

1. **Zoning By-law Amendment – 1800 and 1830 Trim Road**
Modification du Règlement de zonage – 1800 et 1830, chemin Trim

Committee recommendation

That Council approve an amendment to Zoning By-law 2008-250 for 1800 and 1830 Trim Road to permit street townhouse dwelling units, as detailed in Document 2.

Recommandation du Comité

Que le Conseil approuve une modification au Règlement de zonage 2008-250 visant les 1800 et 1830, chemin Trim, afin de permettre la construction d'unités d'habitation en rangée sur rue, comme l'expose en détail le document 2.

Documentation/Documentation

1. Report from the Director, Planning Services, Planning, Infrastructure and Economic Development Department, dated May 28, 2021 (ACS2021-PIE-PS-0051)

Rapport de la Directrice, Services de la planification, Direction générale de la planification, de l'infrastructure et du développement économique, daté le 28 mai 2021 (ACS2021-PIE-PS-0051)

2. Extract of draft Minutes, Planning Committee, June 10, 2021

Extrait de l'ébauche du procès-verbal du Comité de l'urbanisme, le 10 juin 2021

**Report to
Rapport au:**

**Planning Committee
Comité de l'urbanisme
10 June 2021 / 10 juin 2021**

**and Council
et au Conseil
23 June 2021 / 23 juin 2021**

**Submitted on 28 May 2021
Soumis le 28 mai 2021**

**Submitted by
Soumis par:**

**Lee Ann Snedden,
Director / Directrice**

Planning Services / Services de la planification

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

Contact Person / Personne ressource:

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Ward: CUMBERLAND (19)

File Number: ACS2021-PIE-PS-0051

SUBJECT: Zoning By-law Amendment – 1800 and 1830 Trim Road

OBJET: Modification du Règlement de zonage – 1800 et 1830, chemin Trim

REPORT RECOMMENDATIONS

- 1. That Planning Committee recommend Council approve an amendment to Zoning By-law 2008-250 for 1800 and 1830 Trim Road to permit street townhouse dwelling units, 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 June 23, 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 1800 et 1830, chemin Trim, afin de permettre la construction d'unités d'habitation en rangée sur rue, 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 23 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.

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

1800 and 1830 Trim Road

Owner

Mattamy Homes

Applicant

Fotenn Consultants Inc.

Description of site and surroundings

The subject lands, located at the east end of Orléans, between Valin Street and Trim Road, has an area of 4.38 hectares, with approximately 0.74 hectares located within the hydro corridor. The properties municipally known as 1800 and 1830 Trim Road have frontage at the eastern terminus of Winsome Terrace which will be extended into this subdivision with a p-loop. An additional parcel forming part of this development is legally known as Block 176 on registered Plan 4M-1217. These parcels will contain 99 townhouse dwelling units. The parcels known municipally as 1141 and 1153 Brasseur Crescent (legally described as Blocks 177, 178, 179 and 180 on Plan 4M-1217), which have frontage on that street, will be merged with new blocks on this plan to create two complete blocks of 10 townhouses fronting on Brasseur Crescent for a total of 109 townhouse dwelling units. The existing vehicular access from Trim Road will be closed once construction is complete.

North-west of the site is the hydro corridor, to the west, south and east are existing townhouse and single detached dwellings and to the north-east are City owned lands part of which was once occupied by the old Trim Road alignment and has since been closed to vehicles.

This site was formerly used as a school bus maintenance and storage yard which included a one-storey garage with offices. The City has since issued a demolition permit for this structure. Most of the site is flat and hard surfaced except for the eastern portion which is grassed. Existing trees line the northern property boundary between this site and the multi-use pathway along the hydro corridor which is accessible from abutting neighbourhoods.

Summary of requested Zoning By-law Amendment proposal

The subject lands are currently zoned Development Reserve (DR) and Parks and Open Space (O1). The Development Reserve (DR) zone recognizes lands intended for future urban development in areas Designated General Urban Area and Developing Communities in the Official Plan. The applicant is seeking to rezone the majority of the residential portion of the site to Residential Third Density, Subzones YY, with Exceptions (R3YY[XXXX] and R3YY[XXX2]) to permit 99 townhouse dwelling units and the new park block in the centre of the subdivision to a Parks and Open Space Zone

(O1). Two blocks on the plan of subdivision will be consolidated with the existing blocks fronting onto Brasseur Crescent to create 10 new townhouse dwelling units and will be zoned R3Y[708], consistent with the existing zoning on adjacent townhouse blocks on that street. The lands within the hydro corridor will remain zoned Parks and Open Space (O1).

This Zoning By-law Amendment conforms to the policies for development in the General Urban Area designation where the proposed townhouse dwelling units are compatible with the existing neighbourhood development.

DISCUSSION

Public consultation

This application was subject to the Public Notification and Consultation Policy. Owners within 120 metres of the subject lands were notified and signs were posted on the site.

A Statutory Public Meeting was held virtually with the community through the Zoom platform for the Draft Plan of Subdivision on September 9th, 2020 and 15 people were in attendance. The Zoning By-law Amendment proposal was also presented to the public at this meeting.

Details of the public consultation are provided in Document 3.

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

Official Plan designations

The subject application has been examined pursuant to the provisions of the Official Plan and is deemed to comply with its provisions for development in a General Urban designation. The intent of the General Urban designation is to permit a full range of housing types to accommodate the needs of all ages, income levels and life circumstances, along with conveniently located retail, leisure, institutional and employment uses to create a complete and sustainable community. The proposal also meets several principles under the Urban Design Objectives and Principles as well as the Compatibility criteria within the Official Plan.

Other applicable policies and guidelines

A Development Plan for Residential Neighbourhoods 5, 6 and 7 Fallingbrook South was approved by the City of Cumberland in October 1996. This plan provided a detailed land use plan for each neighbourhood complete with road patterns and specific land use

distributions. The lands subject to this application are located in an area intended for medium density residential development.

This community is also subject to sensitive marine clay soils. The 2005 Clay Soils Policy and the City's Tree Planting in Sensitive Marine Clay Soils 2017 Guidelines apply. The proposed zoning setback exceptions being sought under the R3YY zone respect these policies.

Planning rationale

The proposed Zoning By-law Amendment conforms to the strategic directions and policies of the Official Plan. The development will provide a housing form that is in keeping with and compliments the existing urban character and scale of the surrounding community. The proposed development will contribute to the existing network of public space in the area by introducing a new 0.343-hectare park, centrally located, with a pedestrian link to the existing Trans-Orléans Pathway within the hydro corridor as well as a connection to Trim Road.

The proposal is also in conformity with the former City of Cumberland's Development Plan for Residential Neighbourhoods 5, 6 and 7 Fallingbrook South since it contains medium density residential units.

The subject lands are currently zoned Development Reserve (DR) and Parks and Open Space (O1) in the City's Zoning By-law. The purpose of the DR zone is to recognize lands intended for future urban development. Two Residential Third Density, Subzones YY (R3YY) with exceptions, the R3Y[708] zone and Parks and Open Space (O1) zone are proposed.

The R3YY zone has been widely used within developing urban communities and allows detached, semi-detached and townhouse dwellings. The site-specific exceptions for townhouse dwellings will allow for minor modifications to performance standards, including flexibility for front yard and other required yard setbacks, lot areas, as well as relief to the projection of air conditioning condensers in a corner yard and corner sight triangles.

The front yard and corner side yard setbacks have been reduced to reflect the site-specific conditions of this subdivision. The front yard setbacks reflect the presence of sensitive marine clay soils on this site and its varying plasticity levels, as well as whether or not a sidewalk is being provided. These setbacks will allow for street tree planting. At least one parking space per unit will be provided inside the garage. The rear

yard for one block of townhouse dwellings is being reduced to 4.5 metres from the standard 6.0 metres due to a pinch point where the rear yard is reduced to 4.5 metres at a single location. As a result of the reduced rear yard setback, an increased side yard has been provided for this block to ensure that the lot has ample amenity area.

The exceptions will also include a minor modification to projections and sight triangles under the Zoning By-law. The exceptions proposed are similar to the standard R3YY zone requirements applicable to other new communities which accommodate a similar compact urban form of development making efficient use of public infrastructure. The exception zone will create unique zone provisions for the proposed housing type, involving modest decreases to lot areas and require yards.

The following outlines the proposed zoning amendments for the subject lands, as shown in Document 1:

Area A is to be rezoned from Development Reserve (DR) to Parks and Open Space zone (O1) to permit a new park and to rezone the hydro corridor lands to be used as open space in the existing corridor.

Area B is to be rezoned from Development Reserve (DR) to Residential Third Density zone, subzone YY, with exception (R3YY[XXXX]) to permit a minimum lot area of 81 square metres, a minimum front yard where there is no sidewalk of 4.5 metres and 5.8 metres where there is a sidewalk, the minimum corner side yard would be 2.5 metres and the interior side yard would be 1.5 metres. The rear yard is proposed to be at least 6.0 metres with the exception of the end of one block where it would be reduced to 4.5 metres due to a pinch point at a single location.

A second site-specific exception (R3YY[XXX2]) will be used for Area C and the same exceptions presented in Area B would apply. Additionally, a relief for the projection of air conditioning condensers would also be permitted in both exceptions as described in Document 1 and Section 57 Corner Sight Triangles in the City's Zoning By-law would not apply.

Area D is to be rezoned from Development Reserve (DR) to Residential Third Density, Subzone Y, Exception 708 (R3Y [708]) to match the existing zoning on Brasseur Crescent. Ten of the units within this plan of subdivision will be consolidated with existing blocks on a registered plan along Brasseur Drive to create buildable townhouse lots.

Provincial Policy Statement

Staff have reviewed this proposal and have determined that it is consistent with the 2020 Provincial Policy Statement since it is providing residential development within a settlement area as well as utilizing land and existing infrastructure efficiently. The proposal is designed to promote appropriate development standards which facilitates intensification. It also promotes a healthy and active community by providing easy access to area recreational amenities within a combined pedestrian and cycling network promoting active transportation.

RURAL IMPLICATIONS

This Zoning By-law amendment application is not expected to impact the rural area.

COMMENTS BY THE WARD COUNCILLOR

The Ward Councillor, Catherine Kitts, is aware of the application related to this report.

LEGAL IMPLICATIONS

Should the recommendations be adopted and the resulting zoning by-law be appealed to the Local Planning Appeal Tribunal, it is anticipated that a two day hearing 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

The applicant has requested a Licence of Occupation to access and use abutting City lands and are currently working with CREO for their subdivision works.

ASSET MANAGEMENT IMPLICATIONS

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

FINANCIAL IMPLICATIONS

There are no direct financial implications associated with the report recommendations. In the event that the zoning application is refused and appealed, external resource(s) would need to be retained. This expense would be funded from within Planning Services' operating budget.

ACCESSIBILITY IMPACTS

No accessibility implications are anticipated in association with this report. Proper accessibility will be ensured through the detailed engineering design review.

ENVIRONMENTAL IMPLICATIONS

The site development must be done in accordance with the Modified Generic Risk Assessment (MGRA - Arcadis, 2018) completed and submitted to the Ministry of the Environment, Conservation and Parks (MECP). A Certificate of Property Use (CPU) was also issued on August 22, 2019 by the Ministry (MECP) for this property. The CPU stipulates the restrictions under which the property can be utilized for the proposed residential use. The Environmental Site Assessment reports (Phase One ESA and Phase Two ESA both dated August 1, 2019), the Modified General Risk Assessment and the Certificate of Property Use were submitted to the Ministry of the Environment, Conservation and Parks in support of the Record of Site Condition which was filed in the Environmental Site Registry (RSC #226363) on January 20, 2020.

All restrictions stipulated in the Certificate of Property Use and all above-noted documents filed with the Ministry of the Environment, Conservation and Parks are to be respected and adhered to during and post development.

The applicant must inform the City if any soil and / or groundwater contamination is encountered during the development activities and to take all required actions to address any identified contaminations in accordance with the provincial requirements, the City Official Plan and the industry best management practices. The Owner further agrees to provide all documentations and reports associated with the identification and remediation of such contamination for a satisfactory review of the City.

TERM OF COUNCIL PRIORITIES

This project addresses the following Term of Council Priorities:

- Sustainable Infrastructure
- Thriving Communities

APPLICATION PROCESS TIMELINE STATUS

This application (Development Application Number: D02-02-20-0024) was not processed by the "On Time Decision Date" established for the processing of Zoning

By-law amendments due to delays in the review and approval of the Draft Plan of Subdivision.

SUPPORTING DOCUMENTATION

Document 1 Location Map

Document 2 Details of Recommended Zoning

Document 3 Consultation Details

CONCLUSION

Staff is of the opinion that the proposed development provides a sensitive design approach that achieves a desired and compatible built form for the area. It is consistent with the objectives of the Official Plan, the Cumberland Development Plan for Neighbourhoods 4, 5 and 6 Fallingbrook South and represents good planning.

DISPOSITION

Office of the City Clerk, Council and Committee Services to notify the owner; applicant; Ottawa Scene Canada Signs, 415 Legget Drive, Kanata, ON K2K 3R1; Krista O'Brien, Program Manager, Tax Billing and Control, Finance Services Department (Mail Code: 26-76) of City Council's decision.

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

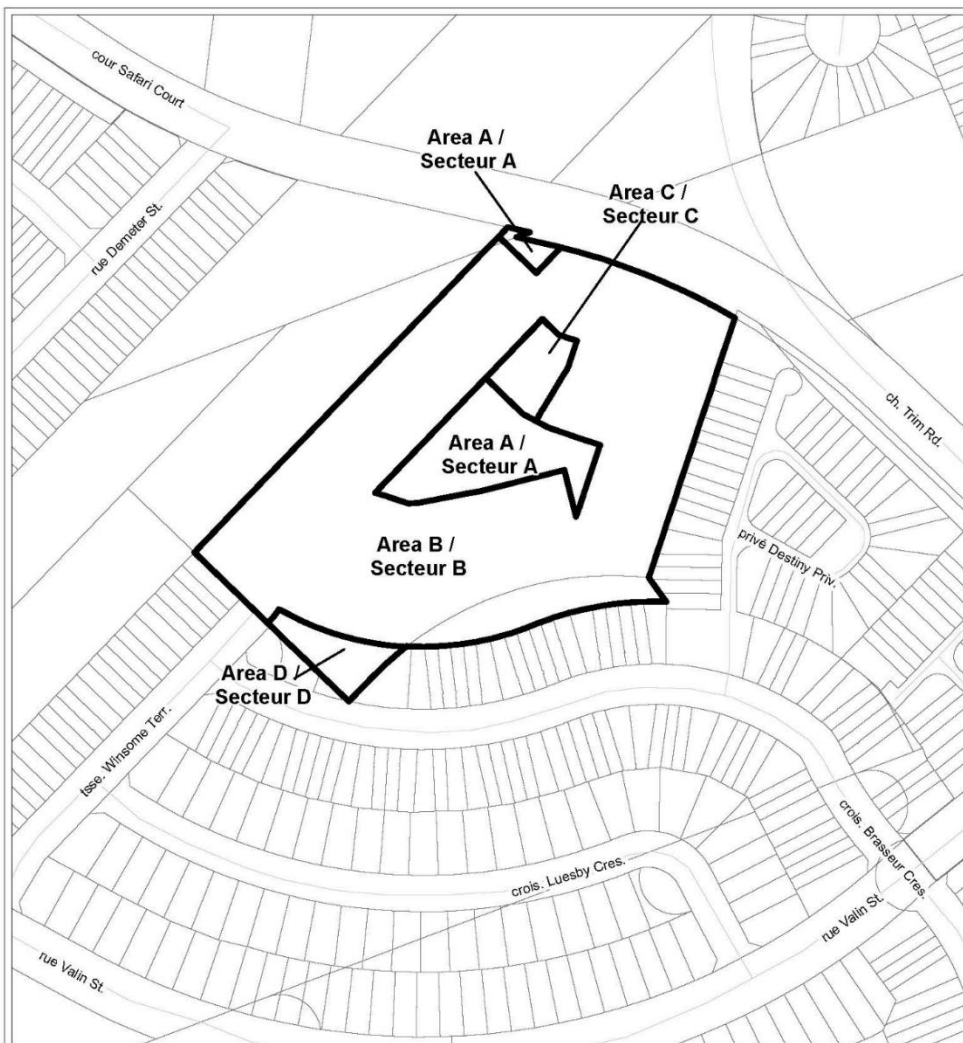
Legal Services, Innovative Client Services Department to forward the implementing by-law to City Council.

Planning Operations Branch, Planning Services to undertake the statutory notification.

Document 1 – Location Map

For an interactive Zoning map of Ottawa visit geoOttawa.

This location map shows the lands being rezoned from D-R to Open Space (O1), to R3YY[XXXX] zone, to R3YYY[XXX2] zone and to R3Y[708] zone.



		LOCATION MAP / PLAN DE LOCALISATION ZONING KEY PLAN / SCHÉMA DE ZONAGE	
D02-02-20-0024	21-0712-D	1800, 1830 ch. Trim Road	
I:\CO\2021\ZKP\Trim_1800_1830		 Area A to be rezoned from DR to O1 Le zonage du secteur A sera modifié de DR à O1 Area B to be rezoned from DR to R3YY[XXXX] Le zonage du secteur B sera modifié de DR à R3YY[XXXX] Area C to be rezoned from DR to R3YYY[XXX2] Le zonage du secteur C sera modifié de DR à R3YYY[XXX2] Area D to be rezoned from DR to R3Y[708] Le zonage du secteur D sera modifié de DR à R3Y[708]	
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<small>©Les données de parcelles appartiennent à Teranet Enterprises Inc. et à ses fournisseurs. Tous droits réservés. Ne peut être reproduit sans autorisation. CECI N'EST PAS UN PLAN D'ARPENTAGE</small>			
REVISION / REVISION - 2021 / 05 / 25			

Document 2 – Details of Recommended Zoning

The proposed change to the City of Ottawa Zoning By-law No. 2008-250 for 1800 and 1830 Trim Road

1. Rezone the lands shown on Document 1:
 - Rezone Area A from DR to O1
 - Rezone Area B from DR to R3YY[XXXX]
 - Rezone Area C from DR to R3YY[XXX2]
 - Rezone Area D from DR to R3Y[708]
2. Add a new exception (R3YY[XXXX]) to Section 239 – Urban Exceptions with provisions similar in effect to the following:
 - a. In Column II, add text, “R3YY[XXXX]”
 - b. In Column V, add the text:

The following applies to townhouse dwellings:

- Minimum front yard setback
 - With a sidewalk: 5.8 metres
 - Without a sidewalk: 4.5 metres
- Minimum corner side yard setback: 2.5 metres
- Minimum rear yard setback: 6.0 metres
- Minimum lot area: 81 square metres
- Minimum interior side yard setback: 1.5 metres
- Minimum lot width: 6.0 metres
- Maximum building height: 12 metres
- An air conditioner condenser unit may project 2.0 metres into a corner side yard
- Section 57 does not apply.

3. Add a new exception (R3YY[XXX2]) to Section 239 – Urban Exceptions with provisions similar in effect to the following:

- a. In Column II, add text, “R3YY[XXX2]”
- b. In Column V, add the text:

The following applies to townhouse dwellings:

- Minimum front yard setback
 - With a sidewalk: 5.8 metres
 - Without a sidewalk: 4.5 metres
- Minimum corner side yard setback: 2.5 metres
- Minimum rear yard setback: 4.5 metres
- Minimum lot area: 81 square metres
- Minimum interior side yard setback: 1.5 metres
- Minimum lot width: 6.0 metres
- Maximum building height: 12 metres
- An air conditioner condenser unit may project 2 metres into a corner side yard
- Section 57 does not apply.

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. Owners within 120 metres of the subject lands were notified and signs were posted on the site.

A Statutory Public Meeting was held virtually with the community through the Zoom platform for the Draft Plan of Subdivision on September 9th, 2020 and approximately 15 people were in attendance. The Zoning By-law Amendment proposal was also presented to the public at this meeting.

Comments and concerns received from the residents at this meeting and in correspondence include increased traffic and noise on Winsome Terrace and Brasseur Crescent, additional noise from increased housing and traffic on the new Winsome Terrace extension.

In response to these comments, staff has reviewed the Transportation Impact Assessment and the Noise Impact Feasibility Report submitted in support of this application to ensure proper mitigation is implemented with this development. Although minimal traffic impacts are anticipated, some traffic calming measures will be implemented to slow down vehicles travelling in and out of the new street. The standard noise attenuation measures will also be implemented through the registration of the plan of subdivision. Construction traffic will have access from Trim Road on a temporary basis, in order to reduce disturbance to the neighbouring residents.

A Development Plan for Residential Neighbourhoods 4, 5 and 6 in South Fallingbrook was approved by the City of Cumberland in October 1996. This plan provided a detailed land use plan for each neighbourhood complete with road patterns and specific land use distributions. The lands subject to this application are located in an area intended for medium density residential development.