

1. **Zoning By-law Amendment – 1131 and 1151 Teron Road**
Modification au *Règlement* de zonage – 1131 et 1151 chemin Teron

Committee recommendation

That Council approve an amendment to Zoning By-law 2008-250 for 1131 and 1151 Teron Road to modify the step-backs of the proposed nine-storey building, permit a limited number of commercial uses, reduce the parking rate for certain commercial uses and permit modifications to certain buffer strip and loading zone provisions, as detailed in Document 2.

Recommandation du Comité

Que le Conseil approuve une modification au Règlement de zonage 2008-250 visant les 1131 et 1151, chemin Teron, afin de modifier les retraits de l'immeuble de neuf étages proposé, de permettre un nombre limité d'utilisations commerciales, de réduire le taux de places de stationnement pour certaines utilisations commerciales et de permettre des modifications à certaines dispositions relatives à une bande tampon et à une zone de chargement, comme l'expose en détail le document 2.

Documentation/Documentation

1. Director's report, Planning Services, Planning, Infrastructure and Economic Development Department, dated September 22, 2020 (ACS2020-PIE-PS-0096)

Rapport du Directeur, Services de la planification, Direction générale de la planification, de l'infrastructure et du développement économique, daté le 22 septembre 2020 (ACS2020-PIE- PS-096)
2. Extract of draft Minutes, Planning Committee, October 8, 2020

Extrait de l'ébauche du procès-verbal du Comité de l'urbanisme, le 8 octobre 2020

Report to
Rapport au:

Planning Committee
8 October 2020 / 8 octobre 2020

and Council
et au Conseil
14 October 2020 / 14 octobre 2020

Submitted on 22 September 2020
Soumis le 22 septembre 2020

Submitted by
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Ward: KANATA NORTH (4) / KANATA
NORD (4)

File Number: ACS2020-PIE-PS-0096

SUBJECT: Zoning By-law Amendment – 1131 and 1151 Teron Road

OBJET: Modification au *Règlement* de zonage – 1131 et 1151 chemin Teron

REPORT RECOMMENDATIONS

1. That Planning Committee and Council approve an amendment to Zoning By-law 2008-250 for 1131 and 1151 Teron Road to modify the step-backs of

the proposed nine-storey building, permit a limited number of commercial uses, reduce the parking rate for certain commercial uses and permit modifications to certain buffer strip and loading zone provisions, 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 October 14, 2020 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 et le Conseil approuvent une modification au Règlement de zonage 2008-250 visant les 1131 et 1151, chemin Teron, afin de modifier les retraits de l'immeuble de neuf étages proposé, de permettre un nombre limité d'utilisations commerciales, de réduire le taux de places de stationnement pour certaines utilisations commerciales et de permettre des modifications à certaines dispositions relatives à une bande tampon et à une zone de chargement, comme l'expose en détail 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 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 14 octobre 2020, 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.

EXECUTIVE SUMMARY

Staff Recommend Approval

Planning staff recommend Council approve an amendment to Zoning By-law 2008-250 for 1131 and 1151 Teron Road to permit modifications to the step-backs of the proposed nine storey building, allow a limited number of commercial uses on the ground floor, reduce certain parking rates, modify provisions for a loading space and width of landscaped buffer and modify the interior side yard setback for three storey buildings.

The proposal aligns with applicable Official Plan policies for the General Urban Area. Staff are satisfied that the requested Zoning By-law amendment is consistent with the Official Plan and represents good planning. The proposal allows for intensification and a mix of uses that is consistent with the surrounding context and Policies including 2.2.2 (Managing Growth Within the Urban Area), 2.5.1 (Designing Ottawa) and 4.11 (Urban Design and Compatibility) support the approval of this application.

Applicable Policy

The following policies support this application:

Section 2.2.2 of the Official Plan supports intensification where development will enhance and complement existing development.

Section 2.5.1 is broad in nature with design objectives such as defining quality spaces, ensuring safety and accessibility, respecting the character of the area, as well as considering adaptability and sustainability.

Section 4.11 provides direction on impacts between new and existing development.

The proposal positively contributes to the neighbourhood by adding a residential development on a currently underutilized site, as well as residential intensification in an area well served by neighbourhood services and amenities. Impacts such as compatibility, traffic, access, sun shadowing and infrastructure have all been evaluated, and no adverse impacts were identified.

The proposed development brings the building close to the street, provides an active entrance and a landscaped amenity area along Teron Road. The building respects the character of the area by orienting the greatest height towards a major intersection and transitioning down to three storeys closest to existing development. The proposal represents appropriate residential intensification on the periphery of a stable residential

area, expands the range of commercial uses available to serve the community and provides a built form that is consistent with the Official Plan policies noted above.

Public Consultation/Input

Notification and public consultation were undertaken in accordance with the Public Notification and Consultation Policy approved by Council for Zoning By-law amendment applications.

Councillor Sudds held an open house on January 20, 2020 at the Mlacak Community Centre to discuss the proposed development with the community. Approximately 30 residents attended. During this meeting, display boards were available for viewing, the consultant team provided a presentation of the proposal and staff explained policy, process and next steps. The presentation was followed by a question and answer period.

Approximately 20 comments were submitted during the application review process. Two comments were submitted in support, with the remainder in opposition based on density, traffic, shadowing, loss of green space and site layout. Several of the comments expressed opposition to the development of a nine-storey building, which is already permitted by the current zoning.

RÉSUMÉ

Approbation recommandée par le personnel

Le personnel de l'équipe d'urbanisme recommande au Conseil d'approuver une modification au Règlement de zonage 2008-250 visant les 1131 et 1151, chemin Teron, afin de modifier les retraits de l'immeuble de neuf étages proposé, de permettre un nombre limité d'utilisations commerciales au rez-de-chaussée, de réduire certains taux de places de stationnement, de modifier les dispositions relatives à une zone de chargement et à la largeur d'une bande tampon paysagée, et de modifier le retrait de cour latérale intérieure d'immeubles de trois étages.

Le projet est conforme aux politiques du Plan officiel s'appliquant à la désignation de secteur urbain général. Le personnel constate que la modification demandée au Règlement de zonage est conforme aux politiques du Plan officiel et représente une bonne démarche de planification. La proposition permet une densification et l'implantation de diverses utilisations qui cadrent avec le contexte environnant. Plus précisément, les politiques 2.2.2 (Gestion de la densification dans le secteur urbain),

2.5.1 (Concevoir Ottawa) et 4.11 (Conception urbaine et compatibilité) viennent appuyer l'approbation de cette demande.

Politique applicable

Les politiques suivantes sont favorables à cette demande :

La section 2.2.2 du Plan officiel soutient la densification lorsque l'aménagement proposé met en valeur et complète l'aménagement existant.

La section 2.5.1, de nature générale, propose des objectifs de conception notamment liés aux espaces de qualité, à la sécurité et à l'accessibilité, au respect du caractère des quartiers et à la prise en compte de facteurs d'adaptabilité et de durabilité.

La section 4.11 fournit des directives quant aux répercussions entre le nouvel aménagement et celui déjà réalisé.

La proposition contribue de manière positive au quartier en créant un aménagement résidentiel sur un emplacement sous-utilisé, et en apportant une densification résidentielle dans un secteur où les services et les commodités de quartier ne manquent pas. Les répercussions en matière notamment de compatibilité, de circulation, d'accès, d'ombrage et d'infrastructure ont été évaluées et aucun effet négatif n'a été observé.

L'aménagement proposé mettrait les immeubles en rapport avec la rue, constituerait une entrée active et offrirait une aire d'agrément paysagée le long du chemin Teron. L'immeuble respecte le caractère du secteur grâce à une transition entre sa partie la plus élevée, près d'un carrefour important, et une hauteur de trois étages du côté de l'aménagement existant. La proposition correspond à une densification résidentielle appropriée en périphérie d'un secteur résidentiel stable, élargit la gamme d'utilisations commerciales mises à la disposition de la collectivité et représente une forme bâtie conforme aux politiques du Plan officiel susmentionnées.

Consultation publique et commentaires

Les membres du public ont été avisés et consultés conformément à la politique en la matière adoptée par le Conseil municipal pour les demandes de modification au Règlement de zonage.

La conseillère Sudds a organisé une réunion portes ouvertes le 20 janvier 2020 au centre communautaire Mlacak, afin de discuter de l'aménagement proposé avec les

résidents. Une trentaine de personnes ont participé à cette réunion. Pour l'occasion, des tableaux explicatifs ont été installés, l'équipe du consultant a présenté le projet et des membres du personnel ont expliqué les politiques pertinentes, le processus et les prochaines étapes. La présentation a été suivie d'une période de questions.

Une vingtaine de commentaires ont été soumis pendant la durée du processus d'examen de la demande. Deux étaient favorables à la proposition et les autres y étaient opposés pour des questions liées à la densité, à la circulation, à l'ombrage, à la perte d'espaces verts et à la configuration de l'emplacement. Plusieurs de ces commentaires étaient défavorables à la construction d'un immeuble de neuf étages, une hauteur déjà autorisée en vertu du zonage actuel.

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

1131 and 1151 Teron Road

Owner

11021028 Canada Inc. and 11073656 Canada Inc.

Applicant

FoTenn Planning and Design

Architect

NEUF Architects

Description of site and surroundings

The site is located at the southwest corner of Teron Road and March Road at the edge of the Beaverbrook Community. The 0.13-hectare property at 1151 Teron Road is a triangular parcel of land wedged between Teron Road and March Road, with frontage of 176 metres along March Road and 185 metres along Teron Road. There are two overhead hydro-electric lines along the easterly edge of the site running parallel to March Road that are protected through easements. The property is relatively flat with a

row of deciduous trees between the Hydro line and March Road. Immediately to the south of the site is a small rectangular property known as 1131 Teron Road that will be developed by the proponent as a three-storey apartment building.

Surrounding land uses to the north include office and light industrial uses along the east side of March Road in the Kanata North Business Park. The northern triangular point of the property is at the Teron Road/March Road intersection, which acts as a boundary to the Kanata North Business Park Major Employment Area. Abutting the site along the southerly property line is a townhouse development known as the Bethune Condominium. The lands on the west side of Teron Road are occupied by a similar townhouse development. The neighbourhood offers schools and parks, local convenience shopping, employment and other retail uses.

Teron Road is a major collector road with a sidewalk, on-road cycling lanes in both directions and bus routes running in both directions. March Road is a major arterial road with a future Bus Rapid Transit (BRT) route and transit station proposed at the March Road/Teron Road intersection. The Environmental Assessment Study for the transit route has been approved and is planned for construction during the 2024 to 2031 time period.

Summary of proposed development

The proposed development for the property at 1151 Teron Road is a nine-storey apartment building with ground floor commercial uses, together with an underground parking garage and a surface parking lot in the portion of the property affected by a Hydro Ottawa easement. The proposed development for 1131 Teron Road is a three-storey apartment building.

Summary of requested Zoning By-law Amendment

The property at 1151 Teron Road is currently split-zoned Residential Fifth Density Zone, R5A[2144] S327 and Parks and Open Space, O1[2143]:

- The R5A [2144] S327 Zone applies to the buildable portion of the site abutting Teron Road and permits mid-rise apartment buildings, with site-specific provisions established by Exception [2144]. The maximum building heights, setbacks and step-backs are set out in Schedule 327 of the Zoning By-law, which created a building envelope that was tailored specifically to a concept prepared for the previous rezoning in 2014.

The O1[2143] zoning applies to the portion of the site fronting onto March Road that is subject to the Hydro easement. This area was to be used as an amenity area for the building in the 2014 proposal. Exception [2143] states that the R5 and O1 portions of the lot are considered as one lot for zoning purposes

The proposed zoning amendment requests the following:

- a) Rezone the R5A[2144] S327 portion of the property to General Mixed Use Zone (GM) to permit commercial uses on the ground floor of the building and modify the heights established by Schedule 327;
- b) Rezone the O1[2143] portion of property to General Mixed Use Zone (GM) to permit parking within the Hydro easement.
- c) Add an Urban Exception to the proposed General Mixed Use Zone (GM) including provisions for the following:
 - That the parking space rate for commercial uses on the ground floor of the building not exceed 3.4 spaces/100 square metres;
 - That a loading space be permitted in the required front yard, provided it is 4.7 metres from the front lot line;
 - That the landscaped buffer width around the parking lot be reduced from three metres to 1.8 metres for a segment along the south property line;
 - That the wall of an underground parking garage be permitted to project 0.5 metre above ground and that an air intake pipe for an underground parking garage be permitted 0.2 metres from the lot line; and
 - That the current Schedule 327 establishing the setbacks and step-backs be replaced with a new Schedule 327

The property at 1131 Teron Road is zoned R5A[2144]S327 as described above. The proposed Zoning By-law amendment requests a minor adjustment to an interior side yard setback abutting 1151 Teron Road to square off the building. The revision would be reflected in the new Schedule 327.

Brief History of Proposal

The properties at 1131 and 1151 Teron Road were subject to a previous Zoning By-law amendment application in 2014 to permit a three-storey apartment building on the 1131 Teron Road property and a nine-storey building with underground parking on the 1151 Teron Road property. The R5A[2144]S327 zoning applied to the buildable portion of the site and prescribed a specific building envelope tailored to the site plan concept at that time. The unbuildable portion of the site affected by the Hydro easement was zoned O1[2143] and was intended to be used for private amenity space. The property was sold, and the new owner wishes to include ground floor commercial uses, streamline the building envelope and permit surface parking in the portion of the property in the Hydro easement.

The applicant has submitted concurrent applications: a Zoning By-law amendment application for 1151 Teron Road and Site Plan Control application for 1131 and 1151 Teron Road to permit the first phase of development. This involves construction of a three-storey 30-unit apartment building at 1131 Teron Road with a temporary surface parking lot on the property at 1151 Teron Road.

The second phase of development would be for a nine-storey mixed-use building with 109 apartment units and 900 square metres of ground floor commercial uses at 1151 Teron Road. An underground parking garage would accommodate 46 parking spaces with a further 229 spaces provided in a surface parking lot within the Hydro easement. The temporary parking lot that served 1131 Teron Road would be removed and parking for the low-rise apartment building would be provided in the new parking lot. A loading/delivery zone would be located at the westerly edge of the proposed building and would serve all the ground floor commercial units. A landscaped amenity area for residents would be provided near the intersection of Teron and March Roads.

The revised building retains many of the transitions and step-backs of the previously approved nine-storey building, but also attempts to square off and streamline the building footprint for efficiency and unit layout. The setbacks from the abutting residential development to the south that were established by the 2014 rezoning are unchanged in the new design approach. The revised proposal requires modifications to the zoning provisions that are currently in effect.

A minor adjustment to the interior side yard setback for 1131 Teron Road has been requested to allow the building envelope to be squared off on the north side.

DISCUSSION

Public consultation

Notification and public consultation were undertaken in accordance with the Public Notification and Consultation Policy approved by Council for Zoning By-law amendment applications.

Councillor Sudds held an open house on January 20, 2020 at the Mlacak Community Centre to discuss the proposed development with the community. Approximately 30 residents attended. During this meeting, display boards were available for viewing, the consultant team provided a presentation of the proposal and staff explained policy, process and next steps. The presentation was followed by a question and answer period.

Approximately 20 comments were submitted during the application review process. Two comments were submitted in support, with the remainder in opposition based on density, traffic, shadowing, loss of green space and site layout. Several of the comments expressed opposition to the development of a nine-storey building, which is already permitted by the current zoning.

The notification package mailed to nearby property owners included a summary of the Site Plan Control application for the three-storey apartment building at 1131 Teron Road and requested comments regarding that proposal. That site plan proposal complies with current zoning provisions, so the public comments regarding the Site Plan Control application are not included in this report.

For this proposal's consultation details, see Document 7 of this report.

Official Plan designation

The site is located within the General Urban Area designation as shown on Schedule B of the City's Official Plan. This designation permits a full range of housing types to suit all life circumstances, together with commercial, institutional and recreation uses.

The proposed development conforms to the Official Plan policies for the General Urban Area designation by proposing residential uses that will contribute to the provision of a full range and choice of housing types in the community. Furthermore, the ground floor commercial uses will contribute to a mix of on-site uses and provide services to the surrounding residential neighbourhood and nearby business park, thus helping to create a complete community.

Other applicable policies and guidelines

Section 2.2.2 - Managing Growth Within the Urban Area

This section directs where growth will occur and supports opportunities for intensification by recognizing that residential areas will continue to mature and evolve. Growth will be directed to areas where infrastructure and services already exist, and infill and redevelopment will be compatible with the existing context or planned function of the area. Consideration of the surrounding area's character is a factor in determining compatibility within a community. All intensification will occur in accordance with the provisions of Section 2.5.1 and 4.11, dealing with matters of urban design and compatibility.

Section 2.5.1 - Designing Ottawa

Tools and design objectives for new development are provided in this section to guide compatibility and a high quality of design. These design objectives include enhancing the sense of community; defining quality public and private spaces through development and ensuring that new development respects the character of existing areas.

Section 4.11 - Urban Design and Compatibility

New development is reviewed and evaluated using the policies of this section, which address urban design and compatibility. These aspects of urban design and compatibility include building profile and height, potential impacts, building transitions, and intensification within established neighbourhoods. The purpose of reviewing these design aspects is to ensure that new development is sensitive and compatible to the existing context while providing appropriate transitions between new and existing development.

Urban Design Review Panel

The application is not within a Design Priority Area and was therefore not subject to the Urban Design Review Panel process.

Planning Rationale

Official Plan Policies

This application has been reviewed under the consolidated Official Plan (2003) and amendments in effect from Official Plan Amendment 150 (OPA 150).

The site is designated as General Urban Area, which permits the development of a full range and choice of housing types to meet the needs of all ages, incomes and life circumstances. Residential intensification through infill should respond to the existing character to enhance desirable built form, while achieving a balance of housing types and tenures.

Section 2.2.2 of the Official Plan states that Intensification is to occur in town centres, mixed-used centres and lands in proximity to future or existing rapid transit stations.

The property is at the intersection of Teron Road and March Road, and this intersection is indicated on Schedule D of the Official Plan as the site of a future bus rapid transit station. The 2014 Zoning By-law amendment permitted a nine-storey mid-rise building on the property because it was an appropriate form of intensification on the periphery of the Beaverbrook community. The site had full access to urban services such as sewers and watermains and was within walking distance to a future transit station. It also facilitated a form of intensification that expanded the range of residential unit types available to serve a variety of demographic profiles. The current amendment, which seeks minor modifications to the building envelope, commercial uses on the ground floor and parking in the Hydro easement, also satisfies these policies.

Section 2.5.1 of the Official Plan provides policy direction for urban design and compatibility and Section 4.11 provides direction focused on compatibility through criteria such as setbacks, heights, transitions, orientation of entrances, and outdoor amenity areas.

Section 4.11 of the Official Plan addresses compatibility of new buildings with their surroundings and provides direction in evaluating rezoning proposals. Transition is an important design element when development with greater massing is proposed abutting established areas of low-rise development. Effective building height and massing transition can be accomplished through building setbacks and step-backs.

The 2014 rezoning of the site resulted in the implementation of Schedule 327, reflecting a building envelope that was specifically tailored to the building concept at the time. It included stepping of the building at both the north and south ends and extensive articulation along the Teron Road frontage and abutting the townhouses to the south. The new proposal responds to the constraint posed by the Hydro corridor with a unique building layout and design. The requested Zoning By-law amendment does not propose any increase in maximum building height, nor does it propose significantly more massing than what is currently permitted. The revised design replaces the building

façade of the 2014 concept with a simplified and efficient design with less articulation that continues to respect its surrounding context. The proposed development features equivalent setbacks and step-backs from the south lot line where the closest residential lots are located. The proposed development maintains the setbacks established by the original Schedule 327 and orients the principal façade and entrance of the building to the Teron Road street frontage. The proposed development has been designed to be compatible through a careful design that transitions from the one-story entrance along Teron Road and three-storey portion of the building closest to the Bethune Condominium units to the taller nine-storey portion of the building closest to the Teron Road/March Road intersection.

The intersection of arterial and collector roads, as is the case here, can serve as gateways into communities and are an appropriate location for a development featuring strong architectural design elements. The revised proposal features a corner design that orients the highest nine-storey portion of the building towards the intersection of Teron Road and March Road. A revised sun shadow study was undertaken to address the impact of the revised building envelope proposed. The additional height that replaces the former building is located at the north end of the site and is not close to any other development. The study concluded that the shadows from the larger nine-storey portion of the building fall towards Teron Road or the parking lot, not on nearby residential units, so there is no additional shadowing onto adjacent buildings resulting from the new building configuration.

New developments are to respect the privacy of outdoor amenity areas on adjacent lots. One of the 2014 zoning exception provisions prohibited balconies in the rear yard abutting the Bethune Condominium development and this provision remains in effect. All balconies will face Teron Road or March Road, addressing residents' concerns regarding potential loss of privacy.

Apart from compatibility of the building design, other aspects to be considered in evaluating a request for rezoning relate to access, traffic and infrastructure.

Access

The development proposes one access from March Road mainly to serve the commercial uses, and one from Teron Road intended for use by residents of the proposed building and the smaller apartment building at 1131 Teron Road. The access is located between the two buildings, away from adjacent development. Only a small segment of the access road from Teron Road is located along the southerly property

line, near the end wall of one Bethune Condominium townhouse unit. Privacy fencing will be installed along the southerly lot line abutting the Bethune Condominium to minimize any noise and light spillage onto neighbouring properties. The exact details of the landscaping and fencing will be determined at the time of the Site Plan Control application.

Traffic

Teron Road is designated as a Major Collector and meant to carry a high volume of traffic between minor collector roads and arterial roads. The property also has frontage on March Road, which is designated as an Arterial road and meant to carry the highest volume of traffic. Traffic generated by the proposed development has been evaluated by a Transportation Impact Assessment, which concluded that the existing road network is adequate to safely handle the anticipated traffic.

Although the Teron Road/Steacie Drive and Teron Road/March Road intersections may currently experience congestion at peak times, the capacity of the streets and nearby intersections can safely accommodate the additional traffic into the local road network. Any existing congestion is unrelated to this development application and will not be unduly exacerbated by the proposal. The addition of the commercial uses on the ground floor and minor modifications to the building envelope proposed by this application will have no significant impact on the traffic network. Although the exact site access locations will be finalized through the Site Plan Control process, the proposed alignment of the accesses from both Teron Road and March Road have been reviewed and found to be safe and appropriate. A southbound left turn lane from Teron Road into the site would be created as well as a new right-in, right-out access from March Road.

Infrastructure

An Assessment of Adequacy of Public Services was conducted in support of the rezoning application. The assessment concluded that the existing watermain system is capable of supplying water to meet average and peak hour demand while exceeding minimum required pressures, that fire flow demands for the proposed development can be supplied through existing hydrants, that the existing sanitary sewer infrastructure has sufficient capacity to serve the proposed development and that the stormwater design conforms to all relevant City standards. Detailed servicing plans will be prepared at the time of the Site Plan Control application.

Proposed Zoning Details

As detailed in Document 2, the proposed Zoning By-law amendment will retain the Residential Fifth Density and Parks and Open Space split-zoning of the property and add new site-specific exceptions applicable to each zone. The following summarizes the planning rationale for each of the requested amendments.

Rezoning to General Mixed Use to permit commercial uses on ground floor

Although staff support the use of the ground floor of the building for commercial purposes, the proponent's request to rezone the site to General Mixed Use Zone (GM) is not supported. Staff are of the opinion that it is preferable to retain the existing residential R5 zoning to reflect the primary use of the building, while including certain commercial uses to complement the residential use. Therefore it is recommended that the R5A[2144]S327 zoning be retained and amended to permit a mixed-use building including the 900 square metres of commercial use that has been requested.

Because the General Mixed Use Zone permits a broad range of commercial uses, it is recommended that the permitted commercial uses be limited to the ones that are most compatible with residential use such as bank, office, medical facility, retail store, retail food store, convenience store, restaurant and restaurant take-out. The proposed commercial uses enhance the mix of services available on-site and in the surrounding neighbourhood, contributing to the creation of a more complete community. Given the site's location abutting an arterial road, and the orientation of the ground floor commercial uses toward the March Road frontage, the inclusion is appropriate and will not result in adverse impacts on the surrounding residential area. The City's Transit-Oriented Development Guidelines provide guidance for development within a 600 metre walking distance of a rapid transit stop or station and encourage a mix of uses to promote an active pedestrian environment

Revised Zoning Schedule

Staff support replacing the current Schedule 327 in the Zoning By-law with a new Schedule 327. The revised building envelope requested does not propose an increase in building height above the current nine storeys or propose a significant increase in massing from what is currently permitted. The revised design proposes a simplified and efficient design that complies with all existing setbacks and has more pronounced step-backs from the south lot line, where the closest residential lots are located. There is a one-storey portion of the building facing Teron Road and a stepping of three, five, seven and nine-storey portions of the building along the southerly lot line. The mid-rise

building's angled façade and stepped building height on three sides of the development presents a transition in height for the townhouses to the south and west, with the highest portion far enough to the north that the closest units are minimally impacted. The proposed development maintains the 7.5-metre setback along the southerly lot line and the six-metre setback from Teron Road, consistent with the minimum setbacks shown on Schedule 327 of the Zoning By-law. The primary change is a more streamlined, less articulated building footprint, elimination of the step-backs along the Teron Road elevation and at the north end of the building, with more height near the Teron Road/March Road intersection. The proposed development responds to the constraint posed by the Hydro corridor through a unique building layout and design.

Existing vegetation and new plantings along the street and near the southerly property line will help to increase the transition between the existing low-rise built form and the proposed mid-rise building. The new building envelope proposed will be implemented by replacing the current Schedule 327 in the Zoning By-law with a new Schedule 327. The northerly side yard setback on the schedule that is applicable to the three-storey apartment building at 1131 Teron Road will be slightly reduced to allow squaring off the building envelope. Other setbacks and height are unaffected.

Reduction of required parking for certain commercial uses

Staff support the reduction of the parking rate for certain commercial purposes. The revised concept for the building includes approximately 900 square metres of ground floor commercial uses such as bank, retail, medical facility, personal service business and restaurant, although the exact tenancy has not been determined. The Zoning By-law currently requires 3.4 spaces per 100 square metres of gross floor area for several typical commercial uses including convenience stores, personal service businesses, retail stores, and retail food stores. However, the minimum required parking rate is higher for other commercial uses such as restaurants (10 spaces/100 square metres), restaurant - take out (five spaces/100 square metres) and medical facility (four spaces/100 square metres). In order to provide flexibility for the commercial tenancies and certainty for provision of parking, it is recommended that a fixed parking rate of 3.4 spaces per 100 square metres of gross floor area be implemented for all commercial uses. Because the businesses will primarily serve residents of the building and those living nearby, there will be a large customer base within walking and cycling distance. The site will also be close to the future rapid transit station. The requested relief from parking rates is in line with City directives to minimize car dependency and promote increased usage of walking, cycling and transit.

Loading space in required front yard

Staff support permitting a loading space within a required front yard, with a setback of 4.7 metres from the Teron Road lot line. Although the Zoning By-law requires that the loading space not be located within the required nine-metre front yard, the loading space for the commercial units on the ground floor of the building is proposed to be located at the western edge of the building, 4.7 metres from the Teron Road lot line. It is preferred that servicing and loading areas be integrated into the base of a building where possible, and although it is not within the building, this is the optimum location. The loading space occupies only a small portion of the frontage and will not have its access from Teron Road. Because access to the loading space is provided from March Road through the parking lot, it is possible to provide extensive landscaping along the Teron Road frontage to screen the loading area. In addition, large shrubs in the townhouse development on the opposite side of Teron Road provide a visual buffer between the proposed loading area and the nearest residential properties. Appropriate screening for the loading area will be determined at the Site Plan approval stage, including the installation of an opaque fence and landscaping.

Reduction of a segment of landscaped buffer

Staff support reduction in width of a landscaped buffer around a parking lot for a segment of the buffer along the south property line. The Zoning By-law requires a minimum landscaped buffer width of three metres for a parking lot containing 100 or more spaces and the provision also applies to a driveway providing access to a parking lot. A small segment of the proposed access driveway has a pinch point between the building and the southerly lot line, where a buffer strip of only 1.8 metres can be provided. This condition is a result of site constraints requiring the access road to be located as far from the Teron Road/Steacie Drive intersection as possible and the Hydro corridor creating a limited building envelope. Wood screen fencing will be provided along the southerly lot line. Because the affected segment is next to the side yard of the closest townhouse unit, rather than a rear yard, the proposed reduction has minimal impact on the adjacent property. The proposed development provides the required three-metre wide landscaped strips around the parking lot in all other locations.

Projection of underground garage and air intake pipe

Staff support allowing the wall of the underground parking garage to extend 0.5 metres above ground and for the underground garage's air intake pipe to be in a required yard. Although the Zoning By-law allows an underground parking garage to extend up to the

lot line, any above-ground portion of the structure must satisfy setback requirements. The provision would provide flexibility for a potential lot grading situation if a small portion of the underground garage would be slightly above-ground. It also allows an air intake pipe for the garage to be located close to the front lot line. Any garage projections and equipment would be attractively landscaped with details to be determined at the site plan stage.

Permit parking in O1[2143] Zone

Staff have no concerns with permitting surface parking in the portion of the property affected by the Hydro easement. Although this area was intended to be used as amenity space in the 2014 concept, the new proposal eliminates much of the underground parking, so more surface parking is needed. The amenity area for the development would be provided closer to the Teron Road/March Road intersection and is acceptable as usable and enough amenity space. The Hydro corridor along March Road significantly limits the buildable envelope of the site, so provision of parking within the Hydro easement makes efficient use of the non-buildable portion of the property. Because the parking lot would be adjacent to the Bethune townhouse condominium's communal open space rather than any residential units, it has minimal impact on the townhouses closest to the southerly lot line. The primary access to the parking lot would be from March Road, minimizing traffic impact on Teron Road. Landscaping along March Road together with a combination of landscaping and fencing along the southerly lot line adjacent to the townhouse development would be provided. Details of landscaping and fencing would be determined at the Site Plan Control stage. Because the entire property is one lot for by-law purposes, parking is currently allowed in the O1[2143] portion of the lot without a Zoning By-law amendment. Nevertheless, it is being included in the new exception provisions for clarification.

The department supports the proposed Zoning By-law amendment and is of the opinion that the proposal is consistent with the intent of the By-law and represents appropriate intensification that is compatible with its surroundings. The proposed development contributes to a diversity of housing choices and mix of uses in the Beaverbrook community and satisfies the City's urban design and compatibility criteria established in the Official Plan.

Provincial Policy Statement

Staff have reviewed this proposal and have determined that it is consistent with the 2014 and 2020 Provincial Policy Statements.

RURAL IMPLICATIONS

There are no rural implications associated with this report.

COMMENTS BY THE WARD COUNCILLOR

Councillor Sudds is aware of the report and recommendation.

LEGAL IMPLICATIONS

Should the recommendations be adopted and the resulting zoning by-law be appealed to the Local Planning Appeal Tribunal, it is anticipated that a two day hearing will result. It is anticipated that this hearing can be conducted within staff resources. In the event that the zoning application is refused, reasons must be provided. Should there be an appeal of the refusal, it would be necessary to retain an external planner

RISK MANAGEMENT IMPLICATIONS

There are no risk implications.

ASSET MANAGEMENT IMPLICATIONS

There are no asset management implications associated with the recommendations of this report.

FINANCIAL IMPLICATIONS

There are no direct financial implications associated with the report recommendations. In the event that the zoning application is refused and appealed, an external planner would be retained. This expense would be absorbed from within Planning, Infrastructure and Economic Development's operating budget.

ACCESSIBILITY IMPACTS

The proposed building will be required to meet the accessibility criteria contained within the Ontario Building Code. The *Accessibility for Ontarians with Disabilities Act* requirements for site design will also apply and will be reviewed through the Site Plan Control process.

ENVIRONMENTAL IMPLICATIONS

There are no environmental implications.

TERM OF COUNCIL PRIORITIES

This project addresses the following Term of Council Priorities:

- Economic Growth and Diversification
- Thriving Communities

APPLICATION PROCESS TIMELINE STATUS

This application (Development Application Number: D02-02-19-0137) was not processed by the "On Time Decision Date" established for the processing of Zoning By-law Amendment applications due to the time taken for issue resolution.

SUPPORTING DOCUMENTATION

Document 1	Location Plan
Document 2	Details of Recommended Zoning
Document 3	Zoning Schedule
Document 4	Concept Site Plan
Document 5	Proposed Renderings
Document 6	View from Teron Road
Document 7	Consultation Details

CONCLUSION

The Planning, Infrastructure and Economic Development Department supports the proposed Zoning By-law amendment. The proposed Zoning By-law amendment supports the direction of the Official Plan by introducing modest intensification and expanding the range of commercial services in the community. Staff are satisfied that the proposed design modifications and use of step-backs provide for appropriate transitioning from the adjacent development and will contribute to a positive urban design experience. The proposed development will also contribute to ensuring provision of a full range and choice of housing types in the community. Furthermore, staff have assessed the availability of the existing municipal servicing infrastructure and road network to support the intended uses and have not identified any concerns. The

proposal represents good planning and staff recommend approval of the proposed Zoning By-law amendment.

DISPOSITION

Office of the City Clerk, Council and Committee Services to notify the owner; applicant; Ottawa Scene Canada Signs, 415 Legget Drive, Kanata, ON K2K 3R1; Krista O'Brien, Program Manager, Tax Billing and Control, Finance Services Department (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 Plan


For an interactive Zoning map of Ottawa visit geoOttawa

The plan shows the property being rezoned, which is located at the southwest corner of Teron Road and March Road.



	
D02-02-19-0137	20-0712-D
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REVISION / REVISION - 2020 / 09 / 23	

LOCATION MAP / PLAN DE LOCALISATION	
1151, 1131 ch. Teron Road	
	Area / secteur A zoned / zonée R5A[2144]S237 Area / secteur B zoned / zonée O1[2143]
	Existing Flood Plain (Section 58) / Plaine inondable (Article 58)



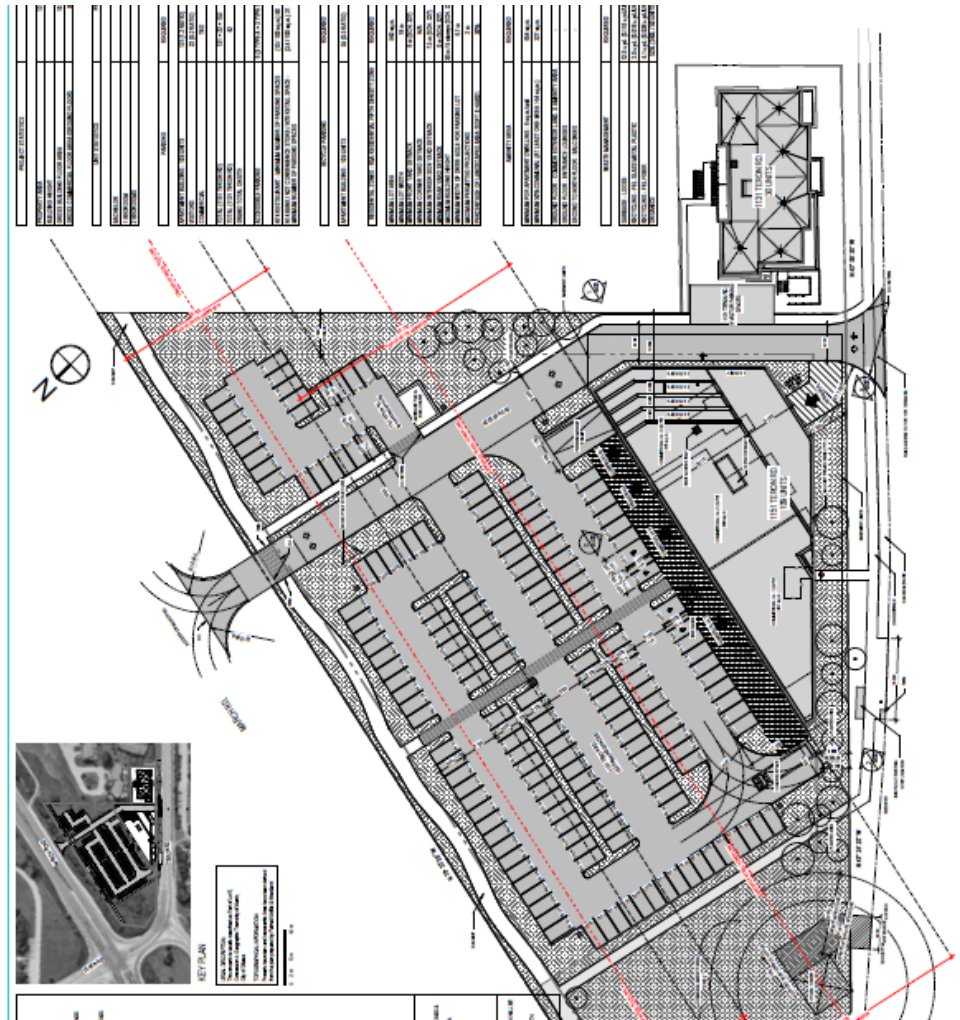
Document 2 – Details of Recommended Zoning

The proposed change to the City of Ottawa Zoning By-law No. 2008-250 for 1131 and 1151 Teron Road:

1. Revise Exception 2143 of Section 239 - Urban Exceptions as follows:
 - (a) In Column V, add provisions similar in effect to the following:
 - a. Parking accessory to the buildings at 1131 and 1151 Teron Road is permitted.
2. Revise Exception 2144 of Section 239 - Urban Exceptions as follows:
 - (b) In Column V, add provisions similar in effect to the following:
 - A mixed-use building is permitted and is to be treated as an apartment building mid-rise for the purposes of applying zoning;
 - The following commercial uses are permitted:
 - Bank
 - Bank Machine
 - Convenience store
 - Medical Facility
 - Office
 - Personal service business
 - Post office
 - Restaurant
 - Restaurant-take-out
 - Retail store
 - Retail food store
 - Service and repair shop

- The commercial uses may only be located on the ground floor of the building, and have a maximum gross floor area of 900 square metres;
 - The applicable parking rate for commercial uses is 3.4 spaces per 100 square metres of gross floor area or the amount required under Section 101, whichever is less;
 - Despite the provisions of Table 113B, a loading space may be located in a required front yard, provided it is 4.7 metres from the front lot line;
 - The three-metre landscaped buffer strip required under Table 110 for a parking lot containing more than 100 parking spaces may be reduced to 1.8 metres for the segment between the building and the south property line;
 - The wall of an underground parking garage may extend 0.5 metres above grade in any required yard; and
 - Despite Table 65(8)(a), an air intake pipe for an underground parking garage may project no closer than 0.2 metres to a lot line in any required yard.
3. Schedule 327 in Part 17 - Schedules is revised by replacing it with Document 3.

Document 4 – Concept Site Plan



Document 5 – Proposed Renderings

The views of the building from Teron Road and March Road are shown.



View from Teron Road



View from March Road

Document 6 – View from Teron Road

The view of the building looking north on Teron Road is shown.



Document 7 – Consultation Details

Notification and Consultation Process

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

Councillor Sudds held an open house on January 20, 2020 at the Mlacak Community Centre to discuss the development with the community. Approximately 30 residents attended. During this meeting, display boards were available for viewing, the consultant team provided a presentation of the proposal and staff explained policy, process and next steps. The presentation was followed by a question and answer period.

Approximately 20 comments were submitted during the application review process. Few comments were submitted in support, with the majority in opposition based on height and density, traffic, sun shadowing and design. Many of the comments expressed opposition to the development of a nine-storey building, which is already permitted by the current zoning.

The notification package mailed to property owners also included a summary of the Site Plan Control application for the three-storey apartment building proposed for the neighbouring property at 1131 Teron Road and requested comments regarding that proposal. That site plan proposal complies with all current zoning provisions, so any public comments regarding the Site Plan Control application are not included in this report.

Public Comments and Responses

Concern:

Proposed Height and Massing

- The building is too high; it should not be more than three storeys.
- The apartment building is not compatible with two-storey townhouses in the surrounding neighbourhood.
- The building is too large for the site and is being squeezed into the space between Teron Road and the Hydro easements.

Response:

The current zoning already allows a mid-rise apartment building of nine storeys in height. This application seeks to streamline the articulated shape of the building and allow nine storeys rather than a series of step-backs at the northern end of the building, while retaining the step-backs at the south end abutting the townhouse development. The height of the proposed development is in keeping with the intent of the Official Plan and through the transitioning of building heights at the southerly end of the building, moves the massing away from the nearby low-rise development. The proposal capitalizes on an intensification opportunity by developing an underutilized site with new housing in an area where services and infrastructure are available.

Concern:

Beaverbrook was designed as a "Garden City" and it is inappropriate to approve a development that is not compatible with the Beaverbrook character.

Response:

Given the site's location on the periphery of the community, adjacent to employment areas and on a major arterial, the property is suited for higher density development. The proposed Zoning By-law amendment has been evaluated according to current planning documents that have been approved by Council and are in effect today. The proposal is compatible with planning policies in effect.

Concern:

Loss of privacy

- Balconies should not be allowed on the south side of the building because it will cause a loss of privacy for adjacent units in the Bethune Condominium.
- The new plan appears to show large windows on the south face of the building overlooking the Bethune condominium. This should not be allowed.

Response:

The current zoning provisions prohibit balconies in the rear yard of the building closest to the Bethune Condominium and this exception would remain in effect. In addition, the minimum setback of 7.5 metres from the southerly lot line that was established by the 2014 rezoning will be maintained, as will the three-storey height for the portion of the building closest to Bethune Condominium units. These measures reduce impact of the

new building on the nearby units and their private amenity areas. Window placement is not within the scope of the Zoning By-law.

Concern:

Light Pollution

- There will be nuisance from light spilling out of the building's windows, vehicle headlights and parking lot lights. All these sources of light must be screened.
- There will be headlight glare at night as cars using the Teron Road access go past Bethune Condominium townhouses on their way to and from the parking lot.

Response:

A site lighting plan is a requirement of the Site Plan Control application and was prepared by the applicant. It confirms that there will be minimal spillage onto adjacent properties. Lighting specifications in effect for new developments permit only a minimal amount of light at the property line and require the use of full cut-off light fixtures in a parking lot, which ensure that light is cast downwards rather than out towards adjoining properties. Because the parking lot has direct access to March Road, a proportion of the traffic will use that rather than the Teron Road access. In addition, fencing and landscaping will provide screening along the southerly property line adjacent to the Bethune Condominium.

Concern:

This will cause a decrease in property values for nearby owners

Response:

There is no evidence that development applications and new construction adversely affect property values.

Concern:

Pedestrians will attempt to cut through the Bethune Condominium property. There must be a solid fence such as chain-link fence and cedar hedge to prevent pedestrians cutting through.

Response:

There is no destination that would encourage residents of the new building to short-cut through the Bethune Condominium. A combination of fencing and landscaping along the southerly property line next to the Bethune Condominium will be installed, preventing access.

Concern:

Increase in traffic

- An apartment building should not be allowed until the intersections of Steacie Drive/Teron Road and Teron Road/March Road have been redesigned.
- During morning and afternoon rush hours, traffic on Teron Road is sometimes backed up from March Road to Campeau Drive. Vehicles turning left from Steacie Drive onto Teron Road may wait up to 15 minutes to make the turn.
- Adding 100 apartments at the corner will make the congestion on Teron Road worse. A traffic light should be installed in front of the building.

Response:

A Transportation Impact Assessment was submitted in support of the proposed development and concluded that the adjacent road network can safely handle the anticipated traffic generated by the building. A southbound left turn lane from Teron Road into the site will be constructed, as well as a right-in, right-out access on March Road. A new sidewalk along the Teron Road and pathway along March Road through the Hydro easement will provide opportunity for pedestrians to travel safely through the area.

Although the Teron Road/Steacie Drive and Teron Road/March Road intersections may currently experience congestion at peak times, the capacity of the streets and nearby intersections can safely accommodate the additional traffic into the local road network. Any existing congestion is unrelated to this development application and will not be exacerbated by the proposal.

Concern:

Access road is close to neighbouring units

- The access road running between Teron Road and March Road will be used by

residents of the building, but also the public as a short-cut. This will increase traffic and noise for nearby residents.

- There will be continual revving of engines as cars go past Bethune Condominium townhouses on their way to and from the apartments or commercial uses.
- The reduction of the landscaped buffer strip from three to 1.8 meters should be rejected because it would have the road pass close to the adjacent house.

Response:

Fencing and landscaping will be installed along the southerly property line adjacent to the Bethune Condominium to provide screening. Only a very short segment of the road is close to the Bethune Condominium, because most of the access road is abutting the three-storey building at 1131 Teron Road. In addition, a site lighting plan is a standard Site Plan requirement, which must demonstrate that there will be minimal light spillage at the property line.

Concern:

Proposed parking lot in the Hydro easement

- A large parking lot will create nuisance for neighbours from engine noise, light spillover, snow removal noise and exhaust fumes.
- Most rental mid-rise and high-rise rental apartment buildings in Kanata have surface parking for visitors but tenants park underground. Just because this site has lots of space for surface parking doesn't mean it should be allowed.
- This parking lot must have adequate landscaping around it, especially next to Bethune Condominium.

Response:

The current zoning of the property permits parking within the Hydro easement. The parking lot would be located along March Road, away from the nearest residential unit and is abutting communal open space in the Bethune Condominium. The parking lot will be extensively landscaped along the southerly property line, minimizing any adverse impacts.

Concern:

Parking reduction for some commercial uses

- Changes in parking requirements for restaurants should not be approved. Kanata restaurants are busiest at noon when workers drive from their offices.
- There is not enough visitor parking for the apartment building, which will cause overflow affecting Bethune Condominium, Steacie Drive and the mall nearby.

Response:

Parking provided for the residential portion of the building satisfies by-law requirements for both residents' and visitors' parking spaces. In addition, the parking rate of 3.4 spaces per 100 square metres applicable to most commercial uses will be satisfied. The reduction for restaurants and medical facilities is appropriate due to the large customer base in the building or within walking or cycling distance. The requested parking reduction is in line with City directives to minimize car dependency and promote increased usage of walking, cycling and transit.

Concern:

Building Design

- The site marks the gateway from the north to the Beaverbrook community. The northern prow of the building should step down to seven storeys, extend to the line of double balconies near the west end of the building and be a curved bay clad in high quality material.
- The building material should be brick except the very upper floors. Rather than rise straight from ground to top, the top two floors should be set slightly set back.
- The look of the building will dominate the view, so it must look good.

Response:

The gateway aspect of the Teron Road/March Road intersection makes this corner an appropriate location for a taller building. The tallest portion of the building will be oriented to that corner, both as a focal point and to keep height away from low rise residential use to the south. The building design and materials will be evaluated at the time of the Site Plan Control process.

Concern:

Proper bicycle storage areas need to be provided for the residents and commercial tenants.

Response: Bicycle parking in accordance with by-law requirements will be provided

Concern: Existing servicing infrastructure is not adequate to service proposed use.

Response:

An Adequacy of Public Services Assessment was prepared in support of the rezoning application and staff have confirmed that the existing watermain, sanitary sewer and storm sewer infrastructure have sufficient capacity to handle the demands of the proposed development.

Concern:

The building will be occupied by renters rather than owners, so there will be more noise, nuisance and crime.

Response:

Tenure of a building is not a factor in the evaluation of development applications.

Concern:

There will be noise, dust, vibration, contractors' traffic and other nuisances during construction.

Response:

Construction activities are regulated by By-laws concerning allowable hours of work, requirements for dust control and permitted noise levels. Although some nuisance is to be expected when a new development is under construction, activities must fall within the allowable guidelines.

Community Organization Comments and Responses

Below are the comments from the Kanata Beaverbrook Community Association (KBCA) regarding a Zoning By-law amendment to change 1151 Teron from Residential to Mixed (Residential Commercial). The KBCA was involved in the 2014 rezoning and has

worked with concerned community groups, primarily those impacted in the Bethune Condominium adjacent to the property.

Rezoning to include commercial uses on first floor

While in principle we do not see an issue with first floor commercial, there is concern if this will be used for purposes that will result in high traffic in and out of the building, particularly in rush hour. It is our understanding that the developer is seeking professional services, such as doctors or dentists, which would be desirable and appropriate.

Privacy and other disruptions for adjacent homes

The principal concerns, as expressed in the submissions by community members for the current and previous submission, are the impact on immediately adjacent homes and the Bethune Condominium as a whole.

While much of this is related to the Site Plan, there are key aspects to the building on overlook that need to be addressed as part of the building envelope and specifications on the building. Overlook by the revised south-facing windows for 1151 Teron where the building rendering in the proposal shows some balconies and the application does discuss tall windows. It should be a requirement that the building have windows no lower than waist height and preferably higher. Width of the windows are not an issue.

While again mainly Site Plan issues, the location of the buildings, setbacks etc. in the zoning need to address the following issues:

- The addition of the March Road exit/entrance and conversion of the formerly primarily underground parking to primarily above ground parking, under the Hydro lines poses a number of potentially disruptive features.
- Reduced setback from the south lot line abutting the Bethune Condo property.
- Potential light pollution from parking lot lighting.
- Noise and headlight sweep from vehicles entering the parking lot from March Road South at night and general vehicle traffic in the parking lot. While there has been call for vegetation for screening and noise, it is the KBCA's understanding that a solid noise barrier will be the only effective solution in the minimal buffer space being provided (e.g. three metres).

In addition, there are concerns of trespassing due to the current lack of demarcation between the Bethune Condo property, City park and right-of-way.

Traffic, Entrances and Exits

A major concern in both the current and previous development applications is the addition of additional traffic, particularly in rush hour onto northbound Teron Road.

The solution of providing a March Road southbound exit/entrance will go some way to alleviating entry to the property from workers in the Kanata North high tech park in the evening and southbound traffic in the morning as well as avoiding large commercial vehicle traffic on Teron Road.

The proposed March Road exit/entrance must be designed to provide a sufficiently long extra lane to allow safe slowing (and queuing) to exit March Road and to allow time to accelerate to traffic speed to enter March Road going south. Without an extra lane or if it is insufficiently long, it will become a safety hazard and its use will be diminished, pushing additional traffic onto Teron Road.

An issue that must be resolved is to minimize or eliminate drive-through traffic from Teron Road to March Road via the new March entrance/exit. However, this will still add a non-trivial amount of additional traffic for an entrance/exit onto Teron Road for what the City has recognized as a "failed intersection" (Steacie/Teron/March), for which the City's current requirement of only using old traffic data is frankly insufficient given the known increase of 68% in the number of housing units planned for the next 10 years in Kanata North.

Additional Community Organization Comments

Note: This document is a supplement to the Kanata Beaverbrook Community Association's previous submission and those of the community and does not cover all concerns with the applications (e.g. need for barriers to light and noise adjacent to the Bethune units).

Based on information presented at the January 20, 2020 Public Meeting by the applicant and verbal community feedback on the rezoning application for 1151 Teron Road, the KBCA has consulted with Dennis Jacobs of Momentum Planning, who has provided feedback to the KBCA on these applications.

The KBCA/Beaverbrook community are not prepared to support the rezoning/conceptual site plan for 1151 Teron without these issues being addressed.

The 1151 rezoning application to change the 2014 zoning to General Mixed Use (GM) (commercial/residential) from residential, is recognized as being in keeping with Professional Planning principles and the City of Ottawa Official Plan. However, the conceptual site plan presented in the application for "Phase 2" development of 1151 Teron raises issues that need to be considered within both the rezoning and site plan consideration. The following issues impact noise, light pollution & snow melt runoff for Bethune Corp homes/units.

The size and location of surface vs. underground parking.

It is noted that the use of the designated O1 (open space) in the current zoning with the O1 (2143) designation almost entirely for surface vs. underground parking is inconsistent with the O1 permitted uses in general and the O1 [2143] exceptions for this property. However, as our Planner, Dennis Jacobs, has pointed out, it's unclear on the future of the O1 designation in the existing zoning for the entire property parcel in light of rezoning request for GM (General Mixed Use).

1151 Teron Conceptual Site Plan

There are several issues with the conceptual Site Plan:

a) Assumed approval by Hydro One for surface parking

While the developer has had verbal conversations with Hydro One on allowing surface parking (regardless of the City Official Plan issues, below), it has been the experience of Marianne Wilkinson, the KBCA and other City and Community organizations across Ottawa that Hydro One frequently changes their mind on their own timetable as to what is or is not permitted. The KBCA would recommend a signed agreement with Hydro One.

b) Assumed approval by the City of Ottawa for a March Road South bound exit/entrance

The entrance/exit Southbound on March road had been suggested in the past, where the informal reaction of the City or Ottawa was it was too close to the traffic light intersection at Teron/March Rd.

It's not clear to the KBCA that the City is prepared to approve this modification to March Rd. nor what the conditions would be to make this a safe exit/entrance point given the traffic volume at peak periods during the day and actual (vs. posted) speeds (e.g. 80kph vs. 100kph+) at the proposed location.

c) Surface vs. Underground parking and use of the 1151 to Bethune Condo property buffer zone.

The current proposal from the developer for parking is radically different than the 2014 application. The 2014 application (D02-02-12-0041) conceptual Site Plan for which the O1 designation was created for under the Hydro wires specified 185 parking spaces, of which 172 were underground and 13 surface spots as visitor parking. This included underground parking for both the three storey and nine storey buildings.

The currently plan calls for 229 parking spots (increased due to more rental units, plus commercial customer parking) of which 186 are surface parking and only 46 underground.

There are several problems with this proposal, most likely driven by development costs and by Hydro One refusing allow underground parking which is under the Hydro easement (as it is “construction”, despite no known plans by Hydro One to use underground for any purpose).

Surface parking in the current zoning is inconsistent with the City of Ottawa’s definition of the permitted uses for O1 zoning, including the [2143] exception as currently applies to this property lot (see Appendix on Parking and O1 zoning later in this document)

The major issues here for the Bethune Condo residents are the potential for substantial noise from snow removal during Winter, traffic noise at all hours and light pollution from parking lot lighting and “swinging” headlights using the exit from March Rd and navigating within the parking lot.

The Bethune Condo residents have made it clear that while some surface parking is acceptable, the current scale of surface vs. underground parking, including the large amount of use of the buffer area abutting the Bethune Condo property for garbage, snow storage and parking is unacceptable and will result in objections on the re-zoning if not addressed.

Bethune Condominium Board of Directors’ Comments

(1) Based on 5 years of experience on the Board of Directors of Bethune Condominium (President since July 2019) and extensive informal contact with residents I believe that the attached document is an accurate reflection of the concerns of our community of 127 townhomes and over 250 residents. I expect these concerns to

become more intense as residents become fully aware of the implications of the proposal.

- (2) Zoning decisions need to provide Council with an effective means of managing development. This means that they should be recognized by developers as settled decision, not merely opening positions in a long-term bargaining process that waters them down through successive applications for rezoning. Council has a role in upholding this principle by requiring developers to support rezoning applications with clear evidence in the form of changing demographics, business conditions or other relevant circumstances that would have resulted in a different zoning decision to start with. In the case of this rezoning application, the developer needs to demonstrate that material changes have occurred since the 2014 decision, only 6 years ago, that warrant the changes being proposed. In my opinion, the developer's materials available on the City website do not do this, consisting instead of detailed descriptive information that does not address the considerations that led to the 2014 decision.
- (3) If affected neighborhoods are expected to be supportive of rezoning changes, they need to see the developer's evidence and arguments along with a public interest-based justification from Council for its decision. The materials available on the City of Ottawa site do not, in my opinion, convincingly demonstrate that the rezoning application meets the general Ontario land use policy objective of "enhancing quality of life." (cited, 2014 Holtzman study). In order to do this, they need to respond to the range of concerns raised by immediately adjacent residents in the attached document. Central among these concerns, highlighted in the attached, are: (a) privacy impacts, (b) change in character from park to parking lot, and (c) traffic flow impacts on Teron Road, which is already extremely congested during high volume morning and late afternoon traffic to local hi-tech companies.

As a resident and member of the Board of Directors in the neighbouring Bethune Condominium I am concerned that the 2014 zoning is up for amendment. Here are the main issues that I observe with this respect to this application:

PRIVACY

Overlook from the nine-storey building: The new site plan appears to show floor-to-ceiling windows on the south face. This is a major change from the 2014 site plan where that developer agreed the goal to protect the privacy of people in Bethune and Gingras Courts.

Pedestrian intrusion is also a foreseen problem, but no mitigating attempt is in the site plan. There needs to be a solid barrier to prevent pedestrian intrusion, ideally continuing up to the path near March Road as encouragement for people to go that way rather than cut through Bethune Condominium property. Preference would be a chain-link fence and a cedar hedge (see comment below about car headlights). Please note that all occupants in 1131 and 1151 Teron will now be renters, not owners, so there is less likelihood of them feeling the need to be considerate neighbours. It would be entirely wrong to assume that the emphasis on solid barrier work is only another NIMBY community's desire to wall off the enemy. A reality check will show that Bethune Condominium's perimeters are uniquely fragile. The condominium has the largest green footprint of any condominium in the city. Bethune Condominium's private property is surrounded by city park land, so that the whole area melds into what looks like one big public park. The city, police services and community leaders worked together to largely mitigate the inherent problems over the years, but this new intensification at the north will cause genuine hardship to a vulnerable community.

This developer, as the earlier one, is keen to point to the precedent of existing large structures in Beaverbrook (100 Weeping Willow Lane, 2 The Parkway, and 960 Teron Road). What the developer intentionally ignores is the precedent that none of these buildings is in such close proximity to neighbours to generate the same level of overlook or shadowing as the two buildings already approved.

OVERALL PLAN

This has gone from underground parking and a park-like development under the hydro wires in the 2014 site plan to limited underground parking and a huge parking lot under the hydro wires and only a small open space adjacent to the noisy Teron-March intersection. Instead of a park as a neighbour as originally agreed, we will have a busy parking lot.

A change from an already high density of 96 units agreed to in 2014, to 109 units on the developable land would only exacerbate the well-known existing problems outlined here. The fact that the building can't be put under the hydro lines is not the community's problem. The previous developer had a (not perfect but) more agreeable solution for the neighbouring properties, and this developer can do a better job as well. The previous rezoning and site plan were based on underground parking. The current developer wants to move most of the parking above ground, creating in their mind the need for an access road through the property. The knock-on effects are significant, requiring a March Road access and reduced setback in order not to lose precious building footprint.

The need for parking is further compounded by adding units, increasing yet more the density on the property. Rather than reducing the setback, the developer can just make the building smaller, simple as that.

There is absolutely no rationale that requires the City to accept these requested changes that further degrade rather than enhance the 2014 site plan. The City's goal for intensification was already met and exceeded in the 2014 plan.

TRAFFIC

The 2014 traffic plan indicates a variety of problems but then amazingly says that all is OK. Turning southbound onto Teron from Bethune Way in traffic is a problem every workday morning. It is noted that this will be a problem for 1131 Teron as well. The fact that the traffic plan used as the basis of the 2014 rezoning agreement is flawed, and must be redone, simply confirms what the residents of this community have already known and repeatedly presented to city planners. Should a new traffic plan reconfigure the failed Steacie/Teron March Road intersection concurrent with the planned widening of March Road, the improvement in traffic flow will be negated by increased volume.

The proposed cycle route for cyclists going to the Kanata North Business Park, shown on the drawings on the north side of the site (adjacent to March Road) will not likely be used. By this method cyclists are expected to cross Teron onto Steacie, at this admittedly most critical point in the traffic flow. This would be extremely dangerous for the cyclists, and frustrating for drivers who already struggle with this intersection. But it is easy for the developer to draw a blue line on a map with a cyclist icon on it.

The site plan calls for a traffic entrance from Teron and one from March Road, routing traffic directly adjacent to Bethune condominium units. Opportunity to mitigate the resulting noise and light intrusion essentially disappears given the additional request to minimize the setback. The application for reduced setback should be rejected.

The March Road access also creates another problem that the proposed site plan does not address, which is car lights at night when turning into the 1151 access. This will be a constant annoyance to Bethune residents unless solid barrier work is put in place.

Directly addressing the requested amendments:

1) Rezoning to permit mixed use on the ground floor

No specific objection unless a restaurant is a permitted commercial use and the parking space rate amendment is also allowed (see below).

2) Revised minimum setback

The 2014 rezoning did not impose a restrictive and inefficient building envelope as the current developer would like you to believe. It was promoted by the developer at the time as anything but that, and the City (unfortunately for the community) agreed. The City cannot now accept the opposite argument. If the developer wants to discuss being imposed upon, have him live In Bethune Condominium and see a building approved where it doesn't belong. Regardless, the current owner bought the property in full knowledge of the approved 2014 site plan. The changes will result in more massing (the word 'significantly' is highly subjective) and does not (and never did) respect the surrounding context. This is highly misleading language that myself and other Bethune residents find quite objectionable.

As pointed out during comments regarding the initial rezoning, the developer's own sun-shadow study paints an alarming picture for the residents of Bethune and Gingras Courts. During the summer months the nine-storey tower will block late afternoon / evening sun from the back yards of Bethune and Gingras Courts. The original developer proposal carefully glossed over this issue. The City planner then ignored these facts which were clearly submitted in objections at the time (either didn't care, didn't have a protractor, or didn't comprehend the information that the sun / shadow drawings were providing). But the sun will still trace the same path and the buildings will still cast the same shadow.

Sadly, there is nothing that can now be done about the permitted building heights and locations which already grossly exceed the City guideline (OP section 4.11.2.d) of a 1:2 plane from the base of adjacent buildings. However, there is no need to compound the intrusion by allowing further changes to the site plan.

3) Commercial Parking Space Rate Reduction

No objection to the reduction if restaurants are excluded from permissible commercial use. If a restaurant is going to be allowed, then the rate should be 10 as per the standard requirement. For all we know the developer may already have a restaurant lined up for the space and this is simply a mechanism for getting around the existing restrictions. It is sheer speculation as to whether customers would walk or drive to any restaurant, so the argument about proximity to residential communities is not reasonable at all. The solution for the developer is to put more parking spaces underground.

4) Loading Space Dimensions and Location

No objection.

5) Minimum Landscaped Buffer Width Reduction

Yes, there is a problem due to the existing site constraints. Everyone knows this is an awkward lot on which to build such a large structure for so many units, but the new owners bought the land in this knowledge and now want to change the rules. However, the developer wants Bethune Condominium residents to be inconvenienced by their proposed solution, turning their problem into our problem. Saying that this can be “adequately mitigated through screening and / or landscaping” is highly subjective. I believe those mitigation efforts will not be effective even if forthcoming (which I doubt).

It is clear that in most cases the developer wants changes that will simply make more money, but in all these cases it's to the detriment of the community that is already being burdened by a building that is too big for the lot. The land was purchased by the current owners in full knowledge of the 2014 rezoning and site plan approval that already extracted huge concessions from the surrounding property. Now they want more. Can we please stop giving concession after concession to the developer only for them to make more money, when it's the long-term residents of Beaverbrook who will suffer.

Please note:

The 2014 approved site plan had significant greenspace. Now we have a parking lot.

The 2014 approved site plan had greenspace. Now we have an entrance from March Road to that parking lot.

The 2014 approved site plan had a treed buffer zone in the setbacks. Now we have a parking lot access road beside Bethune Court. The buffer zone is being shrunk, and the proposed trees will not likely survive in this very limited buffer zone. They will die and not be replaced.

The 2014 traffic study needs a re-do based on flaws previously identified by residents. The same consideration should be applied to the sun-shadow study.

Regardless of what is approved on this submission, I suspect that the developer will soon be in front of the tribunal seeking yet further concessions. Where does this stop? If

these arguments don't support rejection of the application for Site Plan amendments, then I would be interested to understand what arguments would have merit in your and the department's judgments. It takes only a few minutes to envision just how close these two buildings will be, and their impact on the community. Then push the envelope further with these unnecessary new requested amendments which are not needed for a successful build, but only to enhance the profit of the developer who bought the property with eyes open.

Response to Community Organization and Bethune Condominium Comments:

Staff understand the concerns of all residents, including those that reside directly south of the proposal. Many of the concerns are related to the current zoning or to Site Plan Control issues. The proposal meets the intent of the General Urban Area regarding intensification and compatibility in stable low-rise neighbourhoods. The reasons for support are outlined in the rationale of the staff report and responses to the concerns listed in the Kanata Beaverbrook Community Association and Bethune Condominium comments are provided in the individual comment topics above.