

**6. ZONING BY-LAW AMENDMENT – 1175 MANOTICK STATION ROAD AND  
6247 PEBBLEWOODS DRIVE**

**MODIFICATION AU RÈGLEMENT DE ZONAGE – 1175 CHEMIN MANOTICK  
STATION ET 6247, PROMENADE PEBBLEWOODS**

**COMMITTEE RECOMMENDATION AS AMENDED**

That Council approve an amendment to Zoning By-law 2008-250 for 1175 Manotick Station and 6247 Pebblewoods Drive, to facilitate the development of an approved draft Plan of Subdivision, as detailed in Document 2, as amended by the following:

1. That the following text, under the heading Summary of requested Zoning By-law amendment proposal: “The applicant wishes to rezone the lands to Rural Residential, Subzone 4, Exception 512r (RR4[512r] (as shown on Document 1 as Area A) be replaced with the text, “The applicant wishes to rezone the lands to Rural Residential, Subzone 4, Exception xxxr (RR4[xxxr]) (as shown on Document 1 as Area A)”;
2. That the Location map in Document 1 be replaced with the attached map to this motion;
3. That Document 2 – Details of Recommended Zoning be replaced with the following:

“The proposed changes to the City of Ottawa Zoning By-law No. 2008-250 for 1175 Manotick Station Road and 6247 Pebblewoods Drive are as follows:

  - a. Rezone the lands shown in Document 1 as follows:
    - i. Area A from RU to RR4[xxxr];

ii. Area B from RU to O1; and

iii. Area C from O1A to RR4[512r].

b. Add a new exception xxxr to Section 240 - Rural Exceptions with provisions similar in effect to the following:

i. minimum lot width: 28m

ii. minimum lot area: 8000m<sup>2</sup>

iii. minimum interior side yard setback of 2 m one side and 3.5 m on the other side"; and,

4. That no further notice be provided pursuant to Section 34(17) of the Planning Act.

#### RECOMMANDATIONS MODIFIÉ DU COMITÉ

Que le Conseil approuve une modification au Règlement de zonage 2008-250 pour le 1175, chemin Manotick Station et le 6247, promenade Pebblewoods, afin de faciliter l'élaboration d'un plan de lotissement provisoire approuvé, comme il est détaillé dans le Document 2, comme le modifient les points suivants :

1. Que les mots « Le requérant demande que les terres soient classées zone résidentielle rurale, sous-zone 4, exception 512r (RR4[512r]) (conformément au terres désignées comme le secteur A dans le document 1) », dans la section du résumé de la modification du Règlement de zonage demandée, soient remplacés par « Le requérant demande que les terres soient classées zone résidentielle rurale, sous-zone 4, exception xxxr (RR4[xxxr]) (conformément aux terres désignées comme le secteur A dans le document 1) »; et
2. Que la carte du site du document 1 soit remplacée par la carte jointe à la présente motion; et

3. Que le document 2 – Détails du zonage recommandé, soit remplacé par ce qui suit :

« Les changements proposés au Règlement de zonage (n° 2008-250) concernant le 1175, chemin Manotick Station et le 6247, promenade Pebblewoods sont les suivants :

- a) Changer le zonage des terrains indiqués dans le document 1 comme suit :
- i) Le secteur A, de RU, devient RR4[xxxr];
  - ii) Le secteur B, de RU, devient O1;
  - iii) Le secteur C, de O1A, devient RR4[512r].
- b) Ajouter une nouvelle exception xxxr à l'article 240 – Exceptions rurales de manière à obtenir un résultat équivalent à ce qui suit :
- i) largeur minimale de lot : 28 m
  - ii) superficie minimale de lot : 8 000 m<sup>2</sup>
  - iii) retrait minimal de cour latérale intérieure : 2 m d'un côté et 3,5 m de l'autre »
4. Qu'aucun autre avis ne soit donné aux termes du paragraphe 34(17) de la Loi sur l'aménagement du territoire.

DOCUMENTATION / DOCUMENTATION

1. John L. Moser, Acting Deputy City Manager report dated 19 June 2015 / Rapport du Directeur municipale adjoint par intérim daté du 19 juin 2015 (ACS2015-PAI-PGM-0115).
2. Extract of Draft Minute, Agriculture and Rural Affairs Committee, 02 July 2015 / Extrait de l'ébauche du procès-verbal, Comité de l'agriculture et des affaires rurales, le 02 juillet 2015.

**AGRICULTURE AND RURAL  
AFFAIRS COMMITTEE  
REPORT 6  
8 JULY 2015**

**86**

**COMITÉ DE L'AGRICULTURE ET  
DES AFFAIRES RURALES  
RAPPORT 6  
LE 8 JUILLET 2015**

Report to  
Rapport au:

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

**July 2, 2015 / 2 juillet 2015**

**and Council / et au Conseil**

**July 8, 2015 / 8 juillet 2015**

**Submitted on June 18, 2015**

**Soumis le 18 juin 2015**

**Submitted by**

**Soumis par:**

**John L. Moser,**

**Acting Deputy City Manager / Directeur municipale adjoint par intérim,  
Planning and Infrastructure / Urbanisme et Infrastructure**

**Contact Person / Personne ressource:**

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**Ward: OSGOODE (20)**

**File Number: ACS2015-PAI-PGM-0122**

**SUBJECT: (Revised Report) Zoning By-Law Amendment – 1175 Manotick  
Station Road and 6247 Pebblewoods Drive**

**OBJET: (Rapport Révisé) Modification au Règlement de zonage – 1175  
chemin Manotick Station et 6247, promenade Pebblewoods**

### **REPORT RECOMMENDATION**

**That Agriculture and Rural Affairs Committee recommend Council approve an amendment to Zoning By-law 2008-250 for 1175 Manotick Station and 6247 Pebblewoods Drive, to facilitate the development of an approved draft Plan of Subdivision, as detailed in Document 2.**

### **RECOMMANDATION DU RAPPORT**

**Que le Comité de l'agriculture et des affaires rurales recommande au Conseil d'approuver une modification au Règlement de zonage 2008-250 pour le 1175, chemin Manotick Station et le 6247, promenade Pebblewoods, afin de faciliter l'élaboration d'un plan de lotissement provisoire approuvé, comme il est détaillé dans le Document 2.**

### **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**

1175 Manotick Station Road and 6247 Pebblewoods Drive

#### **Owner**

Castor Creek Inc.

#### **Applicant**

Exp. Services Inc, c/o Sheila Clarke

## Description of site and surroundings

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

The Phase III (1175 Manotick Station Road) lands are currently zoned Rural Countryside Zone (RU). The RU zone is intended to *accommodate agricultural, forestry, country residential lots created by severance and other land uses characteristic of the countryside.* **Remove the following** *“The applicant wishes to rezone the lands to Rural Residential, Subzone 4, Exception 512r (RR4[512r] (as shown on Document 1 as Area A).”* **and replace with the following text** *“The applicant wishes to rezone the lands to Rural Residential, Subzone 4, Exception xxxr (RR4[xxxr] (as shown on Document 1 as Area A)”. Lands set aside for parkland dedication development restricted areas and stormwater works will be rezoned to Parks and Open Space (O1) (as shown on Document 1 as Area B). The proposed Zoning By-law amendment is consistent with the zoning approved for the Emerald Links Phase II lands.*

*In addition to the above, this Zoning By-law amendment (6247 Pebblewoods Drive) will also address a land exchange with the City as set-out in Condition 36 of the draft approved subdivision and as explained below. Legally described as Block 35 on plan 4M-1267 (Emerald Links Phase II), these lands will be rezoned from Parks and Open Space Subzone A (O1A) to Rural Residential, Subzone 4, Exception 512r (RR4[512r] (as shown on Document 1 as Area C).*

### Brief history of proposal

An Official Plan Amendment (OPA) on the lands was approved on June 22, 2010 (OPA 85 Application No. D01-01-09-011). The OPA amended Section 3.7.2. – General Rural Policy (7d) under OPA 76 of the Official Plan, permitting an estate lot subdivision within 1 kilometre of the village boundary. Further, the OPA amended Section 3.7.2 (10) exempting the subject lands from the moratorium on the creation of any new country lot subdivisions.

On November 5, 2012, a plan of subdivision was approved for 43 single family lots ranging in area from 0.8 to 1.18 hectares. The plan of subdivision is organized with a looped road system connecting to Pebblewoods Drive (Phase II) and Manotick Station

Road with two cul-de-sacs, one in the western portion of the site and one adjacent the eastern boundary for a future connection to the Village of Greely.

As indicated earlier in this report a condition of the draft approved plan of subdivision requires the owner to agree to a land exchange to offset a larger park for Phase III. The condition states:

36. "The owner acknowledges and agrees that upon registration of the draft plan (dated May 26, 2011) the City agrees to swap Lot 12 with the existing park block 35 on 4M-1267. The purpose of the land exchange is to create a larger park block in Emerald Links Phase 3 to be used by all residents of the Emerald Links development."

The intention of this condition is clear: what was intended as residential lot (Lot 12) on the draft approved plan will be conveyed to the City at the time of registration as parkland together with the already allotted park Block B. Block 35 on Plan 4M-1267 that will be conveyed by the City to the owner (Castor Creek Inc.) for residential purposes.

Currently, Block 35 on Plan 4M-1267 (Phase II) is zoned for parks and open space uses and will need to be rezoned for residential purposes. As a result of this land swap the City has agreed to consider the rezoning of these lands as part of this zoning amendment.

To provide some background, the City currently owns a 0.81-hectare parcel of land in the Emerald Links Community, known as Block 35 of 4M-1267 (Emerald Links Phase II), the lands were transferred to the City in 2005 for parkland purposes. The lands have not been developed as a park due to community objections to the location and the size.

City staff have been working with the Emerald Links Estates (ELECA) and the Greely Community Associations (GCA) to determine their requirements with respect to parkland and to find a resolution so that a park could be built in the Emerald Links Community.

In 2009, a draft plan of subdivision application (Phase III) for the lands adjacent to Emerald Links Phase II was submitted to the City.



The concept of swapping the existing park for a larger parcel of land in Phase III was discussed with the owner. Of note, in 2009 the ELECA conducted a survey in the community to find out what are the residents' parkland requirements. The results of the survey found that the community favoured the option that resulted in a larger park being developed in Phase III.

As a result a condition requiring the owner to exchange lands was added to the conditions of draft plan approval. The draft plan of subdivision was approved in November of 2012 with all levels of appeal exhausted.

## **DISCUSSION**

Public consultation

**The public meeting for draft plan of subdivision was held on October 9, 2012 at the Greely Community Centre at which the proposed zoning was presented and discussed. City staff, the applicant's consultant and Councillor Thompson were present at the public meeting.**

**For this proposal's consultation details, see Document 3 of this report.**

### **Official Plan designation**

The land is designated General Rural Area on Schedule A in the Official Plan. This designation contains a variety of land uses, such as farms, rural housing, wood lots and forests, small industries, golf courses, and in many places, small clusters of residential and commercial development. The intent of this designation is to accommodate a variety of land uses that are appropriate for a rural location. A limited amount of residential where such development will not preclude continued agricultural and non-residential uses is permitted.

The proposed development is permitted on the lands as per OPA 85 (approved May 26, 2010 for 1175 Manotick Station Road). The policies that were in effect at the time of the OPA did not permit subdivisions within 1 kilometre of an approved village boundary.

Further, a moratorium was in place that further restricted the creation of new subdivisions.

Of note, current policy (OPA 150 as modified Section 3.7.2.8) does not permit the creation of residential subdivisions.

### **Planning rationale**

The purpose of this Zoning By-law amendment is to facilitate the development of an approved draft Plan of Subdivision. The Plan of Subdivision was examined pursuant to the provisions of the Official Plan as amended OPA 85. The proposed development complies with all policies of Section 3.7.2.8 of the Official Plan (as amended) in terms of its location, lot area and impacts on adjacent uses. The Zoning By-law amendment is appropriate for the subject lands. The provisions take into account the direction of the draft approved Plan of Subdivision.

### **RURAL IMPLICATIONS**

The proposal is consistent with the draft approved Plan of Subdivision and policies that guide residential development in the Official Plan's General Rural Area designation. The proposed Zoning By-law amendment will have no adverse effects on the rural community.

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

Councillor Darouze is aware of the application and has no objections.

### **LEGAL IMPLICATIONS**

Should the recommendation be adopted and the matter be appealed to the Ontario Municipal Board, it is anticipated that a two day hearing would result. Such a hearing could likely be conducted within staff resources.

If the application is refused, reasons must be provided. In the event the refusal is appealed to the Board, it would be necessary to retain an external planner.

### **RISK MANAGEMENT IMPLICATIONS**

There are no risk management implications associated with the recommendations in this report.

### **FINANCIAL IMPLICATIONS**

Potential financial implications are noted in the above Legal Implications section. In the event that external planners are retained, funds are not available within existing resources and the expense would impact Planning and Growth Management's operating status.

### **ACCESSIBILITY IMPACTS**

There are no accessibility implications associated with this report.

### **TERM OF COUNCIL PRIORITIES**

This project addresses the following Term of Council Priority:

EP3 – Support growth of local economy.

### **APPLICATION PROCESS TIMELINE STATUS**

The application was not processed by the On Time Decision Date established for the processing of Zoning By-law amendments due to the complexity of issues associated with the processing of the Plan of Subdivision.

### **SUPPORTING DOCUMENTATION**

**Document 1      Location Plan**

**Document 2      Details of Recommended Zoning**

Document 3 Consultation Details

Document 4 Overview Data Sheet

### **CONCLUSION**

The proposed Zoning By-law amendment conforms to the policies of the Official Plan (as amended) and the implementation of the draft approved Plan of Subdivision. The Planning and Growth Management Department recommends approval of the rezoning.

### **DISPOSITION**

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

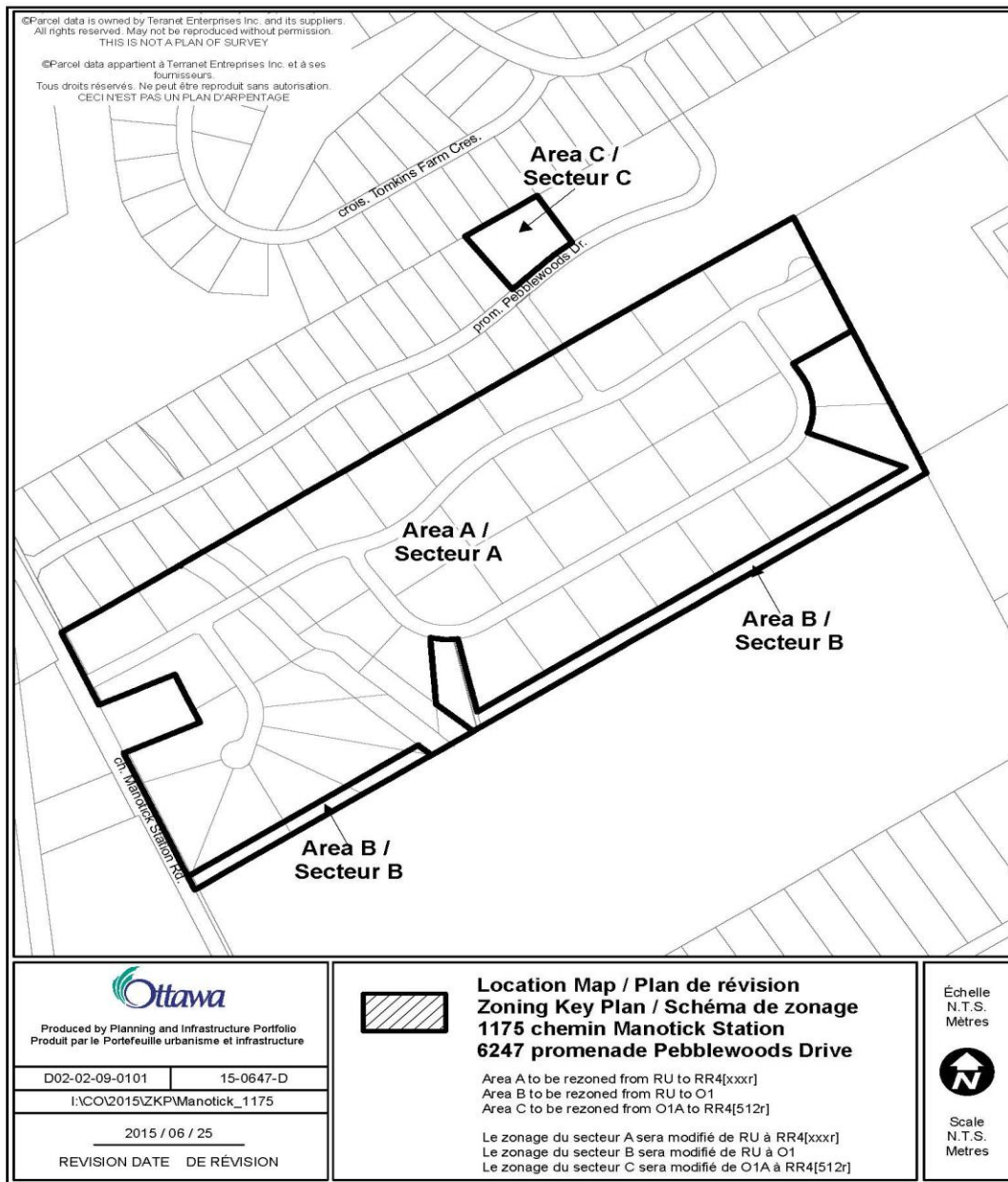
Planning and Growth Management Department to prepare the implementing by-law, forward to Legal Services and undertake the statutory notification.

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

**Document 1 – Revised Location Map**

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

The Location Plan below identifies the three areas that are subject to the rezoning.



## Document 2 – Details of Recommended Zoning

### Remove

~~The proposed change to the City of Ottawa Zoning By-law 2008-250 for 1175 Manotick Station Road and 6247 Pebblewoods Drive is to rezone the lands shown in Document 1 as follows:~~

- ~~a. Area A from RU to RR4[512r];~~
- ~~b. Area B from RU to O1; and~~
- ~~c. Area C from O1A to RR4[512r].~~

### and replace with the following:

“The proposed changes to the City of Ottawa Zoning By-law No. 2008-250 for 1175 Manotick Station Road and 6247 Pebblewoods Drive are as follows:

- a. Rezone the lands shown in Document 1 as follows:
    - i. Area A from RU to RR4[xxxxr];
    - ii. Area B from RU to O1; and
    - iii. Area C from O1A to RR4[512r].
  - b. Add a new exception xxxr to Section 240 - Rural Exceptions with provisions similar in effect to the following:
    - i. minimum lot width: 28m
    - ii. minimum lot area: 8000m<sup>2</sup>
    - iii. minimum interior side yard setback of 2 m one side and 3.5 m on the other side”; and,
4. That no further notice be provided pursuant to Section 34(17) of the Planning Act.

### **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. One public meeting was held in the community with 21 participants.

October 9, 2012 at the Greely Community Centre

#### Summary of Public Comments

Members of the public mainly asked questions with regards to the integration of the proposed subdivision with Emerald Link Phase II in terms of road and pathway connectivity, park location, and drainage. They also asked about the timeline for the approval and development, and for the installation of lights at the intersection of Mitch Owens Road and Manotick Station Road to control speeding.

Staff indicated that the proposed development would be accessed from Manotick Station Road and Pebblewoods Drive and that a multi-use pathway along the southern boundary of the site would provide access to the park. With regards to park, Staff indicated that the City was currently in discussions with the developer to possibly exchange a residential lot with the existing park in Emerald Link Phase II to increase the parkland dedication within the proposed subdivision. Regarding the request for a signalized intersection, former Councillor Thompson explained that the warrants had not yet been met for traffic lights at the intersection of Mitch Owens Road and Manotick Station Road.

#### Written Comments Received

A staff response will be provided after the last written comment.

#### Comments:

I am a new resident of Emerald Links, having purchased 1104 Tomkins Farm last August 2014. With regard to the above rezoning proposal, I would like to present a strong objection from myself and my husband, Bryan Joseph, for the following reasons:

- This area should be used as a park, which is currently missing from the neighbourhood.
- There are NUMEROUS homes for sale in the neighbourhood and they are not getting sold. The answer is not to build more, but to encourage people who want to live in the development to buy existing properties which are all pretty marvelous.
- We pay very high taxes (I am paying more than \$1000/mo) for very few services. The provision of a park would be a desirable and logical service to the neighbourhood.
- New residences in that small area will place residences too close to the golf holes.

I have heard similar viewpoints from neighbors and hope that they are taking the time to communicate their concerns, and trust that our concerns will be seriously considered.

**Comments:**

We moved here in 2008 with our kids, age 4 and 6 at the time, and were told this space would be the community park. Such parks are gathering places where kids play and families meet each other. For the past 6 years this community has had no park. The future larger park in phase III will be a sorely overdue and essential part of our community, but for the past 3 years there has been no progress in developing phase 3, including no finished road, that I understand is necessary for the future larger park. At this rate, my kids will be in University by the time we have a community park. This is wrong. For the city to turn over the original park space to the developer now, who will then sell it as 2 properties at 200000\$ plus each, is absolutely criminal and demonstrates no regard for the needs of the community. You cannot possibly allow this to proceed before we have a park in our community. There is no incentive to develop phase III, and get our community the park that it should have had years ago, if you let the developer sell properties in the already established Emerald Links developments.



Comments:

I would like to officially put forth objection to the rezoning application from Park to Residential proposed for a lot on Pebblewoods Drive, Greely Ontario. The space although not developed is enjoyed by my family and other residents for soccer, football and general recreation for over 6 years. The developer should only be allowed to rezone it for sale after they have opened another park for residents to use. We are fearful of the long delays experienced with the promised parks in this area.

Emerald Links Community Association

At the board's last monthly meeting Rheal Leroux provided an update on the discussions regarding the park in Emerald Links Phase III and we are very pleased on the progress he is having with you and the City of Ottawa. We are very much aware of the progress made this summer on finding innovative ideas and solutions for recreational activities in our community. In addition we are also extremely pleased that we are heading in the same direction concerning a creative solution for the existing 2 acre lot located on Pebblewoods and the future open space planned for Phase III at Emerald Links.

I would like to bring to your attention a resolution unanimously passed by the board of Emerald Links Estate Community Association (ELECA) at its last meeting on Thursday, September 16 regarding this matter.

Park/Open Space Emerald Links Phase III Discussion and Resolution:

After presenting a brief history concerning the 2 acre open space on Pebblewoods, and an update of the discussions the ELECA representative (Rheal Leroux) is having with the City of Ottawa, it is proposed by Alain Guilbert and seconded by Steve Boyd that:

- Following the results of the survey in 2009 whereby Emerald Links Community voted against a park on Pebblewoods, ELECA recommends that the existing open space in Emerald Links Phase II (park on Pebblewoods) be swapped by the City of Ottawa for another piece of land in Emerald Links Phase III;

- Assuming a portion of the open space area (woodlot) on the Eastern boundary of the proposed Phase III subdivision of Emerald Links is to be preserved, ELECA would like to see the proposed park block moved to adjoin this preserve and (woodlot) for the future open space located in Phase III. This will provide a park/green space /woodlot area much larger if integrated with the park;
- A fund of (187,000\$) which was originally allocated to the Pebblewoods Park and budgeted in the Parks and Recreation 2009 capital budget to design and construct a park be reassigned to the capital budget for the implementation of this proposed project in Emerald Links Phase III;
- That the City has the full support of our Community and that ELECA has a vested interest in this project; wants to be consulted and be part of the decision making process at every stage of its progress. Approved unanimously (It is also recommended that an official letter be sent to all stakeholders to clearly communicate the Board's position.)

Although we are aware that our request may cause some delays and that the park itself may not be in place for a few more years we believe it is more important to have a solution that will meet the community's requirements. Therefore we are prepared to wait to have the right solution for our community in addition to the fact that the builder still requires a number of approvals prior to the start of their development.

#### Response to Comments:

Concerns have been raised with the potential loss of parkland and the timing of a new park. The City is aware of the lack of designated parkland in the area and the needs of the Emerald Links Community. After lengthy debate and a community survey (conducted by ELECA) it was determined that the best option would be to transfer the dedicated parkland in Phase II back to the owner and to get the equivalent piece of land in Phase III of Emerald Links Community. In addition what was to be a residential lot adjacent to his park block would also be dedicated as parkland. These two pieces of land would combine to create a park of approximately 3 hectares in size. This would

provide a much more usable park for the Emerald Links Community allowing for the type of recreational facilities the community is in need of.

The community association has raised this option with the community and as noted in their correspondence above, the larger park option was supported by the community.

With respect to the development of the park (Phase III) funds have been set aside to build the park. Once the plan of subdivision is registered and the lands are served by a public road, construction will commence.