

**7. Zoning By-law Amendment - 745 Sir John A. MacDonald Parkway and 234 Atlantis Avenue**

**Modification du Règlement de zonage – 745, promenade Sir John A. MacDonald et 234, avenue Atlantis**

**Committee recommendation**

**That Council approve an amendment to Zoning By-law 2008-250 for 745 Sir John A. MacDonald Parkway and 234 Atlantis Avenue to permit the construction of a new beach pavilion and a new surface parking lot at Westboro Beach, as detailed in Document 2.**

**Recommandation du Comité**

**Que le Conseil approuve une modification du Règlement de zonage (n° 2008-250) pour le 745, promenade Sir-John-A.-MacDonald et le 234, avenue Atlantis afin de permettre la construction d'un nouveau pavillon de plage et d'un nouveau stationnement en surface à la plage Westboro, comme il est expliqué en détail dans le document 2.**

**Documentation/Documentation**

1. Report from the Acting Director, Planning Services, Planning, Real Estate and Economic Development Department, dated March 28, 2022 (ACS2022-PIE-PS-0026)

Rapport de la Directrice par intérim, Services de la planification, Direction générale de la planification, des biens immobiliers et du développement économique, daté le 28 mars 2022 (ACS2022-PIE-PS-0026)

2. Extract of draft Minutes, Planning Committee, April 14, 2022

Extrait de l'ébauche du procès-verbal du Comité de l'urbanisme, le 14 avril 2022

**1. That Planning Committee recommend Council approve an amendment to Zoning By-law 2008-250 for 745 Sir John A. MacDonald Parkway and 234**

Atlantis Avenue to permit the construction of a new beach pavilion and a new surface parking lot at Westboro Beach, 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 April 27, 2022," subject to submissions received between the publication of this report and the time of Council's decision.

## RECOMMANDATIONS DU RAPPORT

1. Que le Comité de l'urbanisme recommande au Conseil d'approuver une modification du Règlement de zonage (n° 2008-250) pour le 745, promenade Sir-John-A.-MacDonald et le 234, avenue Atlantis afin de permettre la construction d'un nouveau pavillon de plage et d'un nouveau stationnement en surface à la plage Westboro, comme il est expliqué en détail dans 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 27 avril 2022 », sous réserve des observations reçues entre le moment de la publication du présent rapport et la date à laquelle le Conseil rendra sa décision.

## 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**

745 Sir John A. MacDonald Parkway and 234 Atlantis Avenue

### **Owner**

National Capital Commission (NCC)

### **Applicant**

Andrew Sacret (NCC)

### **Description of site and surroundings**

The subject site is situated in the Westboro neighbourhood directly adjacent to the Ottawa River and the Sir John A. Macdonald Parkway. Westboro Beach is a component of the linear park system known as the Ottawa River South Shore Riverfront Park, which runs along the shoreline of the Ottawa River. South and east of the subject site are mainly residential land uses in the form of low-rise detached homes as well as mid to high-rise residential buildings. West of the site is the Ottawa River. North of the site is the Sir John A. McDonald Parkway and Ottawa River Pathway corridor. The site is within close proximity to two transit stations, Dominion Transitway Station to the west and Westboro Transitway Station to the east.

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

The property is currently zoned O1L[310]-h and OIL[2248]-h (Parks and Open Space Zone, Subzone L, Exceptions 310 and 2248, Holding). The "L" subzone introduces the marine facility use, in addition to the parent zone's permitted uses which are limited to environmental preserve and education area, park as well as urban agriculture. Exceptions 310 and 2248 introduced a variety of uses to the area, as well as some performance standards. The Holding symbol is to remain until the completion of a secondary planning process.

In addition to removing the Holding symbol, the proposed Zoning By-law amendment would introduce the following uses to the affected lands:

- Restaurant
- Restaurant -fast food

- Restaurant- full service
- Restaurant- take out
- Outdoor Commercial Patio
- Bar
- Place of assembly (for weddings, or conferences)
- Farmer/Artist Market
- Environmental preserve and education area
- Training centre
- Community centre
- Recreational and athletic facility
- Parking lot

In addition, a maximum height of 8 metres would be imposed, as well as a minimum distance of 25 metres from a parking lot to a residential zone.

### **Brief history of proposal**

The extension of the LRT Confederation West line will involve the use of NCC land. As part of an agreement between the City of Ottawa and the NCC for the use of these lands, the City has allocated \$30 million for a Parkland Improvement Fund within the Ottawa River South Shore Riverfront Park. Some of those funds have been budgeted for the redevelopment of Westboro Beach including the construction of the expansion of the beach pavilion facility, as well as the redevelopment of the Atlantis Yards.

## **DISCUSSION**

### **Public consultation**

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

The proposal is also related to the Ottawa River South Shore Riverfront Park Plan (ORSSRPP) by NCC, which included numerous public consultation opportunities.

During the circulation period for the Zoning By-law Amendment approximately 30 correspondences were received from members of the public, some in support, some in opposition. Those in opposition identified by-law enforcement, traffic/parking and trees/environment as areas of concern.

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

### **Official Plan designation(s)**

Applications must be evaluated against the [existing Official Plan](#) and must also include an evaluation of the application against the Council approved [new Official Plan](#) (and new Secondary Plan, where applicable).

In this current period, between Council approval of the New OP and the Minister's approval of the New OP, staff are to apply whichever provision, as between the Current and New OP, is more restrictive.

### **Current Official Plan**

According to Schedule B of the Official Plan, the property is designated Major Open Space, which intends to protect the larger open spaces in Ottawa that are to be generally available for public use and enjoyment. Associated activities such as sports, education, roads and small-scale commercial activities are also contemplated within the designation.

### **New Official Plan**

According to Schedule B2 – Inner Urban Transect in the New Official Plan, the property is designated Greenspace. It is further classified as Open Space on Schedule C12 – Urban Greenspace in the New Official Plan. The City intends on supporting improvements to such Open Space areas within proximity to Transit Stations.

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

The Richmond Road / Westboro Secondary Plan identifies this property as being adjacent to the Westboro Beach / Atlantis – Selby Planning Area Sector on Schedule A. While only a portion of the site is covered by this sector, policies include wording

seeking to “confirm the Atlantis-Selby lands as open space to provide both a local community and city-wide attraction”.

The wording contained within the Richmond Road / Westboro Secondary Plan remains unchanged within the new Official Plan document.

The NCC has completed the Ottawa Riverfront South Shore Riverfront Park Plan in 2018, which focuses on the linear parklands on the south shore of the Ottawa River outlining programming elements and a vision for each sector of the park system. The property in question is identified under Sector B: Node 2 – Westboro Beach of the ORSSRPP.

### **Heritage**

The James Strutt pavilion is listed on the City’s Heritage Register. Heritage Staff have reviewed the proposal and have no concerns with the heritage conversation approach for the pavilion.

### **Planning rationale**

The proposed rezoning would introduce a new site-specific exception to the affected area, which would introduce a variety of new uses in order to support the National Capital Commission (NCC)’s intent to revitalize Westboro Beach and make better use of Atlantis Yards. A new expanded 835 square meter beach pavilion will be constructed which will incorporate the existing structures into the design. Most of the parking will be moved from the west side of the Parkway to a new parking area at the Atlantis Yards site on the east side of the Parkway. The former parking area will be reprogrammed with new park elements including enhanced landscaping, garden features, a volleyball court, and a playground. The Holding symbol currently included in the site’s zoning would be removed.

### **Current Official Plan**

The property in question is designated Major Open Space under Schedule B of the current Official Plan, which is a designation that applies to large parks and open space corridors along the Ottawa and Rideau Rivers, and the Rideau Canal. Policies included within this designation strive to support the continuation of the use of these lands as being available for public use and enjoyment. Section 3.3.3 outlines activities and uses

which may be permitted within such areas. These uses are sport, recreation, leisure and cultural facilities, uses that involve scientific or educational study, roads and other necessary infrastructure, as well as small-scale commercial activities and institutional uses that contribute to the other previously listed uses.

Section 2.4.5 Greenspaces identifies Major Open Spaces as a key component of the Greenspace Network, which seeks to increase accessibility to greenspace throughout the City.

The proposed additional uses and subsequent development of the area conform to Official Plan policies through the reuse and enhancing of existing infrastructure, through the provision of safe and convenient access to the area by all modes of transportation, through the increase in park and recreation space, and through the preservation of existing heritage and cultural aspects of the site. Staff are of the opinion that the proposed Zoning By-law Amendment is in line with Official Plan policies.

#### New Official Plan

The property is designated Greenspace on Schedule B2 – Inner Urban Transect and Open Space on Schedule C12 – Urban Greenspace of the new Official Plan. Similar to the current Official Plan, the new Official Plan policies will strive to provide convenient and inclusive access to a variety of greenspaces throughout the City, particularly those within proximity to Transit Stations. Improvements to such facilities are to include the necessary amenities to support day use, including accessible washrooms and drinking water wherever possible, and may include small-scale commercial activities as ancillary or temporary uses.

Staff are of the opinion that the proposed Zoning By-law Amendment is in line with the new Official Plan's policies.

#### Secondary Plan - Richmond Road / Westboro Secondary Plan

The Richmond Road / Westboro Secondary Plan identifies this property as being adjacent to the Westboro Beach / Atlantis – Selby Planning Area Sector on Schedule A. While only a portion of the site is covered by this sector, policies include wording seeking to “confirm the Atlantis-Selby lands as open space to provide both a local community and city-wide attraction”.



Section 1.3.2 Greenspace Network Strategy identifies the National Capital Commission as the landowners having federal authority over the Atlantis-Selby lands. Policies included within this section speak to the confirmation of these lands as major components of the greenspace network strategy and gateway to the Ottawa River Parkway open space corridor, which includes discussions between the City, the NCC and the affected community groups. As will be discussed further in this report, the NCC has completed the Ottawa River South Shore Riverfront Park Plan (ORSSRPP) in 2018, therefore fulfilling its mandate in providing detailed land use planning of the Sir John A Macdonald Parkway open space corridor, including the subject lands, in a manner considered equivalent to the City's Secondary Planning process.

The wording contained within the Richmond Road / Westboro Secondary Plan remains unchanged within the new Official Plan document. Staff are of the opinion that the proposed Zoning By-law Amendment conforms to the Richmond Road / Westboro Secondary Plan.

#### Ottawa Riverfront South Shore Riverfront Park Plan

The current zoning on the property includes a holding provision, which is proposed to be removed through this Zoning By-law Amendment process. The holding provision states that the holding symbol may only be removed upon completion of the secondary planning process.

In 2018 the NCC has developed the Ottawa River South Shore Riverfront Park Plan (ORSSRPP), which focuses on the linear parklands on the south shore of the Ottawa River, including these lands. The development of this plan also included extensive public and stakeholder engagement which helped to inform the content and direction of the plan. Recommendations included in this plan consist of elements such as the relocation of the parking area away from the shoreline, retaining Westboro Beach's character and function while integrating commercial amenities accessory to the park, renovating the beachfront amenities and overall providing design improvements to the beach facility.

The Official Plan, under Section 2.5.6, identifies the requirements of a Secondary Planning Process, which includes elements such as public consultation requirements, contents, and final product. Staff are of the opinion that the ORSSRPP meets the

requirements of the Official Plan in terms of the Secondary Planning Process. The holding symbol may be lifted.

#### Federal Land Use Approval

While the NCC is not subject to the Site Plan Control process as a federal entity, before undertaking any activity on federal lands or buildings in the National Capital Region, proponents (including the NCC) must submit a Federal Land Use, Design and Transaction Application for NCC approval. The proposed project is on federal lands and will be subject to a review of the proposed alterations to the buildings and to the lands, as well as a review of the changes in use.

This project is currently in the detailed design phase. The Building Permit application was submitted on February 22, 2022. Tender Design is expected to be complete by March 2022 and construction is anticipated to begin in May 2022 (Westboro Beach Pavilion) and Summer 2022 (Atlantis Parking Lot). Detailed design will include sanitary, water, stormwater and grading details.

#### Zoning By-law

The property is currently zoned O1L[310]-h and OIL[2248]-h (Parks and Open Space Zone, Subzone L, Exceptions 310 and 2248, Holding). The "L" subzone introduces the marine facility use, in addition to the parent zone's permitted uses which are limited to environmental preservation and education area, park as well as urban agriculture. Exceptions 310 and 2248 introduced a variety of uses to the area (including such uses as cemetery, retirement home, hospital, correctional facility, restaurant, service and repair shop, etc.), as well as some performance standards.

The intention of the Open Space Zone is to permit parks, open space and related, and compatible uses and to ensure that the range of permitted uses and applicable regulations is in keeping with the low scale, low intensity open space nature of these lands.

In addition to removing the Holding symbol, the proposed Zoning By-law amendment would introduce uses such as a restaurant, bar, patio, place of assembly, farmer's market, environmental preserve, training centre, community centre, recreational facility and parking lot. The uses listed under Document 2 being exhaustive, some of the less desirable uses currently permitted on the site would be removed.

These uses are meant to represent the NCC's intended programming at the Westboro Beach and the proposed pavilion, as a place which is open to the community and community events. While the Westboro Beach is located in proximity to the Dominion Transitway Station and the Westboro Transitway Station, the parking area is required in order to accommodate visitors from across the City and with various needs. In developing the proposal, the NCC had considered various options in terms of the number of parking spaces to be made available to visitors. The number of parking spaces to be provided was reduced from the original amount in an attempt to balance the needs of visitors, without resulting in excessive spillover within the nearby community.

In addition, through discussions between staff and the applicant, provisions are proposed to be added to the site-specific exception which would impose a minimum separation distance of 25 metres between the proposed parking area and any residential zone, as well as a maximum height limit of 8 metres. This further meets the intent of the Zoning By-law in respecting the low scale nature of the surrounding areas.

The proposed uses are in line with the Official Plan policies for Open Spaces as they represent uses that would support these areas as being available for public use and enjoyment. These uses further support the intent of the Zoning By-law as they represent uses compatible with the planned function of the area.

### **Provincial Policy Statement**

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

### **RURAL IMPLICATIONS**

There are no rural implications associated with this report.

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

Councillor Leiper is aware of this application.

### **LEGAL IMPLICATIONS**

There are no legal implications associated with implementing the report recommendation.

## **RISK MANAGEMENT IMPLICATIONS**

There are no risk management implications associated with this report.

## **ASSET MANAGEMENT IMPLICATIONS**

There are no asset management implications associated with this report.

## **FINANCIAL IMPLICATIONS**

There are no direct financial implications.

## **ACCESSIBILITY IMPACTS**

There are no accessibility impacts associated with this Zoning By-law amendment report. Any Ontario Building Code or Accessibility for Ontarians with Disabilities Act (AODA) requirements for accessibility will be assessed and imposed at the building permit stage.

## **ENVIRONMENTAL IMPLICATIONS**

Phase I and Phase II Environmental Site Assessments (ESA) were conducted and concluded that all sample concentrations were either non-detect or were below applicable quality criteria.

## **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: D02-02-21-0059) was not processed by the "On Time Decision Date" established for the processing of Zoning By-law amendments due to exceptional workload volumes in addition to delays between submissions.

## **SUPPORTING DOCUMENTATION**

Document 1	Location Map
Document 2	Proposed Zoning By-law Amendment
Document 3	Consultation Details
Document 4	Concept Plan

## **CONCLUSION**

The Planning, Real Estate and Economic Development Department supports the application and proposed Zoning By-law Amendment. The proposal is consistent with the Official Plan policies in the Major Open Space designation as well as the policies contained in the Richmond Road / Westboro Secondary Plan. The proposed Zoning By-law amendment is appropriate for the site and maintains policy objectives. The amendment represents good planning and, for the reasons stated above, staff recommends approval of the Zoning By-law amendment.

## **DISPOSITION**

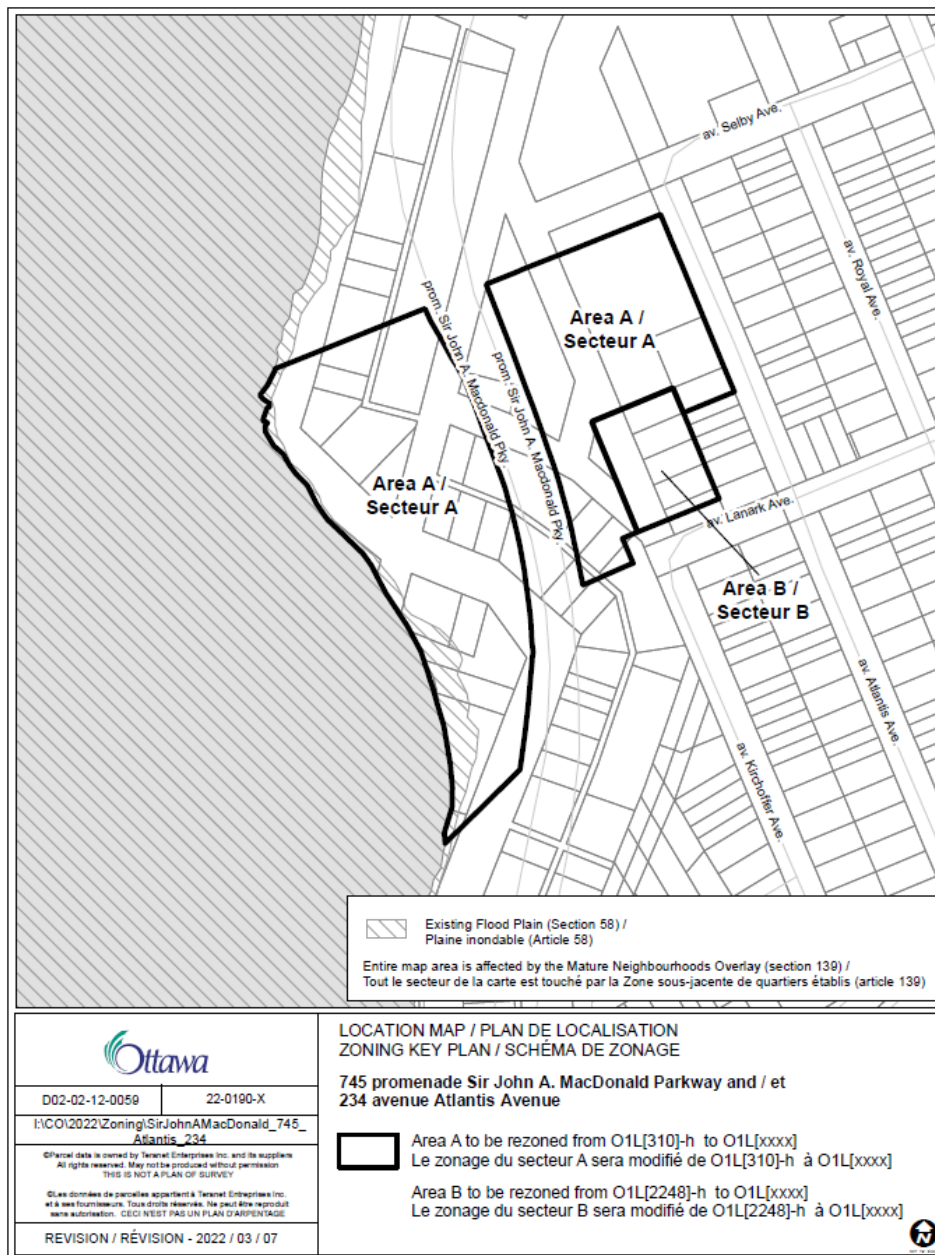
Office of the City Clerk, Council and Committee Services to notify the owner; applicant; Ottawa Scene Canada Signs, 13-1920 Merivale Road, Ottawa, ON K2G 1E8; Krista O'Brien, Program Manager, Tax Billing & Control, Finance Services Department (Mail Code: 26-76) of City Council's decision.

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 Map



[geoOttawa](https://www.geoottawa.ca)

The location map shows the two areas, on both sides of the Sir John A. MacDonald Parkway, which are subject to the rezoning application. The map also includes lot fabric in the immediate area, which is historical.

## Document 2 – Details of Recommended Zoning

The proposed change to the City of Ottawa Zoning By-law 2008-250 for 745 Sir John A. MacDonald Parkway and 234 Atlantis Avenue:

1. Rezone the lands shown in Document 1.
2. Add Exception [xxxx] in Section 239, Urban Exceptions, introducing provisions similar in effect to the following:
  - a. In Column II, Applicable Zoning, add the text "O1L[xxxx]"
  - b. In Column III, Additional Land Uses Permitted, add the following text:
    - i. Restaurant
    - ii. Restaurant -fast food
    - iii. Restaurant- full service
    - iv. Restaurant- take out
    - v. Outdoor Commercial Patio
    - vi. Bar
    - vii. Place of assembly
    - viii. Farmer/Artist Market
    - ix. Environmental preserve and education area
    - x. Training centre
    - xi. Community centre
    - xii. Recreational and athletic facility
    - xiii. Parking lot
  - c. In Column V, Provisions, add the following text:
    - i. Maximum building height: 8 metres
    - ii. Minimum distance between a parking lot and a residential zone: 25 metres.

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

#### **Notification and Consultation Process**

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

#### **Public Comments and Responses**

##### **Comment 1:**

The cumulative impacts on the environment and the community of the LRT construction at Dominion Station and this development need to be assessed. Westboro Beach is a tiny beach that is already over-populated and the surrounding ecosystem is already negatively impacted. The zoning request is inconsistent with community goals of nature preservation, conservation and increasing opportunity for the public to experience/enjoy undisturbed nature along the Ottawa River linear park. Please add a lot of trees.

##### **Staff Response:**

The intent of the NCC's proposal is to bring improvements to the beach area in an attempt to make it better suited for the wide variety of visitors it attracts. While some trees will need to be cut down in order to build the new parking area, the removal of the existing parking area to the west of the Parkway will serve to protect the riverfront ecosystem. An expansion of the sand areas on the shoreline would degrade aquatic habitat over the existing rocky and grassy areas, which is to remain.

##### **Comment 2:**

The current beach facilities are plagued with noise issues that are not enforced properly, in addition to vandalism and pollution issues. There are concerns that the proposed rezoning will make the area commercial, crowded, and noisy. We have a vested interest in maintaining the lifestyle of our community. We must tread lightly and keep our footprint at a minimum.

##### **Staff Response:**

It is recommended that By-law Enforcement Services is alerted by residents to any such issue when they occur.



Comment 3:

This is an opportunity to redesign and make this pavilion and surrounding area as inclusive to all people as possible. There are many kids in the area and low income households that have no access to some amenities. There should be a public outdoor basketball court in the summer and a public outdoor skating and ice hockey rink in the winter. The pavilion could be a place where people can rent skis, skates, and other winter equipment.

Staff Response:

These suggestions have been shared with the National Capital Commission.

Comment 4:

The new facilities will bring more vehicular traffic and parking on residential streets. This will negatively impact the safety and quality of life for residents. The LRT should be an incentive for people to leave their cars at home, thus not requiring a new parking lot. The LRT station is so close by. How can this parking lot be justified?

Staff Response:

While public transportation should be the first choice to those who have access to it, the variety of visitors the beach is meant to attract, both in terms of their mobility and their geographical location, means that vehicular traffic must be contemplated. The proposed parking area is meant to accommodate for visitor parking, while reducing the amount of spillover onto the surrounding residential streets.

