Given that the Notice is typically circulated before the next Council meeting, the Notice is circulated indicating that the 'Summary of Written and Oral Submissions' for the matter is subject to Council approval.

## **DISCUSSION**

City Council, at its meeting of October 11, 2017, considered five items that are subject to the Bill 73 'Explanation Requirements' described above. These items are as follows:

### **Agriculture and Rural Affairs Committee Report 28**

1. Zoning By-law Amendment - Part of 1156 Jinkinson Road (ACS2017-PIE-PS-0107)
2. Zoning By-law Amendment - 5721, 5731 and 5741 Manotick Main Street 2017 (ACS2017-PIE-EDP-0103)
3. Revised Requirements for Rural Coach Houses on Private Services (ACS2017-PIE-EDP-0040)

### **Planning Committee Report 51A**

1. Zoning By-law Amendment - 1867 Alta Vista Drive (ACS2017-PIE-PS-0110)
2. Zoning By-law Amendment - 3490 Innes Road (ACS 2017-PIE-PS-0046)

## **RURAL IMPLICATIONS**

There are no rural implications associated with the report recommendations to approve the summary of public submissions.

### **CONSULTATION**

The consultation undertaken with respect to the above-noted planning application is contained within the original staff report considered by Committee and Council.

### **COMMENTS BY THE WARD COUNCILLORS**

The Ward Councillor's comments were contained in the original report considered by Committee and Council.

### **ADVISORY COMMITTEE(S) COMMENTS**

This section is not applicable to this report.

### **LEGAL IMPLICATIONS**

The legal implications with respect to the planning application described in this report is contained in the original report considered by Committee and Council.

### **RISK MANAGEMENT IMPLICATIONS**

There are no risk implications associated with the report recommendation.

### **FINANCIAL IMPLICATIONS**

The financial implications with respect to the planning application described in this report are contained in the original report considered by Committee and Council

### **ACCESSIBILITY IMPACTS**

There are no accessibility impacts associated with the report recommendation.

### **TERM OF COUNCIL PRIORITIES**

This report addresses the Governance, Planning and Decision-making Term of Council Priority.

### **SUPPORTING DOCUMENTATION**

Document 1 – Summary of Written and Oral Submissions – Zoning By-law Amendment – Part of 1156 Jinkinson Road (ACS2017-PIE-PS-0107)

Document 2 – Summary of Written and Oral Submissions – Zoning By-law Amendment – 5721, 5731 and 5741 Manotick Main Street 2017 (ACS2017-PIE-EDP-0103)

Document 3 – Summary of Written and Oral Submissions – Revised Requirements for Rural Coach Houses on Private Services (ACS2017-PIE-EDP-0040)

Document 4 – Summary of Written and Oral Submissions – Zoning By-law Amendment – 1867 Alta Vista Drive (ACS2017-PIE-PS-0110)

Document 5 – Summary of Written and Oral Submissions – Zoning By-law Amendment – 3490 Innes Road (ACS 2017-PIE-PS-0046)

## **DISPOSITION**

This report will be placed on the Bulk Consent Agenda portion of the City Council Agenda for Council's consideration and approval at its meeting of October 25, 2017.

### Summary of Written and Oral Submissions

#### ZONING BY-LAW AMENDMENT – PART OF 1156 JINKINSON ROAD (ACS2017-PIE-PS-0107)

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 Agriculture and Rural Affairs Committee: 0**
- **Number of submissions received between 28 September and 11 October 2017: 1**
- **Primary arguments in support:** This item was carried on consent at Committee. No delegations spoke but the representative for the applicant was present.
- **Primary concerns and arguments in opposition:**
  - Written correspondence received contending that there were errors in report including:
    - factual errors on “Existing Features” plans (i.e., structures, entrances, exits);
    - incorrect representation of water table and delineation of wetland boundaries;
    - possible flooding from quarry de-watering unaddressed;
    - “Trigger Locations” for water level monitoring omitted;
    - no mention of groundwater quality monitoring;
    - traffic study errors.
- **Effect of Submissions on Committee Decision:**

Debate: There was no Committee debate.

Vote: The Committee CARRIED this item on consent.

**Effect of Submissions on Council Decision:** Council considered all submissions in making its decision, and CARRIED this item as presented, as follows:

**That Council approve an amendment to Zoning By-law 2008-250 for part of 1156 Jinkinson Road, also known as Henderson Quarry II, to permit Mineral Extraction uses and recognize additional area to be added to the Huntley Provincially Significant Wetland boundary as detailed in Document 2.**



### Summary of Written and Oral Submissions

#### ZONING BY-LAW AMENDMENT – 5721, 5731 AND 5741 MANOTICK MAIN STREET (ACS2017-PIE-PS-0103)

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 Agriculture and Rural Affairs Committee: 2**
- **Number of submissions received between 28 September and 11 October 2017: 2**  
(Including one 42-signature petition previously submitted directly to the Planner on file.)
- **Primary arguments in support:**
  - Representatives for the applicant were present to respond to questions but did not speak.
- **Primary concerns and arguments in opposition:**
  - There was one delegation in opposition; the delegate did not speak but wished his opposition to the application noted.
  - Correspondence was received from one individual representing herself and a partner, and representing a Community Recreation Association (incl. petition noted above), with overall concerns including:
    - Density of proposed development is excessive for a property bordering on agricultural and rural land and does not fit in with existing character of neighbourhood and village;
    - Stormwater management for excessive runoff had not been taken into account
    - Development would lead to overburdening of existing area roadways, with accompanying traffic congestion, a lack of parking and excessive noise;
    - Development would lead to destruction of endangered flora and fauna.
- **Effect of Submissions on Committee Decision:**

Debate: Approximately 15 minutes was spent on a staff presentation, questions of staff and Committee discussion.

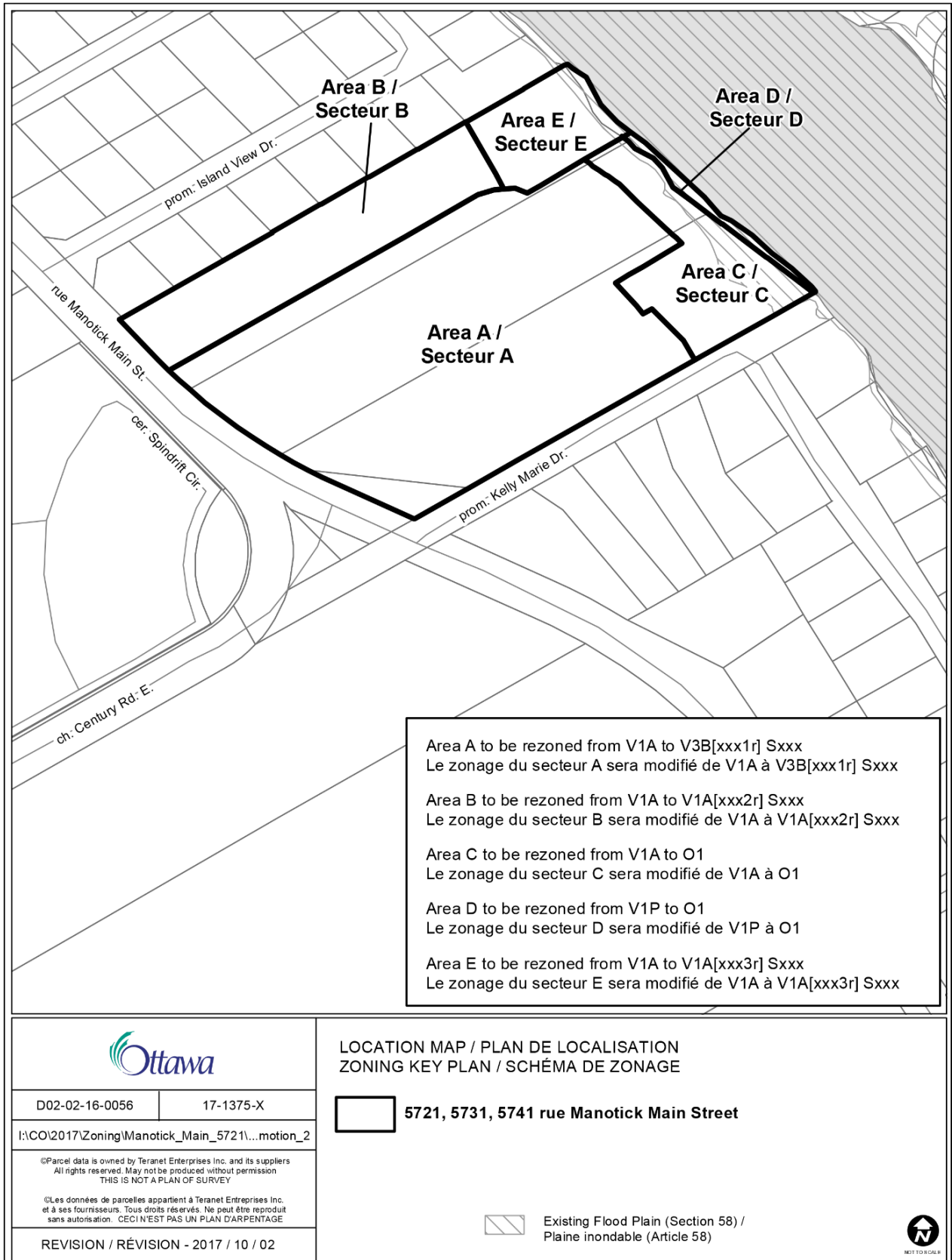
Vote: The Committee CARRIED this item as amended by a motion to correct minor technical errors within the report.

- **Effect of Submissions on Council Decision:** Council considered all written and oral submissions in making its decision, and CARRIED this item as amended by the Agriculture and Rural Affairs Committee, as follows:

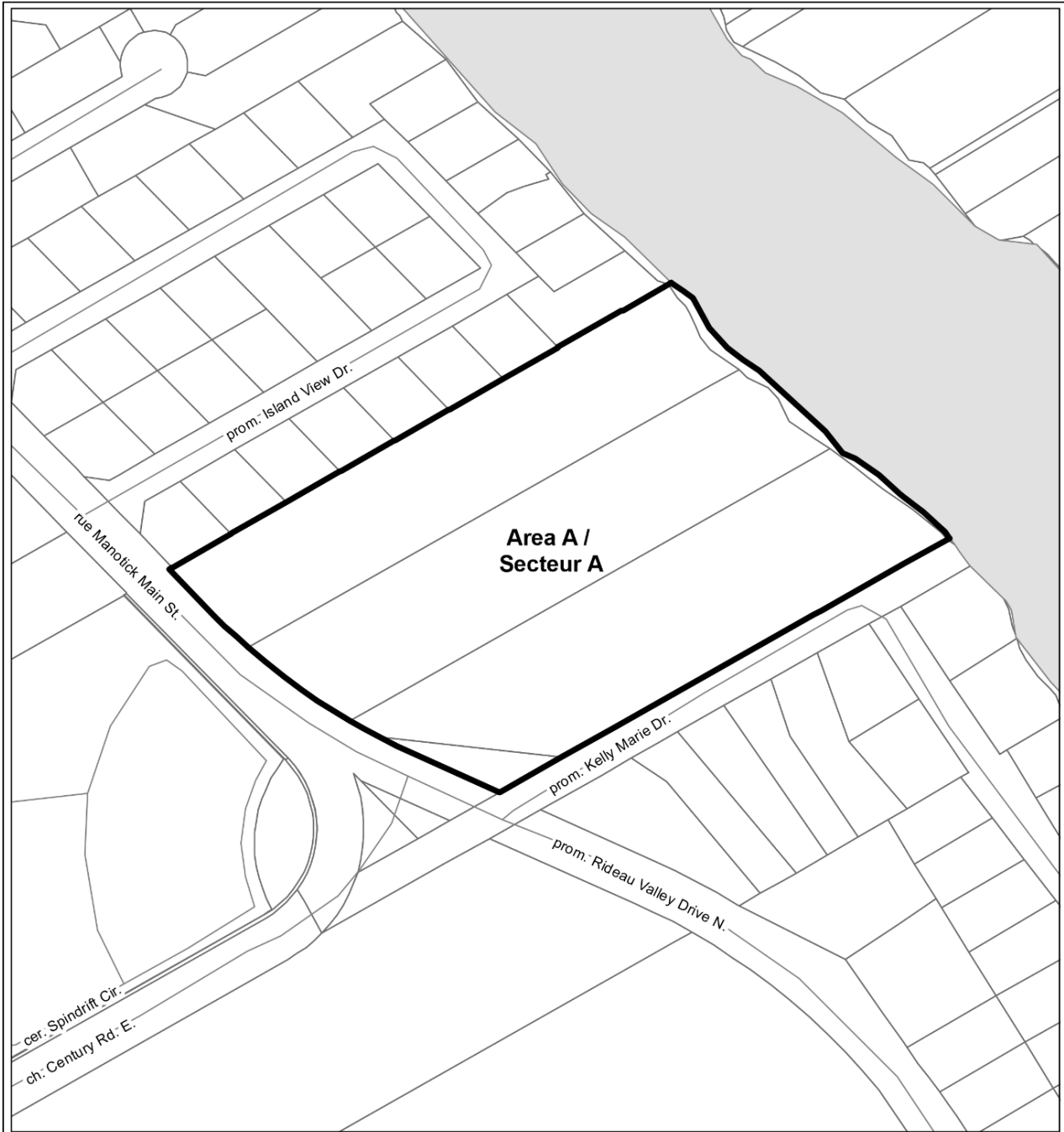
**That Council approve an amendment to Zoning By-law 2008-250 for 5721, 5731 and 5741 Manotick Main Street to permit village residential Plan of Subdivision, as detailed in Document 2, (as amended below), and as further amended by the following:**

1. that Document 1: Location Map of Report ACS2017-PIE-PS-0103 be replaced with the location map attached to Motion N<sup>o</sup> ARAC 28/01 [(05 Oct 2017), see attached];
2. that Document 2 – Details of Recommended Zoning be amended as follows:
  - a. By adding the text, “SXXX” following the text, “xxx1r”, “xxx2r”, and “xxx3r” wherever they appear;
  - b. By adding the following text to Column V of exceptions xxx1r, xxx2r, and xxx3r:  
  
“-The minimum density is 12 units per gross hectare to a maximum of 20 units per gross hectare, calculated using the entire area shown as Area A on Schedule XXX”; and,
  - c. By adding a new item which states “Amend Part 17 – Schedules by adding a new schedule, SXXX”;
3. that the report be amended by adding the schedule attached to Motion N<sup>o</sup> ARAC 28/01 (05 Oct 2017) as Document 5 (See attached), and;
4. that pursuant to the *Planning Act*, subsection 34(17) no further notice be given.

DOCUMENT 1 - Location Map (as revised by Motion N° ARAC 28/01, 05 Oct 2017)



DOCUMENT 5 – Schedule XXX (as revised by Motion N° ARAC 28/01, 05 Oct 2017)





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**This is Schedule XXX to Zoning By-law No. 2008-250  
Annexe XXX au Règlement de zonage n° 2008-250**

This is Attachment X to By-law Number 2017-\_\_\_\_, passed \_\_\_\_\_, 2017  
Pièce jointe n° X du Règlement municipal n° 2017-\_\_\_\_, adopté le \_\_\_\_\_, 2017

  
NOT TO SCALE

## Summary of Written and Oral Submissions

### REVISED REQUIREMENTS FOR RURAL COACH HOUSES ON PRIVATE SERVICES (ACS2017-PIE-EDP-0040)

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 Agriculture and Rural Affairs Committee: 0**
- **Number of submissions received between 28 September and 11 October 2017: 0**
- **Primary arguments in support:**
  - No delegations spoke to this item; one letter received in support of proposed Zoning By-law and Official Plan Amendments, with additional suggestions including:
    - improvements to the process for filing minor variance applications;
    - modifications to permit coach houses on lots in the rural area serviced by public or communal water services;
    - modifications to allow the letter-report to make recommendations for treatment of aesthetic parameters.
- **Primary concerns and arguments in opposition:**
  - No arguments were made in opposition to the proposed Zoning By-Law and Official Plan Amendments.
- **Effect of Submissions on Committee Decision:**

Debate: Approximately 25 minutes was spent on a staff presentation, questions of staff and Committee discussion.

Vote: The Committee CARRIED this item as amended by a motion to correct minor technical errors within the report, and as amended to reduce the lot size to 0.4 ha from 0.65 ha.
- **Effect of Submissions on Council Decision:** Council considered all written and oral submissions in making its decision. Council CARRIED this item as amended by the

Agriculture and Rural Affairs Committee, and as further amended at Council by an additional motion to revise the Recommended Official Plan, Zoning By-law Site Plan Control By-law Amendments by replacing the number “0.65” with the number “0.4”, wherever it appears therein, and reduce the timeframe for the policy review in Recommendation 6 to three years from five. The final recommendations approved by Council were as follows:

**That Council:**

- 1. Approve the proposed modifications to the Official Plan for rural coach houses on private services as detailed in Document 1, as amended by the following:**
  - a. That Item B under Section 2 of Part B – The Amendment be replaced with the following: “B. In section 3.1 (1)(c), (ii) the text ‘a lot that is 0.8 ha or greater in size and is located in the rural area or village and where:’ is replaced with the following: ‘a lot that is of sufficient size to support private services and is located in the rural area or village and where:’”;**
  - b. That Item D under Section 2 of Part B – The Amendment be replaced with the following: “D. Section 3.1 (d) is replaced with the following: ‘A coach house serviced in accordance with c. (ii) will be subject to site plan control except on lots that are less than 0.4 hectares or on lots that are connected to a public or communal water service system.’”;**
  - c. That Document 1 – Proposed Amendment to the Official Plan, be revised by replacing the number “0.65” with the number “0.4”, wherever it appears;**

2. **Approve the proposed modifications to the Zoning By-law for rural coach houses on private services as detailed in Document 2, as revised by replacing the number “0.65” with the number “0.4”, wherever it appears;**
3. **Approve the proposed modifications to the Site Plan Control By-law for rural coach houses on private services as detailed in Document 3, as revised by replacing the number “0.65” with the number “0.4”, wherever it appears;**
4. **Receive the Terms of Reference – Scoped Hydrogeological Studies for Coach Houses document to guide future scoped hydrogeological studies to support coach house applications as detailed in Document 4;**
5. **Approve that the minimum lot size requirement for a coach house on private services be set at .4 hectares;**
6. **Approve that the City of Ottawa review this policy in three years to determine the impacts of the lowered lot size requirement;**
7. **Approve that there be no further notice pursuant to Subsection 34 (17) of the *Planning Act*.**

## Summary of Written and Oral Submissions

### Zoning By-law Amendment -1867 Alta Vista Drive (ACS2017-PIE-PS-0110)

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:** 0
- **Number of Submissions received by Planning Committee between 19 September and 11 October 2017:** 1
- **Primary arguments in support:** None received
- **Primary concerns and arguments in opposition**
  - Concerns about traffic safety (e.g. jaywalking across Alta Vista,) potential bad precedent for planning policy (that contradicts recent decisions on Champagne Avenue) lack of clarity as to what constitutes "temporary," and the fact that it does not seem to dovetail with City's efforts to reduce vehicular traffic and increase modal share of public transit (especially routes along Alta Vista and Smyth); approval of zoning amendment could have long-term implications (*note: further detail of this submission can be found in the 'DISCUSSION – Public Consultation' section of the staff report*)
- **Effect of Submissions on Planning Committee Decision:**

Debate: The Committee spent four minutes on this item

Vote: The Committee approved a motion to replace document 1 with a revised location map that limited parking to the southern portion of the lot.
- **Effect of Submissions to both committees on Council Decision:** Council considered all written and oral submissions in making its decision, and CARRIED this item as amended by the Planning Committee, as follows:

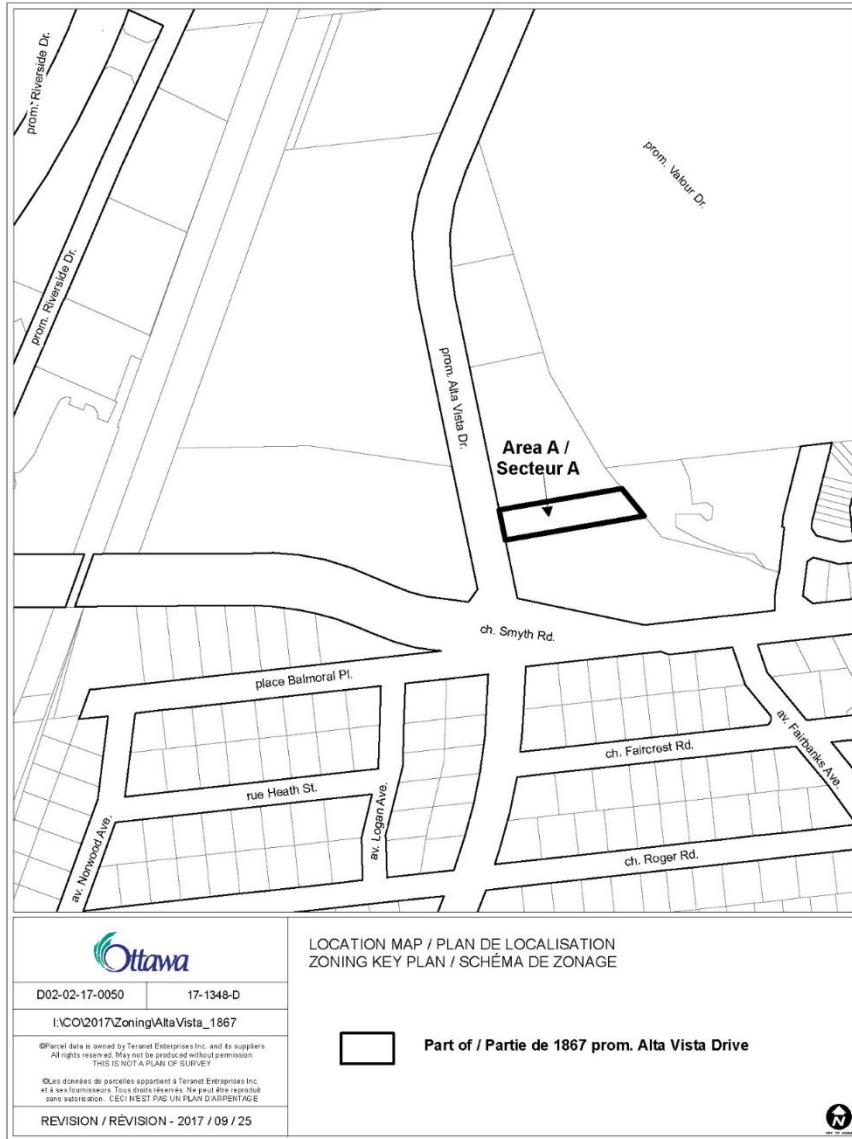
**That Council approve:**

- a. **an amendment to Zoning By-law No. 2008-250 for 1867 Alta Vista Drive to permit a temporary parking lot for a period of three years, as shown in the following revised Document 1 (Location Map) and detailed in Document 2; and**



- b. that there be no further notice pursuant to Sub-section 34(17) of the *Planning Act*.

Revised Document 1



## Summary of Written and Oral Submissions

### Zoning By-Law Amendment – 3490 Innes Road (ACS2017-PIE-PS-0046)

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:** 0
- **Number of Submissions received by Planning Committee between 19 September and 11 October 2017:** 1
- **Primary arguments in support:** Support for this development and for future Arterial Mainstreet zoning for surrounding properties on Innes Road
- **Primary concerns and arguments in opposition:** None received.
- **Effect of Submissions on Planning Committee Decision:**

Debate: The Committee carried this item on consent (i.e. without discussion or debate)

Vote: The item was CARRIED as presented.

- **Effect of Submissions to both committees on Council Decision:**

Council considered all written and oral submissions in making its decision, and CARRIED this item as presented, as follows:

**That Council approve:**

1. **amendments to Zoning By-law No. 2008-250 for 3490 Innes Road to permit a residential subdivision consisting of 326 single detached dwellings, 131 townhouse units, parks and open space blocks, and land reserved for future development, as detailed in Document 2;**
2. **that the implementing Zoning By-law not proceed to City Council until such time that the companion application for Plan of Subdivision approval (File No. D07-16-16-0022) receives draft approval and all opportunities for appeal have been exhausted.**