

<p>3. ZONING BY-LAW AMENDMENT – 5045 INNOVATION DRIVE</p> <p>MODIFICATION AU RÈGLEMENT DE ZONAGE – 5045, PROMENADE INNOVATION</p>

COMMITTEE RECOMMENDATION

That Council approve an amendment to Zoning By-law 2008-250 for 5045 Innovation Drive to permit reduced front and corner side yard setbacks, as detailed in Document 2.

RECOMMANDATION DU COMITÉ

Que le Conseil approuve une modification au Règlement de zonage 2008-250 relativement au 5045, promenade Innovation, afin de permettre une réduction du retrait de cours avant et latérales d'angle, comme le précise le document 2.

DOCUMENTATION/DOCUMENTATION

1. Director's report, Planning Services, Planning, Infrastructure and Economic Development Department, dated 21 July 2017 (ACS2017-PIE-PS-0099)

Rapport de la Directrice, Service de la planification, Direction générale de la planification, de l'infrastructure et du développement économique, daté le 21 juillet 2017 (ACS2017-PIE-PS-0099)
2. Extract of draft Minutes, Planning Committee, 22 August 2017

Extrait de l'ébauche du procès-verbal, Comité de l'urbanisme, le 22 août 2017

**Report to
Rapport au:**

**Planning Committee
Comité de l'urbanisme
22 August 2017 / 22 août 2017**

**and Council / et au Conseil
September 13, 2017 / 13 septembre 2017**

**Submitted on July 21, 2017
Soumis le 21 juillet 2017**

Submitted by

Soumis par:

Lee Ann Snedden,

Director / Directrice,

Planning Services / Service de la planification

**Planning, Infrastructure and Economic Development Department / Direction
générale de la planification, de l'infrastructure et du développement économique**

Contact Person / Personne ressource:

**Laurel McCreight, Planner II / Urbaniste II, Development Review West / Examen
des demandes d'aménagement ouest**

(613) 580-2424, 16587, Laurel.McCreight@ottawa.ca

**Ward: KANATA NORTH (4) / KANATA
NORD (4)**

File Number: ACS2017-PIE-PS-0099

SUBJECT: Zoning By-law Amendment – 5045 Innovation Drive

OBJET: Modification au Règlement de zonage – 5045, promenade Innovation

REPORT RECOMMENDATIONS

- 1. That Planning Committee recommend Council approve an amendment to Zoning By-law 2008-250 for 5045 Innovation Drive to permit reduced front and corner side yard setbacks, 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 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 13 September, 2017, 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 au Règlement de zonage 2008-250 relativement au 5045, promenade Innovation, afin de permettre une réduction du retrait de cours avant et latérales d'angle, 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 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 13 septembre 2017, 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

5045 Innovation Drive

Owner

CRED GP I Inc. on behalf of Colonnade Real Estate Development LP I

Applicant

Kelly Rhodenizer, Colonnade BridgePort

Architect

Robert Matthews, N45 Architecture Inc.

Description of site and surroundings

The site is located at the southwest corner of Terry Fox Drive and Innovation Drive in Kanata North – Ward 4. The site is approximately two acres in size and is currently vacant with a vegetative cover consisting of trees and grass.

The site is bounded by Terry Fox to the north and Innovation Drive to the east and has approximately 80 metres of frontage along Terry Fox Drive and 125 metres along Innovation Drive. The surrounding land uses include the OC Transpo Innovation Park and Ride to the west and south, Morgan's Grant residential community to the north and office/industrial uses within the Kanata North Business park to the east.

Summary of requested Zoning By-law amendment proposal

The application was submitted to reduce the minimum front and side yard setbacks in the General Industrial zone. The current zoning of General Industrial, Subzone 6, Exception 218, Maximum Building Height of 44 metres, Schedule 183 (IG6 [218] H(44) S183), requires a minimum front and side yard setback of 12 metres. The application proposes to reduce both the front and corner side yard setback to 6 metres.

The current height restriction of 44 metres (H(44) and Schedule 183(S183)), as well as the zoning provisions of Urban Exception 218 are being carried forward in the recommended zoning, as per Document 2.

Brief history of proposal

This property is also subject to a current site plan control application that proposes a commercial plaza consisting of three single-storey commercial/retail buildings, two of which contain a drive-through facility. The proposed uses are permitted in the current zone, however, two of the buildings do not meet the zoning provisions for front and

corner side yard setbacks. The original proposal also included a gas bar, however, this has now been removed from the site plan application.

The applicant applied to the Committee of Adjustment for variances for these setbacks and the department provided comments indicating that staff had no concerns. The applications were denied following the April 19th and June 7th, 2017 hearings. The Committee of Adjustment raised concerns that they did not feel this application met the required four tests of a minor variance, specifically they did not feel that the proposed changes were minor. The applicant appealed the Committee of Adjustment's decision to the Ontario Municipal Board, however, a hearing date has yet to be set. Subsequently, the applicant filed an application for a zoning by-law amendment to seek relief from the zone provisions for the front and corner side yard setbacks.

DISCUSSION

Public consultation

Public consultation of the application was carried out in accordance with the City's Public Notification and Consultation Policy.

The Planning, Infrastructure and Economic Development Department received five comments from members of the public who were concerned with the originally proposed gas station that is no longer part of the site plan control application.

The Department also received comments directly related to the increased setbacks.

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

Official Plan designation

The property is designated General Urban Area (3.6.1), on Schedule B of the City's Official Plan. The General Urban Area designation permits all types and densities of housing, as well as employment, retail uses, service, industrial, cultural, leisure, greenspace, entertainment and institutional uses. Throughout the General Urban Area, the City will encourage the provision of a variety of small, locally-oriented convenience and service uses that complement adjacent residential land uses, and are of a size and scale consistent with the needs of nearby residential areas.

Other applicable policies and guidelines

The proposed development is subject to Urban Design Guidelines for Drive Through Facilities, as two drive-throughs are proposed on site. The purpose of the Guidelines is to “assess, promote and achieve appropriate development of drive-through facilities”. The proposal adequately responds to the guidelines by locating buildings close to the street to help define the edge, landscape areas in front of blank walls that face public streets and designing the site such that on-site circulation minimizes the conflicts between pedestrians and vehicles.

Planning rationale

The request for reduced front and corner side yard setbacks are consistent with the policies of the General Urban Area, as the amendment meets the policies set out in the Official Plan.

The increased setback requirements of the IG6 zone, being 12 metres for the front and corner side yards are reflective of the campus like design/layout for the surrounding NorthTech lands and uses contemplated for the Employment Area designation (this designation abuts the subject property). Properties that are designated Employment Area generally provide large parcel sizes, reflective of user needs for storage, parking and building floorplates. Sites developed within the interior of the neighbouring campus have been designed in such a way that buildings are quite setback from lot lines and associated surface parking lots are situated in front and adjacent to the street.

The lands are located at the perimeter of this employment area and within the General Urban Area designation where a variety of small, locally-oriented convenience and service uses that will not result in the attraction of large volumes of vehicular traffic from outside the immediate area are encouraged.

With the subject lands being located at the corner of Terry Fox and Innovation Drive, an opportunity exists to provide both a transition between the surrounding residential neighbourhood and the industrial campus, while also introducing amenities in support of both. The current Exception (218), which is not applicable across the entirety of the campus lands, specifically permits restaurant and retail land uses proposed. These uses will be continued with the proposed new exception.

More appropriate setbacks for the development and subject lands will achieve a balance between the subzone requirements and the principal zone requirement of 3

metres. The reduced setbacks and layout design better respond to the adjacent streetscapes, while providing sufficient space for landscaping. By reducing the setbacks, an appropriate separation from the residential neighbourhood located across Terry Fox Drive is maintained and will not result in undue adverse impacts.

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 rural implications associated with this report.

COMMENTS BY THE WARD COUNCILLOR

Councillor Wilkinson is aware of this report.

LEGAL IMPLICATIONS

There are no legal impediments to approving the recommendations contained in the report. Further, the existence of the outstanding appeal to the Ontario Municipal Board would not impact the implementation of the recommendations contemplated within this report should they be accepted.

RISK MANAGEMENT IMPLICATIONS

There are no risk management implications associated with this report.

FINANCIAL IMPLICATIONS

There are no financial implications associated with this report.

ACCESSIBILITY IMPACTS

There are no accessibility impacts associated with this report. However, it should be noted that accessibility has been reviewed through the site plan control process and measures have been provided to ensure the site remains accessible.

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

Document 3 Consultation Details

CONCLUSION

The Planning, Infrastructure and Economic Development department support the application and proposed Zoning By-law amendment. Reducing the front and corner side yard setback of two retail/commercial buildings will provide for a better layout of the proposed development by providing a more pedestrian friendly streetscape by locating the buildings and landscaping closer to both Terry Fox Drive and Innovation Drive. The reduced setbacks will also provide for a better transition from the surrounding industrial campus to the nearby residential neighbourhood by adding needed retail amenities.

DISPOSITION

Legislative Services, Office of the City Clerk and Solicitor to notify the owner; applicant; Ottawa Scene Canada Signs, 1565 Chamberlain 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.

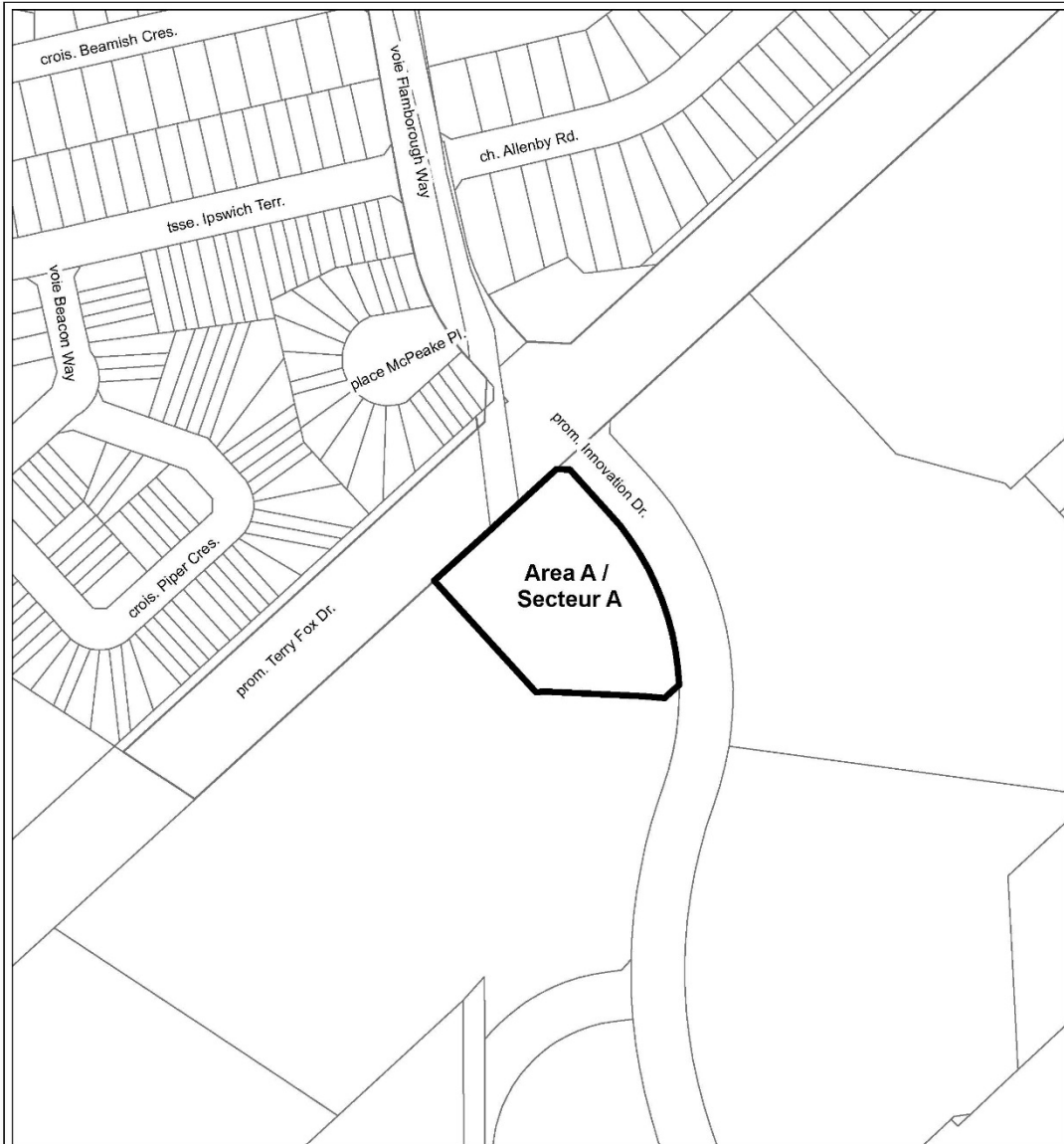
Zoning and Interpretations Unit, Planning Policy Branch, Economic Development and Long Range Planning Services to prepare the implementing by-law and forward to Legal Services.



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

For an interactive Zoning map of Ottawa visit geoOttawa



		LOCATION MAP / PLAN DE LOCALISATION ZONING KEY PLAN / SCHÉMA DE ZONAGE	
D02-02-17-0061	17-1023-X		5045 promenade Innovation Drive
I:\CO\2017\Zoning\Innovation_5045_rezone			
<small>©Parcel data is owned by Teranet Enterprises Inc. and its suppliers All rights reserved. May not be produced without permission THIS IS NOT A PLAN OF SURVEY</small>		Area A to be rezoned from IG6[218] H(44) S183 to IG6[xxxx] H(44) S183 Le zonage du secteur A sera modifié de IG6[218] H(44) S183 à IG6[xxxx] H(44) S183	
<small>©Les données de parcelles appartient à Teranet Enterprises Inc. et à ses fournisseurs. Tous droits réservés. Ne peut être reproduit sans autorisation. CE CI N'EST PAS UN PLAN D'ARPENTAGE</small>			
REVISION / RÉVISION - 2017 / 07 / 18			

Document 2 – Details of Recommended Zoning

The proposed change to the City of Ottawa Zoning By-law 2008-250 for 5405 Innovation Drive site:

1. Rezone the lands as shown in Document 1.
2. Amend Section 239, by adding a new exception [xxxx] with provisions similar in effect to the following:
 - a. In Column III, include the following as additional permitted uses:
 - i. Gas bar
 - ii. Retail store
 - iii. Personal service business
 - iv. Restaurant
 - b. In Column V, add provisions similar in effect to the following:
 - I. Minimum required front and corner side yard setback is 6 metres;
 - II. A stand alone use in Column III cannot exceed 1000 square metres of gross leasable area;
 - III. No individual unit in a shopping centre may exceed 500 square metres of gross leasable floor area; and
 - IV. Minimum separation between principal buildings: 3 metres.

Document 3 – Consultation Details

Notification and Consultation Process

Notification and public consultation was undertaken in accordance with the Public Notification and Consultation Policy approved by Council for development applications.

Comment

A twelve-foot setback from the road reduces light pollution and provides greater privacy to the residents.

Response

Lighting has been reviewed through the site plan control process and it has been determined that there will be no adverse impacts regarding lighting on adjacent property owners.

Comment

It would not be in keeping with the current design and aesthetics for the intersection to allow commercial buildings to be constructed closer to the roads than currently allowed by the existing zoning setback of 12 metres.

Response

Providing an increased setback at the intersection of Terry Fox Drive and Innovation Drive allows for a transition between the surrounding residential neighbourhood and the industrial campus. The existing setback requirement of 12 metres is more appropriate for a business park, not for commercial development.

Comment

Allowing buildings to be constructed too close to the intersection may interfere with driver sight-lines at the intersection itself.

Response

There is an existing corner sight triangle within the City's right of way that will allow for appropriate sightlines for vehicles traveling on Terry Fox Drive and Innovation Drive.