

3. Zoning By-law Amendment – 471 Terry Fox Drive

Modification au Règlement de zonage – 471, promenade Terry Fox

Committee recommendation

That Council approve an amendment to Zoning By-law 2008-250 for 471 Terry Fox Drive to permit “animal care establishment” as an additional permitted use, as detailed in Document 2.

Recommandation du Comité

Que le Conseil approuve une modification du Règlement de zonage 2008-250 visant le 471, promenade Terry-Fox, afin d'ajouter « Établissement de soins des animaux » aux utilisations permises, comme le précise le document 2.

Documentation/Documentation

1. Report from the Acting Director, Planning Services, Planning, Infrastructure and Economic Development Department, dated November 18, 2021 (ACS2021-PIE-PS-0097)

Rapport de la Directrice par intérim, Services de la planification, Direction générale de la planification, de l'infrastructure et du développement économique, daté le 18 novembre 2021 (ACS2021-PIE-PS-0097)

**Planning Committee
Report 54A
January 26, 2021**

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**Comité de l'urbanisme
Rapport 54A
Le 26 janvier 2021**

**Report to
Rapport au:**

**Planning Committee
Comité de l'urbanisme
6 December 2021 / 6 décembre 2021**

**and Council
et au Conseil
26 January 2022 / 26 janvier 2022**

**Submitted on 18 November 2021
Soumis le 18 novembre 2021**

**Submitted by
Soumis par:
Lily Xu,**

**Acting Director / Directrice par intérim
Planning Services / Services de la planification
Planning, Infrastructure and Economic Development Department / Direction
générale de la planification, des biens immobiliers et du développement
économique**

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**Ward: KANATA NORTH (4) / KANATA
NORD (4)**

File Number: ACS2021-PIE-PS-0097

SUBJECT: Zoning By-law Amendment – 471 Terry Fox Drive

OBJET: Modification au Règlement de zonage – 471, promenade Terry Fox

REPORT RECOMMENDATIONS

1. That Planning Committee recommend Council approve an amendment to Zoning By-law 2008-250 for 471 Terry Fox Drive to permit “animal care establishment” as an additional permitted use, 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 January 26, 2022,” subject to submissions received between the publication of this report and the time of Council’s decision.

RECOMMANDATIONS DU RAPPORT

1. Que le Comité de l'urbanisme recommande au Conseil d'approuver une modification du Règlement de zonage 2008-250 visant le 471, promenade Terry-Fox, afin d'ajouter « Établissement de soins des animaux » aux utilisations permises, comme le précise 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 26 janvier 2022 », 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

471 Terry Fox Drive

Owner

7873794 Canada Inc. / triMterra Development Corporation

Applicant

Dennis Laurin

Description of site and surroundings

The subject property is located on the east side of Terry Fox Drive between Tillsonburg Street and Kanata Avenue (See Document 1). The parcel measures approximately 1.17 hectares in area. A multi-unit commercial plaza is currently under construction on the subject property and a gas station is currently operational on-site.

The site is bounded by Terry Fox to the south, Kanata Avenue to the east and Tillsonburg Street to the west. Surrounding land uses include open space and agricultural lands to the west, low-rise residential to the north, east and south with a piece of vacant land to the south, across Kanata Avenue, zoned local commercial.

Summary of requested Zoning By-law amendment proposal

The subject lands are currently zoned Local Commercial Zone, Subzone 7, Exception 411 (LC7[411]). A development consisting of a multi-unit commercial plaza, a gas station, a convenience store, and a car wash was approved in 2019. The gas station, convenience store and car wash are currently operational, and the multi-unit commercial plaza is currently under construction. The applicant is seeking to add “animal care establishment” as an additional permitted use in order to permit a pet grooming business within the previously approved multi-unit commercial plaza. The as-of-right zoning does not list “animal care establishment” as a permitted use. No modifications to performance regulations are being sought and no changes to the previously approved site plan are being proposed.

Brief history of proposal

The subject property was subject to a Zoning By-law amendment application (D02-02-19-0016) and a Site Plan Control application (D07-12-19-0017) in 2019. The applications were filed to permit the development of a multi-unit commercial plaza, a gas bar, a convenience store, and a car wash. The development consisted of uses which were permitted by the as-of-right zoning and the Zoning By-law amendment application was filed to reduce the front and corner side yard setbacks, to increase the maximum gross leasable floor area, and to permit an outdoor commercial patio within 21 metres of a residential zone. The Zoning By-law amendment was adopted by City Council on September 11, 2019 and the Site Plan Control application was subsequently approved by staff on December 16, 2019.

Additional applications were made for a previously proposed development on the subject property. Minor variance applications seeking relief for the front yard and corner side yard setbacks were approved in 2012, however, the application to develop the property did not proceed.

DISCUSSION

Public consultation

Public consultation of the application was carried out in accordance with the City's Public Notification and Consultation Policy.

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

Official Plan designation

The site is currently designated as General Urban Area pursuant to Schedule B of the Official Plan (2003). The General Urban Area designation permits all types and densities of housing, as well as employment, retail uses, service, industrial, cultural, leisure, greenspace, entertainment, and institutional uses. Throughout the General Urban Area, the City will encourage the provision of a variety of small, locally-oriented convenience and service uses that complement adjacent residential land uses and are of a size and scale consistent with the needs of nearby residential areas.

Planning rationale

Official Plan Policies

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

Section 2.5.1 of the current Official Plan and OPA 150 provides direction for urban design and compatibility in Ottawa through design objectives and policies, including objectives to create places with unique identities and ensuring development respects the character of existing areas. Section 4.11 of the Official Plan provides compatibility criteria for evaluating development proposals including, but not limited to, traffic, vehicular access, parking requirements, loading areas, and noise.

The General Urban Area permits a variety of uses and directs uses that may have potential noise or traffic impacts to locations along arterial or major collector roads. Additionally, these types of uses are to be located along the perimeter of established residential neighbourhoods.

The subject property is located at the perimeter of a residential area and within the General Urban Area designation. The General Urban Area designation permits a variety of small, locally-oriented convenience and service uses that will not result in the attraction of large volumes of vehicular traffic from outside the immediate area are encouraged. An animal care establishment represents a small, locally-oriented convenience and service use that is consistent with the intent of the General Urban Area designation.

Zoning By-law

The subject lands are currently zoned Local Commercial Zone, Subzone 7, Exception 411 (LC7[411]). The as-of-right zoning permits a wide variety of small, locally-oriented convenience and service uses such as restaurants, retail stores, medical facilities, gas bars, and automobile service stations. An animal care establishment is a locally-oriented convenience and service use that is comparable to the currently permitted uses. An animal care establishment means an establishment for the caring, grooming and training of household pets, but does not include a kennel or an animal hospital. The request for the addition of an animal care establishment as an

additional permitted use on the subject property is consistent with the general intent of the Zoning By-law.

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 the recommendations in this report.

COMMENTS BY THE WARD COUNCILLORS

Councillors Hubley and Kavanagh are aware of the application related to this report.

LEGAL IMPLICATIONS

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

RISK MANAGEMENT IMPLICATIONS

There are no risk implications.

ASSET MANAGEMENT IMPLICATIONS

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

FINANCIAL IMPLICATIONS

There are no direct financial implications.

ACCESSIBILITY IMPACTS

There are no accessibility impacts associated with this report. However, it should be noted that accessibility has been reviewed through the Site Plan Control process and measures have been provided to ensure the site remains accessible.

ENVIRONMENTAL IMPLICATIONS

There are no environmental implications associated with this report.

TERM OF COUNCIL PRIORITIES

This project addresses the following Term of Council Priorities:

- Economic Growth and Diversification
- Thriving Communities

APPLICATION PROCESS TIMELINE STATUS

This application (Development Application Number: D02-02-21-0100) 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

CONCLUSION

The Planning, Infrastructure and Economic Development department supports the application and the proposed Zoning By-law amendment. The request for the addition of an animal care establishment as an additional permitted use on the subject property is consistent with the policies of the General Urban Area, is consistent with the intent of the Zoning By-law, and will not result in undue adverse impacts.

DISPOSITION

Committee and Council 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, Program Manager, Tax Billing and Control, Finance Services Department (Mail Code: 26-76) of City Council's decision.

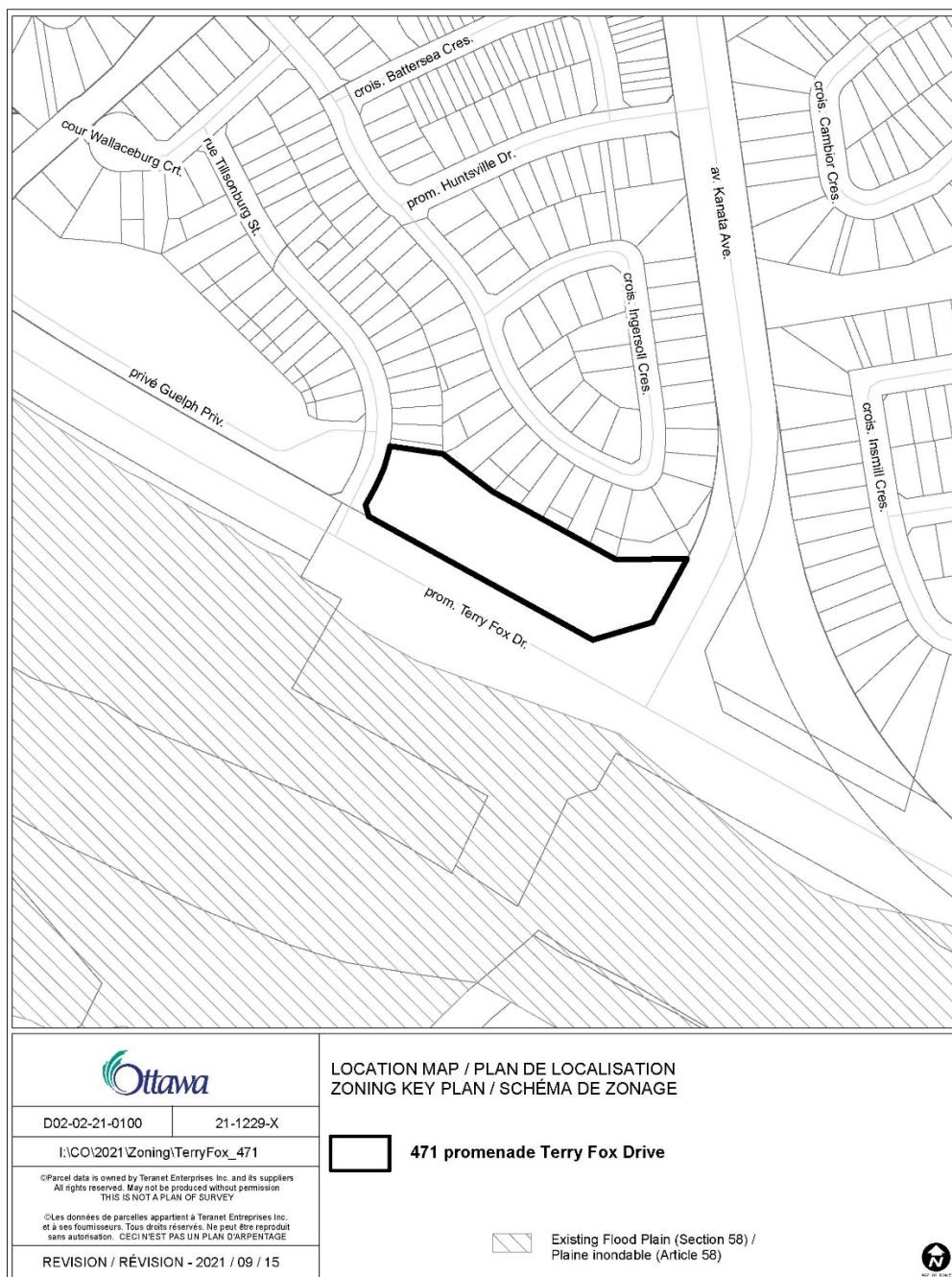
Zoning and Interpretations Unit, Policy Planning Branch, Economic Development and Long Range Planning Services to prepare the implementing by-law and forward to Legal Services.

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 471 Terry Fox Drive:

1. Amend Section 239, Urban Exception 411, as follows:
 - a. In Column III add the following provision for additional land uses permitted:
 - i. Animal care establishment

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

The Planning, Real Estate and Economic Development department received zero comments from the public and one inquiry from the Kanata Lakes Community Association regarding the animal care establishment use. Staff confirmed that a kennel use was not being proposed. The applicant indicated that the intended tenant is a local pet grooming business.