

**2. Zoning By-law Amendment – 2 and 20 Leikin Drive and 99 Bill Leathem Drive**

**Modification du Règlement de zonage – 2 et 20, promenade Leikin et 99, promenade Bill Leathem**

**Committee recommendation**

**That Council approve an amendment to Zoning By-law 2008-250 for 2 and 20 Leikin Drive and 99 Bill Leathem Drive to permit warehouse and truck transport terminal as additional uses in the Light Industrial Subzone 9 (IL9) zone, as detailed in Document 2.**

**Recommandation du Comité**

**Que le Conseil approuve une modification au Règlement de zonage 2008-250 visant les 2 et 20, promenade Leikin et le 99, promenade Bill Leathem, afin de permettre l'ajout d'un entrepôt et d'un terminal routier à la liste des utilisations supplémentaires dans la désignation de Zone d'industrie légère, sous-zone 9 (IL9), comme l'expose en détail le document 2.**

**Documentation/Documentation**

1. Report from the Director, Economic Development and Long Range Planning, Planning, Infrastructure and Economic Development Department, dated May 17, 2021 (ACS2021-PIE-EDP-0021)

Rapport du Directeur, Développement économique et planification à long terme, Direction générale de la planification, de l'infrastructure et du développement économique, daté le 17 mai 2021 (ACS2021-PIE-EDP-0021)

2. Extract of draft Minutes, Planning Committee, May 27, 2021

Extrait de l'ébauche du procès-verbal du Comité de l'urbanisme, le 27 mai 2021

**Report to  
Rapport au:**

**Planning Committee  
Comité de l'urbanisme  
27 May 2021 / 27 mai 2021**

**and Council  
et au Conseil  
9 June 2021 / 9 juin 2021**

**Submitted on 17 May 2021  
Soumis le 17 mai 2021**

**Submitted by  
Soumis par:  
Don Herweyer,  
Director / Directeur**

**Economic Development and Long Range Planning / Développement économique  
et planification à long terme**

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

**Contact Person / Personne ressource:**

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**Ward: GLOUCESTER-SOUTH  
NEPEAN (22) / GLOUCESTER-  
NEPEAN SUD (22)**

**File Number: ACS2021-PIE-EDP-0021**

**SUBJECT: Zoning By-law Amendment – 2 and 20 Leikin Drive and 99 Bill  
Leathem Drive**

**OBJET: Modification du Règlement de zonage – 2 et 20, promenade Leikin et  
99, promenade Bill Leathem**

## REPORT RECOMMENDATIONS

1. That Planning Committee recommend Council approve an amendment to Zoning By-law 2008-250 for 2 and 20 Leikin Drive and 99 Bill Leathem Drive to permit warehouse and truck transport terminal as additional uses in the Light Industrial Subzone 9 (IL9) zone, 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 June 9, 2021," subject to submissions received between the publication of this report and the time of Council's decision.

## RECOMMANDATIONS DU RAPPORT

1. Que le Comité de l'urbanisme recommande au Conseil d'approuver une modification au Règlement de zonage 2008-250 visant les 2 et 20, promenade Leikin et le 99, promenade Bill Leathem, afin de permettre l'ajout d'un entrepôt et d'un terminal routier à la liste des utilisations supplémentaires dans la désignation de Zone d'industrie légère, sous-zone 9 (IL9), 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 9 juin 2021 », 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 Recommendation**

Planning staff recommend approval of the Zoning By-law amendment at 2 and 20 Leikin Drive and 99 Bill Leatham Drive to permit warehouse and truck transport terminal as additional uses in the Light Industrial Subzone 9 (IL9) zone.

The zoning change aligns with applicable Official Plan policies for this area, including Section 2.2.3 (City-wide Employment Area Policies), Section 2.3.1 (Transportation – Movement of Goods), Section 3.6.5 (Urban Employment Area) and Section 4.8.6 (Land-Use Constraints Due to Airport and Aircraft Operations). The zoning change aligns with applicable Secondary Plan policies within the "Prestige Business Park" designation of the South Nepean 3 Secondary Plan.

### **Applicable Policy**

The following policies support this application:

Section 2.2.3 (City-wide Employment Area Policies) supports the protection of business and economic activity clusters at strategic locations close to major goods movement facilities and corridors.

Section 2.3.1 (Transportation – Movement of Goods) states that the City will minimize the impact of truck traffic on residential neighbourhoods caused by the presence of these vehicles and their noise, vibration and emissions by ensuring the availability of a comprehensive truck route network based on the arterial road system.

Section 3.6.5 (Urban Employment Area) seeks to ensure that, over the long term, sufficient areas of land are reserved primarily for places of business and economic activity.

Section 4.8.6 (Land-Use Constraints Due to Airport and Aircraft Operations) regulates land uses, building height and restricts wildlife near the airport that may interfere with airport operations. The policies encourage economic development and aviation-based shipping, industry and research to locate in proximity to the airport. The proposed warehouse and truck transport terminal uses are compatible and supportive of airport operations.

The "Prestige Business Park" designation of the South Nepean 3 Secondary Plan calls for up to 10,000 jobs in this Business Park, and warehousing is permitted by the

secondary plan policies.

### **Public Consultation/Input**

Councillor Carol Anne Meehan hosted a virtual open house on May 13, 2021, to discuss the proposed zoning change with the community. Approximately 163 individuals attended the meeting. Staff received written comments from 169 members of the public. Comments and concerns are summarized in the report and included:

- Incompatibility and undesirability of the proposed land use
- The inadequacy of transportation infrastructure in the local area
- Volume of truck traffic and negative impacts such as noise and vibrations from vehicles
- Safety for pedestrians and cyclists
- Negative impacts to the natural environment
- Inadequate notice

## **RÉSUMÉ**

### **Recommandation du personnel**

Le personnel chargé de l'urbanisme recommande l'approbation de la demande de modification du Règlement de zonage visant les 2 et 20, promenade *Leikin*, et le 99, promenade *Bill Leatham*, en vue de permettre l'ajout d'un « entrepôt » et d'un « *terminal routier* » comme utilisations supplémentaires dans la désignation de *Zone* d'industrie légère, sous-zone 9 (IL9).

Cette modification de zonage est conforme aux politiques pertinentes du Plan officiel pour ce secteur, notamment l'alinéa 2.2.3 (Politiques relatives aux secteurs d'emploi sur tout le territoire de la ville), l'alinéa 2.3.1 (Transport – Transport de marchandises), l'alinéa 3.6.5 (Secteurs d'emploi urbain) et l'alinéa 4.8.6 (Restrictions de l'utilisation du sol en raison de l'exploitation des aéroports et des aéronefs). Elle est également conforme aux politiques pertinentes du Plan secondaire de Nepean-Sud, secteur 3, à sa désignation de « Parc commercial de gamme supérieure ».

### **Politique applicable**

Les politiques suivantes sont favorables à cette demande :

L'alinéa 2.2.3 (Politiques relatives aux secteurs d'emploi sur tout le territoire de la ville) soutient la protection des regroupements d'activités commerciales et économiques aux emplacements stratégiques situés à proximité des installations et des couloirs de circulation des marchandises d'importance.

L'alinéa 2.3.1 (Transport – Transport de marchandises) stipule que la Ville réduira au minimum l'impact de la circulation des camions dans les quartiers résidentiels, causé par le passage de ces véhicules et le bruit, la vibration et les émissions qu'ils produisent en créant un réseau complet d'itinéraires pour camions basés sur le réseau des artères.

L'alinéa 3.6.5 (Secteur d'emploi urbain) garantit qu'à long terme une superficie suffisante est réservée essentiellement à l'activité commerciale et économique.

L'alinéa 4.8.6 (Restrictions de l'utilisation du sol en raison de l'exploitation des aéroports et des aéronefs) régleme les utilisations du sol et les hauteurs de bâtiment et limite, à proximité de l'aéroport, la présence des espèces sauvages pouvant interférer avec les opérations de l'aéroport. Ses politiques encouragent le développement économique ainsi que l'implantation à proximité de l'aéroport de sociétés de transport, d'industries et de centres de recherche liés à l'aviation. Les utilisations d'entrepôt et de terminal routier proposés sont compatibles et favorables aux opérations de l'aéroport.

La désignation de « Parc commercial de gamme supérieure » du Plan secondaire de Nepean-Sud, secteur 3, prévoit jusqu'à 10 000 emplois dans ce parc d'affaires et la présence d'un entrepôt est autorisée en vertu des politiques du plan secondaire.

### **Consultation publique et commentaires**

La conseillère Carol Anne Meehan a animé une assemblée publique virtuelle le 13 mai 2021, afin de discuter de la modification de zonage proposé avec les résidents. Environ 163 personnes y ont pris part. Le personnel municipal a reçu des commentaires écrits de la part de 169 membres du public. Les commentaires et les préoccupations émis sont résumés dans le rapport et portaient notamment sur les points suivants :

- utilisation du sol proposée incompatible et non souhaitable;

- inefficacité de l'infrastructure de transport dans le secteur;
- volume de circulation des camions et répercussions négatives comme le bruit et les vibrations provenant des véhicules;
- sécurité des piétons et des cyclistes;
- répercussions négatives sur le milieu naturel;
- préavis inadéquat.

## **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**

2 and 20 Leikin Drive and 99 Bill Leathem Drive

### **Owner**

Zena-Kinder Holdings Limited Inc.

### **Applicant**

Greg Winters, Novatech

### **Description of Site and Surroundings**

The subject site, as shown in Document 1, is located within the South Merivale Business Park. The vacant site is generally flat, cleared land. The site has an area of approximately 30.5 hectares (75 acres) and frontage along Longfield Drive, Bill Leathem Drive, Paragon Avenue, Leikin Drive, and Merivale Road. The site is surrounded by the National Capital Commission (NCC) Greenbelt to the north and west and industrial land and buildings to the south and east. The Royal Canadian Mounted Police (RCMP) Headquarters are located to the south, with the Clarke Bellinger Environmental Facility, a stormwater management facility, located beyond. There are low-rise residential uses outside the Business Park to the west and south.

## **Summary of Requested Zoning By-law Amendment Proposal**

The subject property is currently zoned Light Industrial Subzone 9 – South Merivale Business Park (IL9). The requested zoning is IL9[XXXX] (Light Industrial Zone, Subzone 9, Exception XXXX). The amendment is to permit a warehouse and truck transport terminal as additional uses within the zone.

## **Brief History of Proposal**

Background on the development of the South Merivale Business Park and past zoning is included in Document 4. The subject site was the subject of a report (ACS2021-PIE-EDP-0009) that went to the [Finance and Economic Development Committee](#) on February 2, 2021, for the reconveyance of the unopened sections of Bill Leathem Drive and Paragon Avenue to Zena-Kinder Holdings Limited. The reconveyance was approved by City Council on February 10, 2021. The land transfer was completed on April 12, 2021 and registered as Instrument Number OC2334578. The City was granted an easement for a sanitary sewer within the lands (Instrument Number 2334579).

## **DISCUSSION**

### **Public Consultation**

Notification and public consultation for this Zoning By-law amendment were undertaken in accordance with the Public Notification and Public Consultation Policy approved by City Council. In total, at the time of reporting, 169 residents provided comments and/or their contact information to the City within the public circulation period. Councillor Carol Anne Meehan hosted a virtual open house on May 13, 2021, to discuss the proposed zoning change with the community. Approximately 163 individuals attended the meeting.

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

### **Official Plan Designation**

Section 2.2.3 (City-wide Employment Area Policies) supports the protection of business and economic activity clusters at strategic locations close to major goods movement facilities and corridors.

Section 2.3.1 (Transportation – Movement of Goods) states that the City will minimize the impact of truck traffic on residential neighbourhoods caused by the presence of these vehicles and their noise, vibration and emissions by ensuring the availability of a



comprehensive truck route network based on the arterial road system.

The subject site is designated Urban Employment Area on Schedule B – Urban Policy Plan of the Official Plan. Section 3.6.5 (Urban Employment Area) states that the intent of the Official Plan is to ensure that, over the long term, sufficient areas of land are reserved primarily for places of business and economic activity. Uses that support this function consist predominantly of offices, manufacturing, warehousing, distribution, research and development facilities and utilities. Maintaining a sufficient supply of land for this range of activities is key to the long-term economic health of the community and its ability to attract and retain new investment. Typically, Urban Employment Areas provide large parcel sizes, reflective of user needs for storage, parking and building floor plate, and they are usually well situated with respect to major roads.

As shown on Schedule C – Primary Urban Cycling Network, a spine route runs along Merivale Road to the east of the site and a multi-use pathway runs along Barrhaven Creek 100 metres to the south west.

As shown on Schedule D – Rapid Transit and Transit Priority Network, the subject site is 1.6 kilometres from the Fallowfield Bus Rapid Transit (BRT) and Park and Ride. A Transit Priority Corridor (Isolated Measures) runs along Woodroffe Avenue, one kilometre to the west of the site.

Schedule E – Urban Road Network designates Longfields Drive, Bill Leathem Drive and Leikin Drive as Major Collectors. Merivale Road, Fallowfield Drive and Prince of Wales Drive are all Arterial Roads. Longfields Drive has a 26-metre right-of-way and no sidewalks, Bill Leathem Drive has a 20-metre right-of-way and a sidewalk on its southern side. Leikin Drive has 26-metre right-of-way and a sidewalk on its eastern side south of Beckstead Road.

The site is located with the Ottawa Macdonald-Cartier International Airport, Airport Operating Influence Zone, as shown on Annex 10. Policies within Section 4.8.6 (Land-Use Constraints Due to Airport and Aircraft Operations) note that the Ottawa Macdonald-Cartier International Airport is fundamental to the economic well-being of the city, National Capital Region, the Outaouais and Eastern Ontario by providing a full-service, round-the-clock, commercial aviation passenger terminal, airfield system and cargo shipping as well as aviation related businesses and research and development facilities. The policies of the Official Plan, Section 4.8.6, seek to ensure the role and function of the Airport is maintained by:

- Prohibiting new noise-sensitive uses within the Airport Operating Influence Zone (AOIZ) as illustrated on Annex 10;
- Implementing the Shared Vision for Economic Development between the City of Ottawa and the Ottawa Macdonald - Cartier International Airport Authority;
- By ensuring appropriate noise reduction measures are integrated into any new proposed residential or other noise sensitive development between the 25 NEF/NEP and 30 NEF/NEP [Noise Exposure Forecast/Noise Exposure Projection] contours;
- Encouraging aviation-based shipping, industry and research to locate in proximity to the airport;
- Controlling building heights and natural vegetation within the airport obstacle limitation surfaces as established by federal standards or airport zoning regulations;
- Regulating land uses and activities in a manner that will not increase wildlife presence and elevate risks to aviation operation; and
- Restricting land uses, activities and the use of building materials that have potential to interfere with the performance of navigation aids and telecommunication.

Given the proximity to the airport, future development must proceed in accordance with the provisions of the Transport Canada publication Land Use in the Vicinity of Airports. Warehouse and truck transport terminal uses in the IL9 zone would not conflict with airport operations.

#### **South Nepean 3 Secondary Plan**

The site is part of the South Nepean 3 Secondary Plan and, as per Schedule A – Land Use Plan of that Plan, the site is designated as Prestige Business Park (South Merivale Business Park). In support of employment objectives, the Secondary Plan states this business park shall provide up to 10,000 jobs and be developed in accordance with the policies of Section 3.6.5 of the Official Plan. The policies state that permitted uses within the "Prestige Business Park" designation, amongst other suitable uses acceptable to the City, include the following:

- Offices, including ancillary retail and service uses and restaurants, where internally integrated within the office building and intended for the use of local businesses and employees;
- Various forms of light manufacturing, assembly, processing and fabrication of goods and materials;
- Warehousing, indoor storage, ancillary and related administrative and service functions;
- Research and development facilities and advanced technology industries;
- Hotels and convention centres, including accessory and co-located retail service;
- Entertainment facilities;
- Sports, health and fitness recreational uses including ancillary retail and service uses;
- Limited retail and service uses supporting the business park activities;
- Banks and financial institutions; and
- Pocket parks and open space linkages.

As noted above, warehousing is a permitted use within the "Prestige Business Park" designation of the South Nepean 3 Secondary Plan.

This application has been reviewed under the consolidated Official Plan (2003) and its relevant amendments. In conclusion, staff are of the opinion that this zoning change is consistent with the policies of the Official Plan and Secondary Plan. The proposed uses are not noise-sensitive, they facilitate storage and shipping in a location close to the airport and near arterial roads, and they contribute to the employment objectives of the South Nepean 3 Secondary Plan.

## **Zoning**

The site is currently zoned [IL9 Subzone – South Merivale Business Park \(IL9\)](#), which permits a range of light industrial uses. 'Warehouse' is a permitted use only when it is associated with another permitted use and 'truck transport terminal' is not listed as a permitted use. The proponent is proposing to rezone the lands to add an exception

permitting warehouse and truck transport terminal in addition to the other land uses in the IL9 subzone.

Given the restrictions on noise-sensitive uses within the Airport Operating Influence Zone, several of the listed uses in the current IL9 zone (e.g. daycare, medical facility, hotel and place of assembly) are no longer permitted by the Official Plan. In practice, the list of permitted uses for this property is more limited than what appears in section 204(9) of the Zoning By-law.

## **Planning Rationale**

### **Trends in Goods Movement**

Ottawa is well-situated as a hub from a variety of ports from the Greater Toronto Area and other US border crossings in the west; and, Montréal, Cornwall, the Maritimes, and other US border crossings in the east. In addition, some freight is handled through the Ottawa International Airport. Goods movement to and from Ottawa is primarily by ground-transport via Highways 417, 416 and to a lesser extent Highway 7 and inter-provincial routes. The popularity and rise in online shopping have increased land demand for logistics uses and led to new technologies, such as robotics in warehousing or the use of connected and autonomous vehicles. Expanding the permitted uses in the IL9 zone to include warehousing and logistics uses will position the lands to be developed in future with land uses that require goods movement. Trends and drivers of change are discussed more fully in the document titled “Industrial and Logistics Land Strategy for the New Official Plan”, included with staff reports to [Council](#) on growth management and directions for the new Official Plan in February 2021.

### **Employment Lands**

The proposed uses are appropriate for the site within the South Merivale Business Park. Design standards for a large proportion of landscaping and a high standard of architectural design will be addressed through a future Site Plan application. The subject parcels are separated from the nearest residential areas by over 180 metres. The RCMP facility at 73 Leikin Drive and a stormwater management facility (the Clarke Bellinger Environmental Facility) at 129 Leikin Drive are located between the site and the nearest homes.

Since the Business Park was developed in the 1990s, the subject site has remained vacant. The proposed uses fulfill planned employment uses in South Nepean and Barrhaven, a part of the city otherwise dominated by residential uses. The addition of

the proposed land uses, warehouse and truck transport terminal, reflect current trends in industrial development. For efficient use of land as a limited resource, prestige office uses are often more appropriately located in areas with better amenities for workers and near transit stations, and more traditional forms of industry are more appropriately accommodated in industrial parks where separation from sensitive land uses is possible.

#### **Adequacy of Services**

The subject site is located within an existing business park. Infrastructure capacity was addressed as part of the subdivision approval process. Future development will utilize municipal sewage, water and stormwater services.

#### **Proximity to Ottawa International Airport**

The site is located 4.6 kilometres or a six-minute drive via arterial roads from the Ottawa International Airport and the Urban Employment Area adjacent to it. The proposed warehouse and truck transport terminal uses will capitalize on this proximity and may enable synergies for logistics uses. Additionally, in contrast to many sites closer to the airport where there may be private services and wetlands, this site is served by municipal services, has no on-site environmental constraints and is ready for development.

#### **Adequacy of Mobility Networks**

The site is well situated for goods movement. It is easily accessible from the Ottawa International Airport and Highway 416 via established trucking routes along Longfields Drive, Fallowfield Road, Woodroffe Avenue, Merivale Road and Prince of Wales Drive.

Bus service is available at Bill Leathem Drive and Paragon Avenue which connects into the Fallowfield BRT.

Merivale Road, Longfields Drive, Bill Leathem Drive, Leikin Drive, and Paragon Avenue all currently miss targets for pedestrian and bicycle levels of service. In this area Merivale Road and Longfields Drive run through the National Capital Commission's Greenbelt and have a rural character. The City extended Longfields Drive from Woodroffe Avenue over 10 years ago to better serve the needs of the South Merivale Business Park. Improvements to active transportation facilities along local roads abutting the site can be addressed through a future application for Site Plan Control. Upgrades to the surrounding arterial road network will be considered through the new

Transportation Master Plan (TMP) which is underway. The City's existing TMP identifies Prince of Wales Drive between Merivale Road and Hunt Club Road for road widening (two lanes to four). The widening is part of the City's Affordable Plan (Phase 3, 2026-2031). The 2031 Network Concept includes widening of Prince of Wales Drive from two to four lanes between Strandherd Drive and Fisher Avenue. The City's TMP also identifies Fallowfield Road between Woodroffe Avenue and Prince of Wales Drive for road widening (two lanes to four). The widening is part of the City's 2031 Network Concept and would not be implemented until after 2031.

#### Future Development Applications

Although no Site Plan applications have been submitted, more detail on site and building design and on the operations of a specific land use will be available through future development applications, such as a Site Plan application.

#### *Planning Act*

The *Planning Act* requires that all City planning decisions be consistent with the Provincial Policy Statement (PPS), as the document that provides policy direction on matters of Provincial interest related to land use development.

#### Provincial Policy Statement

Staff have reviewed this zoning change 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 Carol Anne Meehan has made the following comments:

"I am very concerned with the lack of adequate road infrastructure that exists surrounding the proposed subject site. Prince of Wales, Woodroffe, Merivale and Fallowfield are already at capacity during regular peak hours and adding any additional traffic to these roads will further impact the community. If the current application is approved, it is incumbent on City planners to present a plan to improve the local infrastructure to minimize any negative impact on the surrounding community. Upgrades to the infrastructure must be done concurrently with any building application."

## **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 to three day hearing would be required. It is anticipated that this hearing could 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 and possibly, depending on the reasons for refusal, an external transportation consultant.

## **RISK MANAGEMENT IMPLICATIONS**

There are no risk management implications associated with the recommendations of this application.

## **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 the zoning application is refused and appealed, external resource(s) would need to be retained. The expense would be absorbed from within Planning Services' existing operating budget.

## **ACCESSIBILITY IMPACTS**

There are no accessibility impacts associated with this application.

## **TERM OF COUNCIL PRIORITIES**

This project addresses the following Term of Council Priorities:

- Economic Growth and Diversification
- Thriving Workforce

## **APPLICATION PROCESS TIMELINE STATUS**

This application (Development Application Number: D02-02-21-0029) was processed by the "On Time Decision Date" established for the processing of Zoning By-law

amendment applications.

## **SUPPORTING DOCUMENTATION**

Document 1 Location Map

Document 2 Details of Recommended Zoning

Document 3 Consultation Details

Document 4 South Merivale Business Park – History of Development and Zoning

## **CONCLUSION**

Planning, Infrastructure and Economic Development staff support this Zoning By-law Amendment. The zoning change is consistent with the Official Plan policies in the Urban Employment Area designation and the South Nepean 3 Secondary Plan. The proposed employment uses are appropriate for the site. Expanding the permitted uses will position these long-underdeveloped lands to better respond to current trends in industrial land development and will take advantage of already serviced lands. More detailed analysis of site design, servicing, and transportation matters will be addressed in any future development applications. The amendment represents good planning and, for the reasons stated above, staff recommend approval of the Zoning By-law Amendment.

## **DISPOSITION**

Legislative Services, Office of the City Clerk to notify the owner; applicant; Ottawa Scene Canada Signs, 415 Legget Drive, Kanata, ON K2K 3R1; Krista O'Brien, Tax Billing, Accounting and Policy Unit, Revenue Service, Corporate Services (Mail Code: 26-76) of City Council's decision.

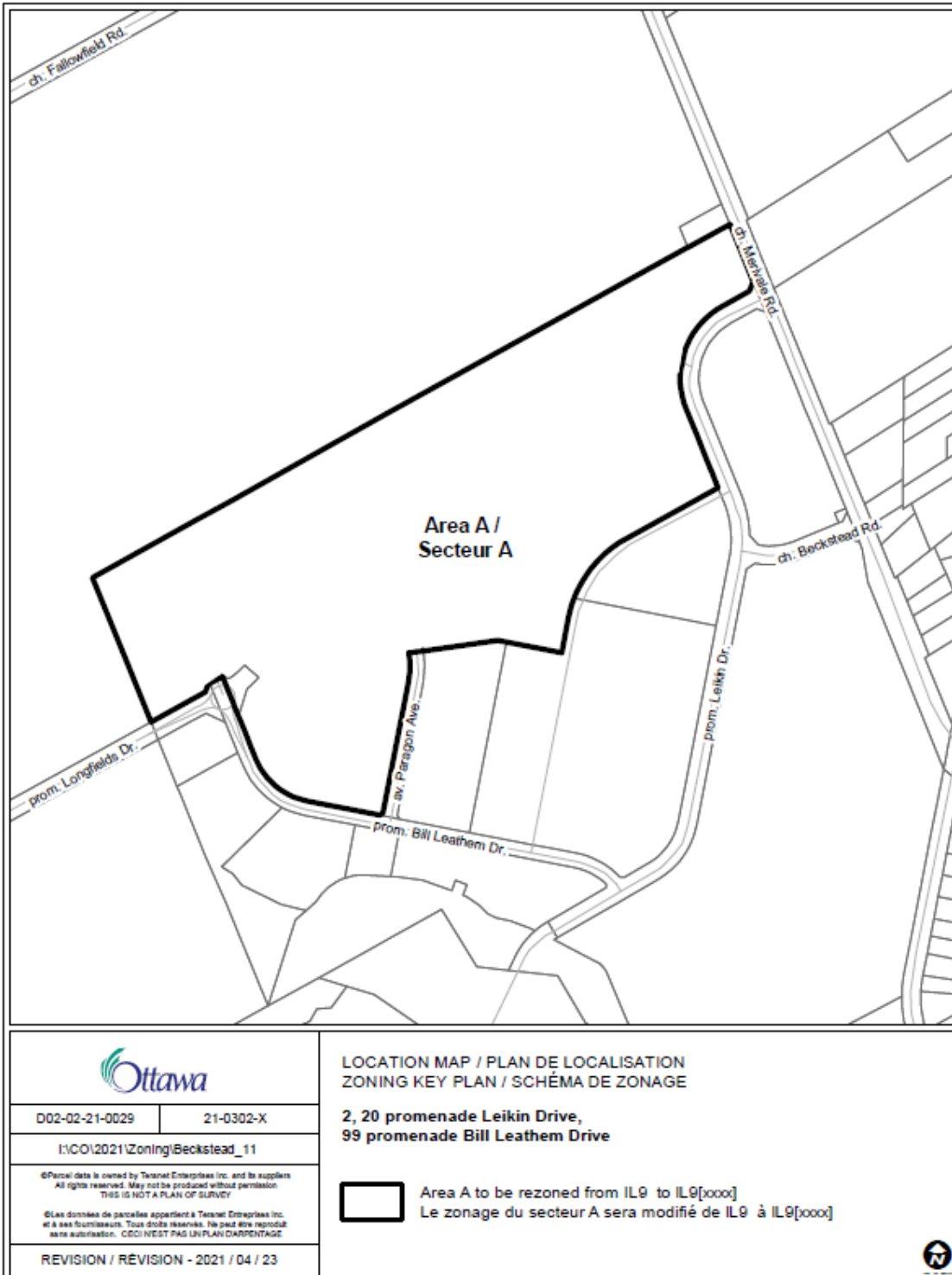
Zoning and Interpretations Unit, Policy Planning Branch, Economic Development and Long Range Planning Services to prepare the implementing by-law and forward to Legal Services.

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



## **Document 2 – Details of Recommended Zoning**

The proposed change to the City of Ottawa Zoning By-law No. 2008-250 for 2 and 20 Leikin Drive and 99 Bill Leathem Drive:

1. Rezone the lands from IL9 to IL9[XXXX], as 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 “IL9[XXXX]”
  - b. In Column III, Exception Provisions – Additional land uses permitted, add the following text:
    - i. “Warehouse”
    - ii. “Truck Transport Terminal”

## **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.

Councillor Carol Anne Meehan hosted a virtual open house on May 13, 2021, to discuss the proposed zoning change with the community. Approximately 163 individuals attended the meeting. Councillor Jan Harder and Councillor Keith Egli were also in attendance.

In total, at the time of report writing, 169 residents provided comments and/or their contact information to the City. Comments and staff responses are summarized below.

### Public Comments and Responses

#### 1. Land Use

- The proposal is not consistent or compatible with existing adjacent uses. Our neighbourhood is residential.
- Current designation “Prime Retail” was intended to service the surrounding community with much needed medical offices, community centre, parks etc, and not a truck depot.
- The community could use medical facilities like a southern satellite of the Ottawa Hospital or technology pioneers who add value to the community.
- With housing being such a large concern, why would housing not be considered instead?
- These uses will drive away other businesses that may consider this area for development.
- The use is not compatible with existing adjacent uses for knowledge-based workers.
- [If] the planned warehouse / truck terminal usage are consistent with the business park, why is the re-zoning required?
- Who will the end user of the developed land be?

- What hours of operation will this warehouse have?
- How many truck bays?
- Is it true that without this amendment you could not put in 100 truck bays in and with this amendment there is the potential of putting in 100 +/- truck bays? If approved, would be trucks be repaired and refueled at this site?
- How can a trucking terminal hub not have a refuel base and a maintenance aspect? It's not permitted, so will that be yet another zoning amendment request?
- Why are they rezoning this area when they know so many young families live here?
- Are planners aware the plans include a church at Leikin and Bill Leathem?

Response: The site is not zoned residential but industrial. The nearest residential properties are more than 180 metres away.

The site is not designated "Prime Retail" but "Prestige Business Park" within the South Merivale Business Park, of the South Nepean 3 Secondary Plan and "Urban Employment Area" on Schedule B – Urban Policy Plan of the Official Plan. Because of restrictions in place to support airport operations, noise sensitive uses such as homes and medical facilities or hospitals would not be permitted. Office uses commonly co-exist with industrial uses, on the same site or within an industrial park. The IL9 zone permits both light industrial uses and office uses. Light industrial uses are defined as: the manufacture from previously prepared materials of finished parts or finished products; factory or assembly-line processes that involve the manufacture, processing, assembly or packaging of finished parts or finished products made from previously prepared materials; or the repair or servicing of such products.

Future tenants and specific operational details are unknown; however, the Zoning By-law does not restrict hours of operation or prohibit work in shifts. The City's [Noise By-law](#) would apply. Any future applications for Site Plan Control would show details such as the number of truck bays. Trucks bays are already permitted for existing permitted light industrial uses in the IL9 zone.

Servicing and refueling trucks would be considered "heavy equipment and vehicle sales, rental and servicing", which is not part of a warehouse or truck transport facility and not consistent with the intent for light industrial uses. A warehouse is defined in the

Zoning By-law as a building used for the storage and distribution of goods and equipment including self-storage units. A truck transport terminal is not defined by the City's Zoning By-law but is commonly understood to be a place where transport trucks are stored, rented, leased, or parked or from which trucks are dispatched.

Any landowner has the right to request a change to the zoning. Staff would consult with the public and review any future request, if forthcoming, against relevant municipal and provincial policy and guidelines.

This rezoning has been requested to expand the permitted uses in the IL9 zone within an existing, serviced business park. The demographics of the nearby residential area do not preclude development in this established business park. The Salvation Army has proposed a community centre and place of worship at 102 Bill Leathem Drive. This proposal required an Official Plan amendment and a Zoning By-law amendment, which was appealed to the Local Planning Appeals Tribunal (LPAT) by the Ottawa International Airport Authority in 2017. In 2019, the LPAT ruled that the development may proceed. A Site Plan application has not yet been finalized.

## **2. Growth Management for Employment**

- This is completely inappropriate for this area. Perhaps consider land closer to 416 that is not in a heavily populated residential area.
- Fallowfield on the west side of 416 is also more practical.
- These uses should go to Carp.
- This industrial park was planned in the 1990s. This was before the large subdivisions were built. Perhaps the whole question of the planned park needs to be reassessed.
- Where is the master plan / integrated view of all this development?

**Response:**

Municipalities in Ontario are directed by the 2020 Provincial Policy Statement (PPS) to designate, in their official plans, enough lands to accommodate population growth and provide for a range and mix of land uses, including lands for employment purposes, up to a 25-year horizon.

As part of the new Official Plan, staff are reviewing land supply for industrial needs. The

need for additional lands for industrial development, particularly at 400-series highway interchanges, has been identified.

In February 2021, [Council](#) adopted the Industrial and Logistics Land Strategy, attached as Document 5 in the New Official Plan – Growth Management Strategy report. Council also approved 140 net hectares for inclusion in the urban boundary as new Traditional Industrial, Freight and Storage lands and 20 net hectares as new Rural Industrial, Freight and Storage lands. Council directed staff to study the inclusion of an additional 34 gross ha as new Rural Industrial Freight and Storage on lands at the south west quadrant of the Hwy 416 / Fallowfield interchange and to report back by June 2021.

City staff were also directed to review industrial development patterns from 2020 to 2026, and provide Council with an assessment of the uptake of lands for industrial freight and storage and the adequacy of the supply at that five-year review, particularly in the vicinity of the major highways (417, 416 and 7). This monitoring will enable staff to assess the adequacy of the industrial land supply as required by the Provincial Policy Statement.

The inclusion of these new lands is beneficial to supply for the long term (e.g. the 25-year horizon), but these added lands are not yet development-ready, unlike lands within the South Merivale Business Park.

Reassessment has occurred with the background work for the new Official Plan and the new Official Plan (as drafted) includes the South Merivale Business Park in the city's land supply for employment.

The master plan / integrated view for this area is in the Official Plan and the South Nepean 3 Secondary Plan.

### **3. Traffic**

- The proposal will cause environmental and public health and safety concerns with the exponential increase in heavy vehicle traffic in a residential neighbourhood.
- The proposal asserts that the proposed uses fulfill planned employment uses in Barrhaven and thereby reduce commuting journeys. There are no employment numbers to justify this statement, and it would likely need to be a large number of new workers not driving long distances to make up for the environmental impact of the projected new truck trips.

- The report uses traffic volumes from 2017-18 in its calculations as well as an assumption of a 1.5 per cent background growth rate. In our experience there has and continues to be such significant growth in our neighbourhood that these underlying assumptions likely significantly under state the impact on traffic flow, and pedestrian safety at all intersections – and in particular our primary concern of the intersection at Merivale and Prince of Wales.
- What is the growth projection over the next 10 years?
- The new and yet operational Amazon warehouse traffic has yet to occur. [It] is obviously premature to see the impact collectively.
- How the study counted trucks through an intersection is very misleading and incorrect. The City cannot count transport trucks as a single vehicle through an intersection when they actually take up the space of three vehicles. More importantly, they do not have the same acceleration as a car.
- The traffic circle at Longfields and Bill Leathem is very tight and not well designed for transport flow. Plus, Longfields Drive is a very narrow road making it extremely difficult for any transport truck to easily maneuver.
- We vehemently oppose this truck depot and the traffic congestion it will bring to Barrhaven.
- Will the extra traffic such as trucks etc. be allowed to go through Leikin Drive or Crestway Drive in any situations? Will the trucks use Amberwood Crescent?
- What truck routes have been established?
- What is the route that you expect heavy trucks to be taking in order to get to and from this depot?
- Of the forecasted [up to] 1,000 vehicles per day, how many will be transport trucks?
- What is the breakdown of type of vehicles in the [forecasted up to] 1,000 [vehicles /day?]
- How do you go from 1000 trucks to less than 50?
- What kind of trucks will we see? Will WB-20 be used? B-Trains or even LCV?

- If the Bylaw is approved what is the maximum number of trucks that could be permitted to be deployed per day? Is there a cap on heavy vehicles?
- What do "off-peak" hours mean?
- What will the vehicles be carrying? Will any vehicles be carrying oil or flammable liquids?
- The planning document seems to disregard the communities immediately to the east of the site, and nearby communities where the truck traffic will use 2 lane roads.
- Traffic is already past capacity and would cause additional and significant delays for residents, especially the Hunt Club bridge.
- How will the volume of trucks affect the roads conditions?
- The City just finished paving Merivale and Fallowfield Roads at considerable expense. The proposed development would necessitate removing the current roadwork, road widening work and finishing work in order to accommodate the traffic from the truck depot. This would be a huge waste of taxpayers' money.
- The TIA doesn't address the geometric design deficiencies at the intersections (i.e. Woodroffe\Longfields: Leikin and Bill Leatham: Merivale and Woodroffe). Have the intersections been reviewed to accommodate the design vehicle (i.e. LCV, B Train, WB 20, etc.) and will taxpayers be on the hook for improvements to these intersections (or will the developer be responsible to upgrade all these intersections to accommodate the design truck vehicle and accommodate cyclists).
- Will the roundabout be upgraded to accommodate larger vehicles? I understand that it was designed to accommodate fire trucks (as a design vehicle) and not the larger vehicles.
- Has the impact of heavy trucks on emergency vehicle response time been studied? The Hunt Club Bridge is already at capacity. Prince of Wales Drive is a traffic jam during peak hours.
- Commuter traffic would now be competing with high-volume truck traffic.
- There will be a greater risk of accidents and there will be substantial



safety issues for the many residents of the area and for all the people who come to this area to enjoy the many parks and environmental areas.

- [The uses would create unsafe conditions] particularly for the school and church on Merivale.
- Can the trucks be prohibited to move up Merivale and instead use Woodroffe?
- The proposed uses will have a negative impact on OC Transpo routes that pass along Bill Leathem Dr, Merivale Rd, and Leikin Dr (Routes 80, 278) and Prince of Wales (route 187)
- Prince of Wales Drive is supposed to be the gateway and the scenic route into the capital city of our country

Response:

The site is not located within a residential area and any heavy vehicles will have direct access to truck routes from the Business Park. The arterial roads in the vicinity are all truck routes allowing full loads: Woodroffe Avenue, Fallowfield Road, Merivale Road and Prince of Wales Drive. Trucks are only allowed on local roads when making deliveries along those local roads. Trucks will not shortcut through residential streets, as they must take the most direct route to trucking routes from the Business Park.

A Transportation Impact Assessment (TIA), undertaken in accordance with the City of Ottawa Transportation Impact Assessment Guidelines, was submitted to the City for review and concludes that the overall traffic volumes from the addition of the proposed uses are less than if the site were built out to the full potential of the IL9 subzone as an office. Trucks are considered separately within the modelling. The TIA concludes that the increased proportional volume of heavy vehicles caused by these lands uses can be accommodated by the existing road network. The City may consider changes to signal timing and modifications to turn lanes at area intersections to reduce delays, if warranted by future development. Roads in the Business Park have been designed to accommodate trucks, as warehousing is already permitted as an associated use. The roundabout can currently accommodate WB20 vehicles (18 wheeler transport trucks) as shown through a turning movement drawing. If road conditions deteriorate through aging or usage, the City would be responsible for maintenance or repairs, as with any City road. If local road geometry is inadequate for a specific development or if new traffic signals are required, they are paid for by the developer.

Road trains or long combination vehicles are not suited to city streets and operate on highways between truck stops in Ontario. They require a permit from the Ministry of Transportation.

The figures from 2017-18 are the most recent available and data collected within the last five years is acceptable for transportation studies. The 1.5 per cent background growth rate is in line with the annual historical (2000 to 2016) growth rate for this area (-0.2 per cent to 8 per cent), as identified by the City of Ottawa. This average rate is used for forecasting as well.

Reports circulating in the community of 1,000 trucks per day are not accurate. The Transportation Impact Assessment (TIA) was prepared based on an understanding of the trip generation characteristics of these types of warehouse and truck transport sites and assuming that the warehouse and truck transport facilities may operate 24-hours per day with multiple shifts that occur outside the peak periods of adjacent road traffic. All calculations are based on a "worst case" combination of site-generated traffic and peak traffic conditions of adjacent roadways to assess the capacity of the system. This is not a projection for a specific use - that would occur with a Site Plan Control application.

The conceptual development under these parameters is projected to generate up to 546 two-way vehicle trips during the AM peak hour and up to 664 two-way vehicle trips during the PM peak hour. Of these overall trips, the conceptual development is projected to generate 25 trips by trucks during the busiest hour in the morning and 30 trips by trucks during the busiest hour in the afternoon. This breaks down to approximately 11 per cent of vehicles being transport trucks.

Most trucks are forecast to move east-west to Highway 416. Very few trucks are forecast to move north on Merivale. Not only is Merivale Road very congested, but the truck route ends at Baseline Road. Trucks cannot navigate the 90-degree curve on Clyde so cannot use this route to connect to Highway 417.

Off-peak means outside of the busiest times for road usage, which are generally commuting rush hours or business hours in commercial areas.

Trucks accessing a light industrial development, including a warehouse or truck transport terminal, would not be carrying oil or flammable liquids. Exactly what they would be carrying would depend on the nature of any future operation, whether it was manufacturing or logistics, etc.

An evaluation of the impacts to emergency response times would be beyond the scope of the City's Transportation Impact Assessment (TIA) requirements for development applications. There are numerous factors contributing to emergency response times, not just traffic volume or congestion.

At the time of a future Site Plan application, the City will work with the developer to determine the method and means by which a future development can efficiently and effectively be served by transit. If a future development requires additional bus service, including new stops, conditions can be included in a development agreement. Although traffic congestion and/or new stops have the potential to slow bus service, additional ridership would be a positive outcome of new development.

Prince of Wales Drive is a Scenic Entry Route as shown on Schedule I of the Official Plan and as discussed in Section 4.6.4; however, the subject site does not front on Prince of Wales. Prince of Wales Drive is also an arterial road and a designated trucking route.

#### **4. Active Transportation**

- This is a quiet area that already lacks options for pedestrians and cyclists. How will the increase to truck traffic be managed and how can residents still have options for safe walking trails that go behind just the pathway on Woodroffe.
- We walk, bike and run along most mentioned streets. We are very concerned about noise pollution and safety.
- Has biker and pedestrian safety been studied?
- The TIA identifies both Leikin and Longfields as ultimate cycling facilities. Residents (including myself) use these roads to cycle out of Barrhaven. Will these roads be converted to complete streets to address safety concerns (i.e. mixing large vehicles with cyclists and pedestrians)? Also, who will be on the hook for all the infrastructure improvements related to accommodating large vehicles?
- The lack of sidewalks down Merivale make this a less than ideal addition to the area.
- There are no bike lanes on Merivale Road. Are these planned given the increase in traffic this re-zoning will cause?

- What infrastructure upgrades including roads and sound barriers are anticipated to handle the increased volume of heavy truck traffic and has the City budgeted for this?

Response: The Transportation Impact Assessment (TIA) report acknowledges that the Merivale Road, Longfields Drive, Bill Leathem Drive, Leikin Drive, and Paragon Avenue all currently miss targets for pedestrian and bicycle levels of service. The report recommends the installation of a 2m sidewalk along Bill Leathem Drive and Leikin Drive, the consideration of converting road bicycle lanes on Leikin Drive to cycle tracks and the installation of a 1.5m bike lane on Bill Leathem Drive through line painting to meet the targets in the vicinity of the site. These improvements could become conditions of any future development applications and will be evaluated further should a future Site Plan application be forthcoming. Local improvements of this nature would be at the developer's cost.

Improvements to arterial road designs are capital projects, which may be identified in the Transportation Master Plan (TMP) for renewal and scheduled through the Development Charge Background Study process. As they are renewed, improved active transportation facilities may be constructed. In addition to a bus rapid transit project planned (post 2031) between Barrhaven Town Centre and Cambrian Road with potential extension to Barnsdale Road, the City's TMP identifies Prince of Wales Drive between Merivale Road and Hunt Club Road for road widening (two lanes to four). The widening is part of the City's Affordable Plan (Phase 3, 2026-2031). The 2031 Network Concept includes widening of Prince of Wales Drive from two to four lanes between Strandherd Drive and Fisher Avenue. The City's TMP also identifies Fallowfield Road between Woodroffe Avenue and Prince of Wales Drive for road widening (two lanes to four). The widening is part of the City's 2031 Network Concept and will not be implemented until after 2031.

**5. Negative Impacts to the Natural Environment and Agricultural Lands**

- There has been no provision for on-site stormwater storage and drainage into the water table.
- The nearby Kennedy Craig forest area is a nearby recreational area where noise and fallout from the facility will deteriorate this residential retreat.
- Has an environmental assessment been completed? If so, can the public see it?

- There are significant avian and bird populations in this area, and this would massively fail an environmental impact assessment.
- [This development] would have serious and wide ranging (beyond local) impacts on both established migratory birds patterns (i.e. Canada Geese), and bird sanctuary that is home to diverse species such as herons, loons, snow and grey owls, hawks and other raptors, and numerous others.
- The Planning Rationale states the subject site is not located within or adjacent to prime agricultural land. This is untrue. The proposed site will be built at least partially on current farmland.
- It seems counterintuitive and non-environmental to root a trucking depot and warehouse here (right next to the Greenbelt) where tonnes of exhaust and pollution would be dumped into the air we share with the Greenbelt and the neighbouring farm land, [including] a berry picking farm (Shouldice at 2901 Woodroffe Ave), a bovine farm at 2664 Merivale Rd, [and] an equestrian centre (Royale @ 2191 Woodroffe Ave).
- Section 2.3 of the Provincial Policy Statement states that “Prime agricultural areas shall be protected for long-term use for agriculture”. I don’t believe that having a trucking depot next door to farmland is the ideal situation for growing contaminant free crops.
- Policy 1.1.3.2 of the PPS states that land use patterns should “(c) minimize negative impacts to air quality”. Having a trucking depot with non-stop truck movement is certainly not going to improve the air quality in that end of the city.

Response: Grading, stormwater management, and environmental impacts of a specific operation are matters that would be evaluated in a future application for Site Plan control. An Environmental Impact Study (EIS) (not an Environmental Assessment or federal Impact Assessment) may be required with a Site Plan application in accordance with the requirements of the Official Plan. It should be noted that bird populations or features that attract birds within the Airport Operating Influence Zone are discouraged, as birds and airplanes are not compatible.

Although the lands may be farmed as an interim use, they are not designated Agricultural Resource in the Official Plan, but rather are protected for employment uses. With respect to air quality, the City will promote best practices, such as conversion to

electric vehicles, so that the City can meet its greenhouse gas (GHG) emissions targets reductions, as set out in the City's Energy Evolution action plan.

6. Other negative impacts

- Noise at all hours of the day
- What noise studies have been conducted?
- Pollution (air/groundwater)
- The City of Ottawa should conduct a human health risk assessment on the impacts of excess pollution resulting from this proposed use.
- The two [stormwater] ponds off Leikin Drive carry roadway [runoff] and refuse. How much more trucking oil will contaminate those ponds and flow into the Rideau River?
- Vibrations, causing foundation damage
- Are there plans to upgrade the existing road networks to specifically address the vibrations that transport trucks cause? Homes close to Prince of Wales currently experience significant vibrations and fortunately the volume of transport trucks is currently relatively low.
- [Residents have been promised] a sound barrier at Queen Anne which is at Merivale and Prince of Wales and still no wall.
- IL zone prohibits uses that are likely to generate noise, fumes, odors and/or are hazardous or obnoxious. "Warehouse" and "truck transport terminal" as permitted uses are clearly contrary to the intention of IL9.

Response: The site is more than 180 metres from the nearest homes along Merivale Road and more than 300 metres from homes in Davidson Heights. Noise studies are required for stationary noise and road noise in accordance with provincial guidelines and the Official Plan. Noise studies would not be required at this location as this site is more than 100 metres from the nearest homes. Noise attenuation measures for arterial roads such as Fallowfield Drive could be included in future capital projects such as road reconstruction works. Other on-site approaches such as building orientation for screening or noise attenuation or landscaped treatments such as berms or hedgerows can be addressed through a future development application. Impacts to groundwater

can be mitigated through appropriate stormwater management practices. The existing stormwater management ponds were designed for this purpose and already control run-off and contain sediment.

The City's Transportation Master Plan identifies Prince of Wales Drive between Merivale Road and Hunt Club Road for road widening (two lanes to four) with work scheduled to occur between 2026-2031. Vibrations from traffic may improve following the road improvements. A noise attenuation wall for properties along Queen Anne Crescent and backing onto Prince of Wales is also part of this capital project. The IL- Light Industrial (IL) zone permits both warehouse and truck transport terminal. The IL9 - Light Industrial Subzone for the South Merivale Business Park does not permit these uses. Staff understand this subzone was specifically created at the request of the JDS Uniphase Corporation (JDS) when it owned the lands. JDS closed its Nepean office in the 2000s, and the RCMP is now using the building.

## **7. Security**

- Safety concerns in relation to being adjacent to RCMP headquarters (security assessment?)

Response: The proposed uses, warehouse and truck terminal, do not involve high risk activities and pose no greater threat than other permitted industrial uses. Additionally, the RCMP has been notified of this Zoning By-law amendment application and has not provided any comments at the time of writing this report.

## **8. Employment**

- Many jobs will come from non-residents and intercity workers, such as truck drivers. The jobs that will be locally sourced will not stimulate enough of the local economy to justify qualification. This sort of intensification will NOT bring the return on investment (ROI) on jobs for an urban employment area, the local economy, or revenue.
- Won't these all be low paid jobs and what kind of economic development is that?
- If online shopping warehouses are allowed in, that will likely kill local small businesses.
- Where is the next closest business park and how full is it? Where is the next closest industrial park and how full is that one? Where are the closest "employment lands" in Barrhaven and Riverside South areas?

Response: The Secondary Plan set employment targets for this Business Park at up to 10,000 jobs but does not mandate types of jobs or place of residence of workers. For an Inventory of Vacant Industrial and Business Park Lands, please see the City's [webpage](#).

9. Federal lands

- Has any party - Ottawa or Applicant - requested yet - an Environmental Impact assessment from the Federal Government?
- In the long-term, will the area (South of Fallowfield; East of Woodroffe) to be urbanized (say by 2070) to look like the quadrant ((South of Fallowfield; West of Woodroffe)?

Response: The subject property is not federal land, so it is not required to go through the federal Impact Assessment process. Land south of Fallowfield and east of Woodroffe is part of the National Capital Commission's (NCC's) Greenbelt. The NCC is guided by its own Master Plan and there is no plan for change for this Greenbelt area.

10. Other Questions

- Will the City provide municipal water to the 20 or so residents that have been encircled by a business/industrial park over several decades?
- How will this [rezoning] affect owner's property values?

Response: There are no current plans by the City to extend municipal water service to unserved lands in the vicinity of this proposed rezoning. Planning staff do not assess potential impacts to property values through the Zoning By-law amendment review process.

11. Process and Notice

- Are there drawings or sketches of the proposed structures available for review?
- No preconsultation with those residents most affected
- Can the deadline be extended given the public's outrage over this proposal (over 3,600 signatures on a recent petition opposing the re-zoning application)? Also, the public needs time to review the environmental assessment and all other relevant reports and plans.
- What criteria do the city planners used to evaluate and make recommendations



to support or decline the amendment?

- If approved, what's stopping another company adding another similar facility etc. adding even more concern to our community?
- Has the RCMP been involved in the process so far? If so, do they have security concerns given that thousands of vehicles per year carrying unknown materials will travel to and from a site adjacent to their HQ's?
- Has the Canada Food Inspection Agency (CFIA) off Fallowfield been notified?
- Are more than the two signs posted required for proper notice?
- Is Novatech's bylaw amendment application available for review?

Response: As this Zoning By-law Amendment application is only a policy change not a specific proposal, no site plans or elevations have been provided. A pre-application consultation meeting was held in January 2021 to determine which plans and studies were required for a complete application (as required by the Official Plan and *Planning Act*).

The application and reports have been available for review online since it was deemed complete in late March. People may submit comments up until Council makes its decision.

In evaluating the request to change the zoning, planners are guided by Ontario's Provincial Policy Statement and the *Ontario Planning Act* and use the Official Plan and Secondary Plan as well as applicable Council-approved guidelines. Planners also present the community's comments and concerns to members of Council, who make the decision to pass the Zoning By-law or not.

*Planning Act* requirements and Council-approved approaches for notice and public consultation for Zoning By-law Amendments have been followed. The RCMP were circulated by mail in accordance with the notice requirements of the *Planning Act*. Staff followed up directly as well to advise of the online public meeting. No comments have been provided. The National Capital Commission (NCC) was circulated but the CFIA was not, as they are well beyond the 120-metre catchment radius for notice. The NCC has no objection to the Zoning By-Law Amendment application. Signs have been posted in accordance with the requirements of the Official Plan and *Planning Act*.

The Zoning By-law amendment application form is available for the public to see but

personal information would have to be removed. Staff can provide this upon request.

## **Document 4 – South Merivale Business Park – History of Development and Zoning**

The concept and planning of South Merivale Business Park (SMBP), was initiated by the City of Nepean in the late 1980s. Through the 1970s and 1980s, Nepean had a track record of owning and developing several municipal business parks. These included the Colonnade Road North and South area, the Hunt Club Business Park (Antares / Auriga Drive), and the Cleopatra / Bentley sectors of Merivale Road. These areas were either developed and owned entirely by Nepean or were done jointly with private owners. The intent of these areas was to provide an opportunity for a range of industrial users, from office to warehousing / transportation to outdoor storage. These areas were developed under a General Industrial zoning in Nepean's zoning bylaw, which allowed a broad range of uses.

In the mid-80s, with the success of the Industrial areas inside the Greenbelt, Nepean began the planning of its next industrial park, the South Merivale Business Park. The site for South Merivale Business Park was selected based on several key locational factors at that time:

- The proposed Highway 416 alignment at that time followed Prince of Wales Drive to Merivale Road, then followed the Merivale Road alignment;
- The railway tracks to the north were an attraction for industrial uses looking for rail access; and
- The planned bridge over the Rideau River at Strandherd would provide easy access to the airport.

The Business Park was developed jointly by the City of Nepean and three private landowners. Planning and initial servicing, road construction (Beckstead Road and Leikin Drive) and the construction of the stormwater management pond were completed in the early 1990s. The Secondary Plan prepared for the Business Park contemplated various forms of light manufacturing, assembly, processing and fabrication of goods and materials as well as warehousing, and related administrative and service functions.

The Nepean Zoning By-law between 1981 and 1998 (By-law 39-81) zoned the property MP – Industrial Park Zone. Section 8.6.1 of the by-law permitted uses such as equipment rental, bank, animal hospital, park, warehouse, factory and sales, service and repair shop, place of assembly, light assembly, etc. Uses that are or may become

obnoxious or offensive by reason of odour, smoke, dust, noise, etc. were specifically excluded.

There were two caveats to this zoning. Section 8.6.4(iii) limited certain uses, such as bank, office, nursery, restaurant, and service establishment, to narrow areas, including the subject property. Section 8.6.4(iv) required that certain uses, including nursery, restaurant, service establishing and takeout restaurant, be entirely within an enclosed building on the subject property, likely due to airport operations.

The Business Park welcomed its first build in 1992 when Consumers Gas/Enbridge (now a Canada Post depot) purchased a site at 90 Bill Leathem Drive. The Consumer Gas facility was consistent with the zoning of the Business Park – an office use, vehicle and equipment storage, transportation of materials off site, and outdoor storage of materials (sands / gravels etc.).

Business development slowed in the mid-1990s, and the Business Park remained vacant, other than its interim use as a municipal snow disposal facility.

In 1996, discussions began with Nepean, the three private owners, and the owners of JDS Uniphase (JDS), on the development of a headquarters complex for JDS Uniphase. Negotiations were successful, and JDS purchased all the City of Nepean lands, and lands from two of the three private owners, which was more land than just the area currently occupied by RCMP Headquarters. As part of the negotiations and development of the JDS Complex, several issues had to be dealt with.

The size of the development required major upgrades to adjacent roads and intersections. Intersections were widened (Merivale / Fallowfield, Merivale / Prince of Wales) with turning lanes, Merivale Road was widened with turning lanes, and traffic signals were installed. As well, the development triggered an additional road linkage being the extension of Longfields Drive from Woodroffe Avenue east to Bill Leatham Drive.

A separate issue was JDS's vision for the Business Park. With its investment, and the belief that it would attract complementary companies to the site, JDS was insistent that the zoning be changed, from a General Industrial use zone to a tighter more specific zoning that reflected its vision. As a result, the City of Nepean agreed to rezone the Business Park and eliminated several uses, including warehousing, truck transport terminal, outdoor storage, temporary snow dump sites, etc. Warehousing and truck transit could continue as an accessory use to a permitted use, reflecting the operational requirements of both Consumers Gas and JDS.

The Nepean Zoning By-law in effect before amalgamation (By-law 100-2000) zoned the property MBC (Industrial Business Campus Zone). This zone permitted uses such as office, hotel, restaurant, light assembly, etc., but specifically excluded uses that may be obnoxious or offensive by reason of odour, smoke, dust, noise, gas, etc. The property was also subject to the Airport Operating Influence Zone (AOIZ) (Schedule A2), which specifically eliminates “noise sensitive” uses, such as community centre, library, hospital, place of worship, school, retirement home, etc. The zoning carried forward post-amalgamation in the IL9 zone was consistent with JDS’s vision.

Post amalgamation, JDS Uniphase struggled and eventually sold the office complex and the surrounding vacant lands to Minto, who subsequently leased the office complex to the Federal Government to accommodate the RCMP Headquarters. JDS’s vision of complementary companies joining them in the Business Park never came to fruition. Other than the small office building Minto constructed for JDS Uniphase to move to at Bill Leatham Drive and Paragon Ave in 2006, other stand-alone office development in the Business Park has not occurred. Minto has sold various parcels, but the only development to have started construction is an 1858 square metres office/warehouse building at 2 Bill Leatham Drive.

As a result, the proposed by-law amendment remains consistent with the original 1990s vision for the Park and is consistent with the existing Official Plan and Secondary Plan - an industrial park targeted to accommodate a wide range of industrial uses that serve South Nepean and the City of Ottawa.