

**7. Zoning By-law Amendment – 1869 Maple Grove Road**

**Modification au Règlement de zonage – 1869, chemin Maple Grove**

**Committee recommendation**

**That Council approve an amendment to Zoning By-law 2008-250 for 1869 Maple Grove Road to permit a residential subdivision as detailed in Document 2.**

**Recommandations du Comité**

**Que le Conseil approuve une modification au Règlement de zonage 2008-250 visant le 1869, chemin Maple Grove afin de permettre l'aménagement d'un lotissement résidentiel, comme indiqué dans le document 2.**

**Documentation/Documentation**

1. Report from the Director, Planning Services, Planning, Infrastructure and Economic Development Department, dated August 4, 2021 (ACS2021-PIE-PS-0109)

Rapport de la Directrice, Services de la planification, Direction générale de la planification, de l'infrastructure et du développement économique, daté le 4 août 2021 (ACS2021-PIE-PS-0109)

2. Extract of draft Minutes, Planning Committee, August 26, 2021

Extrait de l'ébauche du procès-verbal du Comité de l'urbanisme, le 26 août 2021

**Report to  
Rapport au:**

**Planning Committee  
Comité de l'urbanisme  
26 August 2021 / 26 août 2021**

**and Council  
et au Conseil  
8 September 2021 / 8 septembre 2021**

**Submitted on 4 August 2021  
Soumis le 4 août 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**

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**Ward: STITTSVILLE (6)**

**File Number: ACS2021-PIE-PS-0109**

**SUBJECT: Zoning By-law Amendment – 1869 Maple Grove Road**

**OBJET: Modification au Règlement de zonage – 1869, chemin Maple Grove**

**REPORT RECOMMENDATIONS**

- 1. That Planning Committee recommend Council approve an amendment to Zoning By-law 2008-250 for 1869 Maple Grove Road to permit a residential subdivision as detailed in Document 2.**

2. That Planning 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 September 8, 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 le 1869, chemin Maple Grove afin de permettre l'aménagement d'un lotissement résidentiel, comme indiqué dans le document 2.
2. Que le Comité de l'urbanisme donne son approbation à ce que la section du présent rapport consacrée aux détails de la consultation soit incluse en tant que « brève explication » dans le résumé des observations écrites et orales du public, qui sera rédigé par le Bureau du greffier municipal et soumis au Conseil dans le rapport intitulé « Résumé des observations orales et écrites du public sur les questions assujetties aux 'exigences d'explication' aux termes de la *Loi sur l'aménagement du territoire*, à la réunion du Conseil municipal prévue le 8 septembre 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

1869 Maple Grove Road

**Owner**

Maple Way Inc.

**Applicant**

Emilie Coyle, Fotenn Planning + Design

**Description of site and surroundings**

The subject lands are located along the north side of Maple Grove Road, south of Bensinger Way, east of Mykonos Crescent and west of Grenadine Street. The property has an approximate area of 4,051.7 square metres, and frontage along three streets, Maple Grove Road, Mykonos Crescent, and Bensinger Way. The site is currently occupied by a single-detached home. The site is surrounded by existing low-rise residential uses in all directions.

**Summary of requested Zoning By-law Amendment proposal**

The subject property is currently zoned DR (Development Reserve). The requested zoning is R3YY[XXXX] (Residential Third Density, Subzone YY, Urban Exception XXXX). The amendment is requested to allow 16 townhouse dwellings and two (2) semi-detached dwellings.

The proposed zoning amendment seeks to:

1. Rezone the subject lands to R3YY[XXXX].
2. Urban Exception [XXXX] includes provisions addressing the following:
  - Size of required corner sight triangles to be provided as per the approved Plan of Subdivision;
  - Minimum front yard setback for townhouse dwellings is 5.5 metres;
  - Minimum corner side yard setback for townhouse dwellings is 3.0 metres; and,
  - Location and size of the private driveway providing access to permitted parking spaces for the semi-detached dwellings.

## **Brief history of proposal**

On April 24, 2020, the applicant concurrently submitted Major Zoning By-law Amendment and Plan of Subdivision applications for the subject lands to permit 16 townhouse dwellings and two semi-detached dwellings. The subdivision application was draft approved July 14, 2021.

## **DISCUSSION**

### **Public consultation**

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

A total of 14 comments were received during the application review process. Comments were principally concerned with the impacts of construction of surrounding residents, loss of greenspace, parking, and traffic.

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

### **Official Plan designation**

The site is located within the General Urban Area designation as shown on Schedule B of the City of Ottawa's Official Plan. It is also located within the study area boundary of the Kanata West Secondary Plan and the Kanata West Concept Plan. The site is identified as Residential Area A in the Kanata West Concept Plan. The Secondary Plan provides direction on maximum building heights within the study area, and the Concept Plan establishes vision for the area.

### **Planning rationale**

The General Urban Area designation permits the development of a full range and choice of housing types to meet the needs of all ages, income, and life circumstances, as per Section 3.6.1 of the Official Plan. Building heights are to be predominantly low-rise and intensification is supported where it complements the desirable characteristics of the existing community. These policies are also reflected in the Kanata West Concept Plan's vision for the Residential Area A designation. The development of 16 townhouse and two semi-detached dwelling units will increase the housing choices in the community in a manner that is consistent with the existing built form in the surrounding area.

The subject site is currently zoned DR (Development Reserve). The purpose of the DR zone is to recognize lands intended for future urban development in areas designated General Urban Area in the Official Plan. Staff are satisfied that adequate servicing is now in place to accommodate residential development of the proposed scale in this location.

In addition to the general amendment from Development Reserve to Residential zoning, four additional amendments have also been requested as part of this application. They are related to the required corner sight triangles, the front yard and corner side yard setbacks for townhouse dwellings, and the location and size of the private driveways for semi-detached dwellings.

Despite the provisions of Section 57 of the Zoning By-law, the applicant has requested the size of the required corner sight triangles be as per the draft approved Plan of Subdivision. Therefore, it would be formed by that part of the lot lines measured along each street from the intersection of those lines at the street corner, or the projection of those lines for the distance of three metres, and a line drawn between those two lines to form the base of the triangle, while the Zoning By-law requires six metres. The alternative corner sight triangle size has been evaluated through the review of the associated Plan of Subdivision application (File No. D07-16-20-0012), which has been draft approved. Staff are satisfied that proposed corner sight triangle size provides adequate sightlines for vehicle operators making turning movements at the intersection of Mykonos Crescent and Bensinger Way.

Staff have no concerns with the requested front yard and corner side yard setbacks for townhouse dwellings within the proposed development. A front yard setback of 5.5 metres and corner side yard setback of 3.0 metres is consistent with and/or exceeds the setbacks of existing dwellings surrounding the site.

Lastly, the applicant has requested relief from the provisions of Section 107(3)(b) to allow for a portion of the driveway providing access from Mykonos Crescent to be located between the front wall of the residential use building and the street, and to allow the driveway to occupy 68 per cent of the area of the yard in which it is located, while the by-law limits the area of a private driveway in this context to occupy a maximum of 50 per cent. Staff have no concerns with this approach as it reduces the number of driveways on Mykonos Crescent.

## **Provincial Policy Statement**

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

## **RURAL IMPLICATIONS**

There are no rural implications associated with this report.

## **COMMENTS BY THE WARD COUNCILLOR**

Councillor Gower is aware of the report and staff recommendations.

## **LEGAL IMPLICATIONS**

There are no legal impediments to implementing the recommendations of this report.

## **RISK MANAGEMENT IMPLICATIONS**

There are no risk management implications associated with the recommendations in this report.

## **ASSET MANAGEMENT IMPLICATIONS**

The recommendations documented in this report are consistent with the City's [Comprehensive Asset Management \(CAM\) Program](#) objectives. The implementation of the Comprehensive Asset Management program enables the City to effectively manage existing and new infrastructure to maximize benefits, reduce risk, and provide safe and reliable levels of service to community users. This is done in a socially, culturally, environmentally, and economically conscious manner. Management of infrastructure servicing capacities needed to support intensification in this area will be in accordance with strategies provided in the Infrastructure Master Plan.

## **FINANCIAL IMPLICATIONS**

There are no direct financial implications.

## **ACCESSIBILITY IMPACTS**

The proposed buildings will be required to meet the accessibility requirements contained within the Ontario Building Code.

## **ENVIRONMENTAL IMPLICATIONS**

The proposed development requires the removal of all existing trees on the property. The property owner is required to obtain a tree permit prior to the removal of any trees from the site. New trees are to be planted as part of the proposed development.

## **TERM OF COUNCIL PRIORITIES**

This project addresses the following Term of Council Priorities:

- Thriving Communities.

## **APPLICATION PROCESS TIMELINE STATUS**

This application (Development Application Number: D02-02-20-0031) was not processed by the "On Time Decision Date" established for the processing of Zoning By-law amendments due to the complexity of issues related to the associated Plan of Subdivision application,

## **SUPPORTING DOCUMENTATION**

Document 1 Location Map

Document 2 Details of Recommended Zoning

Document 3 Consultation Details

Document 4 Proposed Site Plan

## **CONCLUSION**

The Planning, Infrastructure and Economic Development Department recommends the approval of the Zoning By-law Amendment to permit the development of 16 townhouses and two semi-detached dwelling units on the site. The proposed Zoning By-law Amendment is consistent with the Provincial Policy Statement, conforms to the Official Plan 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](https://geoottawa.ca)



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

The proposed change to the City of Ottawa Zoning By-law No. 2008-250 for 1869 Maple Grove Road:

1. Rezone the lands as shown in Document 1 from DR to R3YY[XXXX].
2. Amend Section 239 – Urban Exceptions, by adding a new exception [XXXX] with provisions similar in effect to the following:
  - a) In Column II, add the text:
    - R3YY[XXXX]
  - b) In Column V, add the text:
    - Despite Section 57(1), the size of the required corner sight triangle will be formed by that part of the lot lines measured along each street from the intersection of those lines at the street corner, or the projection of those lines for the distance of 3 metres, and a line drawn between those two lines to form the base of the triangle.
    - Zone requirements for townhouse dwellings:
      - Minimum front yard setback is 5.5m
      - Minimum corner side yard setback is 3.0m
    - Despite Section 107(3)(b), a driveway providing access to a permitted parking space for a semi-detached dwelling located outside of the front yard may be located between the front wall of the residential use building and the street, provided that the area of the driveway does not exceed 68 per cent of the area of the yard in which it is located.

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

#### Notification and Consultation Process

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

A virtual Public Meeting was held on June 15, 2020.

#### Public Comments and Responses

##### Comment

Concerned that construction noise will negatively impact quality of life for surrounding residents.

##### Response

All construction activity is required to abide by the time guidelines set out in the City of Ottawa's Noise By-law 2017-255.

##### Comment

Concerns with tree removal.

##### Response

A Tree Conservation Report has been submitted by the Owner in support of the development application, which has been reviewed and approved by staff. A tree permit will be required prior to the removal of any trees on the site, as per the City's Tree Protection By-law 2020-340.

##### Comment

Concerned that the blasting, use of heavy equipment, etc. during construction will cause structural damage to surrounding homes.

##### Response

The Contractor is required by the City to carry liability insurance before any work may proceed. Nearby homeowners may be asked by the developer for permission to survey your property before the work commences, as Contractors typically conduct pre-construction inspections to document existing conditions for insurance purposes. It is

the homeowner's choice whether or not they wish to have the inspection conducted on their property. A survey may also be conducted by the homeowner before the work starts, to record the condition of their building. This survey should include photographs and / or video.

Property damage resulting from construction would be considered a private dispute, to be resolved between the complainant and the developer. No City involvement is required.

Comment

Concerned about traffic resulting from construction.

Response

Construction vehicles will be required to abide by existing traffic and street-parking by-laws.

Comment

How will the development be accessed?

Response

All proposed units front onto existing public streets – Maple Grove Road, Besinger Way, and Mykonos Crescent. Each unit will be accessible by a private driveway.

Comment

Will a park be provided?

Response

No park is proposed as part of the subdivision due to the size of the site. In circumstances where there is no land that is either usable or functional on the site for parkland or recreational purposes, the City instead collects money-in-lieu of accepting a conveyance of land.

Comment

New development should not be permitted in a completed community.

Response

Every property owner has the right to submit a development application for their land. The subject site is designated as General Urban Area in the City's Official Plan which permits a wide range of housing.

**Comment**

Why does the site need stormwater management? Is the underground stormwater chamber a typical solution?

**Response**

All sites require stormwater management to contain runoff on the site. The underground storage tank is not a typical solution but is being utilized on this site meet allowable release rates.

Document 4 – Proposed Site Plan

